**SADC/ELSM&SP/1/2016/8**



**Draft Labour Migration Action Plan 2016-2019**

**1.1 Preamble**

* The SADC Ministers and Social Partners at their meeting in May 2013 approved the Plan of Action on Labour Migration in SADC and directed the Secretariat supported by the ILO and the IOM to facilitate its implementation and to submit regular reports to the annual meetings of the ELS;
* Progress made towards implementation of the 2013-2015 Labour Migration Action Plan has included: the development of SADC Labour Migration Policy Framework; the Code of Conduct on TB in the Mining Sector has been produced; Labour Migration Indicators have been identified and included in national labour force surveys; and Labour Migration Module Template has been developed for use by Member States;
* The 2016-2019 Labour Migration Action Plan has been developed based on current status of the implementation of the 2013-2015 Labour Migration Action Plan approved in 2013 by the ELS, and the existing policy instruments including the 2014 SADC Labour Migration Policy Framework and SADC Employment and Labour Protocol.
* The Labour Migration Action Plan (2016-2019) is aimed at promoting labour migration for regional integration and development in the SADC Region.

**1.2 Structure of the 2016-2019 Labour Migration Action Plan**

* The structure of the Action Plan (2016-2019) has been simplified to avoid overlaps and duplications. In particular, the Action Plan has been divided into 5 Outcomes instead of 7: Outcomes 5 and 7 have been collapsed into a single Outcome 1 on Governance Structure.
* Outcome 1 proposes the creation of a coordinating structure tasked with monitoring the implementation of the Action Plan. It also proposes to clarify the role of this coordinating structure vis-à-vis the Secretariat and Member States to guarantee adherence to the adopted Action Plan and consistency with the existing policy frameworks in between ELS meetings.
* The status of achievement for past outcomes has been systematically updated based on communication with the SADC Secretariat and ILO area specialists. Two indications have been adopted in capital letters for ease of reading: COMPLETED and ONGOING. Then more detailed information on the completion status has been provided. A new numbering system linking each activity (a, b, c, or d) to a status report has been adopted to clarify reporting. The table is best read from left to right, from proposed outcome to current status of activities.
* New activities in line with the 2014 SADC Labour Migration Policy Framework and SADC Employment and Labour Protocol have been proposed for each outcome based on expected results in the Policy Frameworks and the Protocol.

