

Labour Migration in the Southern African Region

A STOCKTAKING 2022



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Labour Migration in the Southern African Region

A STOCKTAKING

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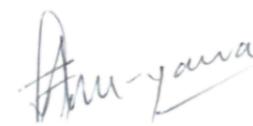
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PREFACE

Migrant work has been a major characteristic of the Southern African region throughout its history, usually inspired by the search for labour market opportunities. Today, all countries in the region are involved in labour migration flows as countries of origin, transit or destination, and they often play the three roles at the same time. Accordingly, migrant work has been intrinsically linked to the development of the region, contributing economically, socially and culturally. At the same time, migrant workers, and in particular women migrant workers, are vulnerable to significant decent work deficits, often facing poor working conditions like low wages, long working hours, lack of enforcement of regulations or absence of regulations. Migrant workers are also often excluded from social protection measures – which is linked to the lack of access to regular migration pathways and formal jobs. To address these and other challenges, and to enhance migration's positive contribution to sustainable development and regional integration, progress has been made in fostering improved labour migration governance. At the level of the Southern African Development Community (SADC), the SADC Labour Migration Policy Framework and the adoption of its new Labour Migration Action Plan (2020-2025) constitute major steps forward. At the country level, a number of countries have adopted labour migration policies and others are in the process of developing such policies in accordance with international and regional commitments and labour standards.

The report “Labour Migration in the Southern African Region: a Stocktaking” includes information on the evolving labour migration landscape in the Southern African region, with the aim of informing on-going labour migration policy development and implementation. The report covers a range of major themes in this landscape, such as labour migration governance and the role of global, continental and sub-regional policy frameworks; social protection of migrant workers; qualification frameworks; and labour migration statistics. The report is one of the outputs of the Southern African Migration Management Project (SAMM 1)⁵, and the project broadly supports the conclusions and recommendations included in its final chapter. In line with the project objectives, the SAMM project funded by the European Union, hopes that this stocktaking report will help improve labour migration governance in the Southern African region.



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⁵ The Southern African Migration Management project is a model of a ONE-UN approach as a collaborative effort between 4 UN development and humanitarian agencies: the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC) and the United Nations High Commissioner for Refugees (UNHCR). The SAMM project forms part of the European Union Regional Indicative Programme (11th EDF RIP) for Eastern Africa, Southern Africa and the Indian Ocean (2014–2020) which includes among its objectives the facilitation of safe, orderly and regular migration and the prevention of irregular migration. It focuses on South-South migration flows, identifying positive spill-over effects of international migration on regional integration and regional economic development.

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LIST OF ACRONYMS

AfMDN	African Migration Data Network
AMIMO	Mozambican Mine Workers Association
AU	African Union
BLMA	Bilateral Labour Migration Agreements
BNC	Bi-National Commission
CO	Conventions
COMESA	Community for Eastern and Southern Africa
DRC	Democratic Republic of Congo
DWCP	Decent Work Country Programme
DWP	Decent Work Programme
EAC	East African Community
ELS	Employment and Labour Sector
GCM	Global Compact on Migration
GMDAC	Global Migration Data Analysis Centre
ICMPD	International Centre for Migration Policy Development
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ILMQ	International Labour Migration Questionnaires
ILO	International Labour Organization
ILOSTAT	International Labour Organization Department of Statistics
ILS	International Labour Standards
IMF	International Monetary Fund
IOC	Indian Ocean Commission
IOM	International Organization for Migration
JBCC	Joint Bi-lateral Commissions of Cooperation
JLMP	Joint Labour Migration Programme
JPCC	Joint Permanent Commissions for Cooperation
LFCLS	Labour Force and Child Labour Survey
LFS	Labour Force Surveys
LHR	Lawyers for Human Rights
LMAP	Labour Migration Action Plan
LMI	Labour Market Information
LMIS	Labour Market Information System
LMMA	Labour Migration Management Assessment
LMPF	Labour Migration Policy Framework
LRA	Labour Relations Act
MARS	Migration and Remittances Survey
MICIC	Migrants in Countries in Crisis
MICS	Multiple-Indicator Cluster Survey

MIDCOM	Migration Dialogue of Community for Eastern and Southern Africa
MIDIOCC	Migration Dialogue for the Indian Ocean Commission
MIDSA	Migration Dialogue for Southern Africa
MOU	Memoranda of Understanding
MPFA	Migration Policy Framework
MRC	Migration Resource Centres
MTSP	Medium Term Strategic Plan
NLMP	National Labour Migration Policies
NPF	National Pensions Fund
NQF	National Qualifications Framework
NSO	National Statistics Offices
OECD	Organization for Economic Cooperation and Development
PHAMESA	Partnership on Health and Mobility in East and Southern Africa
PSI	Public Services International
QA	Quality Assurance
RCP	Regional Consultative Process
REC	Regional Economic Commissions
REFRAME	Global Action to Improve Recruitment Framework of Labour Migration
RMDHub	Regional Migration Data Hub for Southern Africa
RQF	Regional Qualification Framework
SADC	Southern African Development Community
SADCQF	Southern African Development Community Qualifications Framework
SAHRC	South African Human Rights Commission
SAMM	Southern Africa Migration Management
SAMP	Southern African Migration Project
SAQA	South African Qualifications Authority
SARB	South African Reserve Bank
SARS	South African Revenue Service
SASPEN	Southern African Social Protection Experts Network
SATUCC	Southern Africa Trade Union Coordination Council
SDG	Sustainable Development Goals
SOP	Standard Operative Procedures
SPSF	Southern African Development Community Private Sector Forum
SSA	Statistics South Africa
TCCA	Technical Committee on Certification and Accreditation
TEBA	The Employment Bureau of Africa
UN	United Nations

UNCTAD	United Nations Conference on Trade and Development
UNDESA	United Nations Department of Economic and Social Affairs
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNODC	United Nations Office on Drugs and Crime
UNRISD	United Nations Research Institute for Social Development
WB	World Bank
WHO	World Health Organization
ZIMSTAT	Zimbabwe National Statistical Agency

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1. INTRODUCTION

The overall objective of this Stocktaking Report is to contribute to an improved policy environment for labour migration across the region as an efficient means of labour mobility for migrant workers and (prospective) labour migrants in Southern Africa. The stocktaking on which the report is based had five specific objectives:

- To audit the current state of regional labour migration and policy development relevant to the management of migration in the region;
- To assess the status of ratification of international standards relevant for the management of labour migration;
- To summarize work on social security benefits for labour migrants; and
- To identify work on qualification frameworks benefitting or potentially benefitting labour migrants.
- To provide an overview of current labour migration patterns from existing data sources and research;
- To compile an inventory of the types, methods, quality and gaps in research and data on labour migration to each country;

The Report presents and discusses the results of work on labour migration in three regional economic commissions (RECs) and 16 Southern African states: Angola, Botswana, Comoros, Democratic Republic of the Congo (DRC), Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe.. The three RECs included are the following: (a) the Common Market for Eastern and Southern Africa (COMESA), (b) the Southern African Development Community (SADC); and (c) the Indian Ocean Commission (IOC). Table 1 identifies the 16 countries in the three RECs covered. The relationship and overlap between the regional organizations and individual countries is shown in the Table (duplicates bolded). Only four

Table 1: Southern Africa Country Membership of RECs

Regional Organization	Relevant Countries
COMESA	Comoros, DRC, Eswatini, Madagascar, Malawi, Mauritius, Seychelles, Zambia, Zimbabwe
SADC	Angola, Botswana, Comoros, DRC, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe
IOC	Comoros, Madagascar, Mauritius, Seychelles

countries (Comoros, Madagascar, Mauritius and Seychelles) are members of all three RECs. Another five countries (DRC, Eswatini, Malawi, Zambia and Zimbabwe) are members of both COMESA and SADC. In this report, the term ‘Southern Africa’ is used to encompass these constituent states.

Although there has been a considerable increase in recent years in labour migration from Southern Africa to other parts of the world (including Europe,

North America and the Gulf) and in labour migration to Southern Africa from Asia (especially China, India and Bangladesh), this report focuses primarily on labour migration within the region and from other parts of Africa to the region.

In order to achieve the objectives of this Stocktaking report, a full and dynamic picture of SADC-level labour migration drivers, volumes, trends, characteristics and impacts is needed. However, it is important to mention that migration data in this region is scattered, inconsistent, unreliable, undetailed and rarely available to the public, thus limiting considerably their use for strategy and policy development and monitoring of labour migration trends and impacts.

The report adopts the definition of labour migration and migrant workers in Paragraph 14 of the 2018 ILO Guidelines Concerning Statistics of International Labour Migration:

The concept of international migrant workers is meant to measure the current labour attachment of international migrants in a country, irrespective of the initial purpose of migration, and of others who are not usual residents of the country but have current labour attachment in the country of measurement.⁶

This definition is relevant to the Southern African context since it defines migrant workers in terms of their actual labour attachment (both employed and unemployed) rather than the motives for migration which may not necessarily relate to the desire or need for employment (e.g. asylum-seekers who migrate for reasons of political persecution and work to sustain themselves and their dependants in the destination country). The proposed distinction between usual and non-usual resident migrant workers is also important in a region where temporary migration is the norm.⁷

Two further definitional distinctions are necessary. First, it is important in Southern Africa to distinguish between regular and irregular labour migration i.e. a distinction between migrant workers with legal status to work and those whose legal or extra-legal (undocumented) status does not include the right to work.⁸ Second, a distinction is necessary between formal employment and informal employment/self-employment in a region where an estimated 40% of all employees are informally employed and the proportion of migrants working informally is even higher.⁹

⁶ ILO, Guidelines Concerning Statistics of International Labour Migration, Department of Statistics, International Labour Office, Geneva, 2018, p. 1.
⁷ A. Segatti, "Explaining the Impasse of Circular Migration in Southern Africa" In C. Sole, S. Parella, T.Marti and S. Nita, eds., Impact of Circular Migration on Human, Political and Civil Rights (Cham: Springer, 2016), pp. 85-108.

⁸ See GDAC, "Irregular Migration" at <https://migrationdataportal.org/themes/irregular-migration>

⁹ ILO, Women and Men in the Informal Economy: A Statistical Picture (3rd Edition, International Labour Office, Geneva, 2018).

2. METHODOLOGY

The report is primarily a SADC-level stocktaking of information about labour migration available through desktop research and telephone interviews with key informants. Most national governments in the region now have active statistical agencies who not only conduct regular and relevant surveys of various kinds but make their survey instruments and data publicly available for download. In addition, there are several major data repositories online from which labour migration data can be extracted at both the national and regional scale.



3. LABOUR MIGRATION GOVERNANCE

This section of the report focuses on labour migration governance instruments at the regional level with particular reference to the SADC region, of which all SAMM countries are Member States. This section also summarizes relevant national immigration and labour migration policies. More general migration-related instruments in SADC, COMESA and IOC are discussed in Section 4 of the Report. It also includes information on the need for gender equality and equity responsiveness in SADC Member States' Labour Migration Policies and Action Plans in order to ensure the implementation of the SADC Protocol on Gender and Development of 2018.

A total of 12 countries in southern Africa have now signed the agreement amending a regional protocol that aims to advance gender equality and equity in the SADC region. Namibia and Seychelles became the latest members of the Southern African Development Community (SADC) to sign it amending the SADC Protocol on Gender and Development during the SADC Summit held in Windhoek, Namibia. Other member states who have signed the agreement are Angola, Botswana, Democratic Republic of Congo, Kingdom of Eswatini, Lesotho, Madagascar, Mozambique, Tanzania, Zambia and Zimbabwe. The Revised SADC Protocol on Gender and Development provides for the empowerment of women, elimination of discrimination and the promotion of gender equality and equity through gender-responsive legislation, policies, programmes and projects, including those on labour migration.

Although migration policies and legal reforms have differing consequences for female compared to male migrants, this stock-taking report finds that SADC Labour Migration Laws, Policies and Action Plans fail to create structures at regional and national level that would change the primary factors contributing to women's vulnerability to abuse and unemployment. And yet the situation on the ground is that labour and mixed migration opportunities influence where male and female migrants move to. SADC countries with higher demand for construction workers are more likely to recruit or attract male migrants, whereas countries seeking domestic workers and nurses will attract more female migrants. The gender segregation of labour and the feminisation of domestic and care work also mean that, even when female migrants have legal rights, they are less likely to be enforced than the rights of male migrants. This is because unskilled female migrants tend to be more isolated and less aware of their rights than unskilled migrant men working in relatively better-regulated, visible and better-paid sectors, such as construction, mining and agriculture.

Female migrants are more concentrated in unskilled, undervalued and low-paid sectors, often employed as domestic workers in hard-to-regulate private homes. Skilled and unskilled migrants often face intersecting gender and racial discrimination and have a triple burden of managing paid employment alongside unpaid domestic and reproductive responsibilities. Female migrants are less able to advance their own interests than male migrants; they have less decision-making power within the home and – whether migrating alone or as a dependent – are less likely to have the time or capabilities to engage with political decision-making and policy processes at regional and national level. Therefore, there is need for labour migration policies, plans and cooperation agreements to take into account a gender responsive focus that promote

the women empowerment effects of migration and mitigate increased vulnerabilities to address the different needs of migrant women and girls.

3.1. Southern African Development Community (SADC)

3.1.1 SADC Protocol on Employment and Labour

Labour migration is the responsibility of the Directorate of Social and Human Development at the SADC Secretariat (Employment and Labour Sector or ELS). Several of the articles in the 2014 SADC Protocol on Employment and Labour are relevant to labour migrants.¹⁰ Article 19 on Labour Migration and Migrant Workers commits state parties to achieve the following:

- a. Improve migration management and control, and strengthen mechanisms to combat smuggling and human trafficking;
- b. Create a favourable climate to facilitate and encourage the return to and/or participation of emigrants in the development of the country of origin;
- c. Ensure that fundamental rights are afforded to non-citizens, in particular labour/employment and social protection rights;
- d. Adopt measures to provide for the special needs of migrant women, children and youth;
- e. Harmonise national migration legislation and policies; and adopt a regional migration policy in accordance with international conventions to ensure the protection of the rights of migrants;
- f. Adopt measures to ensure the coordination and portability of social security benefits, especially through the adoption of appropriate bilateral and multilateral agreements providing for equality of treatment of non-citizens, aggregation of insurance periods, maintenance of acquired rights and benefits, exportability of benefits and institutional cooperation;
- g. Develop mechanisms, services and effective financial products to facilitate the transfer of remittances by migrants.



