



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
OFFICE OF THE CABINET SECRETARY**

REMARKS BY

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CABINET SECRETARY

MINISTRY OF LABOUR AND SOCIAL PROTECTION

**DURING THE MID TERM REVIEW OF THE MINISTERIAL
FORUM ON HARMONIZING LABOUR MIGRATION
POLICIES IN THE EAST AND HORN OF AFRICA REGION**

ON 25TH NOVEMBER, 2020

Fellow Ministers in charge of Labour Migration within the East and Horn of Africa Region;

Permanent Secretaries/Directors in charge of Labour Migration within the East and Horn of Africa Region;

Regional Director IOM/UN Migration Regional Office for East and Horn of Africa;

Director ILO, Country Office Addis Ababa, (Horn of Africa and IGAD)

**Commissioner for Social Affairs African Union Commission (AUC);
Executive Secretary Inter-governmental Authority on Development (IGAD);**

Secretary General East African Community (EAC);

Other Distinguished Guest

Ladies and Gentlemen

Allow me to take this early opportunity to welcome all of you to this meeting. I trust you are all keeping safe as we try to cope with this pandemic, which has taken the world by storm and changed the way of life.

Ladies and gentlemen

In today's globalized world, labour migration has become an increasingly important policy issue. Issues like Economic hardship and geopolitical crises leading to lack of decent work have become major drivers of migratory movements. In many economies, including emerging economies, the factors leading to labour migration include ageing populations, declining labour forces, and increasing number of women joining migration flows as independent workers

Similarly, labour migration has immense socio-economic benefits to both countries of origin and destination. It is a source of employment and livelihoods for migrant workers, addresses skills gaps in destination countries and brings in the much-needed remittances to migrants' countries of origin.

There are documented factors that lead to international migration broadly divided into push factors such as high levels of population growth rates, poor labour market indicators, relatively poor social and economic amenities, natural disasters, and insecurity, among others and pull factors such as better economic and political prospects in countries of destination.

Overview of Joint Labour Migration Programme (JLMP)

Data from Joint Labour Migration Programme shows that International migration in Africa increased from 13.2 million migrants to 15.9 million migrants from 2008 to 2014. The report further shows that most international migrants in Africa resided in Community of Sahel-Saharan States and Economic Community of West African States comprising 7.6 million and 7.1 million migrants respectively. The Regional Economic Community hosting the least international migrants were Arab Maghreb Union (1.1 million) and Economic Community of Central African States (1.6 million) migrants.

The report further shows that countries with high international migrants were Cote d'Ivoire, Nigeria and South Africa, registering 2.3 million, 1.3 million and 1.2 million respectively. Other countries in Africa with sizeable migrant populations were Kenya (976,732), Burkina (786,737), Libya (772,874), Ethiopia (726,913), Tanzania (699,605), Ghana (658,068) and South Sudan (652,515). This clearly shows our region is lagging behind.

The report reveals that in the IGAD region ,the top three countries with the largest numbers of international migrants for the years 2013 and 2014 were Ethiopia, Kenya and South Sudan accounting for more than 2 million migrants over the two years; while the Uganda, Somalia and Djibouti altogether accounted almost for 500 000 migrants.

A look at the percentage of migrant workers to total population, report available shows Djibouti and South Sudan leading with Djibouti accounting for 14.2%, South Sudan 5.5% ,Kenya 2.2% , Uganda 0.9%, Ethiopia 0.8 % , and Somalia 0.1%

For over a decade, the African Union has been engaged in providing policy guidance on Migration and working closely with its Member States to address critical migration issues. The various African Union policy frameworks and instruments on the issue contain recommendations on how to promote the benefits of migration, improve capacity for migration management and enhance mobility on the continent as well as address the challenges of irregular migration.

The Heads of State and Government of Africa at their 24th Ordinary Session of the AU Assembly in January 2015, adopted the Labour Migration Governance for Development and Integration Regional Programme in Africa, known as the Joint Labour Migration Programme (JLMP).

This policy defined the strategies under Priority Area 5, of the AU Plan of Action on Employment and Poverty Alleviation, that was adopted in Addis Ababa in January 2015. The objectives and actions were designed to meet the challenges of migration and labour mobility on the continent by strengthening the capacity of Member States and Regional Economic Community.

They also aimed at extending social security to migrants to access compatible portability systems, resolve “shortages” of skills and inadequate teaching skills, while increasing recognition of diplomas harmonized across Africa, fair hiring practices, among others.