 **SADC LABOUR MIGRATION ACTION PLAN 2016-2019**

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| **Outcome 1. Governance of SADC Labour Migration Activities** |
| **Output** | **Activity** | **Time Frame** | **Actors /responsible** | **Status** |
| **1.1 SADC ELS small & efficient steering committee for the coordination, monitoring & evaluation of SADC Labour Migration Action Plan between SADC ELS Secretariat, member states, social partners, international organisations and key stakeholders established** | 1.1.a. Draft the ELS Labour Migration steering committee Terms of Reference and work Plan and ensure validation at SADC ELS meeting 1.1.b.Establish the ELS Labour Migration Steering Committee and Convene first meeting of the Committee.1.1.c. Produce regular reports to ELS Technical Committee Meetings and to Member States and Social Partners in-between meetings/reminders of due dates, etc..  | March 2016May 20162016-2017 | SADC ELS Secretariat ILO & IOMMember States/social partners / ILO/IOM and SADC SecretariatSteering committee / ILO / SADC ELS/IOM | 1.1.a. 1.1.b.1.1.c. |
| 1**.2 Mechanism for benchmarking and monitoring of Bilateral Labour Migration Agreements between SADC member states established and implemented** | 1.2.a Develop Guidelines for benchmarking of SADC BLMAs1.2.b Establish reporting system to be spearheaded by SADC LM steering committee | April 2016June 2016 | SADC LM Steering Committee / IOMSADC LM Steering Committee / Member states / IOM | 1.2.a IOM to draft guidelines to be presented at the April 2016 meeting1.2.b |
| 1**.3 Agreements and commitments between SADC ELS and international organisations Formalised****1.4 SADC citizens are informed and sensitized on labour migration policies in SADC** | 1.3.a Review SADC/IOM MoU to cater for labour migration1.3.b Review and update ILO – SADC MoU & SADC DW Programme1.4.a Communicating achievements of Action Plan to broader public1.4.b Support Member states in their communication efforts (sensitization campaigns to benefits of labour migration) | December 20132016 & 20192016-2019 | SADC Secretariat/IOM SADC Secretariat / ILOAll | 1.3.a ONGOING : The draft Revised MoU has been submitted for legal inputs before it is signed by the two parties.1.3.b 1.4.a 1.4.b  |
| **Outcome 2: Harmonised labour migration policies and legal frameworks in SADC** |
| **Output** | **Activity** | **Time frame** | **Actors /responsible** | **Status** |
| **2.1. SADC labour migration policy framework developed**  | 2.1.a Hold regional stakeholder consultation meetings | December 2013 | IOM; ILO; SADC Secretariat, and Member States  | 2.1.a COMPLETED: Workshop of tripartite partners from Member States supported by the ILO was successfully convened in August 2013 |
| 2.1.b Establish a task team to draft a regional migration policy (use existing technical working group) | July 2014 | Member States and their social partners | 2.1.b COMPLETED: Technical Working Group comprising 8 Member States has been constituted and a draft labour migration policy framework has been formulated for approval by Ministers and Social partners in 2014. SADC Labour Migration Policy Framework adopted by ELS Ministers at Victoria Falls, July 2014. To be endorsed by SADC ministers responsible for migration.  |
| **2.2 Policies and legislations in Member States reviewed and formulated in conformity with International Labour Standards, African Union Migration Policy Framework for Africa and Joint Labour Migration Programme, and SADC Labour Migration Policy Framework** **2.3 Labour Migration Policies legislations implemented in SADC Member States** | 2.2.a Produce Progress reports on ratification of International Instruments on Labour Migration among SADC Member States 2.2.b Sensitise Member States to the need to ratify the 2005 Protocol on Facilitation of Movement of Persons2.3 b promote the ratification of the SADC Protocol on Employment and Labour in member states2.2.c Hold national stakeholders consultative meetings to sensitize constituents to new frameworks and review policies and legislation in at least 10 SADC member states2.2.d Develop rights based, gender sensitive national labour migration policies / instruments in at least 10 member states2.2.e Harmonise and review bilateral labour agreements (BLAs) by establishing a benchmarking system among SADC member states and between them and third countries in conformity with ILS, AU and SADC frameworks on BLAs and fair recruitment good practices2.3.a Conduct national labour migration assessments and skills audits.2.3.b Develop and implement temporary labour migration programmes 2.3.c Develop and implement an intra-SADC labour migration circulation model (highly-, semi-, and low-skilled) | 