¹⁰ <https://www.sadc.int/documents-publications/show/4376>

To give effect to the Protocol, SADC adopted the 2013 Labour Migration Policy Framework, and SADC Labour Migration Action Plan (LMAP) (2013-2015), revised SADC Labour Migration Action Plan (2016-2019) and SADC Labour Migration Action Plan (LMAP) (2020-2025) (approved in March 2020).¹¹

3.1.2 SADC Labour Migration Policy Framework

The SADC Labour Migration Policy Framework (LMPF) was approved at an extraordinary meeting of SADC Ministers and Social Partners responsible for Employment and Labour at Victoria Falls, Zimbabwe, from 10 to 11 July 2014, and signed at the SADC Heads of State and Government Summit in July/August 2014.¹² The LMPF aims to “to reflect, contribute to, and refine existing legal frameworks at regional, bilateral and national level, and international and regional legal instruments and obligations relating to migration and labour.” Its key principle is “to align with regional and international frameworks on labour migration, harmonise respective national, and bilateral policies, and work towards an inclusive labour migration regime balancing international frameworks with the specificities of Southern African economies and labour market dynamics.” And its overall objective is to “develop a harmonised regional policy framework to regulate labour migration within SADC that benefits sending and receiving countries, protects the rights of migrant workers, contributes to equitable and just development in the region, and builds on principles of mutual respect and cooperation.”

Specific LMPF objectives include

- Achieving legal and policy convergence in the region in the area of labour migration;
- Establishing, maintaining, and disseminating a system of sub-regional data collection in key areas of labour migration including but not limited to migration stocks and flows; labour market data, legislations; comparative sector based qualitative research; and impact assessments;
- Developing an integrated and evidence-based strategy aimed at retaining existing skills within the sub-region, improving and expanding the skills pool within SADC and attracting new skills from outside the region that will contribute to the development of the region’s economy;
- Improving understanding of low-skilled migrant workers’ mobility strategies; and designing pro-poor labour migration policies assisting and protecting this category of workers towards increased and more sustainable income generating activities;
- Ensuring the mainstreaming of self-employed migrants in migration, labour, rural and urban development strategies;
- Ensuring the full integration of migrant workers into national and sub-regional workers’ organisations without discrimination based on their citizenship or length of residence;

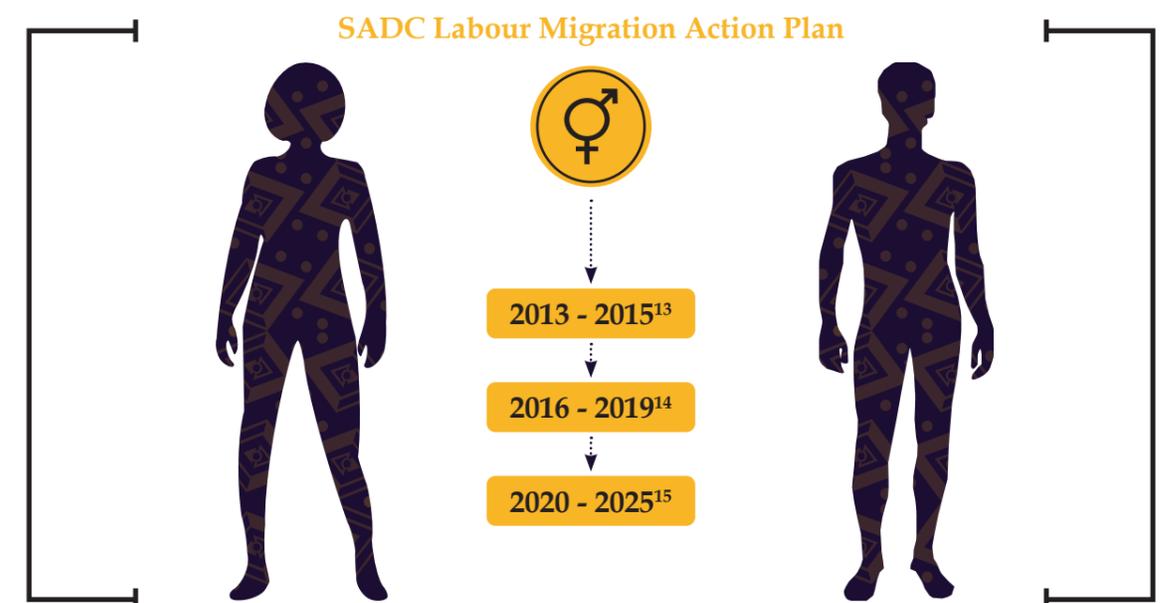
11 SADC, “Labour Migration Policy Framework” (2014) At: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-pretoria/documents/meetingdocument/wcms_239821.pdf; SADC, “Action Plan on Labour Migration (2013-2015)” At: <https://ropretoria.iom.int/sites/default/files/Eng%20Final%20LABOUR%20MIGRATION%20ACTION%20PLAN%202013.pdf>; SADC, “Action Plan on Labour Migration (2016-2019)” At: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-pretoria/documents/meetingdocument/wcms_239821.pdf; and SADC, “Labour Migration Action Plan (2020-2025) (copy supplied by ILO).

12 https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-pretoria/documents/meetingdocument/wcms_239821.pdf

- Creating a harmonised social protection regime across SADC for migrant workers and nationals that takes into consideration a minimum floor of social security for migrant workers; and
- Creating mechanisms for monitoring and evaluation of labour market integration.

The SADC Labour Migration Policy Framework’s gender-specific work falls mainly under Policy Area 3: Protection of migrant workers’ rights and safety. It mentions that “in certain sectors, such as hospitality and domestic work, gender imbalances constitute specific vulnerabilities.” It also states that in the case of some countries of the region, retrenchments have diversified the sources of employment (as well as encouraging more women to migrate).

The LMPF was followed by three labour migration action plans:



The SADC Secretariat has recently created a SADC Technical Committee on Labour Migration to ensure and monitor the implementation of the 2020-2025 Plan.

3.1.3 SADC Labour Migration Action Plans (LMAPs)

The regular release of updated LMAPs indicates that SADC remains committed to implementing the core 2014 Labour Migration Policy Framework. However, a review by SADC of progress in implementing the LMAP conducted in November 2019 found slow progress in achieving intended outcomes and supporting activities.¹⁶ Only 19% of 17 planned outputs were completed across six outcomes and nearly 60% had not yet begun.¹⁷ The completion rate for Outcome 3 on improving the availability of data and statistics on migration among member states was only 22%. One of the intended outcomes of the 2016-2019 Action Plan was that all SADC Member States would have a National Labour Migration Policy in place.

13 https://www.iom.int/sites/default/files/our_work/ICP/RCP/2017/SADC-LABOUR-MIGRATION-ACTION-PLAN-2013.pdf

14 <https://www.iom.int/sites/default/files/icp/sadc-labour-migration-action-plan-for-2016-2019.docx>

15 SADC Secretariat, Draft SADC Labour Migration Action Plan (2020-2025),

The SADC Labour Migration Action Plan (LMAP) (2020-2025) was approved by the SADC Committee of Ministers responsible for Employment and Labour and Social Partners on 5 March 2020 in Dar es Salaam. The JLMP promises a new strategic orientation and is considered to be a key instrument to advance regional cooperation and integration in SADC and to facilitate achievement of sustainable development and poverty eradication. The LMAP is an ambitious, yet practical and achievable, strategy with five core principles, three strategic objectives, ten outputs and 45 activities (Table 2). The principles include variable geometry, subsidiarity, human rights, state sovereignty and gender-responsiveness.

The three strategic objectives are as follows:

- ◆ To strengthen labour migration policies and regulatory systems for better labour migration outcomes;
- ◆ To protect migrant workers' rights and improve advocacy and awareness of their contribution to development and regional integration; and
- ◆ To enhance the participation of migrant workers in socio-economic development processes in countries of origin and destination.

Table 2: Objectives, Outputs and Activities in the SADC Labour Migration Action Plan (2020-2025)

Strategic Objectives	Outputs	Activities
1. To strengthen labour migration policies and regulatory systems for better labour migration governance.	1.1 Ratification and implementation of key global, continental and regional migration instruments promoted, including the SADC Protocol on Employment and Labour, 2014, and the SADC Protocol on Facilitation of Movement of Persons, 2005.	<p>1.1.1 Undertake scoping studies of existing capacities in SADC Member States for implementing global, continental and regional instruments.</p> <p>1.1.2 Undertake campaigns to promote ratification of the Protocols.</p> <p>1.1.3 Strengthen laws and regulations for effective labour migration governance.</p> <p>1.1.4 Produce progress reports on the ratification and implementation of global, continental and regional commitments.</p>

16 SADC Secretariat, SADC Labour Migration Action Plan 2016-2019: Implementation Assessment.
 17 SADC Secretariat, Draft SADC Labour Migration Action Plan (2020-2025), pp. 10-11.

		1.1.5 Convene symposia and knowledge exchange programmes to promote labour mobility within the SADC region.
	1.2 National policy frameworks that address labour migration, including in combination with other thematic areas, adopted and implemented in all SADC Member States.	<p>1.2.1 Undertake a scoping study of existing labour migration policies and laws within SADC Member States to assess their compatibility with regional efforts on migration governance.</p> <p>1.2.2 Develop a model policy framework and accompanying implementation guidelines to facilitate domestication by Member State governments.</p> <p>1.2.3 Develop comprehensive national labour migration policies that are rights based and gender sensitive</p> <p>1.2.4 Hold stakeholder consultative meetings to sensitize constituents at Member States' level on labour migration</p> <p>1.2.5 Promote social dialogue and tripartite consultation between government and social partners on labour migration matters at both regional and national levels</p>

		1.2.6 Promote regular national and regional dialogue forums to engage actors beyond the traditional tripartite constituents as part of the whole of government and whole of society approach.
	1.3 Bilateral cooperation on labour migration strengthened.	1.3.1 Review and conclude BLAs and MoUs to ensure that the rights of migrant workers are sufficiently guaranteed.
		1.3.2 Develop Model provisions on BLAs and MoUs to facilitate harmonisation of standards in the region.
	1.4 Institutional mechanisms, including the Secretariat, strengthened.	<p>1.4.1 Undertake capacity building of governments and social partners in labour migration governance at all levels.</p> <p>1.4.2 Undertake continuous resource mobilisation for implementation of interventions under the LMAP.</p> <p>1.4.3 Participate in labour migration training and capacity-building programmes with the support of ICPs.</p> <p>1.4.4 Participate in continental initiatives and experience sharing forums that promote better labour migration governance.</p>

		1.4.5 Recruit labour migration expert to assist the SADC Secretariat in its roles and responsibilities on the management of labour migration issues.
2. To protect migrant workers' rights and improve advocacy and awareness of their contribution to development and regional integration.	2.1 Core labour standards and those relating to labour migration ratified and implemented, through responsive legislation and practice.	<p>2.1.1 Develop model laws and policies to incorporate principles and rights contained in ILS and other relevant treaties into Policy Frameworks and legislation.</p> <p>2.1.2 Promote ratification and implementation of international labour standards and other treaties relevant to labour migration,</p> <p>2.1.3 Produce progress reports on the ratification and implementation of labour migration instruments.</p> <p>2.1.4 Participate in continental programmes on labour migration, including exchange programmes with other Regional Economic Communities.</p>
	2.2 Fair and ethical recruitment initiatives implemented.	2.2.1 Produce fair and ethical guidelines for cross border recruitment for use by governments, employers and workers, as well as employment agencies.

		<p>2.2.2 Develop guidelines for pre-departure and post-arrival orientation programmes based on international best practice.</p> <p>2.2.4 Conduct studies on recruitment realities and practices in SADC and disseminate the findings to promote fair and ethical recruitment.</p> <p>2.2.5 Strengthen Member States' regulations on private recruitment agencies.</p> <p>2.2.6 Strengthen the capacity of Member States to monitor the enforcement of recruitment regulations.</p>
	<p>2.3 Labour migration knowledge products, including statistical reports and research papers, produced and disseminated.</p>	<p>2.3.1 Conduct regular Labour Force Surveys that include a module on labour migration, at least every two years</p> <p>2.3.2 Provide training and technical support to statistics officials, think tanks, academics and other relevant regional institutions within Member States on labour migration data collection, analysis and management</p> <p>2.3.3 Produce and disseminate statistical reports on labour migration in the region.</p>

<p>3. To enhance the participation of migrant workers in socio-economic development processes in countries of origin and destination.</p>	<p>3.1 Mechanisms for remittance transfers improved.</p>	<p>2.3.6 Undertake case studies that profile best practices on labour migration, including the role of the diaspora in comparable regions.</p> <p>3.1.1 Reduce cost of remittance transactions.</p> <p>3.1.2 Provide access to formal remittance methods among labour migrants, including through targeted financial incentives and financial education.</p> <p>3.1.3 Engage migrant workers in the diaspora for investment and development in countries of origin and destination, through special targeted facilities.</p> <p>3.1.4 Undertake scoping studies and assessment for the development of mechanisms to leverage human, social and cultural capital of migrant workers.</p>
	<p>3.2 Promote access to and portability of social security benefits.</p>	<p>3.2.1 Implement SADC Guidelines on Portability of Social Security Benefits.</p> <p>3.2.2 Develop legislation that does not discriminate against migrant workers on nationality grounds when it comes to access to social security, including with respect to occupational health and safety.</p>

		3.2.3 Promote bilateral agreements to ensure the portability of social security benefits.
	3.3 SADC Qualifications Framework Promoted.	<p>3.3.1 Support Member States in the development of NQFs that are aligned to the SADC QF.</p> <p>3.3.2 Support the development of sector specific regional mutual recognition arrangements in line with the SADC QF.</p> <p>3.3.3 Conduct awareness and capacity building workshops, as appropriate, targeting labour and employers' representatives in the region to promote the SADC QF.</p> <p>3.3.4 Conduct skills audits to profile supply and demand for selected sectors.</p>

The country tables show the considerable variety in applicable requirements and procedures in individual Member States.

