



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
OFFICE OF THE CABINET SECRETARY**

**SPEECH BY MR. SIMON K. CHELUGUI, E.G.H.,
CABINET SECRETARY FOR LABOUR AND
SOCIAL PROTECTION DURING THE OFFICIAL
OPENING OF THE MINISTERIAL FORUM ON
HARMONIZING LABOUR MIGRATION POLICIES
IN THE EAST AND HORN OF AFRICA REGION
AT THE INTERCONTINENTAL HOTEL, NAIROBI,
ON 20TH JANUARY, 2020**

Fellow Ministers in charge of Labour Migration within the East and Horn of Africa Region

Members of the National Assembly

Distinguished Guests from the International Organization for Migration (IOM), local and regional offices here present

Distinguished Guests from the International Labour Organization (ILO), local and regional offices here present

Distinguished Guests from the African Union (AU)

Distinguished Guests from: the East African Community (EAC); and the Inter-governmental Authority on Development (IGAD)

Principal Secretaries present

Members of Diplomatic Missions

Development Partners

Representatives from ministries dealing with Labour Migration within the East and Horn of Africa

Staff from various Government Ministries, Departments and Agencies (MDAs) present

Ladies and Gentlemen

Allow me to take this early opportunity to welcome all of you to Nairobi, Kenya to participate in this two-day Forum which during which we expect to dialogue on forging a common approach towards safe, orderly and humane labour migration in East and Horn of Africa.

As you are aware, labour migration has immense socio-economic benefits to both countries of origin and destination. It is a source of employment and livelihoods for migrant workers, addresses skills gaps in destination countries and brings in the much-needed remittances to migrants' countries of origin. It is also one of the main avenues of technology and skills-transfer between countries.

However, labour migration continues to face a number of challenges which hamper the achievement of the benefits highlighted before. Key amongst these challenges within this region, is the lack of harmonized policies for coordination of labour migration. Such policies would facilitate the implementation of collaborative interventions by sister states in the region within the purview of existing regional and international labour migration instruments.

There is need therefore to harmonize our policies to effectively harness the opportunities associated with labour migration while addressing the associated challenges. I am glad to note that this will indeed form the main Agenda of this Forum. Participating countries will share their experiences in the management of labour migration, challenges encountered and potential areas for cooperation, including the development, negotiation and implementation of Bilateral Labour Agreements.

Ladies and Gentlemen,

According to the International Organization for Migration (IOM) World Migration Report of 2019, there were an estimated 272 million international migrants globally, representing 3.5% of the world population. This is an increase from 2.8% recorded back in the year 2000. The report shows that the stock of migrants within Africa has been increasing over time reaching 18.5 million by 2015. These dynamics point to a future

where labour migration will continuously play a bigger role in defining employment globally and regionally.

This is compared to Philippines where there are 10.2 Million overseas Filipinos in more than 200 countries with five thousand (5,000) migrant workers leaving the country every day. It is estimated that the leading foreign exchange earner for the government is the annual remittances from Filipinos from various countries which amounts to 34 Million US Dollars compared to 46 Million US dollars for the whole of Sub Saharan Africa.

Ladies and Gentlemen,

A significant number of migrant workers from East and Horn of Africa look toward the European Union (EU) and the Gulf Cooperation Council (GCC) Member States for job opportunities. This is mainly influenced by the geographical proximity of these regions and hopes of better economic prospects for the migrants. Bilateral Labour Agreements (BLAs) between the Member States in the region as countries of origin and the European Union and Gulf Cooperation Councils Member States as countries of destination are the primary instruments through which such labour mobility arrangements are effected. Recent studies have however shown that there exist substantive gaps between existing Bilateral Labour Agreements in the region and international standards. This is especially with respect to the adequacy of social protection available to migrant workers.

Ladies and Gentlemen,

The right to free movement of people is recognized as a fundamental part of integration at continental and regional levels. Indeed, the African Union Constitutive Act of 2000 recognizes worker mobility as a right. I wish to thank the African Union, which in its 30th Summit in Addis Ababa,

Ethiopia, on 29th January, 2018 made a resolution on free movement of people on the continent.

This right is further enshrined in the Free Movement Protocol developed by the Inter-Governmental Authority on Development (IGAD) and the East African community (EAC) Free Movement Protocol. The Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence, and Right of Establishment seeks to facilitate free movement of persons, right of residence, and right of establishment in Africa, thereby fostering labour mobility on the continent.