2015-2017June 2016December 2017December 2017December 2017December 2017 | Member States SADC Secretariat, ILO, IOM,  ILO, IOM and SADC Secretariat, Member StatesMember States, ILO , IOM, SADC SecretariatMember States, ILO, IOM, IOMMember States, ILO, IOMMember States, ILO,IOMMember States, ILO, IOM | 2.2.a ONGOINGCurrent report on ratifications of UN and ILO Conventions on migration (see table).2.2b ONGOING2.2c ONGOING:The ILO and IOM have entered into a partnership to assist member states jointly in developing national LM policies. The common ILO-IOM approach follows a four-stage process based on: 1. Initial consultation and identification of expectations; 2. Labour migration assessment; 3. Policy development; 4. Validation workshop. National consultative stakeholders workshops on labour migration policy held in 2015:LESOTHO, 17-18 June 2015; ZIMBABWE, 16-17 July 2015; SOUTH AFRICA, 9-14 November 2015; SWAZILAND, planned for 2016.2.2 d ONGOING:Countries assisted by ILO & IOM in 2015: LESOTHO, NAMIBIA, SOUTH AFRICA, SWAZILAND (2016) ZIMBABWE,ZAMBIA (2016) Mauritius(2016)2.2.e ONGOING:Countries assisted by ILO & IOM in 2015:Zimbabwe (previous MoU), Malawi(2016),MADAGASCAR(2016) Swaziland(2016)LesothoThe IOM to report on Draft Regional Guidelines for the development of BLAs in the SADC (SADC/ELSM&SP/1/2016/16), 2.3 2.3.a IOM to assist Swaziland, Zambia and Mauritius in 20162.3.b IOM to report on production of Regional Migration Exporting Guiding Framework for South-South mobility within SADC (SADC/ELSM&SP/1/2016/17) |
| **Outcome 3. Availability of Data and Statistics on Migration among Member States** |
| **Output** | **Activity** | **Time Frame** | **Actors /responsible** | **Status** |
| **3.1 LMIS inclusive of migration indicators established and ongoing****3.2Knowledge- Production: research & publications****3.3 Ensuring evidence-based policy-making** | 3.1.a Identify Labour Migration Indicators to be included in the LMIS.3.1.b Develop a standardised template for data collection pertaining to labour migration3.1.c.Produce biennial reports to be submitted to SADC Secretariat and made available online3.2.a Produce reports and studies (for all outcomes to be listed here too)3.2 Ctd3.3.a present findings at annual validation workshop(SADC/Member States level)3.3.b Use of findings for policy development processes/policy development workshops/parliamentary hearings etc. | 2013-20152013-20152016-20192016-20192016-2019 | Technical Working GroupMember States/ILO/IOM and SADC SecretariatMember States / ILOMember States /ILO/IOMMember States/ILO IOM/SADC Secretariat | 3.1.a COMPLETED: Indicators have been identified within the context of the draft labour migration module developed in December 2013; 3.1.b COMPLETED: A SADC Labour migration module for labour force survey has been developed by Member States and single reporting template adopted at SADC LMIS workshop facilitated with support from the ILO in December 2014.3.1.c ONGOING: Data collection on-going by some if not all member states (national statistical agencies). 1st report for some SADC member states to be submitted to SADC ELS Ministerial meeting by 2017.3.2 3.3  |
| **Outcome 4. Migrant workers to have access to health care across borders and at workplace** |
| **Output** | **Activity** | **Time Frame** | **Actors /responsible** | **Status** |
| **4.1. SADC Declaration and Code on TB in the Mining Sector implemented** **4.2 An evaluation tool is developed and applied to provide insights on the existing systems and databases/registries; and to inform the harmonisation process** **4.3 Critical ILO-OSH conventions in accordance with the needs of Member States with further support for their domestication and implementation ratified and implemented** | 4.1.a Adoption of the Declaration and Code4.1.b Development of a framework for harmonised management guidelines4.1.c Resource mobilisation for implementation of the Declaration, Code and Framework4.1.d Conduct an assessment of the implementation of the Code of Conduct on HIV/AIDS and Employment using the SADC Monitoring and Evaluation Tool developed in 2013 (SADC/SHDSP/ELM&SP/1/2013/6.3)4.2.a Review existing national referral systems and health database/registries/workers compensation schemes and make proposals for sub-regional harmonisation and establishment of a common referral system and database/links to national databases/registries and recording and notification systems4.2.b. Develop a database pertaining to primary health / HIV status /TB and occupational exposures.4.2.c . Development of harmonised guidelines for the operation of databases/registries4.2.d Apply in all Member States to review Workers Compensation and occupational health surveillance tools/practices and the recording and notification of occupational accidents and diseases4.3.a.Ratify relevant ILO conventions pertaining to OSH 4.3.b.Establish Tri-partite OSH task teams at National Level4.3.c Analyse/Review existing laws, best practices and develop a set of minimum standards. 