In terms of gender issues, the LMAP (2020-2025) mentions that its implementation shall be underpinned by a gender-response principle: “The principle that the human rights of women, men, girls and boys are respected at all stages of migration, and that their specific needs are properly understood and addressed; requiring also that women and girls are fully empowered, recognizing their independence, agency and leadership in order to move away from addressing their needs through a lens of victimhood.” Output 1.2 mentions the need to develop comprehensive national labour migration policies that are rights based and gender sensitive. Output 2.3 on knowledge products state that gender and youth should be mainstreamed to enhance knowledge and understanding of particular dynamics affecting them, considering that they constitute the majority of the population. In terms of sustainability, the LMAP (2020-2025) indicates that the principle to promote gender responsiveness across the strategic objectives and activities of the LMAP, prioritising gender and youth mainstreaming, will also guarantee the sustainability of actions by ensuring that the needs of the majority are addressed.

The LMAP (Output 1.2) calls on all Member States to develop comprehensive national labour migration policies and while no specific timeline is attached, it is assumed that it has to be done within the framework of the LMAP and 2025 would be the target date. Member States (Lesotho, Mauritius, Namibia, Seychelles and Zimbabwe) now have comprehensive national labour migration policies, while four others are at various stages of development of such a policy (Botswana, Eswatini, Malawi, and South Africa). The DRC, Madagascar, Mozambique and Zambia have all recently expressed interest in developing a labour migration policy. The actual requirements and procedures for working in a Member State are determined by the provisions of national immigration policy and legislation. Most Member States have specific provisions pertaining to the employment of foreign workers in their domestic labour legislation.¹⁸ A summary of different national labour migration policies is included below.¹⁹

¹⁸ The authors express their gratitude to Ms Zoe Isaacs for permission to reproduce the information pertaining to the employment of foreign nationals found in the SADC Labour Law Guide that is maintained by the SADC Private Sector Forum (SPSF) and available at <https://www.sadclabourlawguide.spsf.org.bw/>

¹⁹ Information regarding requirements and processes for obtaining work permits was primarily sourced from official government websites and from <https://www.globalization-partners.com/globalpedia/>

3.2 Labour Migration Cooperation Agreements

A paper jointly published by the ILO and the IOM in 2019 noted the increasing use of Cooperation Agreements on labour migration in Southern Africa:

Increasingly in SADC, use is made of MOUs or other cooperation arrangements. Several of these arrangements have been concluded by South Africa, but other SADC countries have followed suit. South Africa has concluded such arrangements with Lesotho (first in 2006, and again in 2013), Mozambique and Zimbabwe (replacing preceding MOUs of 2004 and 2009). Similarly, Zimbabwe has concluded MOUs with Malawi and Mozambique; renegotiating a lapsed bilateral (labour) MOU with Namibia and considering the conclusion of MOUs with Botswana and Zambia are some of the priorities of the Zimbabwean government.²⁰

²⁰ ILO and IOM, Preliminary Stocktaking Study: Development and Implementation of Bilateral Labour Migration Arrangements by African Union Member States (Geneva, 2019), p. 61.



3.2.1 Bilateral Labour Migration Agreements (BLMAs)

ILO and IOM's joint project on Towards Comprehensive Global Guidance on Developing and Implementing Bilateral Labour Migration Arrangements (BLMAs): Unpacking Key Obstacles to Implementation in the African Region released a tool for the assessment of Bilateral Labour Agreements (BLA's) in Africa.²¹ This was designed "to contribute to better analysis of both the design of new and the implementation of bilateral labour migration agreements, and to provide practical guidance on how they could ensure effective functioning."²² ILO Recommendation No. 86 contains a Model Labour Migration Agreement which includes the following

Protect Provisions

- | | |
|--|--|
| 1. Exchange of Information | 15. Supervision of Living and Working Conditions. |
| 2. Action against Misleading Propaganda | 16. Settlement of Disputes |
| 3. Administrative Formalities | 17. Equality of Treatment |
| 4. Validity of documents | 18. Access to Trades and Occupations and the Right to Acquire Property |
| 5. Conditions and Criteria of Migration | 19. Social Security |
| 6. Organisation of Recruitment, Introduction and Placing | 20. Contracts of Employment (Model contract included) |
| 7. Selection Testing | 21. Change of Employment |
| 8. Information and Assistance of Migrants | 22. Employment Stability |
| 9. Education and Vocational Training | 23. Provisions concerning Compulsory Return |
| 10. Exchange of Trainees | 24. Return Journey |
| 11. Conditions of Transport | 25. Double Taxation |
| 12. Travel and Maintenance Expenses | 26. Supply of Food |
| 13. Transfer of Funds | 27. Housing Conditions |
| 14. Adaptation and Naturalisation | 28. Methods of Co-operation |

IOM's Regional Guide to Facilitate South-South Labour Mobility in Southern Africa noted that "bilateral labour migration agreements play a critical role in strengthening the regulatory framework aimed primarily at the protection of migrant workers in the labour migration process, particular low- and semi-skilled workers."²³ The Guide sets out a comprehensive system for identifying the key issues to be addressed and the stakeholders involved in managing labour migration and the role that they could play in the process of developing BLAs between countries. The guide also proposes an extended framework consisting of five phases for managing circular migration in the region and that could be important elements in the process of preparing BLAs; namely, planning, recruitment, pre-departure, preparation for employment and return.

²¹ https://www.ilo.org/global/topics/labour-migration/projects/WCMS_722207/lang-en/index.htm; ILO and IOM, Bilateral Labour Migration Agreements in African Union Member States: Taking Stock and the Way Forward. At: https://www.ilo.org/wcmsp5/groups/public/-ed_protect/-protrav/-migrant/documents/publication/wcms_721949.pdf

²² Natalia Popova and Francesco Panzica, Tool for the Assessment of Bilateral Labour Migration Agreements Pilot-Tested in the African Region. At: https://www.ilo.org/global/topics/labour-migration/publications/WCMS_722208/lang-en/index.htm

²³ IOM, Regional Guidelines for the Development of Bilateral Labour Agreements in the Southern African Development Community (2016). At: https://publications.iom.int/system/files/pdf/regional_guide_bilateral_labour_agreements.pdf

The ILO has also developed an online toolkit on BLAs for Africa which is yet to be officially launched.²⁴ The tool is divided into three parts, as follows:

- General aspects, common to all types of bilateral labour migration agreements;
- Assessment methodology for the BLMAs, and
- An adjusted assessment framework used in the SADC, reflecting regional labour migration policy needs.

Historically, BLAs were key instruments for the management of labour migration in the Southern African region. A recent study found no appetite for updating these largely defunct BLAs and a marked preference for bilateral Memoranda of Understanding (MOUs).²⁵

3.2.2 Memoranda of Understanding (MOUs)

Africa has renewed and activated MoUs with Botswana, Swaziland, Lesotho, Zimbabwe, Mozambique, and Zambia (Table 3). Malawi and Zambia also have an MoU covering a number of areas, including social security and cooperation in a number of other labour related areas. The social security bilateral agreement states that the Workers Compensation Fund in Zambia has to identify a medical practitioner in Malawi to administer medical examinations or assessment for pneumoconiosis/silicosis for Malawian miners who worked in Zambia. In the long run, it should also facilitate the remittance of monthly pension through the Malawi High Commission in Lusaka.

Zimbabwe also has MoUs in the field of Employment and Labour with South Africa and Botswana that aim to promote cooperation on Labour and Employment Issues. The agreements cover various areas of cooperation that include dispute resolution, labour migration, and social security amongst others.

South Africa has MOUs with a number of neighbouring countries governing various aspects of labour migration including Botswana, Eswatini, Lesotho, Mozambique, Zambia and Zimbabwe.

Table 3: Countries with MoUs on Labour Migration with South Africa

Country	Year	Issues related to Labour
Botswana	1937	Governs employment of citizens of Botswana in South Africa, including: <ul style="list-style-type: none"> • issues remittances and workers' welfare and compensation funds; • governs movement of persons across the countries; • establishes a Botswana Government Labour Office in South Africa provides regulations for repatriation of former migrant workers

²⁴ Email communication from Kenza Dimechkie, ILO Geneva

²⁵ IOM, Bilateral Labour Migration Arrangements in Two Southern African Development Community Corridors (Geneva: IOM, 2021).

Country	Year	Issues related to Labour
Eswatini		Governs: <ul style="list-style-type: none"> • movement of persons across the borders; • establishment of an office for Swaziland Government Labour representative in South Africa; • provides regulations for the repatriation of former migrants
Lesotho (established under the SA-Lesotho JBCC)	2013	Governs five areas of cooperation on labour issues which include: <ul style="list-style-type: none"> • dispute resolution mechanisms and institutions; • social dialogue mechanisms and institutions; • compensation in respect of occupational diseases and injuries to citizens of both countries working in either country; • training of arbitrators; • social security; and, • review of the Labour Agreement between the two governments signed in 1973.
Zimbabwe	2009	Cooperation between the countries' Ministries and Departments of Labour. The result was the establishment of the Beitbridge Labour Migration Centre; <ul style="list-style-type: none"> • facilitation of dialogue in areas such as labour dispute resolutions, labour law reform and employment services; • facilitation of interface between ex-Zimbabwe migrant workers in gold mines in South Africa and their previous employers and ex-employing agencies.
	2013	Facilitation of recruitment of Zimbabwean workers in South African farms in the Limpopo province. The aim was to bring to an end the exploitation of Zimbabweans working in South Africa farms and especially in the Limpopo Province as illegal immigrants.

Mozambique²⁶	1964, revised in 2015	Covers <ul style="list-style-type: none"> • improvement in status and conditions of migrant workers. • social protection to documented migrant mineworkers.
Zambia	2016	Cooperation in the following areas: <ul style="list-style-type: none"> • collective bargaining; • dispute resolution systems; • labour inspections; • social dialogue; • labour market information; • occupational health and safety including HIV/AIDS and wellness in the workplace; • international labour cooperation issues; • social security issues relating to unemployment insurance and compensation; and • productivity issues.

Country	Year	Name of Commission	Objectives specific to (labour) migration	Frequency of meetings
Malawi	2007 and reviewed in 2012	Joint Commission for Cooperation	None	Every 2 years, with extraordinary session upon request
Mozambique	1994	Joint Bilateral Commission of Cooperation	None	Terminated
	2011	Bi-National Commission	None	Annually
Namibia	1997 Terminated in	Heads of State Economic Bilateral Meeting (HOSEB)	None	Terminated
	2012	Bi-National Commission	None	Annually, with extraordinary sessions upon request
Eswatini	2004	Joint Bilateral Commission for Cooperation	Facilitation of people, goods and services between the two countries by ensuring user-friendly border posts	Annually

3.2.3 Joint Commissions

Other bilateral arrangements include Joint Permanent Commissions for Cooperation (JPCCs) or Joint Bi-lateral Commissions of Cooperation (JBCCs).²⁷ In some instances, MOUs are a product of the implementation of JPCCs or JBCCs. In the JPCCs or JBCCs, partners agree on the sectors of cooperation in which they both seek to achieve a common objective. South Africa has signed JPCCs and JBCCs with seven SADC countries.

Table 4: South Africa's JPCCs and JBCCs with Other SADC Countries

Country	Year	Name of Commission	Objectives specific to (labour) migration	Frequency of meetings
Lesotho	2001	Joint Bilateral Commission of Cooperation	Facilitate movement of people, goods and services between the two countries taking into consideration the unique geographical position of Lesotho.	3-4 times a year

²⁶ Marius Olivier, "Developing a Framework for a Redesigned Bilateral Labour Migration Regime between South Africa and Mozambique, with Particular Emphasis on Mozambican Mineworkers" Report for IOM and Lawyers for Human Rights, Institute for Social Law and Policy, Northwest University, 2016.

²⁷ SATUCC, Developing a Cohesive and Transformative Labour Migration Policy Framework for SADC. Regional Research on Migration Report, 2017.

Zimbabwe	1995	Joint Commission for Economic, Social, Scientific, Technical and Cultural Cooperation	None	Every 2 years, with extraordinary session upon request
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Source: SATUCC

3.2.4 National Labour Migration Policies and Legislation

Table 5 provides a summary of national policies, legislation and frameworks, beginning with National Labour Migration Policies and including work permits, application requirements, employment of foreign nationals and labour market institutions.