It is on the basis of the above that we started the Regional Ministerial Forum which we held in Nairobi, on 20th and 21st January, 2020 and bringing together delegations from eleven (11) countries namely Kenya, Burundi, Djibouti, Eritrea, Ethiopia, Rwanda, Somalia, South Sudan, Sudan, Uganda and Tanzania. This forum also brought key regional bodies namely the Inter-Governmental Authority on Development (IGAD), African Union (AU), East African Community (EAC); African Institute for Remittances, social Partners, and Development Partners.

Ladies and gentlemen

The Theme of the Forum was “A United Approach to Safe, Regular and Humane Labour Migration”. This resonated well with the goals set under the Global Compact for Migration, particularly strengthening international cooperation and global partnerships for safe, orderly and regular migration.

The Nairobi Forum was in line with the African Union Constitutive Act, 2000, which recognizes the right to free movement of people as a fundamental part of integration at the continental and regional levels. It is also aligned to the Free Movement Protocol developed by the Inter-Governmental Authority on Development (IGAD), and the East African Community (EAC) Common Market Protocol.

Ladies and Gentlemen

The forum had a number of objectives namely to;

- enable Member States in the region to reach a common understanding and approach on labour export;
- enhance and expand Member States bargaining capacity and leverage by speaking with one voice on labour export;
- strengthen regional dialogue on harmonization of labour migration policies;
- information and data sharing among Member States and
- capacity building to enhance knowledge and skills of government and stakeholders on ways in which to put effective mechanisms in place to prepare migrants workers and ensure that their fundamental human, labour and social rights are upheld in all states of the migration process.

By having mechanism in place, we will reduce the possibility of abuse and exploitation of migrant workers and promote harmonization of regional approaches in labour migration.

Honourable Ministers, Ladies and Gentlemen

In order to enhance labour migration management and address the regional challenges, the Nairobi forum sought to promote harmonization of regional approaches in the following areas:

- Coordination of migration;
- labour market information system on migration and diaspora engagement;
- communication on migrant welfares in countries of destination;
- bilateral labour arrangements;

- opportunities for regional cooperation to promote safe and orderly labour mobility in the region;
- addressing Human Trafficking and smuggling in persons and abuses of migrant workers' rights; and
- creating synergies with past action and ongoing programmes.

Ladies and Gentlemen

There are a number of benefits that can be derived from regional process as demonstrated by other similar state-led regional consultative processes on migration such as Colombo Process (a Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia) and Abu Dhabi Dialogue (ADD) which consist of 6 Gulf Cooperation Council member States of destination: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates and twelve Member States of the Colombo Process (CP) as well as Malaysia. These processes aims to enable safe, orderly and regular labour migration in some of the world's largest labour migration corridors. They ensure member states develop partnership for adopting best practices , and are in position to learn from one another's experience

A good example is Philippines a member State of the Colombo Process that has over 10.2 Million overseas Filipinos in more than 200 countries with five thousand (5,000) migrant workers leaving the country every day. It is estimated that the leading foreign exchange earner for the government of Philippines is the annual remittances from working a broad amounting to 34 Million US Dollars. This poorly compares to 46 Million US dollars for the whole of Sub Saharan Africa.

Ladies and Gentlemen

The Nairobi meeting took cognizance of challenges affecting labour migration management in the region which were identified to include;

- uncoordinated labour migration management;
- inadequate institutional framework;
- lack of timely and reliable labour migration information;
- inadequate legal and policy framework and
- inadequate communication channels on migrant welfare in countries of destination.

In addition, you will recall that the meeting took note of the fact that although Bilateral Labour Migration Agreements (BLMAs) are the primary instruments guaranteeing protection of migrant workers' rights, recent studies have shown that there exist substantive gaps between existing BLMAs in the region and international standards. This is especially with respect to the adequacy of social protection and access to services available to migrant workers, hence the need for harmonization of labour migration policies across the region

Ladies and Gentlemen

The outcome of the Nairobi Forum was a Communiqué and a Call to Action Priorities (2020-2023) – that we christened “The Nairobi Process”, which outlined;

- Regulation and Enforcement,
- Regional Cooperation,
- Strategic Approaches to Labour Migration Governance and Policy,
- Response to protection of the needs of Migrant Workers, and
- Proposed Actions Requiring Technical Assistance.

A Regional Ministerial Labour and Social Protection Forum (RMLSPF) comprising of the regional Ministers was also formed to guide the process.

