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**SIDE EVENT ON HUMAN RIGHTS IN THE AFRICAN LABOUR MARKETS,
GENEVA, 2 JUNE 2016**

**STATEMENT OF H.E AICHA ABULAH, I,
COMMISSIONER FOR POLITICAL AFFAIRS,
AFRICAN UNION COMMISSION**

Dear Regional Director of the ILO for Africa

Dear social Partners,

Ladies and gentlemen,

The strong commitment towards full respect of the human rights entitlements of peoples in Africa was renewed when the 26th Ordinary Session of the AU Assembly in Addis Ababa in January 2016, decided that 2016 is the Africa Year of Human Rights, with particular focus on the Rights of Women.

The aim is “*reviewing the human rights situation on the continent, taking stock of what still needs to be done to create a culture of human rights observance on the continent, and exploring how best to address the remaining human rights challenges*”. Beyond 2016, it is expected that the AU Summit in January 2017 adopts a 10-Year Action Plan on the promotion and protection of human rights on the continent, as part of the Blueprint /Roadmap for human rights in Africa.

This gathering today in Geneva, on the margins of the 105th International Labour Conference, is of the important activities earmarked for the celebration of the theme of the AU 2016 Year theme, paying attention to the human rights in the African job market with a focus on women rights.

Human rights in the labour market of AU Member States has been a longstanding concern, fuelling policy commitments at the highest level. The 2016 Year theme offers the opportunity to readdress solemnly the issues of human rights in African labour markets and take bold measures to progressively change the situation from and beyond 2016.

This commitment embraces all the domains of life of peoples in the continent. You may wish to agree with me that the labour market conditions in Africa bear several characteristics and practices which make the job market and workplace areas where human rights challenges are prevalent, women being among the most affected socio professional groups.

I wish to start by recalling the specific provisions of the African Charter on Human and People’s Rights which stipulates that “**Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work**”. One of the objectives of the AU Constitutive Act is to promote and protect human and people’s right rights in accordance with the African Charter on Human and Peoples’ Rights and other relevant human rights instruments.

The right to work is enshrined in the constitution of all AU Member States. In first place, we must acknowledge and praise the immense progress made by AU Member States by translating this fundamental provision into national laws and regulations, administrative arrangements, institutions building and strengthening including strong social partners groups, etc.

However, we also must recognize that there are still important challenges, deficits and distortions depriving workers from their rights. These all translate into decent work deficit and presence of unacceptable forms of work in the continent.

Workers are deprived of social protection coverage in the informal economy and rural sector, contributing to the high level of working poverty and vulnerability.

Child labour deprives more than 59 million children in Sub Saharan Africa, over 21%, from their right to education and health. **Sub-Saharan Africa** continues to be the region with the highest incidence of child labour (**59 million, over 21%**). The risk of child labour is highest for children in sub-Saharan Africa (one child in every five is in child labour), even though there has been a decline there.

Children are employed in hazardous work that directly harms their health, safety or moral development. Children's labour perpetuates the child labour-poverty cycle. Child labour and resulting low educational levels lead to increased youth vulnerability and difficulties in accessing decent work.

In line with the AU Charter on the Rights and Welfare of the Child, the First Ten Year implementation plan of the AU Agenda 2063 calls for children's rights and to end all forms of child labour exploitation, as well as human trafficking in particular of women and children often associated with labour market.

Other target groups of interest in the African labour market are the migrant workers, domestic workers, forced labour and slavery. These groups are vulnerable and the issue of their human rights as workers are aggravated by lacunae or absence of appropriate provisions in labour and social security codes in particular.

Ladies and gentlemen,

Allow me to dwell on the focus of the theme to address specifics of women in the labour market.

In 2014, on the occasion of the first session of the Specialized Technical Committee on Social Development, labour and Employment in Addis Ababa, in an anticipated way, AU ministers of labour and social partners adopted a programmatic document:

“Improving the Status of women in African Labour Market as a contribution to the theme of the African Union for 2015: Years of women Empowerment and Development towards Africa's Agenda 2063”.

Gender equality in the labour market helps to make growth more inclusive. When more women work, there is economic growth. Economic losses are associated with gender gaps in the labour market. If women's employment rates were raised to the same level as men's, in 15 major developing economies, per capita income would rise by 14 per cent by 2020 and 20 per cent by 2030.

The reality in Africa is gender gaps in vulnerable employment particularly for unpaid contributing family workers, domestic workers and own account workers. Other

gender gaps prevail in sectoral distribution with female labour force concentrated in low productive activities in the informal economy and rural sector without social protection, and occupational segregation, women being over-represented in mid-skill occupations. Wage disparity is extremely high in many African countries with feminization of working poverty.

Owing to their over-representation in the informal and rural labour markets, women face deficits on organization, representation and participation in the social dialogue to advocate for and defend their specific rights in the labour market.

As stated in the World Development Report 2012, Gender Equality and Development, 2012, Gender inequality is a pervasive feature in many developing countries. The gaps between male and female outcomes and opportunities include several dimensions: education, earnings, occupation, access to formal employment, access to managerial positions, access to productive inputs, political representation, or bargaining power inside the household.

Ladies and gentlemen,

Let us look at the policy responses available.

The AU Charters and policy frameworks point to the specific status of children, disabled persons, women, youth, poor working people in the informal economy and rural sector, domestic workers and migrant workers in the labour markets.

This fundamental right is also expanded by specific provisions in the African Charter on the Rights and Welfare of the Child, the Protocol on the Rights of Women, etc. It also echoed in international conventions of the UN and ILO, in particular the 8 fundamental Conventions and principles of the ILO.

We need to step up our efforts to make African labour markets free of child labour, human trafficking in particular of child and women, forced labour and slavery, to end discriminations against women and inequalities. Furthermore, the rights of migrant workers are not sufficiently protected.

Ladies and Gentlemen,

African countries, their governments, social partners organizations, civil society organizations are well equipped legally to promote and protect human rights in the job markets. Going further to the AU Charter on Human and People's Rights, the Charter on the Rights and Welfare of the Child, the Protocol to Women Rights to the Charter on human and People's Rights, to name a few of them, give them legal rights.

The Year 2016 on the Human Rights calls all the stakeholders to engage. With respect to the labor markets, human rights deficits in Africa, as partially enumerated above, the AU is calling upon governments and social partners to take the lead.

There is absolute need for strategic elements and inputs in the plan of action to address the issues.

To conclude, I call the African tripartite forum to pursue the dialogue with the view of identifying appropriate strategies for the strengthening of human rights in the African labour markets. The commission will facilitate the dialogue following the first conclusions of our meeting today.

The AU Commission commits itself to incorporate these strategies into the medium-long term plan of action which will be submitted to the Assembly of Heads of States and government in January 2017.

I thank you for your kind attention.