Table 5: National Labour Migration Policy in Southern Africa

Angola	
National Labour Migration Policy	No information available
Type of permit	Work permit
Application requirements	<p>A letter from the applicant addressed to the Embassy, A Photocopy of the applicant's passport, with a validity of at least 18 months</p> <p>Two passport sized photos and following documents:</p> <ul style="list-style-type: none"> • A declaration that the applicant will abide by Angola's laws • Proof that the applicant has no family ties to individuals living in the country • An employment contract • A criminal record from the applicant's country of residence • A certificate showing good health from an official health institution in the country of residence • Copy of yellow fever certificate • Academic and professional certificates • A curriculum vitae • Proof of your company's legal status in Angola
Duration of permit	Initially 12 months and can be extended twice for up to 36 months

National Labour Market Institutions	<p>The Provincial Courts, through the Chamber of Labour, have jurisdiction to hear and judge all individual labour disputes.</p> <p>The General Labour Inspectorate primarily responsible for all monitoring and compliance within the labour market. They are responsible for all labour inspections which can be initiated by the worker, employer or a judicial authority.</p> <p>The Ministry of Public Administration, Employment, and Social Security is the leading authority for labour issues.</p>
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Botswana	
National Labour Migration Policy	No information available
Type of permit	Work permit; Emergency work permit for up to 3 months
Application requirements	<p>Complete the Work permit application form and submit with following supporting documents:</p> <ul style="list-style-type: none"> • Copy of job advert not older than six months old • Contract of employment • Application letter for work (signed) • Letter of offer or appointment letter • Applicants' Curriculum vitae (CV) • Certified copies of educational certificates. Please note that all certificates in foreign languages must be translated to English and be confirmed by Botswana Qualification Authority • Certified copy of a valid passport – biographic data page (picture, passport number, date of birth, birthplace, expiry, etc.) • 2 x Passport-size photos (with a white background) • Clearance from relevant professional regulatory bodies • Letter from the patient's doctor (Nurse Aid/ Caretaker) • Supporting letter from relevant Ministries for Government projects • CV for understudies <p>Additional requirements as per the profession such as heavy-duty driver, farm worker, medical professionals etc. details available in the link provided</p>
Duration of permit	The permit duration is decided after reviewing the application by the immigration board

Employment of Foreign Nationals	<p>The Immigration Act provides that any foreign national entering Botswana must have valid travel documents that is a passport and a valid residence permit. The Act provides detailed provisions on various persons who are considered prohibited immigrants and their entry into or presence in Botswana is considered unlawful. This includes: a person suffering from a prescribed disease, any prostitute, a person who is mentally incapacitated and any person who is declared undesirable.</p> <p>The recruitment of migrant workers is governed by the Employment Act CAP 47:01 from Section 52-56.</p>
	<p>In general, an employer who is seeking to employ a foreign national must initially advertise the vacancy in a local Botswana newspaper, in which case the advertisement ought to run, at least for a minimum period of 14 working days. The immigration law requires the employer to provide reasons why local applicants were not eligible for the position. All foreign nationals are prohibited from commencing employment in Botswana without a work permit or an exemption certificate. An employer is also prohibited from allowing a foreign national to commence employment with such employer if the foreign national has not been issued with a work permit or an exemption certificate. An application for a work permit must be in the prescribed form, as per the immigration act. Applications for work permits are considered by the Immigration Selection Board which is established in terms of the Immigration Act. As a general rule, the application in question must be submitted to the Department of Labour, in the Immigration Section. The Board must consider every application submitted to it and it may call for and obtain such additional information relating to the applicant as it may deem necessary. The Board must submit each application received by it to the Minister together with the recommendation. When the Board makes its recommendation, it must consider: whether the applicant is of good character; has the relevant qualifications; whether the applicant has the substantial means to support himself and any dependents; and lastly that it would be in the interests of Botswana that the residency permit is issued.</p> <p>A foreign employee who applies for a work permit is required to simultaneously apply for a residence permit. If the work permit is revoked the residence permit will also be revoked.</p>

	<p>A person whose position is specified in an exemption order, published under the Immigration Act, shall apply to the Director of Immigration or Commissioner of Labour, in the prescribed form to be issued with an exemption certificate in lieu of a work permit. Any individual whose application for a permit is rejected by the Immigration Board may appeal to the Minister of Labour and Home Affairs.</p> <p>The appeal must be lodged within 30 days after the day on which decision complained of was communicated to such persons. Botswana recognises two categories of permits relevant to employment:</p> <p>the work permits and the residence permit. There are no special permits for individuals who possess scarce skills. Individuals possessing scarce skills obtain more points in the visa evaluation process. The Minister may cancel a residence permit if the holder of the permit does not take residence in Botswana within 6 months of the date of issue of the permit. Where an employee has been brought to the place of employment by the employer, the employee has the right to be repatriated, at the employer's expense, to his place of recruitment on termination of the contract of employment. This right applies to both citizen and expatriate employees, regardless of whether the place of recruitment is situated within or outside Botswana. where the employee's family has been brought to the place of employment by the employer, the family must be repatriated at the expense of the employer in the event of the employee being repatriated or of his/her death.</p>
National Labour Market Institutions	<p>The Trade Disputes Act establishes an Industrial Court that is headed by a Judge President. Industrial Court Judges are appointed by the President. The Judge sits with two assessors one nominated by an organization representing the workers, and another by an organization representing the employers. The Court has jurisdiction to hear and determine all trade disputes except disputes of interest including those to interdict any unlawful industrial action and to hear appeals and reviews from decisions of mediators and arbitrators.</p> <p>The Minimum Wages Advisory Board shall investigate the wages in the trade, section of trade, industry or section of industry in question and make recommendations to the Minister as to the minimum wage which should, in the Board's opinion, be payable to employees belonging to the</p>

relevant category. The Board shall take into account any statements which the employers, registered employers' organizations, employees or registered employees' organizations concerned may wish to make to the Board and shall, where it is reasonably practicable to do so, make arrangements for such employers, registered employers' organizations, employees or registered employees' organizations to be heard by the Board. In formulating its recommendations to the Minister, the Board shall take into account the needs of the employees concerned and their families, taking into consideration the general level of wages in Botswana, the cost of living, any social security benefits and the relative living standards of other social groups; the desirability of eliminating discrimination between the sexes in respect of wages for equal work and economic factors, including the requirements of economic development, levels of productivity and the desirability of attaining and maintaining a high level of employment.

DRC	
National Labour Migration Policy	No information available
Type of permit	Work establishment visa Specific work establishment visa
Application requirements	<ul style="list-style-type: none"> • A valid passport with at least 6 months validity • 4 passport pictures • International vaccination card • Proof of qualification • Certificate of service • Present an employment contract endorsed by the National Employment Office
Duration of permit	Work establishment visa: 1 to 2 years Specific work establishment visa: 1 year
Employment of Foreign Nationals	In terms of the Immigration Act, the law seeks to promote the hiring of the nationals. Labour migration is regulated through a series of existing migration or labour policies at national level. A Ministerial Decree has fixed the amount authorized percentage of foreign workers, within the limits set out by the Labour Code, per sector and per category of workers. The list of the positions/functions for which it is forbidden to hire expatriates is detailed in A.D no 86/001 March 1981.

Generally, if the employer wants to recruit a foreign national to work in DRC, they are required to apply for a work card on behalf of the prospective employee, together with supporting documents. These include: the applicants resume, supporting qualifications, the draft employment contract, the job description, the list of the company's expatriate employees and the training and professional adjustment programs. The application must be made to the National Committee of Employment of Foreigners within the Ministry of Labour.

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The Ministry of Labour controls expatriate residence and work permits. The employer has the right to hire staff of its choice to fill management positions, but the company must pay a special tax on expatriate salaries. The tax that is applicable to expatriate salaries is regulated by a separate piece of legislation. Generally, employers are required to comply with legislation which states that their corporation workforce may consist of no more than 15% foreign nationals in total.

When the work card is granted, the expatriate worker can obtain a visa for settlement with employment purpose. The law recognises two types of work permits which may be issued in the DRC. The visa d'établissement de travail allows a person to work in the country for one or two years, depending on the circumstances. By contrast the visa d'établissement de travail spécifique has a nominated fixed term, which may be applicable for up to one year, and this visa cannot be renewed. If the employee's services are terminated, the expatriate worker must be repatriated or find another job that would justify proof for holding the work card.

There is an additional tax levied on the expatriate's taxable salaries as an expense for the employer. This is known as the exceptional tax on expatriate's salaries. Employers employing expatriates are subject to the payment of a special tax applied on the basic salary of these employees.

	The holder is liable to pay the exceptional tax on expatriates at a standard rate of 25%. The rate is 10% for mining companies (and their subcontractors) and 25% in all other cases.
National Labour Market Institutions	No information available
National Labour Market Institutions	<p>The Minister of Labour and Social Security has primary responsibility for the administration of labour. This entails employment, training and social security.</p> <p>The Labour Inspectorate ensures the enforcement of the legal provisions pertaining to working conditions and protection of workers in the performance of their profession, such as provisions pertaining to the duration of work, salaries, health and safety. This includes collective and individual industrial disputes.</p> <p>National Employment Bureau contributes to the implementation of the employment policy.</p> <p>It examines and regulates employment in the non-structured and rural sector. Periodically summarizing the situation of employment and its evolution.</p> <p>National Alien Employment Commission has overall responsibility for the issuing of work permits for foreigners. The National Labour Council is chaired by the Ministry of Labour and Social Security; it regulates all health and safety within the workplace.</p> <p>The Mediation Committee investigates all labour disputes within the workplace. It mediates all disputes and issues recommendations regulating the labour market.</p>

Eswatini	
National Labour Migration Policy	Eswatini has a National Labour Migration Policy that was adopted and validated in July 2019 and a Draft Implementation Plan that was prepared in December 2019. The NLMP provides an overview of the appropriate international and regional instruments and frameworks that are applicable to the management of labour migration and confirms the commitment of the Government of Eswatini to give effect to its international obligations in terms of these instruments and frameworks.

	<p>The NLMP also notes that there are various pieces of domestic legislation, policies and initiatives that are of relevance in the governance of labour migration, as follows:</p> <ul style="list-style-type: none"> • Constitution of Eswatini, 2005 (regulates acquisition and loss of citizenship) • Immigration Act No.17 of 1982; • Citizenship Act, 1992; • People Trafficking and People Smuggling Act of 2009 • Refugees Act 142 of 2017 • Industrial Relations Act of 2000 • Code of good practice: Employment discrimination (prohibits discrimination but does not explicitly refer to nationality, citizenship or migrant status as a prohibited criterion) • The Employment Act 1980, No. 5/1980 • Workmen's Compensation Act, 1983 (No.107) • Occupational Safety and Health Act, 2001. • National Development Plan • National Development Plan Medium-Term Policy (2013-2017); • Revised National Development Strategy (2017); • Ministries' Action Plans 2018-2022; • Strategy for Sustainable Development and Inclusive Growth (2017); • Vision 2022 (1997) and National Development Strategy (1997); • Eswatini - ILO Decent Work Country Programme (2019-2023) • Technical and Vocational Education and Training and Skills Development (TVETSD); • National Employment Policy; • National Human Resources Development Plan; • Social Security Reform • Small and Medium Enterprises policy <p>In terms of its objectives, the NLMP sets out the following:</p> <ol style="list-style-type: none"> To effectively regulate labour migration, ensuring safe, orderly and regularized immigration and emigration for work To develop a NLMP that is aligned to national, regional, continental, and international standards and frameworks. To enhance opportunities for productive employment and skills development, retention and transfer for all Emaswatini
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	<p>d. To enhance the welfare of migrants, and particularly migrant workers and their family members, as well as returnees' rights to access social protection mechanisms and to ensure the portability of social security in the region</p> <p>e. To effectively regulate labour migration, ensuring safe, orderly and regularized immigration and emigration for work</p> <p>f. To develop a NLMP that is aligned to national, regional, continental, and international standards and frameworks.</p> <p>g. To enhance the welfare of migrants, and particularly migrant workers and their family members, as well as returnees' rights to access social protection mechanisms and to ensure the portability of social security in the region</p> <p>h. To enhance opportunities for productive employment and skills development, retention and transfer for all Eswatini</p> <p>i. To facilitate engagement with the diaspora, including effective management of remittances, and to actively manage the return and reintegration of migrants returning home</p> <p>j. To have well-functioning, up to date and reliable information systems on labour migration that supports policy and programmes</p> <p>k. To establish technical and administrative cooperation across ministries and with social partners such as worker associations, unions, business and other relevant stakeholders.</p> <p>l. To ensure a rights-based labour migration system, including border management control that eradicates human trafficking, smuggling, child labour and forced labour and migration in an irregular situation and a regulated and ethical private employment agency sector that is aligned to international conventions.</p> <p>The accompanying Action Plan of the NLMP sets out the key outcomes, timelines and designated authorities/stakeholders responsible for the implementation of specific activities to achieve the objectives of the NLMP.</p>
Type of permit	Two years period

Employment of Foreign Nationals	<p>According to the Immigration Act 17 of 1982, any person who is not a Liswati citizen, or exempted by the immigration regulations, may not engage in any employment without being authorized to do so by a work permit.</p> <p>All foreign nationals who have been offered employment or wish to work in Eswatini must apply for a work permit from their country of origin or residence and must await the outcome of their application in their country of residence prior to entering the country, or applying for a permit from inside Eswatini. Prospective employees are strictly prohibited from engaging in any work without obtaining a valid work permit. If the employee engages in work without the necessary documentation it is regarded as an offence and the individual can be declared undesirable.</p> <p>Generally, when an application is made for the work permit, the application must be accompanied by applications for the rest of the family that will be accompanying the individual. Work permits are issued up to 2 years at a time, they are position and company specific and are not transferable. Applications for work permits may take up to 2 months to prepare due to the requirements stipulated which include: evaluation of foreign qualifications by a single authority in Eswatini; police clearance and the advertisement. Foreign nationals working in Eswatini on a temporary basis are not subject to taxation on their employment income provided certain conditions are met.</p>
National Labour Market Institutions	<p>The Labour Advisory Board will consider and advise the Minister upon any matter affecting employment and labour referred to the Board by the Minister and without prejudice to the generality of this requirement, such matters shall include proposals for any new legislation to employment; amendments to this Act or any other law relating to employment; proposed action in regard to agenda items or texts to be discussed by the International Labour Conference; the submission of International Labour Convention or Recommendations to the Government; recommendations and unratified International Labour Conventions; questions arising out of reports submitted under Article 22 of the Constitution of the International Labour Organisation; (v) the denunciation of ratified International Labour Conventions.</p> <p>The Conciliation, Mediation and Arbitration Commission is primarily responsible for the resolution of all labour dispute.</p>

The disputes are initially referred for conciliation or mediation, in an attempt to resolve the matter amicably. In the event that parties fail to resolve the matter, the dispute is referred to arbitration. Either of the parties to the dispute can refuse arbitration and bring the case to the Industrial Court, which can also order arbitration.