Ladies and Gentlemen,

The Revised Migration Policy Framework for Africa was endorsed by the AU Member States and Regional Economic Communities (RECs) in 2016. The policy framework seeks to enhance migration management on the continent. It recognizes that the establishment of regular, transparent, comprehensive, and gender-responsive labour migration policies, legislation, and structures at the national and regional levels can result in significant benefits for countries of origin and destination. The policy is in line with the 2030 Agenda for Sustainable Development, particularly Sustainable Development Goals (SDGs) Numbers 8, 10 and 17.

The Migration Framework for Africa identifies thematic migration issues and makes policy recommendations for consideration by member states. It also proposes comprehensive and integrated policy guidelines on the issues of labour migration, border management, irregular migration, forced displacement, human rights of migrants, internal migration, data on migration, as well as co-operation and partnerships among countries. I therefore urge for progressive implementation of these frameworks on free movement to enhance regional integration.

Ladies and Gentlemen,

The Global Compact for Migration (GCM) sets goals on strengthening international cooperation and global partnerships for safe, orderly and regular migration as well as facilitation of fair and ethical recruitment and safeguarding conditions that ensure decent work. These goals are supplemented by the Migration Governance Framework. There are also clear synergies and complementarities with Africa's Agenda 2063, which is simultaneously being implemented by AU Member States.

Ladies and Gentlemen,

Allow me to reiterate that well-managed labour mobility has the potential to yield significant benefits to origin and destination countries. On the other hand, mismanaged or unmanaged labour mobility can have serious negative consequences not only to the states involved, but also to the migrants. Some of these challenges include: smuggling and trafficking in persons; unethical recruitment practices; and intolerance and exclusion, which, as a region, we must address. This calls for measures to enhance equality of treatment, and protection of the rights of migrant workers in line with international conventions and standards.

Ladies and Gentlemen,

A number of our Governments have concluded Bilateral Labour Agreements with various labour destination countries. The ultimate goal must be to conclude bilateral agreements with all key destination countries. In this regard, it is important for Governments in the region to continuously identify potential labour destination countries and initiate negotiation of bilateral agreements. This should ideally be undertaken through a harmonized strategy and by adopting a unified front in the negotiation of such agreements. Such an approach will accord the region a stronger bargaining power for protection of migrant workers.

Ladies and Gentlemen,

Lack of timely and comprehensive labour market information on labour migration hinders development and implementation of appropriate policies and strategies. There is therefore need to address the data gaps through development of labour market information systems for migrant workers and those in diaspora. Such a system will enable to collection, analysis and dissemination of data on labour migration. It is useful in policy formulation, job search and matching of local skills to foreign job opportunities.

Ladies and Gentlemen,

Human trafficking and smuggling have been identified as leading forms of transnational organized crime in the region. The region is perceived to be a source, transit and destination for migrant workers being trafficked and smuggled. Proper management of labour migration therefore remains an important aspect of mitigating against trafficking and smuggling in persons. In this regard, discussions between counties and regional cooperation are required to facilitate implementation and enforcement of legislations on anti-trafficking and smuggling in persons in Member States.

Ladies and Gentlemen,

This Forum provides us with the opportunity to openly discuss issues, collectively identify strategies and mutually agree on a unified approach for harnessing opportunities and managing challenges to promote safe and orderly labour migration. It is my belief that the Forum will enhance the knowledge and skills of participants in addressing issues faced by migrant workers and their governments. In the end, we want to ensure that the fundamental human, labour and social rights of migrant workers are upheld in all stages of the migration process.

In conclusion, I wish to call upon you to engage in an interactive and productive exchange of views and ideas on the best policies and strategies to enhance labour migration management in the region. It is also my belief that you will come up with recommendations and a roadmap specifically focusing on facilitating safe and orderly labour migration and more adequate social security coverage for migrant workers in the region.

Finally, allow me to sincerely thank all the stakeholders involved in organizing this event. I wish you fruitful deliberations. I also wish to welcome our visitors and encourage them to not only participate in this Forum but also enjoy the warmth and hospitality of the people of this great country and Nairobi City in particular.

It is now my pleasure to declare this Regional Forum on Labour Migration officially open.

Thank You.