



Concept Note

SADC Labour Migration Workshop

Reviewing Trends and Challenges,

Reaching Consensus on Policy and Programmatic Recommendations

21 – 23 August 2013

Birchwood Hotel, Johannesburg, South Africa

1. Background and Introduction

The Southern African Development Community (SADC) vision is a future in Southern Africa region with welfare, improved living standards, freedom, social justice, peace and security. Through efficient productive systems, deeper co-operation and integration, good governance, and durable peace and security SADC aims to promote sustainable equitable economic growth and socio-economic development in the region.

The area of migration is well embedded in SADC Policy and strategic frameworks: The SADC Treaty states, inter-alia, that in order to achieve its objectives SADC shall “develop policies aimed at the progressive elimination of obstacles to free movement of capital and **labour**, goods and services, and of the people of the region generally, among Member States”. In addition, one of the strategic objectives of the SADC Employment and Labour Sector is to develop, coordinate and harmonize policies and strategies aimed at promoting labour migration in the Region in line with SADC Treaty and the Regional Indicative Strategic Development Plan (RISDP) framework and guidelines aimed at facilitating free movement. *The*

SADC Protocol on the Facilitation of Movement of Persons' is one of the principal policy instruments for managing migration in the SADC region. Its ultimate objective is the progressive abolition of controls on movements at internal borders between member states in SADC.

Labour migration is increasingly featuring on the agenda for the ILO and its constituents in the Africa region. At the sub-regional level it features in the context of regional integration and labour mobility. This entails better governance of labour migration and the role of social dialogue, and approaches to specific challenges such as social security coverage and portability, recognition of diplomas, qualifications and skills and non-discrimination and equality of treatment, including proper working conditions, for migrant workers at all skill levels. At national level initiatives include tripartite consultations for the formulation of national labour migration policies, enhanced protection of migrant workers and targeted sectoral approaches.

This work includes, inter alia, collaboration with the SADC Secretariat and the member States which has resulted in the inclusion of labour migration in the Protocol on Employment and Labour, the Labour Migration Action Plan, all endorsed by the SADC Ministers of Labour during the SADC Employment and Labour Sector meeting held in Maputo in April 2013.

The SADC secretariat with support from ILO in collaboration with IOM will convene a labour migration workshop for the SADC region, endorsed by the SADC Ministers of Labour, from 21-23 August 2013 in Johannesburg. The workshop will build on the SADC Action Plan on Labour Migration as well as findings from on-going research coordinated by the Witwatersrand University in Johannesburg to which the ILO is contributing to technically and financially. The research covers labour migration in SADC with components on policy assessment, social security, data collection and low and high-skilled migration.

The workshop will take into consideration in its discussions important upcoming global debates on migration, namely the UN General Assembly High-level Dialogue on International Migration and Development and the ILO Tripartite Technical Meeting on Labour Migration. The workshop provides an opportunity for the SADC region to prepare for both of these meetings, to identify what are the issues at stake as seen from the SADC region and make sure that challenges, as well as approaches, in the region are reflected in these two meetings.

From the perspective of the ILO and its constituents, the world of work needs to be adequately reflected in and mainstreamed into debates on international migration and development at the global, regional and national levels. This also means giving due recognition to the principal stakeholders engaged in the world of work – the ILO's tripartite constituents of ministries of labour, employers' and workers' organisations – and designing appropriate mechanisms and processes to make labour migration between countries and regions more equitable and effective, thus enhancing its beneficial impact on sustainable development processes.

The UN GA High-level Dialogue (HLD) will take place in New York 3-4 October 2013. The purpose of the HLD is to identify concrete measures to strengthen coherence and cooperation at all levels, with a view to enhancing the benefits of international migration for migrants and countries alike and its important links to development, while reducing its negative implications. The HLD will consist of four Roundtables; (i) Assessing the effects of international migration on sustainable development and identifying relevant priorities in view of the preparation of the post-2015 development framework, (ii) Measures to ensure respect for and protection of the human rights of all migrants, with particular reference to women and children, as well as to prevent and combat the smuggling of migrants and trafficking in persons and to ensure orderly, regular and safe migration, (iii) Strengthening partnerships and cooperation on international migration, mechanisms to effectively integrate migration into development policies and promoting coherence at all levels and (iv) International and regional labour mobility and its impact on development.

