Promoting a Rights Based Labour Migration Governance Framework in SADC: Inputs and Outcomes by the ILO

Dr. Joni Musabayana
Deputy Director
ILO Pretoria
South Africa’s bilateral labour agreements with neighbouring countries, that is, Mozambique (1964 and 2003), Botswana (1973) Swaziland (1975), Lesotho (1973 and 2006), the Democratic Republic of Congo (2004), Tanzania (2007), Namibia (2008), and Zimbabwe (2009);

International Labour Standards on Labour Migration

- the Migration for Employment Convention (Revised), 1949 (No. 97) and its accompanying Migration for Employment Recommendation (Revised), 1949 (No. 86);
- the Equality of Treatment (Social Security) Convention, 1962 (No. 118)
- the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and its accompanying Migrant Workers (Supplementary Provisions) Recommendation, 1975 (No. 151);
the Maintenance of Social Security Rights Convention, 1982 (No. 157);
the ILO Multilateral Framework on Labour Migration (2006);
<table>
<thead>
<tr>
<th>Country</th>
<th>Migration Convention</th>
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<td>C097</td>
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<td>Angola</td>
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<td>Botswana</td>
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<td>Democratic Republic Of The Congo</td>
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<td>Lesotho</td>
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<tr>
<td>Madagascar</td>
<td>14 Jun 2001</td>
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<td>Malawi</td>
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<tr>
<td>Mauritius</td>
<td>02 Dec 1969</td>
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<tr>
<td>Mozambique</td>
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<td>Namibia</td>
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<td>Seychelles</td>
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<tr>
<td>South Africa</td>
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<tr>
<td>Swaziland</td>
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<tr>
<td>Tanzania</td>
<td>22 Jun 1964</td>
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<tr>
<td>Zambia</td>
<td>02 Dec 1964</td>
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<td>Zimbabwe</td>
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Table shows that SADC Member States fare poorly in terms of the ratification of the international Conventions on migration.

Seven SADC States have not ratified any of the international Conventions on labour migration.

The major migrant-receiving States, namely South Africa, Namibia and Botswana are amongst those have not ratified a single international Convention on migration.

SADC’s poor ratification record on labour migration signals the limited incorporation of international principles on labour migration at the regional and national level.

This position does not bode well for the enabling, facilitation and management of migration; or protection of migrant workers within Member States’ territories.
ILO Support to SADC: Addressing the Labour Migration governance deficit

**SADC Decent Work Programme**
- basis for all ILO support to SADC
  - Negotiated by the SADC Employment and Labour sector Tripartite Technical Committee 2009 – 2013
  - Reviewed by the Ministers of employment and Labour and the Social Partners at their annual meetings in Cape Town (2009), Windhoek (2010), Maputo (2011), Luanda and (2012).
  - Adopted by the Ministers of Employment and Labour and the Social Partners at their annual meeting in Maputo (2013)
  - Product of intense tripartite dialogue and consultation resulting in political buy in and commitment.
ILO Support to SADC: Addressing the Labour Migration governance deficit

Key Outcomes of SADC Decent Work Programme
- Functional SADC Labour Market Information System harmonized and strengthened
- Labour Migration Systems Developed
- Human Trafficking Eliminated
- International Labour Standards and SADC Codes ratified, domesticated and complied with
- Youth Employment Strategy and SPF Promoted
- Decent Work promoted in Informal Economy.
## ILO Support to SADC: addressing the Labour Migration governance deficit

### Outcome 1.2: Labour Migration Systems Developed

- **Output 1.2.1:** Labour migration policy in SADC developed and adopted
- **Output 1.2.2:** SADC Member States are supported to domesticate regional labour migration policies.
- **Output 1.2.3:** Ratification of the SADC Protocol on Facilitation of Movement of Persons is promoted
- **Output 1.2.4:** Member States supported to finalize and implement the Code of Practice on TB in the mining sector.
SADC Labour Migration Policy Framework: the Action Plan

- Refer to the Action Plan
SADC Labour Migration Policy Framework

* Refer to the document
SADC Employment and Labour Protocol

- **Objective:** Though SADC Employment and Labour Sector, guide employment creation, poverty reduction, and its ultimate eradication, facilitation of labour migration, and harmonization of labour and social security legislation.
- Refer to Articles 3, 4 and 19