4.3.d.Conduct National OSH Profile assessment Establish/Set up Tri-Partite Task Team to ensure implementation | 2015201520152015-Jan 20162016December 2016June 2017December 20172019  | Member States / ILO/ IOM/ SADC Secretariat; Member States / ILOMember StatesMember States / SADC Secretariat / ILOMember StatesILO | **4**.1.a COMPLETEDFollowing the adoption of the Declaration on Tuberculosis in the Mining Sector (2012)4.1.b COMPLETED: A framework for the harmonized management of tuberculosis in the mining sector (standardization of treatment, care and service provision for mineworkers in four member states, South Africa, Lesotho, Mozambique, Swaziland), the Code of Conduct on HIV and TB in the Mining sector was also finalised (2015)4.1. c COMPLETED: Financial resources have been allocated from the Global Fund on AIDS, TB and Malaria (GFATM) to implement TB programmes in 10 SADC member states. The Wits Health Consortium (WHC) has been appointed as a Regional Coordinating Mechanism (RCM) for the Programme on TB in the Mining Sector in Southern Africa.4.1.d4.2.a To be conducted within the Framework of OSH Assessment Tool approved in May 20134.2.b4.2.c4.2.d4.3.a4.3.b4.3.c4.3.d |
| **Outcome 5. Improved mechanism for remittance transfers across SADC Region** |
| **Outputs** | **Activities** | **Time frame** | **Actors /responsible** | **Status** |
| **5.1. Effective financial and regulatory frameworks and policies to facilitate and harmonise remittance transfers are developed and obstacles to remitting removed****5.2. Efficient systems to promote the productive use of remittances for an increased development impact put in place** | **5.1.a** Commission the development of guidelines to member states and key stakeholders based on existing good practice and available evidence organised in a model framework organised in priority areas for reform (deferred-pay system and private remittance channels; lowering costs; speed; safety and security; market competition and diversification of providers)5.1.b Drawing on guidelines commissioned previously, develop a schedule of targets to be reached by member states by 2019 and implement a strategy at national and multilateral level;5.2.a Commission a study to review existing practices within SADC and proposing relevant global good practice examples applicable to the SADC context;5.2.b Drawing on the study, draft an implementation plan for member states to enhance the productive use of remittances through sensitization of both sending and receiving communities, identification of partnership models, development of innovative financial services, etc (communication campaigns on migrant workers ‘ financial rights; financial education programmes, etc) | 2016-20172016-20192016-20192016-2019 | SADC Secretariat; ILO; IOMSADC Secretariat; ILO; IOMSADC Secretariat; ILO; IOM; member states; social partnersSADC Secretariat; ILO; IOM; member states; social partners | 5.1.a 5.1.b Lesotho, Swaziland(proposed by IOM for consultations with the Member States concerned)5.2.a 5.2.b  |
| **Outcome 6: Strengthening of migrant workers’ access to pension and social protection across SADC region**  |
| **Output** | **Activities** | **Time frame** | **Actors/Responsible** | **Status** |
| **6.1 SADC policy and legislation to provide for portability and pension contribution developed** | 6.1.a Support technical research to develop guidelines for member states to improve migrant workers’ access to social benefits and pension schemes6.1.b Develop portability of social security benefits 6.1.**c**. Develop schedule of measures to be adopted by member states by 2020 | April 2016April 2016April 2016 | SADC Secretariat and Member States and their social partners; ILO; IOM; key stakeholders such as Southern Africa TrustSADC Secretariat; ILO & IOM | 6.1.a 6.1.b 6.1.c  |
| **6.2 Effective and efficient technical structures operational within SADC member states’ ministries of labour to assist returned migrant workers** | 6.2.a Review existing structures and issue guidelines for administrative reform across SADC member states**6.2.b** Hold training, sensitization workshops to capacitate existing structures within MoLs to assist returned migrants claim their benefits with at least 10 member states | June 20162016-2019 | SADC Secretariat; ILO & IOMSADC Secretariat; ILO & IOM | 6.2.a 6.2.b One regional workshop to be jointly supported by IOM and ILO(October-November, 2019) |