# African regional review of implementation
# of the Global Compact for Safe, Orderly and Regular Migration

**Rabat, 31 August and 1 September 2021**

**Background note**

## Thematic round table 1: Ensuring that migration is voluntary, orderly and regular

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| Objective 2: Minimize the adverse drivers and structural factors that compel people to leave their country of origin. | Objective 5: Enhance availability and flexibility of pathways for regular migration. |
| Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work. | Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences. |
| Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral. | |

## I.  What are the opportunities and key challenges that will be considered by the thematic round table?

Thematic round table 1 will cover the Global Compact objectives that complement the key protocols and instruments adopted by the African Union Commission and the continent's regional economic communities with a view to realizing the long-standing pan-African dream of peace, prosperity and non-discrimination, as well as unrestricted movement across borders, skills development and the creation of decent jobs for all Africans.

Ensuring fair and ethical recruitment and decent work for African migrants is central to the Plan of Action for promotion of employment and poverty alleviation, adopted by the African Union in 2004. Achievement of that goal is also in line with programmes and initiatives of other international development partners and United Nations agencies, including the Joint Labour Migration Programme, adopted in January 2015 by African Heads of State and Government as a comprehensive programme on labour migration governance for the region. There is, however, still much to be done to regulate the practices of public and private-sector labour recruitment agencies, reduce recruitment fees, and conclude bilateral labour agreements and memorandums of understanding on migration that promote fair and ethical recruitment practices and decent work for African nationals.

Challenges impeding implementation of the Plan of Action for promotion of employment and poverty alleviation include stubbornly high levels of under-employment in Africa and significant gaps in terms of the fair treatment of and protections offered to African migrants worldwide.

There is considerable scope for African countries to reduce the barriers impeding the free movement of skilled workers, including by concluding agreements on the mutual recognition of skills, qualifications and competencies. It is also important to accelerate implementation of the African Union Protocol on Free Movement of Persons, Right of Residence and Right of Establishment. Free movement within Africa is likely to be further enhanced under the terms of the Agreement on the African Continental Free Trade Area, which came into effect on 1 January 2021. At the same time, there are exciting opportunities to provide jobs to millions of young Africans through professionally managed labour externalization. In that connection, it should be emphasized that establishing continent-wide mechanisms for verifying skills, qualifications and competences, and harmonizing regional and national qualification frameworks will require strong partnerships among African regional economic communities, national governments, the private sector, and civil society.

## II.     What steps must be taken to facilitate the achievement of the overall objective of thematic round table 1 in Africa?

- Revisit the African Union Master Road Map of Practical Steps for Silencing the Guns in Africa by 2020 and reinvigorate efforts to end violent conflict;

- Strengthen community resilience to food insecurity and natural disasters by investing in agriculture and disaster preparedness initiatives across the continent;

- Fast track ratification of all free movement protocols and remove barriers impeding intra-African trade in order to stimulate trade, while also strengthening border management and enhancing certainty and predictability in migration procedures and referral mechanisms for vulnerable migrants;

- Strengthen labour externalization initiatives to provide employment for millions of African young people in countries with high levels of labour demand, while also strengthening protection mechanisms and concluding bilateral labour agreements and memorandums of understanding that provide for the payment of decent wages to African migrants;

- Harmonize regional and national qualifications frameworks to facilitate the portability of skills, qualifications and competencies within the continent, and promote the recognition of uncertified prior learning;

- Put in place the infrastructure and technology needed to verify the skills, qualifications and competencies of migrants, and establish common standards and determine fees that can be charged for verification.

## III.     Guiding questions

- What can member States do to reduce and ultimately end armed conflict and other drivers of migration?

- What can be done to promote the ratification and implementation by member States of free movement protocols and ensure that those protocols enhance livelihood opportunities for African migrants?

- At a time of increasing displacement and a sharp increase in the number of refugees and asylum seekers worldwide, what can be done by member States and other stakeholders to enhance certainty and predictability in migration procedures and referral mechanisms, particularly for vulnerable migrants?

- How can African member States, both individually and collectively, negotiate better working conditions, wages and treatment for African workers in destination countries?

- How can member States and other stakeholders establish effective mechanisms and platforms that facilitate mutual recognition of skills, qualifications and competences?

## IV. Additional resources

Key resources related to this thematic area include:

- African Union, *Agenda 2063 the Africa We Want: First Ten-Year Implementation Plan 2014–2023* (September 2015). Available at: au.int/sites/default/files/ documents/33126-doc-ten_year_implementation_book.pdf.

- African Union Peace and Security Council, *African Union Master Road Map of Practical Steps to Silence the Guns in Africa by the Year 2020* (Lusaka Master Roadmap) (November 2016), Available at: au.int/sites/default/files/documents/ 37996-doc-au_roadmap_silencing_guns_2020.pdf.en.pdf.

- Organization of African Unity, African Charter on Human and Peoples' Rights (Banjul Charter) (June 1981). Available at: achpr.org/public/Document/ file/English/banjul_charter.pdf.

- African Union, Plan of Action for promotion of employment and poverty alleviation (September 2004). Available at: www.ilo.org/africa/WCMS_2348 14/lang--en/index.htm.

- Duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights – Statement by the Committee on Economic, Social and Cultural Rights (March 2017). Available at: www.refworld.org/docid/5bbe0bc04.html.

- International Labour Organization, General principles and operational guidelines for fair recruitment *and definition of recruitment fees and related costs* (2019). Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/--- migrant/documents/publication/wcms_703485.pdf.

- International Labour Organization, Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (C143 Migrant Workers) (1975). Available at: http://www.ilo. org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C 143.

- International Labour Organization, Migrant Workers' Skills Portability in Africa at Regional Economic Community and Continental Level: Guidance Towards an

African Qualifications Framework? (2019). Available at: www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_731236.pdf.

- Economic Commission for Africa, Africa Regional Integration Index Platform. Accessible at www.ilo.org/wcmsp5/groups/public/---africa/_documents/publication/wcms_731236.pdf.

- International Covenant on Economic, Social and Cultural Rights (1966). Available at: www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx.

- African Union Development Agency, Skills Initiative for Africa. Further information on the Initiative is available at: skillsafrica.org.

- UNESCO International Centre for Technical and Vocational Education and Training, Recognition of prior learning (RPL). See: unevoc.unesco.org/home/TVETipedia+Glossary/filt=all/id=398.