

South African High Level Seminar and Policy Development Workshop on Labour Migration

9 – 14 November 2014

The high Level Seminar Detailed programme

Description of content and presenters

MONDAY 9 NOVEMBER

09:00 OPENING (Chair: Department of Labour)

- Ms Michelle Leighton, Chief, MIGRANT Branch, ILO Headquarters, Geneva (video)
- Mr Joni Musabayana, Deputy Director, ILO Country Office and Decent Work Team for Southern and Eastern Africa, Pretoria
- Mr Richard, IOM Head of Mission, South Africa, on IOM's support to labour migration policy development and collaboration with the ILO in the sub-region;
- Mr Virgil Seafeld, DDG: Labour Policy and Industrial Relations, Department of Labour

10:00 General Introduction, presentation of the agenda and objectives of the training course

- Department of Labour
- Ms Miriam Boudraa, Activity Manager, Labour Migration, ITC ILO, and Ms Aurelia Segatti, Labour Migration Expert, ILO DWT Pretoria

10:30 Break

11:00 PLENARY 1: The Fair Migration agenda and the ILO approach on migration (Chair: Department of Labour)

Presenter: Ms Samia Kazi Aoul standing in for Ms Michelle Leighton, Chief, ILO MIGRANT Branch, ILO Headquarters, Geneva

Summary: This session will present the ILO current agenda on migration. It will review on-going global debates on migration and development and situate the ILO approach and added value in these fora. The session will end on a rapid overview of current ILO strategy on labour migration and technical cooperation activities across the world and in the Africa region.

12:30 Lunch

13:30 PLENARY 2: Labour migration and regional integration: Trends and driving forces in Africa and Southern Africa (Chair: Department of Home Affairs)

Presenters: Mr Vincent Williams, consultant South Africa; Ms Aurelia Segatti, Labour Migration Expert, ILO DWT Pretoria; Mr Austin Muneku, Executive Secretary SATUCC

Summary: This session will provide an overview of key concepts guiding the regional integration of labour markets and migrant workers' mobility. A brief review of existing regimes internationally will be presented before turning to recent developments in the Africa region (AU Migration Policy Framework and Joint Labour Migration Programme). The plenary will end on recent developments within SADC.

15:00 Break

15:30 PLENARY 2: Continued / World Café

Facilitator: Mr Vincent Williams, consultant South Africa.

A world café typically consists in thematic group discussions relating to the main topic (regional integration). Participants move between thematically organised tables with a facilitator. Each table discussion is recorded (on sheets of paper). At the end of the activity time, each facilitator reports on the gist of the discussion at his/her table.

17:00 End of Day 1.

18:00 Cocktail party (same venue)

TUESDAY 10 NOVEMBER

09:00 PLENARY 3: Adopting a rights-based approach to labour migration: Implications and relevant instruments (Chair: ILO)

Proposed presenter: Ms Miriam Boudraa, Activity Manager, Labour Migration, ITC-ILO Turin

Summary: This session will unpack the notion of a 'rights-based approach' to labour migration and highlight what the implications are of adopting such an approach in national policy development. The session will then consist of a detailed presentation of existing international standards and instruments relevant to migrant workers.

10:30 Break

11:00 PLENARY 4: National Labour Migration Policies: Policy development processes and examples of good practice (Chair: Department of Labour)

Presenters: Mr Jo Rispoli, Regional Labour Migration Specialist, IOM; Ms Aurelia Segatti, Labour Migration Expert, ILO DWT Pretoria; Ms Deva Seewooruthun, Permanent Secretary – Home Affairs, Mauritius Office of the Prime Minister.

Summary: This session will clarify various types of existing migration related policies (migration & development; immigration; labour migration; diaspora policies; overseas workers policies, etc) and policy development processes, drawing on existing examples from across the world and the region. It will then draw on the example of the Mauritius various policy instruments on labour migration.

