



## Platform Policy Brief 10

### **Migration Governance and Labour Mobility in Africa and beyond**

This is the tenth policy brief by the Knowledge Platform (KP) for Migration Governance in Africa<sup>1</sup> coordinated by the African Diaspora Policy Centre. The platform is devoted to strengthening the interface between research, policy, and practice in the area of migration governance at continental, regional, national, and local levels. The motto of the platform is: Organizing a knowledge network for better migration governance in Africa. It contributes to the migration and mobility dialogue from the perspective of Africa. Additionally, the platform is committed to contributing to a better migration governance system that works for the benefit of all. The platform organized its tenth webinar in September 2021 to reflect on the current migration governance and labour mobility in Africa and beyond. The webinar also provided an opportunity for the platform's network to convene virtually, since they cannot meet face to face as long as the Covid-19 pandemic still rages across countries.

### **Introduction**

This policy brief is the product of a webinar organized by the Platform in September 2021 to reflect on the current migration governance and labour mobility in Africa and beyond. Labour mobility is one of the cornerstones for economic growth and development in Africa. This is in line with the fact that labour migration within the continent is both a force for poverty reduction as well as a force for development in a wider sense. To this end, the contribution of labour migration to increased economic growth, poverty reduction and inclusive development across countries in Africa remains a given fact. Yet, there are still policy and practical constraints making it difficult to promote better labour migration governance across countries despite its obvious development benefits. One of the reasons may be that when it comes to migration, labour mobility within the continent is not yet a policy priority to many governments because they view migration as a problem to be managed.

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<sup>1</sup> A project assisted by the German government via the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. The content reflects the author's views and the GIZ is not responsible for any use that may be made of the information in this document.

Having said this, migrant workers within Africa send significant remittances to their countries of origin as has been widely observed. Yet, labour migration within the continent does not yet receive sufficient policy attention compared to migrants (i.e. Diaspora) overseas, which enjoy preferential treatment. Another reason why labour migration is not sufficiently promoted is perhaps the lack of a workable labour migration policy to boost economic growth, trade, and development across countries on the continent. This may explain the informal nature of labour migration across countries even among those who signed the Protocol on Free Movement in the West African region. Developing a workable labour migration structure can contribute to the formalisation of labour migrants, which is needed for good migration governance on the continent. The webinar reflected on the best way to initiate a new policy discussion that goes beyond migration management and mobility restrictions in Africa and beyond<sup>2</sup>.

## Labour migration governance in Africa revisited

Labour migration is vital for Africa in terms of economic growth, job creation, development, and continental integration in general. It is also very important in terms of propelling the economic integration of the continent. To this end, labour mobility is the key pathway to development and economic integration and necessitates orderly free movements of persons. For instance, a literature review on the topic demonstrates that employment, social position, and human dignity have been important drivers for labour migration across countries and regions in Africa and beyond. This empirical data supports the long-term policy of the African Union (AU) as enshrined in the [Agenda 2063](#). Migrant workers are very much needed in almost all the countries in Africa as they fill critical gaps in several sectors of the economy, including healthcare, hospitality, agriculture, and information technology. This is the rationale that the AU, in partnership with the International Labour Organization (ILO), the Economic Commission for Africa (ECA) and the International Organization for Migration IOM, launched the Joint Labour Migration Programme (JLMP) in 2018.

The aim of the project is to contribute to an improved labour migration governance system in order to achieve safe, orderly, and regular migration in Africa as committed by the AU and Regional Economic Communities (RECs) in relevant frameworks. In this regard, the JLMP supports achievements of the Agenda 2063 First Ten Year Implementation Plan (2014-2023), the Sustainable Development Goals (SDGs) and the Migration Policy Framework for Africa and Plan of Action (MPFA, 2018-2030). It also promotes the long term aspiration of achieving an effective regime of labour mobility for integration and development in Africa, with the necessary governance to sustain it. It is thus aligned with the strategic themes of the MPFA and carries forward the priority actions of the AU Youth and Women Employment Pact, and the AU Employment Creation, Poverty Eradication and Inclusive Development Plan of Action. Likewise, the JLMP strategically responds to the

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<sup>2</sup> The Platform is very grateful to Mr. Badara Ndiaye and Mr. Jide Olatuyi, who provided insight on their joint research on the topic of labour migration governance in Africa. Mr. Ndiaye is active within the Senegalese civil society associations as President of DIADEM (Diaspora Development Education Migration) and as President of the West African Platform on Migration (MIGRAFRIQUE). Mr. Olatuyi is the Director of the Policy Consult – an NGO in Nigeria dedicated to research, advocacy, capacity building and policy development in international migration among others.

Africa- EU Partnership on mobility and migration and addresses the needs and concerns of migrant workers, their families and their organizations.