The recent approaches taken in the SADC region for the inclusion of labour migration in important regional policies such as the Protocol on Employment and Labour, and the SADC Labour Migration Action Plan are indeed relevant for the topics to be discussed at the HLD. Hence, the HLD provides a timely opportunity to convey these approaches, also seen in the context of the on-going discussion of the post-2015 development agenda.

At its three hundred and sixteenth Session in November 2012, the ILO's Governing Body requested the Director-General "to organize a tripartite meeting, (...), enabling the Organization to assess the outcome of the High-Level Dialogue on International Migration and Development and consider possible areas for ILO follow-up".¹ To follow up to this request, the ILO will organise a Tripartite Technical Meeting on labour migration in Geneva from 4-8 November 2013. The purpose of this meeting is to formulate recommendations regarding the follow up action of the ILO to the outcomes of the High-Level Dialogue on International Migration and Development and agree on a plan of action on labour migration for the Office taking into account the changing landscape of international labour migration and its implications for the world of work. The topics to be covered at the meeting are (i) labour migration in the context of debates on international migration and development of the post-2015 development framework; (ii) the effective protection of migrant workers, with reference to the particular vulnerabilities of low-skilled and middle skilled workers; (iii) sound labour market assessment needs, and skills recognition and certification; and (iv) international cooperation and social dialogue for well-governed national and international labour migration and regional mobility.

All of these four topics are of relevance to the SADC region, and important lessons learned from the measures taken at the level of the sub-region as well as country level will provide important inputs to the discussions at the tripartite meeting. The SADC workshop should look at all of the

¹ International Labour Office, Governing Body, 316th Session, Geneva, 1-16 November 2012, Policy Development Section, Employment and Social Protection Segment, Decision of 8 November 2012. See http://www.ilo.org/gb/decisions/GB316-decision/WCMS_192865/lang--en/index.htm . For the background document (GB.316/POL/1) informing this decision, see http://www.ilo.org/gb/GBSessions/GB316/pol/WCMS_191013/lang--en/index.htm .

four topics, identify which of these are of particular relevance to the region and identify the main inputs that should be provided. As this tripartite meeting will also establish a plan of action on labour migration for the ILO, the SADC workshop should deliberate on the priorities such a plan should contain.

2. Objectives of the Workshop

The objectives of the workshop are to:

- a) Review the trends and challenges of labour migration in the SADC region
- b) Assist the SADC delegation to the UN General Assembly High-level Dialogue on International Migration and Development.
- c) Assist the SADC delegation to the ILO Tripartite Technical Meeting on Labour Migration.
- d) Reach consensus and make conclusions and recommendations on policies and programmes on labour migration in the SADC region.

3. Methodology of the Workshop

The workshop will take the form of presentations, plenary discussions, group work and group presentations.

4. Major Outputs of the Workshop

- a) Greater understanding among the ILO constituents of the concept of labour migration, and the trends and major challenges of labour migration in the SADC region.
- b) Adoption of a common position on labour migration among the SADC delegation to UN General Assembly High-level Dialogue on International Migration and Development.
- c) Adoption of a common position on labour migration among the SADC delegation to the ILO Tripartite Technical Meeting on Labour Migration.
- d) Adoption of conclusions and recommendations for labour migration policies and programmes to be adopted and implemented by the SADC members states

5. Proposed Participants of the Workshop

The participants will be one from each of the ILO constituents (namely: Ministry of Labour, Workers' organization, Employers' Organization) from the SADC member states plus a representative from the Ministry of Home Affairs of each member states.

Number of Participants: 56 delegates (four per country X 14 SADC member states)

Please note Madagascar is suspended from the all SADC activities

6. Organizational Matters

The workshop is a SADC workshop with financial and technical support from ILO and IOM. Thus all SADC protocols and procedures will be observed.

7. Budget

The budget estimate for the workshop is USD90 000 to cover participant flights, airport transfers from and to O.R. Tambo airport only, accommodation, allowances for supper and incidentals, workshop venue, breakaway rooms, morning and afternoon teas, lunches.

8. Date of the Workshop

The date of the workshop is 21 – 23 August 2013.

9. Venue of the Workshop: Birchwood Hotel, Johannesburg, South Africa

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