Labour Inspectors shall make periodic inspections of places of employment as directed by the Labour Commissioner; ensure that all laws relating to conditions of employment and the protection of employees in their occupations are being fully applied; where necessary providing information and advice as to the means of complying with such laws, including a time limit by which such compliance shall be effective; bring to the notice of the Labour Commissioner any difficulty or abuse relating to employment which is not covered by existing laws; make studies and collect data relating to employment as may be required by the Labour Commissioner. The inspector may require an employer to provide any information requested by him as to the wages, hours of work or other conditions of employment of persons employed by that employer; carry out any examination, test or enquiry which he considers to be necessary in order to satisfy himself that all legal provisions relating to employment are being complied with.

The Industrial Court has exclusive jurisdiction to hear, determine and grant any appropriate relief in respect of an application, claim or complaint or infringement of any of the provisions of this, the Employment Act, the Workmen's Compensation Act, or any other legislation which extends jurisdiction to the Court, or in respect of any matter which may arise at common law between an employer and employee in the course of employment or between an employer or employers' association and a trade union, or staff association or between an employees' association, a trade union, a staff association, a federation and a member thereof. In the exercise of its powers under this, the Court shall take into consideration any guidelines relating to wage and salary levels and other terms and conditions of employment that may from time to time be prevailing in Government and other related or relevant industries or enterprises.

There shall be a right of appeal against the decision of the Court on a question of law to the Industrial Court of Appeal.

The Industrial Court of Appeal, in considering an appeal shall have regard to the fact that the Court is not strictly bound by the rules of evidence or procedure which apply in civil proceedings.

Wage Councils to perform, in relation to the employees specified in the order and their employers, the effective regulation of the wages or conditions of employment of those employees.

Lesotho

National Labour Migration Policy

In 2017, a Labour Migration Management Assessment was conducted and a report, based on this assessment, was drafted and validated. The report identified the key issues and challenges in Lesotho in relation to labour migration and became the basis for a National Labour Migration Policy that was adopted and validated in 2018. In addition to the NLMP, the process followed by Lesotho included the drafting of several other documents to support the implementation of the NLMP, as follows:

- A Labour Migration Management Assessment (LMMA) providing a review of the most up-to-date data on labour migration into and from Lesotho for policy analysis and development;
- A training curriculum for labour migration management;
- A Plan of Action for the implementation of the Lesotho NLMP; and,
- Guidelines for the development of bilateral labour agreements and a model agreement for Lesotho

The main objectives of the NLMP are to:

- a. ensure that governance of labour migration in Lesotho is in line with relevant international labour standards and good practices and adheres to the regional provisions on labour migration
- b. safeguard all human rights of migrant workers within and outside Lesotho's territorial boundaries
- c. promote employment and decent work through labour migration
- d. ensure access to social security by migrant workers and their families
- e. ensure that labour migration contributes to the development objectives of the economic development of Lesotho.

	<p>Based on 3 Key Priority Areas, the NLMP and its accompanying Action Plan sets out selected interventions as follows:</p> <ol style="list-style-type: none"> 1. Building Lesotho's approach to labour migration as a rights-based, gender-sensitive, employment and development oriented labour migration policy 2. Governance of labour migration in Lesotho 3. Labour migration data for policy-making 4. Capacity-building activities for Government officials, social partners and civil society organisations 5. Promoting ethical recruitment (Pre-departure training, Contract vetting, Regulation of Private Employment Agencies) 6. Strengthening the social protection of migrant workers 7. Social welfare of migrant workers: Financial education, banking, productive investments, educational loans, Return and reintegration 8. Reforming the work permit system (Digitalisation, Modernisation of labour market tests, Re-design of application process and coordination with immigration) 9. Labour inspectorate and Complaint mechanism (Capacity-building, legislative reform) 10. Improve communication and integration between migrant workers and local workers in private sector business and between migrants and local communities to foster a stable and inclusive society 11. Social protection and welfare (living conditions) of migrant workers in Lesotho
Type of permit	Two year residence permit
Application requirements	<ul style="list-style-type: none"> • a copy of passport, • a visa application form (can be completed online) • two passport photographs, • details of a place of residence during your time in Lesotho • an invitation letter from the employer • Police clearance from Lesotho • Police clearance from the country of origin for the first time applicants • Letter from Applicant (Requesting Permission from Director of Immigration to reside in Lesotho) • Letter from Employer • Copy of previous permit (For Renewal applications) • Employment contract <p>Additional requirements as per the profession</p>
Duration of permit	Two years period

Employment of Foreign Nationals	<p>The Aliens Controls Act is the immigration framework that provides that a foreign nation seeking employment must apply for two separate permits that is the residence permit over and above the work permit. Renewal of short-term work authorizations. Long term work authorization permits are granted for a maximum of two years and are renewable.</p> <p>Generally, a prospective employee needs to obtain a separate residence permit in Lesotho, over and above the work authorization (work permit). The Ministry of Labour is responsible for processing and granting work permits to foreigners. In order to obtain an employment certificate, an employer must provide a motivational letter, stating reasons why a foreign national is required to do the job. Further, the employer may provide a transfer skills plan to accompany the motivational letter, though this is not compulsory. Long term work authorization is granted for a maximum period of two years and is renewable. Renewing an employment certificate is a more stringent approach, as the employer must submit to the Ministry of Labour another motivational letter, stating reasons why it has not been possible to replace the foreigner with a local in 2 years. The processing time for the work authorization application is between four to seven weeks on average.</p>
National Labour Market Institutions	<p>The Labour Court has exclusive jurisdiction as regards any matter provided for with regards to labour laws, including but not limited to labour disputes. No ordinary or subordinate Court shall exercise its civil jurisdiction regarding any matter provided for under the Code.</p> <p>The National Advisory Committee on Labour is the committee that is mandated with advising the Minister of Labour and Employment on matters relating to labour. It has representation from the Government, the trade unions and employer organizations.</p> <p>The National Advisory Council for Occupational Safety, Health and Welfare reviews and advise the Minister and the National Advisory Committee on Labour on the operation of any legislation or regulations relating to employees' health, safety and welfare at work. The National Employment Service collects information with regards to any employment related issue including information on vacancies, collecting information and statistics regarding the labour market, including information on labour requirements and labour supply, to be forwarded to the Labour Commissioner.</p>

	<p>Labour Officers are appointed by the Minister. A labour officer may, for the purpose of ascertaining that the provisions of the Code and any other written law relating to labour, employment, industrial relations, working conditions or workers' compensation are being duly observed at all reasonable times, whether by day or night, and without previous notice enter freely, inspect and examine any premises.</p> <p>The Wages Advisory Board upon being required to do so by the Minister, inquire into the wages and conditions of employment of any employees in such part of Lesotho as may be specified in the order. The Board shall advise the Minister and the National Advisory Committee on Labour on such other matters relating to wages and conditions of employment as the Minister may refer to it. The Board meets not less than once a year. Every employer to whom a wages order applies shall display a copy of such wages order in every work place in which employees to whom the wages order applies work.</p> <p>The Industrial Relations Council consists of three members representing the Government, three members representing the employers and three members representing the employees. The functions of the council will be to advise on the qualification and appointment of judges, assessors, conciliators and arbitrators. Directorate of Dispute Prevention and Resolution attempts to prevent and resolve labour disputes through conciliation and arbitration. It also has an advisory capacity to employers and employees on prevention and resolution of disputes. The directorate or its officer shall not disclose to any person information, knowledge or document that is acquired on a confidential basis or without prejudice.</p>
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Madagascar	
National Labour Migration Policy	No information available
Type of permit	Work permit
Application requirements	<p>For Transferable Visa:</p> <ul style="list-style-type: none"> • A completed application form. Delays may occur if all questions are not answered. • Two (02) recent passport photos • Return air ticket • Passport valid for at least six (6) months from intended return date, with at least three (3) blank pages • Yellow fever vaccination Certificate for visitors who stayed the last six (06) days in infected countries • Letter of motivation • Criminal Record (Police Clearance) issued by the country of origin of less than six (6) months (translated in French or English by the issuing country or a sworn translator). The validity duration assigned to the document by the issuing authority if the said duration exceeds the six (6) months • Passport photocopy • Legalized Proof of accommodation and financial support as attested and signed by your host or Lease Agreement • Photocopy of Host ID (CIN) or Resident Card (CR) • Certificate of Residence of the Host <p>Additional documents depending on the category in which the immigrant falls, as follows:</p> <ul style="list-style-type: none"> • Employment contract stamped by the Ministry of Public Service, Labour and Social Legislation (MFPTLS) • Employment authorization or work permit for foreigners delivered by the Ministry of Public Service, Labour and Social Laws • Certificate of employment issued by the employer • Company's Certificate of Registration issued by the Registrar of Companies (RCS) • Company's Tax Identification Card (CIF) • Company's Statistics Cards • Photocopy of the Identity Card (CIN) or the Resident Card of the Manager

Duration of permit	No clear information available. The employee needs to get a transformable visa (immigrants visa:30 days) then apply for a long-term visa once reaching Madagascar.
Employment of Foreign Nationals	<p>The Madagascar immigration framework provides for the requirements, processing time, employment eligibility and benefits for accompanying family members. All expatriates who wish to work in Madagascar require a work permit. All applications for a work permit must be filed prior to entry. Securing a work permit requires a prospective employee to have sponsorship from a local employer. If an employee changes the employer, their work permit must also be changed. A licensed company needs to sponsor an employee for the duration of the project. The sponsoring company will assume legal responsibility for the employee while they are working in Madagascar.</p> <p>An immigrant visa called professional visa is issued to all foreign investors, whether they are tied to a Malagasy company or by an employment contract or whether they fulfill their term of office within that company to assume the duties of a manager, assistant general manager, general director, and chairman to the board of directors or chief executive officer. The visa is delivered by the Home Office. The professional visa is valid for three years starting upon receipt of the application. Once granted, that visa is as good as a residence permit. Furthermore, a certificate is issued in compliance with the legislation in force. Application for the visa renewal must be filed one year before its expiry date. Spouse and children dependent upon the holder automatically benefit from the same rights during the same period of time. If an employee is working on the wrong business visa or temporary entry visa, this can expose the employer to potential legal and financial difficulties. Those who plan to be self-employed will need to arrange a permit for themselves.</p> <p>The government does not mandate hiring of local nationals, except in the mining sector, in which companies qualifying for the special regime for large mining investments are required to give preference to nationals. Specific professionals such as attorneys, certified public accountants, and notary publics will require registration and authorization with the relevant industry governing body prior to practicing in Madagascar.</p>

	Expatriate employee's employment contracts may validly not comply with the labour laws and the social regulations with regard to the following: insurance under a social security scheme in Madagascar; insurance to the corporate service; length and grounds for appeal to a fixed term contract and applicable recruitment regulations.
National Labour Market Institutions	<p>The Ministry of Labor is responsible for enforcing the minimum wage and working conditions. The government is also charged with setting occupational health and safety standards for workers and workplaces, but penalties for noncompliance are not defined in the Labor Code, which only requires an inspection before a company can open.</p> <p>The Works Council is a bipartite consultative body and is a platform of negotiation, dialogue and stakeholder collaboration in the enterprise. It is consulted and gives its opinion on all questions concerning the lives of workers: working conditions, social and cultural affairs, health, safety, health and work environment, individual or collective dismissal for economic reasons, labour dispute.</p> <p>The National Labor Council is a tripartite body for consultation, dialogue and monitoring. It provides a framework for consultation and negotiation between the social partners on wages and working conditions and an information framework on all matters included in its jurisdiction.</p> <p>The National Labor Institute's mission is to ensure the continuous training of workers to enable them to participate actively in the economic and social life of the company and the country, and fully ensure effective functioning of their trade union representatives. Therefore, it aims to: develop human resources; strengthen the capacity of employers 'and workers' organizations on the promotion of social dialogue; and provide leaders, union officials and workers, technical assistance and general training in the areas of labour, business management, economics and working conditions.</p> <p>The Labor Code provides for an independent and powerful labour inspection system in the country. Labor Inspectors, under the Ministry of Labor, ensure the implementation of laws and regulations related to conditions of work and protection of workers in the exercise of their function, such as provisions on working hours, wages, safety, hygiene</p>

and well-being as well as provisions of a collective agreement. It is the responsibility of the inspector to provide information and technical advice to employers and workers on the most effective means of complying with legal provisions in force and to bring to the attention of the competent authority defects or abuses, which are not specifically covered by existing laws and regulations. Labor Code authorizes the Labor Inspector to enter the workplace at any time during the day or night without previous notice to carry out examinations, test or inquiry; interview anyone; ask for or take copy of any prescribed book/register, record or other document; and take or remove samples. Labor inspectors are also authorized to prescribe measures to eliminate defects observed in plant; layout or work methods if they may have reasonable cause to believe it constitutes a threat to health or safety of workers.