Beyond the continent, the experts participating in the webinar highlighted the ongoing political dialogues between the AU and EU on migration related matters in general which is largely on migration management and combatting irregular migration. The experts stressed the need to incorporate labour migration and mobility as part of the wider migration agenda between the two continents. They further cited that the 2020 Continent-to-Continent Meeting had made several provisions addressing labour migration and mobility within the political agenda on migration related matters. They include the need to strengthen youth employability by expanding Vocational Education and Training mobility, apprenticeship, and other work-based career guidance. They also include the need to address skills mismatch, academic mobility, skills recognition, quality assurance, and recognition as committed in the Continental Education Strategy for Africa. Similarly, one of the key areas of the 2020 EU Pact on Migration and Asylum (which identifies Africa as a priority region) is “promoting legal pathways to attract talent”. Key initiatives include ‘talent partnerships for mobility schemes’ with key non-EU countries aimed at addressing labour and skills needs in the EU. This will involve building or strengthening existing partnerships, capacity building for vocational training, and reintegration of returning migrants.

This brief overview of the current status of labour migration governance in Africa and beyond illustrates the existence of a strong political will by the AU as it attempts to address the issue at the highest level of policy. It also shows the commitment by the AU to elevate labour migration as a key priority in the drive of the economic integration of the continent. Nonetheless, the AU is a political organ and thus sets the broader policy agenda of the topic, but it cannot translate it into policy frameworks, binding regulations, treaties and bilateral agreements between countries. Hence, the constitutional power of developing policy frameworks governing the dynamics of labour migration belongs to the RECs and the member states as well. This informs a shift of attention in the subsequent sections of the policy brief.

## **Regional Economic Communities (RECs)**

Regional organizations have the mandate to translate any topic of the continental agenda into policy frameworks, treaties and bilateral regulations between the countries. The regional organisations also positioned to facilitate dialogue forums, policy actions and plans at the REC levels. With regards to the labour migration issues, regional organisations are already playing a leading role in this area through the support ILO. This is particularly with regards to labour provisions of Free Movement of Persons Protocols and Labour Migration policies, legislation and practices. In addition, other tasks by the regional organisations also include improving the capacity-building of the member states, providing policy-advice, carrying out domestic labour market needs assessments, supporting the collection of labour migration data, improving migrant workers’ skills recognition, social protection’s access and portability, fair recruitment, etc. It is important to note here that when it comes to the governance of labour migration, regional organisations are currently at different levels in the process.

For instance, since 2014, Southern African Development Community (SADC) has formulated a comprehensive Labour Migration Policy Framework for the region which makes provisions for decent work and protection of migrant workers a central pillar in the process. The SADC labour migration policy framework is also designed to facilitate maximizing the benefits of migration, for sending and receiving countries, facilitation of intra-regional labour migration, data management as well as harmonization of labour migration policies. By contrast, the Economic Community of West African States (ECOWAS) which has the oldest (long standing) Protocol on Free movement, Right of Residence and Right of Establishment is doing more or less similar work. To improve its labour migration governance standards, ECOWAS has developed supplementary protocols to deal with employment, enterprise creation and social protection. Likewise, the East African Community (EAC) has also developed an elaborate Common Market Protocol which covers labour mobility, intra-regional movement for goods, services, labour, rights of residence and establishment. EAC is currently working on a comprehensive regional labour migration framework.

In this regard, the Regional Economic Communities (RECs) have been stepping up to improve the policy frameworks governing the labour migration at the regional level and that is very important. This is because regional organisations are the key pillars of the AU in this endeavour. For instance, the regional organisations are particularly in a better position to play a key role in the promotion and the implementation of the Joint Labour Migration Programme (JLMP). They are also important as they have the strategic advantage of ensuring coordination, harmonization and collaboration across regions which have a bearing on labour migration on the continent and beyond. In general, RECs promote labour migration governance and management as an integral part of the regional development agenda through increased intra-regional trade and investment. They also ensure alignment of RECs policies, strategies, programmes and plans with the JLMP to ensure ownership, commitment and involvement in its implementation, monitoring evaluation and reporting.

## **Labour migration governance at the state level**

It is at the state level that the policy work of labour migration is practically implemented. Labour migrants move from one country to another in search of employment. However, the reality in many countries in Africa has not been a welcoming experience for migrant labourers according to the experts who participated in the webinar. This is because governments see migrants in general as a threat that should be controlled and if needed, expelled from the country. At the same time, those who remain in the country are systematically excluded from the labour market. This negative attitude to labour migration even applies to those countries in the ECOWAS region that have signed the Protocol of free movements of persons. This is a prevailing problem that needs to be addressed at the state level. Highlighting the positive impact of labour migrants on the economic growth in any country might be a starting point in this regard.