12:30 Lunch

13:30 ELECTIVE COURSES

Course 1: Assessing labour market shortages and the needs for skilled and low-skilled migrant workers

Proposed presenters: Prof. Iván Martín, Migration Policy Centre, European University Institute

Summary:

Designing and implementing sound labour market information systems (LMISs), including accurate labour market needs assessment (LMNA) and skills anticipation, is a crucial component of any well-functioning labour market and labour migration system. It is a precondition for preventing brain drain, brain waste and poor labour market integration through underutilization of skills, labour shortages or labour and skills mismatches as well as mis-adjustments in the national migration policy. The course will review the role, the nature and the main components of a labour market information system integrating international labour migration and how to develop it. Then, it will discuss different methods and options to assess labour market needs and hence international labour migration needs as a basis for an efficient labour migration policy. In both cases, it will compare an ideal LMIS and LMNA system with the current institutions and practices in South Africa.

Course 2: Ensuring protection of migrant workers at the workplace: Role of and approaches to labour inspection

Presenters: Mr Fernando Fonseca, Activity Manager, Labour Administration and Labour Inspection, ITC-ILO Turin and Ms Miriam Boudraa, Activity Manager, Labour Migration, ITC-ILO Turin

Summary:

Labour inspection is a key element of any labour administration system for enduring the implementation of labour policies, providing feedback and allowing for a readjustment of these policies as necessary. In recent years, the importance of labour inspection in promoting decent work has been widely recognized. Yet in many countries, the changing world of work with its new employment patterns has been accompanied by reduced government interventions in the workplace. Even where there is a general agreement on the benefits of labour inspection, the real impact of labour inspectors has often been limited, especially among vulnerable or hard-to-reach groups and in the large informal economy. This course looks at the role that labour inspectors can play in protecting the labour rights of migrant workers.

15:00 Break

15:30 Courses 1 and 2 to be continued.

17:00 End of Day 2.

WEDNESDAY 11 NOVEMBER

9:00 PLENARY 5: Reinforcing Social Dialogue in the Governance of Labour Migration (Chair: Department of Labour)

Presenters: Ms Miriam Boudraa, Activity Manager, Labour Migration, ITC-ILO; NEDLAC

Summary: This session will first envisage the pros and cons of social dialogue in the governance of labour migration, at the different stages of development and implementation of such policies. It will illustrate concepts and principles through case studies. The session will then turn to inputs from members of NEDLAC on their perspective regarding the treatment and way forward to labour migration issues by the Council.

10:30 Break

11:00 ELECTIVE COURSES

Course 3: Extending the social protection to migrant workers and their families

Presenters: Mr Aly Cissé, ILO Chief Technical Advisor ECOWAS Labour Migration Initiative, Social Protection Specialist (ILO Abuja), and Prof. Marius Olivier, Director: International Institute for Social Law and Policy (IISLP), Extraordinary Professor: Faculty of Law, Northwest University (South Africa)

Summary:

Although the 105 million migrant workers of the 232 million international migrants worldwide contribute fully to the economies of their host and home countries, migrant workers are among the most excluded from even basic coverage by social protection instruments and schemes, in particular undocumented migrant workers. They risk losing entitlement to social security benefits in their country of origin due to their absence and may at the same time encounter restrictive conditions under the social

security system of the host country. They may contribute to social security schemes, either in their home countries or countries of destination, but may not receive any corresponding benefit. They may face constraints in the portability of these rights. Schemes may have long residency requirements, making it difficult for temporary migrants to claim their benefits, effectively amounting exclusion from any form of social protection when engaged in temporary or informal work

Course 4: Coordination, coherence and cooperation between government institutions and other agencies dealing with labour migration

Presenters: Ms Aurelia Segatti, ILO Pretoria; Prof Ivor Chipkin, Public Affairs Research Institute, University of the Witwatersrand

Summary:

Due to its multi-faceted dimension, migration is a complex sector for state intervention and social partners' consultation. Historically, mostly ministries of interior or home affairs have been tasked with its oversight and little social dialogue has dominated the governance of migration related policies. Labour migration policies and their development require fairly complex and sophisticated models of inter-ministerial, inter-agency coordination. This dimension of governance has been identified by the South African Public Service Commission as one of the main challenges in the delivery and implementation of policies. This session will start with a broad overview of models of inter-ministerial coordination in migration governance, with a specific emphasis on labour migration. It then looks at specific issues and possible solutions drawing on South African case studies.

12:30 Lunch

13:30 Courses 3 and 4 to be continued.

15:00 Break

15:30 WRAP-UP SESSION: What did you learn? Certificate award and closing ceremony

17:00 End of Day 3 and of the High Level Seminar