Malawi	
National Labour Migration Policy	<p>Malawi is in the process of working towards the drafting and adoption of a National Labour Migration Policy. In July 2020, a Situational Analysis report was published that provides a diagnostic review of migration patterns, issues and challenges that provide the context for the proposed NLMP. The Situational Analysis recommends the following as the goal and policy objectives of the NLMP, to be considered in consultation with stakeholders:</p> <p>Goal The main goal of the national Labour Migration policy is to harness the benefits of labour migration for socioeconomic development in Malawi.</p> <p>The following policy objectives and areas are suggested for consideration by stakeholders:</p> <ol style="list-style-type: none"> To enhance good governance of labour migration. <p>Possible Areas: Legislative Framework; Regulatory Framework; Institutional Framework; international cooperation.</p> <ol style="list-style-type: none"> To strengthen systems for protection of migrant workers and their families in Malawi and countries of destination. <p>Possible Areas: Migrants Protection; Combatting Trafficking and Smuggling; Social Security Portability</p>

	<p>3. To enhance mechanisms for harnessing and maximizing the developmental impacts of labour migration.</p> <p>Possible Areas: Remittances; Skills transfer; Mainstreaming Migration into Development Planning, Partnerships and Migrants led businesses</p> <p>4. To strengthen labour market and migration information systems.</p>
Type of permit	Temporary Employee Permit (TEP)
Application requirements	<p>First need to secure a visa, then the employer is responsible to apply for a TEP for its foreign employee</p> <p>Required documents for a visa:</p> <ul style="list-style-type: none"> Two passport photos A detailed cover letter Airplane tickets/itinerary Confirmed hotel booking Bank statements from the last three months Proof of yellow fever vaccine if coming from a country at risk <p>Required documents for TEP:</p> <ul style="list-style-type: none"> Completed application form Employment contract Valid passport CV Advertisement for the job vacancy Academic qualifications
Duration of permit	6 months to 2 years; Can be renewed twice
Employment of Foreign Nationals	A foreign national who would like to enter Malawi for short term consultancy or other work related activity must apply for Temporary Employment Permit. This permit is issued to persons before they enter Malawi for the purpose of taking up specified employment in Malawi. A temporary employment permit is valid for two years and can be renewed twice through submission of temporary employment permit renewal forms to Immigration Office. An application for renewal must be submitted three months before the expiry of the permit. All applicants for new temporary employment permit are required by law to wait outside Malawi until

	<p>their applications have been approved. The organisation has the responsibility to apply for the permit on behalf of the applicant. The temporary employment permit application form and supporting documents are submitted at the Immigration Headquarters or Regional Immigration Offices for processing upon payment of the processing fees. The Temporary Employment Permit (TEP) Policy Statement requires a Malawian understudy for every expatriate holding a time post position to prepare the Malawian to take over.</p>
National Labour Market Institutions	<p>The main institutions are the Tripartite Labour Advisory Council, the Industrial Relations Court, and Principal Secretary, Labour Commissions and Labour officers. Enforcement of the Act is by labour officers who have broad rights of inspection, entry, search unless a private residence, and to make any examination, require documents or make enquiry in order to check compliance with the Act.</p> <p>The Tripartite Labour Advisory Council is appointed for a three year term by the Minister and consists of four persons appointed by the Minister, four persons nominated from the most representative trade unions and four nominated by the most representative employer organisations. One person from each category should be a woman. The Council shall meet at least once a year and advise the Minister on all labour and employment issues, promotion of collective bargaining, labour market and human resource development and specified activities pertaining to the ILO.</p> <p>The LRA provides for the constitution of the Court, headed up by a Chairperson and Deputy Chairperson. There are also 10 persons nominated by each of the most representative organisations of employers and trade unions. At least one of each of the 10 nominated must be a woman. Each sitting consists of the Chairperson or Deputy Chairperson and one member from the employer and one member from the employee nominated lists. The majority of the sitting constitutes the decision of the Court. The court has jurisdiction to hear any disputes on labour matters, including those identified in the Act. Appeals against the decisions of the Court may be made to the High Court and on matters of law only. It should be noted that appeals do not stay the execution of the order or award of the IRC unless otherwise directed by the Court.</p>

	<p>The Employment Act provides Labour Commissioner shall be appointed in the public service and is responsible for administration of the Employment Act. Functions range from inspections, providing technical advice to employers and employees, making proposals to review the Act, and reporting to the Minister. Enforcement of the Act is by Labour Officers who have broad rights of inspection, entry, search unless a private residence, and, to make any examination, require documents or make enquiry in order to check compliance with the Act. Labour offices are also responsible for enforcement of posting of any notices required by the Act. Labour officers may be accompanied by a member of the police force if there is reasonable cause that the officer may be obstructed in the performance of the officer's duties. The labour officer has the authority to require alteration in the interests of health and safety or in the event of the imminent danger to the health and safety of employees.</p> <p>The labour officer must submit a report to the Regional Labour Officer within 30 days of the inspection. There is also a regular three monthly reporting requirement that results in an annual general report on inspections that is circulated to all registered employer and employee organisations. Any disputes and complaint, including a question difference or dispute on any matter in the Employment Act or relating to a contract of employment, by employer or employee, may be referred to a labour officer who shall attempt to resolve the matter. Any person alleging a violation of the Act may file a complaint with the District Labour Officer who may institute a prosecution to enforce the Act. In both instances, a trade union or employers' organisation may represent the person. Notwithstanding this provision, a person may personally present a complaint to the Court for relief within one month of the District Labour Officer deciding not to prosecute.</p>
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Mauritius	
National Labour Migration Policy	<p>Mauritius does not have a dedicated National Labour Migration Policy. However, in 2018, a Migration and Development Policy document and an accompanying Action Plan was published, which broadly addresses the linkages between migration and various sectors and includes a specific section on migration and national labour market and employment policies. The broad objective of the section on migration and national labour market and employment policies is to tap into the potential of migration with the aim</p>

	<ul style="list-style-type: none"> • to achieve the labour market's and employment policies' goals. To achieve this broad objective, several policy measures are proposed, as follows: • Establish a fully-fledged national employment policy to aim at increasing employment and meeting the demands of the labour market and of the economy, based on the decent work agenda principles. Considering the status of Mauritius, as both a receiving and sending country, the employment policy shall fully take into consideration the socio-economic role of migration in shaping the domestic labour market needs and derive maximum benefits from labour migration, including diaspora engagement and immigration; • Evaluate quantitatively and qualitatively, from skills and employment perspectives, the labour market needs and priorities linked to further developments in relation to diverse sectors and national strategies (e.g. ocean economy, manufacturing, Mauritius Africa Strategy) in order to determine future scenarios and the impact on the labour market, and inward and outward migration; • Take action for the revalorisation of certain sectors and jobs, such as manufacturing (the largest employer in the country) and construction sectors, so as to attract local jobseekers. Working conditions, various incentives and remuneration policies need to be reviewed and provide more favourable conditions; • Establish programmes supporting local jobseekers to acquire knowledge from foreign professionals (foreign companies, foreign workers and specialists) and diaspora members to be able to serve in various sectors; • Based on the assessment of the emerging needs of the market, explore possibilities and opportunities for collaboration in the labour field with countries in the region and in Africa (in light of the Mauritius Africa Strategy and its expected outcomes), in particular with member states of COMESA, SADC and the IOC;
	<ul style="list-style-type: none"> • Operationalise the Accelerated Program for Economic Integration (APEI) framework in order to cater to the labour market needs and to create employment opportunities; Improve, on a regular basis, the Labour Market Information System and enhance the role and capacities of the Public Employment Information

	Centres in terms of information and services delivery to job seekers, returned migrants, and would-be migrants.
Type of permit	<p>Three categories: Occupation permit; Work Permits; and Certificate of Exemption.</p> <p>However, majority of foreign employee need work permit.</p>
Application requirements	<p>Applications for Work Permit should be submitted by the employer. Foreign individuals planning to work in Mauritius also need residence permit. Application checklist:</p> <ul style="list-style-type: none"> • Applications for Work Permit should be submitted on the prescribed form. • Covering Letter from Company requesting for work permit for the expatriate • 4 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background. • Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee. • Where applicable, certified copies of academic, vocational and professional qualifications and details of work experience should be submitted in either French or English. • Job profile of each expatriate. • If the salary is MUR 30,000 or less, a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000. • A provisional medical clearance obtainable from the Ministry of Health and Quality of Life. • A copy of the Certificate of Incorporation and Business Registration Card of the company. • Original Press advertisements which have appeared in two leading newspapers in A5 size. Name of Newspaper and date of advert should be clearly visible on the press advert and outcome of selection exercise must also be submitted.

	<ul style="list-style-type: none"> • Latest National Pensions Fund (NPF) Receipt with list of local workers registered with the NPF. • Particulars of Licensed Recruiting Agent (Both local and overseas) and valid recruitment licence. • Turnover of the company for the last 3 years. • Deputation letter, where applicable. <p>Additional documents for specific sectors are required.</p>
Duration of permit	<p>Normally for a period of 4 years (for foreign skilled workers)</p> <p>Renewal: three months prior to the expiry of the current Work Permit</p>
Employment of Foreign Nationals	<p>The Non-Citizens Act provides that non-citizen cannot engage in any occupation in Mauritius unless they have a valid work permit. Work permits are issued by the Employment Division of the Ministry of Labour Industrial Relations Employment and Training subject to certain conditions being met. The Immigration Act contains provisions and guidelines on prohibited immigrants, residence permits, and liability of transport companies. There are three categories of permits which: occupation permit; work permit and exempt from permit.</p> <p>The occupation permit is a combined work and residence permit that allows foreign nationals to work and reside in Mauritius. An occupation permit may be granted to foreign nationals under three categories: investor, self employed and professional. Different financial transfers are required for investors and self employed persons in order to qualify for such permit. A professional employee employed in a company based in Mauritius may obtain a permit provided the person earns in excess of a certain amount.</p> <p>Generally, work permits for non-citizen are issued by the Employment Division of the Ministry of Labour, Industrial Relations, Employment and Training. Foreign workers normally be aged between 20 and 60 years are eligible for a work permit if they possess the skills, qualifications and experience required for the job. A Mauritian company that is seeking to employ a foreigner must make an application for a work permit to the Ministry.</p>

	<p>Depending on the industry, the employer needs to seek prior approval to recruit foreign labour before submitting an application. The Ministry will then decide whether there is a scarcity of such labour on the local market and allow the employer to look for an ideal candidate abroad. The contract of employment for foreign employees earning under a certain earnings threshold must be vetted by the Labour Division of the Ministry. The purpose is to ensure that all conditions mentioned in the contract comply with defined definitions and legislation. The Labour Division puts a seal on the contract of employment, and then sends it back to the employer. The process takes 3 to 5 working days.</p> <p>The Employment Non-Citizens exemptions regulations, stipulate that certain categories of expatriates are exempted from a work permit during his/her period of employment. In the case an application is not approved by the Minister, the employer may appeal against the decision by means of a letter. Only one appeal per application is allowed.</p> <p>A final health clearance will be granted upon the arrival of the expatriates after repeating the following tests: chest X-ray, a medical certificate for expatriates traveling from India certifying that the expatriate is not suffering from leprosy; and a HIV test and test for Filariasis. Companies should submit applications for renewal of work permits in respect of their workers 3 months prior to the expiry of their current work permits. In case the company will no longer employ the workers after expiry of their work permits.</p> <p>A migrant worker who enters Mauritius with a valid work permit issued by the Employment Division for a specific employer, accompanied by a contract of employment which is also vetted by the Labour Division in the name of the migrant worker. The migrant worker is not authorized to take employment elsewhere. He has to work for the company for which the work permit was issued.</p>

National Labour Market Institutions	<p>The main institutions are the Labour inspectors and the Labour Advisory Council. The Permanent Secretary has a wide range of entry, access and search powers.</p> <p>Labour inspection is the responsibility of the Ministry and charged with enforcement of the Act under the office of the Permanent Secretary. The Permanent Secretary has a wide range of entry, access and search powers. Workers may also make complaints on any matters arising out of employment for investigation by the Permanent Secretary. Where non-compliance is found, a compliance order may be issued. The employer has seven days to challenge a compliance order in Court, failing which compliance is required within 14 days. The Council consists of equal numbers of public officers and representatives of employers and workers. The Council advises the Minister on the operation and enforcement of the ERA, is responsible for ILO input, consideration and submissions. Where there is reason to believe, an offence may have been committed, the Permanent Secretary may issue summons and investigate the matter. Inspection services are protected from obstruction.</p>
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Mozambique	
National Labour Migration Policy	No information available
Type of permit	Work visa: for 30 days, can be extended up to 60 days Permit for Temporary Residence: if employment contract is more than 60 days
Application requirements	<ul style="list-style-type: none"> • Passport or similar document: The document should have a validity not less than six (6) months / 180 (one hundred eighty) days. • Proof of possession of sufficient funds during the applicant's stay in Mozambique. • one recent passport sized photo. • Criminal Record Certificate with validity not exceeding ninety days, issued by the competent authority of the country of origin or country of residence for the last 2 years. (must be translated into Portuguese) • Medical certificate • Authorization by the ministry of justice if the work is related to religious organization

Application requirements	<ul style="list-style-type: none"> • Document of investment and/or permission of work signed by the competent authority if applicant is an entrepreneur. • Authorization or permission to work, issued by Ministry of Labour, if the applicant will be working with or without pay • Employment contract signed by the competent authorities, if employed by others. • The form entitled APPLICATION FOR ENTRY TO MOZAMBIQUE has to be duly completed and signed by the applicant. The form can be filled only in English, Portuguese or French • Medical certificate
Duration of permit	No clear information available
Employment of Foreign Nationals	The Immigration Act provides detailed guidance in terms of the prescribed requirements, manner and procedures to be followed to obtain a work permit. All foreign national who resides in the national territory has the same rights and guarantees as a Mozambique citizen. The hiring of foreign employees is not subject to prior authorization or approval from the Ministry, but must be communicated or notified to the Ministry. The employer can hire a fixed percentage of foreign employees depending on the total number of national employees in its service in the preceding calendar years, as follows: where the company has more than 100 employees, 5% of the total number of employees; where the company has between 10 and 100 employees, 8% of the total number of employees; where the company has up to 10 employees, 10% of the total number of employees. To determine the 'quota' the employer should present a staff plan including information on employee start dates. This means that any employer just starting up business or wishing to start a business should be registered with the Ministry of Labour otherwise it will not be permitted to hire foreign employees. Generally, as a rule, a company carrying out a foreign investment project approved by the Mozambican Investment Promotion Centre may be granted the right to employ more expatriate employees than it would be entitled to under the general quota regime. Where the employer intends to hire expatriates, the employer must provide evidence that: the prospective expatriate employees possess the required academic and professional qualifications; and that there are no, or not enough, Mozambicans with those qualifications.