However, what is more disheartening is the different treatment of labour migrants. For instance, low skilled migrants who are largely employed in the informal sector are harshly treated in most cases. This is in contrast to the highly skilled labour migrants who are treated better in terms of access to work permits, social security and other benefits that the

state can offer. This is despite the fact that about 60% of migrant workers in Africa are employed in the informal sector while agriculture represents 50% of employment. According to the experts who participated in the webinar, with over a population of 1.3 billion people, 41% of which are under 15 years of age and a workforce of an average age of 31 years, labour migration must be taken seriously within the continent. To do that will therefore require that African governments ratify the International Labour Organization (ILO) convention on labour mobility. This is notably the 1997 Private Employment Agencies Convention (No. 181)<sup>3</sup> that many African countries have not yet ratified it.

In addition, the challenge of translating continental or regional labour migration policy frameworks into practical operations at the national level is still daunting in a number of ways. The first is the lack of coordination among government ministries and departments of any given country in Africa. Different ministries are dealing with different aspects as related to labour migration policy. In some countries, it is the ministry of interior that sets most of the policy as related to migration in general, which is perceived from the security point of view. This results in the treatment of labour migrants as a threat to the security and stability of the country and need to be harshly controlled and closely managed. The second is the lack of cooperation across countries in terms of information sharing, leading to treatment of labour migrants to different policies across countries that contradict those implemented by others. The third is the lack of policy coherence at both national and regional levels which is making it difficult to address the dynamics of the labour migration in a constructive manner that is beneficial to all countries.

The reality is that labour migration as it exists now is neither an economic nor a political priority to most African governments. Unfortunately, governments still consider migration in general and labour migration in particular to be problem that needs to be managed. This prevailing attitude creates terrible repercussions particularly to unskilled and destitute migrants who are often stranded at the borders of countries or expelled. During the webinar, the experts expressed hope on the Global Compact for Safe, Orderly and Regular Migration (GCM), which in their opinion, will make a difference to the plights of migrants in general that many countries have committed to abide by.<sup>4</sup> The GCM sets several goals, some of which directly addresses the protection of migrants, refugees, and displaced persons and recommends host governments to act accordingly. For example, GCM goal 7 states that host governments must address and reduce vulnerabilities in migration, while GCM goal 15 urges host governments to provide access to basic services for migrants.

## Conclusion

Labour migration is the cornerstone for an accelerated economic integration of the continent. Fortunately, the governance of labour migration in Africa is now getting an important policy attention at different policy levels. Nonetheless, there is still much that needs to be done in the efforts of improving the labour migration governance system on

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<sup>3</sup> Find here:

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312326](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312326)

<sup>4</sup> The document of the Global Compact for Migration (GCM) was formally signed and adopted by 164 countries in Marrakech on 10 December 2018. See further: <https://www.iom.int/global-compact-migration>.

the continent. This is in terms of translating a lofty political agenda by the AU into policy frameworks and operational actions at the state level. It is also important that mechanism be developed that improves the cooperation and coordination between sources and destination countries with regards to the migrant workers. Perhaps, as the experts in the webinar highlighted, the adoption of the Protocols of the African Continental Free Trade Area (AfCFTA) might help address some of the impediments as related to labour migration governance on the continent.

Regardless, a better working labour migration governance will be a system that protects the human rights and working conditions of the unskilled migrant workforce who are largely women and young in most instances. It is also a system that creates a reliable policy framework through which governments can work together across countries to improve the overall conditions of labour migrants on the continent. There is an issue when it comes to labour mobility between Africa and Europe and beyond; the brain drain as highly skilled migrants leave the continent in droves. This is also an aspect that a better working labour migration governance can address in the process. Making the challenges emanating from the brain drain as related to labour mobility on the ongoing political dialogue between Africa and Europe is very critical. In short, there are currently a number of initiatives aimed at improving the labour migration governance system of the continent but more needs to be done which is sustainable both in the short and medium terms. Those ongoing initiatives need to be vigorously pursued at all policy levels since a well-functioning labour migration governance system is the utmost importance for the economic integration of the continent.

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The analysis in this policy brief is informed by the knowledge, experience, and expertise of the African migration policy experts who participated in the tenth webinar organized by the Knowledge Platform for Migration Governance in Africa. The added value of the African migration policy experts in the policy discussion in the field, devoted to strengthening the institutional capacity of migration governance, is tremendous. The experts articulate a less familiar African narrative in the discussion, closely informed by insider observation, local perspective, specific country experience, and deeper understanding about the complexity and challenges of the multi-facets of migration and mobility dynamics on the continent, which receive little policy attention. The experts who participated in the tenth webinar of the Platform represented different partner countries in Africa, namely: Ethiopia, Nigeria, Senegal and Tunisia.