Ladies and Gentlemen

The Regional Ministerial Forum agreed on the establishment of National Technical Advisory Committees (TAC) at country level, chaired by Permanent Secretaries/ Directors in charge of labour migration and drawing membership from agencies dealing with labour migration in the respective countries. The Committee are expected to: identify immediate, short-term and long-term interventions from the Communiqué for effective labour migration management; develop a Road Map for implementation of the identified interventions; undertake mid-term and annual reviews of progress made in implementation of the identified initiatives; and report on the progress made during the mid-term and annual high-level Technical review meetings of the Regional Ministerial Labour and Social Protection Forum (RMLSPF). It is gratifying to note that all countries have established and operationalized the Technical Advisory Committees.

Ladies and Gentlemen

As you will recall, the Nairobi meeting agreed that the first Mid-Term Technical Review of the Regional Ministerial Labour and Social Protection Forum was to be held in June, 2020 in Addis Ababa, Ethiopia. However, following the outbreak of the COVID-19 global pandemic, it was not possible to hold the planned physical meeting.

Nevertheless, the First Regional Technical Advisory Committee (TAC) meeting was held virtually, hosted by the Principal Secretary, State

Department for Labour, Kenya in partnership with the International Organization for Migration on 21 July 2020.

During the meeting, progress made in implementation of the “Nairobi Process” was reported, and from the report of the Technical advisory meeting, it is encouraging to note that considerable progress has been made in enhancing labour migration governance in our countries. This is indeed the spirit of this Forum.

I note that in line with the recommendation of the Forum a model Bilateral Labour Migration Guidelines has been developed with support from International Labour Organization (ILO) to assist countries in the region in developing and aligning their BLMAs to the international standards. The Draft Guidelines will be shared and deliberated in this today’s forum.

Ladies and Gentlemen

The COVID-19 pandemic has brought about a new set of challenges in the protection of the rights of migrant workers. Beyond the health aspect, the pandemic has led to job losses and decline in employment opportunities in host countries, uncertainty due to lockdown, the withholding of wages by employers and the threat of redundancies. In some cases, strict coronavirus containment measures have led to deportations and confinement. These impacts have immense implications on our labour migration strategies as a region.

Let me encourage all of us today to share our countries experiences on labour migration management and especially on lessons learnt during this COVID-19 period. These will key in enabling us to design and implement appropriate and innovative interventions and strategies in the protection of migrant workers and foreign jobs. This is important in

forging a common approach towards safe, orderly and humane labour migration in East and Horn of Africa.

It is notable, that most countries in the region and globally have come up with new restrictions to try and contain the second wave of COVID-19 pandemic, as a result, protection of migrant workers should be prioritised as most of them continue to be on the frontlines of the COVID 19.

It is therefore important for member States to put in place appropriate policy measures individually, as countries and as a region, to cushion the region's migrant workers especially those migrant workers in distress and other vulnerable populations during this period and future crisis, and to ensure the reintegration of those who return to their home countries.

Ladies and Gentlemen

It is gratifying to note that some of the countries in the GCC have now opened their doors to our migrant workers, subject to meeting the health, travel and workplace protocols. Allow me to report to you that Kenya held a virtual consultative meeting on Labour migration with Ambassadors from Gulf Cooperation Council (GCC) countries on 16th November 2020, to discuss on joint proposals on promoting safe and orderly migration to the GCC region.

In this regard, let me urge you that we consider the idea of having a regional consultative meeting with the GCC in the future so that we can move together and negotiate with them as a block

Today's Forum provides us with an opportunity to openly discuss and collectively identify strategies and unified approaches for harnessing

opportunities, and managing challenges to promote safe and orderly labour migration.

It is my belief that the Forum will enhance the knowledge and skills of participants in addressing issues faced by migrant workers and their governments.

In the end, we want to ensure that the fundamental human, labour and social rights of migrant workers are upheld in all stages of the migration process.

Ladies and Gentlemen

Allow me to state that the key deliverables for today's meeting, which are in line with the signed communique, include Adoption of:

- Operating Modalities for implementation of the “Nairobi Process”
- Terms of Reference (TOR) for the Regional Technical Advisory Committees
- Regional Roadmap for implementation of “Nairobi Process”

As I conclude, let me state that the success of the implementation of **‘The Nairobi Process’** largely depends on consensus and the guidance provided by the Ministers. This Forum therefore clearly demonstrate that indeed, it is possible to work towards a united approach to safe, regulated and humane labour migration, within and from the region.

Honourable Ministers allow me to take this opportunity to thank you sincerely for the trust you bestowed on me to chair this forum for a period of one year. I wish to thank all of you for your support and wish to assure you of my commitment for the remaining period. I also wish to thank IOM and ILO for their facilitative support towards implementation of the “Nairobi Process”, and in particular for helping to host today's meeting

Finally, I wish you all fruitful deliberations in today's meeting.

THANK YOU AND GOD BLESS YOU ALL