Employment of Foreign Nationals	The employer will be obliged to ensure that the foreign employees, after gaining three years of work experience, effects a knowledge transfer to the local employee in order to engineer the foreign employee's replacement by the local employee. Employers will need to put in place processes to enable or support this transfer. Specific rules apply to the mining and petroleum sectors.
National Labour Market Institutions	<p>The Labour Inspectorate shall monitor the legality of labour matters and will ensure that there is compliance by both parties being the employer and employee. Their powers extend to proving training in cases where they deem necessary. They have free access to all establishments that are subject to their supervising. The employers are obliged to provide them with all the necessary information that is required to carry out their functions. They cannot under any circumstances have a direct or indirect interest in the enterprises that are under their supervision. Fines will be payable for any violation that is reported by the Labour Inspectorate.</p> <p>The National Labour Advisory Commission gives advice on restructuring and development policies, participation of representative organizations of employers and workers.</p> <p>The Labour Mediation and Arbitration Commission means a body that shall seek to resolve labour related matters as way to speedily resolve the dispute without going through courts.</p>

Namibia	
National Labour Migration Policy	<p>Under the auspices of the Ministry of Labour, Industrial Relations and Employment Creation, Namibia published a National Labour Migration Policy in July 2019. Following a contextual analysis and with reference to relevant international, regional and national frameworks, instruments, policies and laws, the goals and objectives of the NLMP with the following guiding principles:</p> <ul style="list-style-type: none"> • Maximising migration for development • Decent Work • Skills Enhancement • Diaspora Inclusion • Migrant workers, including vulnerable workers' protection • Normative framework and benchmarking • Multi-actor involvement

National Labour Migration Policy	<ul style="list-style-type: none"> • Adequate data support • Sound regulation • Decent job opportunities, at home and abroad • Improved migration management <p>The NLMP then sets out specific policy objectives and strategies as follows:</p> <ol style="list-style-type: none"> (To develop a labour migration system that benefits optimally from the developmental impact of migration to and migration from Namibia; To ensure effective border control and sound management of migration flows including the eradication of human trafficking, smuggling, child labour and forced labour and irregular migration; To have an informed well-regulated legal mandate and policy context, which are appropriately aligned to relevant international and regional standards; To employ immigrant labour to provide and transfer critical skills, in the absence of available human resources; To appropriately regulate the recruitment and selection of migrant workers, through supervised private employment agencies and public employment services, in accordance with universal good practice; To effectively include and make use of the ability of Namibia workers abroad to support development in Namibia and to impart skills to other Namibians; To extend rights-based protection to migrant workers, as well as to victims of trafficking, refugees and asylum seekers in the form of, among other, labour and social protection, and access to justice; To ensure positive health outcomes for migrant workers and affected households and communities; To deal with abuse of migrant workers, including Namibian migrant workers abroad; To ensure the collection, analysis and dissemination of reliable migration statistics; and, To improve the skills of Namibians to bridge the skills gap in the country through training (including internship, mentorship and apprenticeship programmes) and projection of demand and supply of human resources. <p>Strategies</p> <ol style="list-style-type: none"> Address labour migration shortcomings through enhanced data collection, analysis and availability;
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	<p>b. Strengthen labour inspections at workplaces to ensure compliance with work permit skills imparting obligations and with other relevant laws;</p> <p>c. Review the Human Resources Development Plan and the Standard Classification of Occupation to better understand and profile education and skills competencies in the Namibia labour market;</p> <p>d. Conduct regular skills audit surveys;</p> <p>e. Explore unique work opportunities for Namibian migrants abroad through circular migration. This should be linked to ensuring sufficient protection of these workers at pre-departure, while they are abroad, and upon return;</p> <p>f. Extend services rendered by regulated PEAs and public employment services to migrant workers, with a particular emphasis on promoting ethical recruitment, self-regulation and utilising a dedicated and enhanced public employment service framework;</p> <p>g. Profile Namibia diaspora and engage them by developing and appropriate supportive framework;</p> <p>h. Liaise with the Namibia diaspora via Namibia foreign missions and diaspora associations in creating a platform for engagement and a conducive environment for involvement;</p> <p>i. Integrate remittances in economic, social and migration frameworks in Namibia;</p> <p>j. Enhance skills development, training and human resource management in Namibia, by reforming the education sector (including TVET);</p> <p>k. Implement strategic frameworks on migration and health and improve health facilities and build capacity;</p> <p>l. Ensure access to and portability of social security benefits for migrant workers, and address deficient protection of Namibian migrant workers abroad;</p> <p>m. Improve and manage a dedicated Cross-border Migration Management System;</p> <p>n. Address human trafficking by protecting victims of Trafficking (VOTs) and finalise the new, overarching law on human trafficking;</p> <p>o. Benchmark the implementation of the Labour Migration Policy against international, AU and SADC instruments and programmes;</p> <p>p. Develop and implement binding/enforceable Bilateral Agreements addressing labour migration needs;</p>
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	<p>q. Enhance the collection and use of labour migration data by strengthening the NSA and the migration statistical environment; develop labour migration indicators; expedite LMIS development, and mainstream labour migration data;</p> <p>r. Adopt a proper legal/regulatory framework informing the implementation of this policy;</p> <p>s. Monitor and evaluate the implementation of this policy;</p> <p>t. Develop a dedicated communication plan or strategy, supported by the establishment of an Information Management System (IMS);</p> <p>u. Address the widespread problem of foreign labour migrants changing their status in the labour market and those that are starting their own business, after arrival in Namibia;</p> <p>v. Enforce understudy and skills importation obligations, supported by an appropriate legal mandate. Amend the relevant legislation to deal with the shortcomings pertaining to understudy programmes;</p> <p>w. Streamline the work permit process by ensuring permanent and full-time members of the Immigration Selection Board; and,</p> <p>x. Harmonise the qualifications and standardised evaluation framework for foreign qualifications within the SADC and AU context.</p>
Type of permit	<p>Work Visa: for a maximum of 3 months</p> <p>Temporary work permit: for 1 to 3</p>
Application requirements	<ul style="list-style-type: none"> • Duly filled and signed application form (3-1/0001) [PDF] • Representation by Employer form (3-1/0002) [PDF] • Radiological Report form (3-1/0004) [PDF] • Medical Certificate form (3-1/0003) [PDF] • Two (2) Passport size photos of applicant and accompanying spouse • Highest Educational Qualifications and/or Certificates • Previous Work Reference or Certificates of Service • Police Clearance Certificate from Country of Origin (For applicants 18 and older) • If married to a Namibian Citizen, Marriage Contract • If position was advertised, a copy of Advertisement • A letter from Namibian Company/Institution • A letter from Company/Institution from which you are presently employed with

	<ul style="list-style-type: none"> • Copy of valid Passport • Deed of Surety application form (3-1/0005) [PDF]
Duration of permit	Work Visa: for a maximum of 3 months Temporary work permit: for 1 to 3 years
Employment of Foreign Nationals	No specific information available other than what is reflected above
National Labour Market Institutions	<p>The Labour Advisory Council is made up of a chairperson and 12 other members represented equally by the State, and members nominated by registered trade unions and registered employers' organisations.</p> <p>The Council must investigate and advise the Minister on a wide range of issues including: national policy, collective bargaining, reducing unemployment, issues arising from the ILO, or international or regional states of which Namibia is a member, legislation on labour matters, collection and compilation of information and statistics, performance of dispute prevention and resolution by the Labour Commissioner, and panels to resolve issues of national interest.</p> <p>Various provisions relating to the removal and filling of members, committees, meeting governance, administration and appointment of a permanent secretary of the Labour Advisory Council are set out in the Act.</p> <p>The Committee for Dispute Prevention and Resolution is established to advise the Labour Advisory Council on matters relating to rules, policies, guidelines, ethical standards and criteria for appointment of conciliators and arbitrators; and in order to review and report upon the performance of the Labour Council. The composition of the Committee includes a chairperson and two representatives from the State, registered employers and registered trade unions.</p> <p>The Essential Services Committee investigates and recommends designation of essential services to the Labour Advisory Council. The Committee is made up of a chairperson, who is a member of the Labour Advisory Council, and four members with knowledge and experience in labour law and labour relations appointed or designated by the Labour Advisory Council.</p>

	<p>The Wages Commission is constituted at the discretion of the Minister and is required to investigate terms and conditions of employment, including remuneration and report to the Minister for the purposes of making a wage order. The Commission consists of a chairperson and equal numbers of representatives from registered employers and trade unions. A Permanent Secretary is available as required for the work of the Commission. The Wages Commission is directed by a terms of reference determined by the Minister that specifies the industry, categories of employees and matters for investigation. Wage orders or collective agreements may only be investigated after 12 months of being in force. The Minister must publish a notice in the Gazette setting out the details of the investigation and inviting written representations.</p> <p>The Labour Court is a division of the High Court. It is presided over by a Judge-President and judges. It has exclusive jurisdiction to determine appeals from the decisions of the Labour Commissioner, arbitrations and compliance orders; reviews of arbitration tribunals, the Minister, Permanent Secretary or Labour Commissioner in terms of the Act and any other employment or labour related matter. It has a wide range of specified powers and inherent powers in relation to labour matters. Cost orders by the Court are, however, limited to incidences of frivolous and vexatious conduct.</p> <p>The Labour Commissioner and Deputy Labour Commissioner are appointed by the Minister. Functions of the Labour Commissioner include registration of disputes, advice, conciliation and resolution of disputes, arbitration, compilation and publication of information.</p> <p>The Minister may appoint labour inspectors that are to be confirmed by the Permanent Secretary. Inspectors have general powers of entry, search and seizure. Inspectors may issue compliance orders. It is an offence to hinder, obstruct, or provide false information, falsely claim to be a labour inspector or fail to comply with a compliance order of an inspector or fail to comply with a compliance order of an inspector. Offences may carry a fine or up to two years' imprisonment or both.</p>
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Seychelles	
National Labour Migration Policy	Information not available
Type of permit	Gainful Occupation Permit (GOP)/Work Permit
Application requirements	<p>The employer is responsible to apply for the permit but in case of self-employed the individual seeking employment is required to submit the application.</p> <p>Application should be submitted before one week before the employee is expected to start work</p> <p>Sr.1000 for processing the GOP application</p> <p>The fee for the whole duration of the permit being sought for is Sr. 700/-per month or part thereof should also accompany the application form.</p> <p>In considering an application for a Gainful Occupation Permit, the followings are taken into account: (a) the character, reputation and health of the prospective employee and where relevant, any member of his/her household to be endorsed on the permit; (b) the professional or technical qualification of the person to be employed; c) the availability of the services of persons already exist in Seychelles; (d) the protection of local interest; (e) the economic and social benefit which the applicant / prospective employee may bring to Seychelles or enhance by his presence.</p> <p>A Residence Permit is issued to a person who (a) is not a prohibited immigrant; (b) has a family or domestic connection with Seychelles; (c) has made or will make special contribution to the economic, social or cultural life of Seychelles.</p>
Duration of permit	No specific information available. The application requirement asks for a fee of Sr. 700 per month for the whole duration of the permit being sought.
Employment of Foreign Nationals	The process for the recruitment of migrant workers is currently split in two at the Employment Department and the Immigration Department. All applications for recruitment starts with the Employment Department were the employer needs to make an application for a post to be occupied by a foreigner.

Employment of Foreign Nationals	<p>Employers that does not hold a Certificate of Entitlement (CoE) are required to undertake labour market testing of local jobseekers of which these also include non-nationals married to locals. Those who hold a CoE are since February 2021 are required to submit their list of vacancies to the Employment Department in order to check availability of local jobseekers. Previously those employers would apply directly to the Immigration Department for a GOP.</p> <p>After the employer has satisfied the Department that no local jobseeker exist with the required skills being sought, an approval certificate is given to the employer for the recruitment of a non-Seychellois.</p> <p>The Immigration Act also provides the parameters within which the employment of foreign nationals is regulated. The application for a Gainfully Occupation permit must be made in the prescribed manner to the Minister responsible for immigration through the Director of Immigration subject to specific provisions being met. Every person who arrives in Seychelles must appear before an Immigration Officer and be in possession of a valid passport, documentary evidence relative to his claim to enter or remain in Seychelles. The Director of Immigration may require, in respect of any person entering Seychelles as a condition, the deposit of a sum of money or the furnishing of such guarantee as the Director of Immigration may accept in lieu of such deposit. In the case of non-Seychellois on GOP the employer is required to make the deposit.</p> <p>Generally, foreign nationals traveling to Seychelles do not require a business visa. A visitor's permit is issued upon arrival and it may be issued for up to three months. A visitor's permit can initially be extended for another three months or part thereof subject to payment of the permit fee. The application for the work permit should be submitted at least 10 weeks before the employee is due to start work, and the employee must not enter the country for the purpose of taking up employment prior to be obtaining the work permit.</p> <p>The application for the permit must be made in the prescribed manner to the Minster through the Director of Immigration by the person seeking permit in the case of a self-employed or by the prospective employer. The Minister must in considering the application take into account: the character, reputation and health of the applicant and, where relevant, any member of his household;</p>
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the professional qualification of the applicant; the availability of services of persons already in Seychelles; the protection of local interests and the economic and social benefit which the applicant may bring to Seychelles or enhance by his presence.

The employers from the tourism sector, construction, agriculture, manufacturing, fishing, financial services and security services are subject to the quota system and employers can recruit workers overseas within the quota limit without needing to advertise jobs in Seychelles. All locally registered companies in these sectors wishing to recruit non local workers will apply for a certificate of entitlement in writing at to the Ministry responsible for employment. To be eligible for the entitlement certificate, a company must show proof that it is currently adhering to all provisions of the Employment Act and government regulations and is within the quota entitlement. If the application is approved, the Ministry will provide the employer with a certificate of entitlement confirming that the employer is eligible to recruit under the quota entitlement. If the application is not approved in cases where the company is above the quota entitlement or not adhering to Seychelles laws, the employer shall have the right of appeal to the Minister responsible for employment. The certificate issued is only valid for a period of two years and its renewal will not be automatic. The company will need to apply to the Ministry responsible for employment to inform of the intention for renewal.

Once the entitlement certificate has been issued by the Ministry responsible for employment, the employer will be required to produce the certificate together with the company updated establishment list, which should not be older than one month, to the Ministry responsible for immigration when applying for a work permit. Following the issue of the work permit by the Ministry responsible for immigration, employers are required as per the Employment Act to submit within one month after recruitment, the contract of employment of the foreign worker to the Ministry responsible for employment, for attestation. to ensure that the terms and conditions of employment are in conformity with national labour laws. Companies are required to submit their establishment list every three months to the Ministry, as part of the monitoring process of employment of foreign workers. Employers under the quota entitlement are also required to submit the list and details of vacancies.

	<p>Where applicable the employer may be required to submit a localization plan by request of the Ministry responsible for employment.</p> <p>The following sectors: trade and commerce, domestic workers for private elderly homes and domestic workers for individual employers are obliged to first test the local labour market to fill in their vacancies and the Labour Ministry has to be satisfied that indeed they cannot find qualified willing local person to fill those posts before the employer can apply for a certificate of entitlement to bring in a foreign worker.</p>
National Labour Market Institutions	<p>National Consultative Committee on Employment consisting of representatives of such organizations and of the Government to advise the Minister on matters relating to industrial relations and any specific matter referred to the Committee by the Minister.</p> <p>The Employment Advisory Board's functions are to advise the Minister whenever a matter is referred to it by the Minister.</p> <p>Competent Officers may, for the purpose of ascertaining may interrogate any employer or worker on any labour related matter and require the production by the employer for examination of any register, record, return or other document. Further they may require an employer to furnish projections of the future activities and of the manpower needs of the employer. Competent officer may give any directions or advice necessary to ensure compliance.</p>

South Africa	
National Labour Migration Policy	Currently engaged in a consultative process prior to the publication of a draft NLMP. White Paper on International Migration provides indicators of likely direction of NLMP.
Type of permit	General Work Visa Critical Skills Work Visa: For high skill professionals such as engineers, planners, financial auditors, doctors etc
	Intra-company transfer work visa: When multi-national companies decide to transfer their key employees working in a foreign branch to South Africa

<p>Application requirements</p>	<p>For General Work Visa:</p> <p>Prior to submitting an application for a general work visa, the applicant's prospective employer is required to apply to the Department of Labour for a certificate confirming that despite diligent search, the prospective employer has been unable to find a suitable candidate with qualifications or skills and experience equivalent to those of the applicant; the applicant has qualifications or proven skills and experience in line with the job offer; the salary and benefits of the applicant are not inferior to the average salary and benefits of citizens or employees occupying similar positions in the Republic;</p> <p>a contract of employment stipulating the conditions of employment and signed by both the employer and the applicant is in line with the labour standards in the Republic and is made conditional upon the general work visa being approved;</p> <p>proof of qualifications evaluated by SAQA and translated by a sworn translator into one of the official languages of the Republic was submitted; and</p> <p>full particulars of the employer, including, where applicable, proof of registration of the business with the Commission on Intellectual Property and Companies (CIPC).</p> <p>Then the application to the general work visas can be submitted and the following will be required for a general work visa application:</p> <p>Job offer and acceptance.</p> <p>CV.</p> <p>Proof of the employer's attempts to first recruit a South African permanent resident or citizen for the position.</p>
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	<p>SAQA registration, confirming the applicant's qualifications. Proof of good health and character.</p> <p>Visa application should be made in the applicants home country. Renewal process can be done in South Africa</p>
<p>Duration of permit</p>	<p>2 to 4 years and can be extended.</p> <p>After 5 years continuous work, the employee can apply for a permanent residency</p>
<p>Employment of Foreign Nationals</p>	<p>According to the Employment Services Act an employer may not employ a foreign national before verifying that the foreign national has a valid work permit. The Immigration Act provides detailed provisions and guidelines on the procedures to be followed when employing a foreign national subject to specific requirements being met. Employers must ensure that they have a skills transfer program in place in respect of any position in whichever foreign national occupies. All employees in an employment relationship in South Africa, regardless of their status enjoy the protection of the labour laws. In order to work in South Africa, the employee should be a citizen or in possession of a valid work visa issued by the Department of Home Affairs, on satisfaction by the Department of Labour that the person has scarce or critical skills that cannot be performed by a South Africa. The employer must ensure that the following measures are adhered to before employing a foreign national: before recruiting a foreign national, the employer must satisfy themselves that there is no other persons in the Republic with suitable skills to fill a vacancy; and the employer must ensure that it has programme in place for skills transfer in respect of any position in which a foreign national is employed. The general work visa will be issued to a foreign employee who has obtained a position with a South African company. The employee's credentials will be screened by the Department of Labour to ensure they have the relevant qualifications for the positions.</p> <p>Generally, a foreign national with specialized or exceptional skills can be issued with a critical skills work visa for three years with a possibility for extension. The Minister of Labour and Minister of Trade and Industry annually publish a list of critical skills. The applicant does not have to obtain a position of employment prior to applying for critical skills work visa.</p>

	<p>Under the visa the individual may enter South Africa for up to one year at which time the visa will expire if relevant employment has not been obtained. The applicant must demonstrate that they have the said critical skills such as holding an advanced degree or publications in their field. The individual must register with the specialized South African professional group and the employee's qualifications will be evaluated based on South African standards.</p> <p>The Department of Home Affairs may issue an Intra-Company Transfer work visa, which allows a foreign employee of a company with business relations in South Africa to work in-country for up to 4 years with said company. Permissible companies include those with a branch, subsidiary, or affiliate in South Africa. The applicant must be an employee of the parent company for at least 6 months prior to transfer.</p> <p>An individual may hold a South African visa but not be employable. These visas include: relatives visa; spousal visa unless specific accommodation has been granted; life partner visa unless specific accommodation has been granted; retired persons visa; medical treatment visa and a volunteer permit.</p> <p>All employees must be registered with the Department of Labour. South African labour legislation ensures employees (including foreign nationals) are treated fairly by their employers; it details policies on compensation as well as employees' rights, working conditions, health and safety, discrimination, unemployment, and termination</p>
National Labour Market Institutions	<p>The LRA provides for the establishment of the Commission for Conciliation Mediation and Arbitration, the Governing Body consisting of a chairperson and three members each from government, business and labour. It is headed up by a Director and is staffed with commissioners and support staff. The Commission is independent and operates throughout South Africa. The mandatory functions include resolving disputes through conciliation and arbitration in terms of the LRA; assist in the establishment of workplace forums; review rules and publish information. Discretionary functions include providing advice training, conducting, overseeing or scrutinising of elections or ballots of unions or employers' organisations. One of the functions of the Commission is to accredit bargaining councils and private agencies for dispute resolution, provided the necessary conditions and standards are achieved. Specific provisions apply in relation to the effect</p>

	<p>of arbitration awards that may be enforced or reviewed in the Labour Court, or varied or rescinded by the Commission.</p> <p>The Labour Court is established under the LRA and consists of a Judge President and a number of permanent and acting judges. The Court has the same standing as the High Court in relation to matters under its jurisdiction. The Court has broad powers to grant interdicts, issue declaratory orders, order compensation, and damages. It has inherent jurisdiction in relation to employment matters. The Labour Appeal Court has a Judge President, and consists of a three person panel and also includes High Court judges. The Labour and Appeal Courts also have exclusive civil jurisdiction to grant certain relief under the BCEA. They also have concurrent jurisdiction with the civil courts on matters relating to employment contracts.</p> <p>The Department of Labour includes an Inspection Service that appoints labour inspectors to monitor all employment legislation including compliance with the Labour Relations Act, Basic Conditions of Employment Act, payment of levies and health and safety and employment equity compliance. This inspection service can also be conducted by a relevant Bargaining Council and is conducted by a separate inspectorate for the mines and transport.</p> <p>The Employment Conditions Commission is established under the BCEA and is an advisory Commission responsible for advising the Minister on any matter arising out of the application of the Act; trends and impacts in collective bargaining that may undermine the purposes of the BCEA; or related policies. The Commission consists of three experts appointed by the Minister that are knowledgeable about the labour market and conditions of employment; and one member and alternate member representing organised labour and organised business nominated through NEDLAC. A chairperson is appointed from among the members.</p> <p>The National Economic Development & Labour Council (NEDLAC) is an independent statutory body, constituted under separate legislation, consisting of an executive council with representatives of government, labour, business and community. Community is only represented on the Development Chamber, whereas the other constituents are represented on the trade and industry; public monetary and finance and labour market chambers.</p>
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	<p>All employment matters must go through NEDLAC before being presented in Parliament, and other related socio-economic issues may also be referred to NEDLAC.</p> <p>In terms of the Employment Equity Act, the Commission for Employment Equity is established and operates as an advisory body to the Minister on all matters of employment equity and affirmative action in terms of the EEA. It is constituted with two representatives each from government, labour, business and community and a chairperson appointed by the Minister.</p>
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Tanzania	
National Labour Migration Policy	No information available
Type of permit	<p>A residence permit is required to stay in Tanzania for more than 90 days.</p> <p>Three types: Class A: For self-employed foreigners (investors)</p> <p>Class B: For expatriates working in company/ private institutions.</p> <p>Class C: For other class of foreigners such as researchers, retired persons, Missionaries, Volunteers etc.</p>
Application requirements	<p>Most employees need to get a class B work permit and application must be made prior to the entry of the prospective employee into Tanzania</p> <p>General requirements for class B (also for renewal after expiration)</p> <p>Dully filled online application, Application Letter Work Permit issued by Labour Commissioner (Tanzania Mainland and Zanzibar),</p> <p>A Copy of National Passport (With validity of not less than six month),</p> <p>Covering letter from the employer,</p> <p>Passport size photograph,</p>

	<p>One full size photograph</p> <p>Curriculum Vitae of the employee,</p> <p>Certified copies of the Academic Certificates,</p> <p>Official translation of documents/certificates in case they are written in languages other than English or Swahili,</p> <p>Job description for the expatriate/employee,</p> <p>Employment Contract</p> <p>Previous Original Class B permit (in case of renewal or replacement),</p> <p>Organization structure of the company</p> <p>Registration of certificates from professional boards where necessary e.g. NBAA, ERB, PSPTB, Nurses and Midwifery council, medical council etc or qualifications that require registration with authorized Institutions and Certificate, Clearance or Licenses be issued. These include: Accountants, engineers, Architects, Surveyors, Doctors, Teachers, Nurses, Pilots, Employees in Security Companies, Executive Personnel in Financial Institutions such Banks, Bureau De Change etc.</p> <p>Business License</p> <p>Memorandum and Articles of Association or Extract from Registrar showing Company shareholders, share distribution and nominal capital of the company</p> <p>Certificate of incorporation or Certificate compliance or Business Name Registration or Certificate of change of name</p> <p>Letter of no objection (if the application has shifted from another company)</p> <p>Tax Clearance</p> <p>Tax Payers' Identification Number (TIN) Certificate</p>
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Duration of permit	<p>For Class A: Generally 2 years for Class A permit holders and can be replaced for additional 2 years</p> <p>Class B: Class B permits are generally valid for two years and can be renewed for additional periods</p>
Employment of Foreign Nationals	<p>There are three classes of residence permits which are issued and regulated by the Immigration Act. All residence permits are generally not issued for any period exceeding 5 years (including renewals) subject to certain condition. The Non-Citizen (employment regulation) Act regulates the employment of migrant workers in Tanzania mainland. The Act does not apply to members of diplomat community or to other persons exempted by the Minister of Labour and Employment Matters. There are detailed provisions regulating the employment of non-citizens. The issuing of permits is restricted to specific classes of employment or other occupations specifically listed in the Government Gazette. Any person who wishes to employ or engage a foreign national must apply to the Labour Commissioner. The Labour Commissioner is primarily responsible for regulating and implementing the provisions of the Act. The Labour Commissioner also advises the Minister on all matters relating to the employment of non-citizens. Generally, the Labour Commissioner has the authority to issue work permits, cancel work permits, supervise and ensure the implementation of the succession plan as provided for by the employer.</p> <p>A non-citizen cannot engage in any work without a valid work permit or alternatively a certificate of exemption issued in accordance with this Act. When the application for the work permit is submitted to the Labour Commissioner, he must satisfy himself that all possible efforts have been explored to obtain a local expert. The Labour Commissioner when considering an application for a work permit must take into account all regional and bilateral agreements which the republic is a signatory. The Labour Commissioner may summon the person who lodged the application for a examination at such a time and place as he may specify. An employer intending to employ or engage a non-citizen must submit to the Labour Commissioner a succession plan which must set out a clearly articulated plan of succession of the non-citizens knowledge or expertise to the citizens during his tenure of employment, any other information as maybe directed by the Labour Commissioner.</p>

	<p>The employer must establish an effective training programme to produce local employees to undertake the duties of the non-citizen expert.</p> <p>Generally, work permit are issued for a period of 24 months subject to renewals that must not exceed 36 months in total. A non-citizen must keep the work permit and produce it if so required. The Labour Commissioner may cancel a work permit if: the holder fails without reasonable cause, to comply with the condition prescribed in the work permit; the holder ceases to engage in the employment or occupation for which such permit was issued for; it has come to the knowledge of the Labour Commissioner that there is misrepresentation of information in the application; and lastly the Labour Commissioner is of the opinion that the continued presence of the permit holder jeopardizes public interest. Any person aggrieved by the decision of the Labour Commissioner to refuse to grant or cancel a work permit may, within thirty days appeal to the Minister.</p> <p>Residence permits gives a non-citizen a right to reside within the URT for a period of 24 months and are renewable and Work permits are issued for a period of 24 months and also renewable up to 5 years for other classes than Class A which is for Investors . The Laws allows renewal of Work Permits under the Exemption Clause within the Non- Citizen (Employment) Act, 2005.</p>
National Labour Market Institutions	<p>The President appoints a Labour Commissioner and Deputy, responsible for administration of labour laws. The Minister appoints a Registrar of Organisations and Deputy responsible for regulation of trade unions and employer organisations in Act. The Minister shall also appoint Assistant Labour Commissioners to head up Labour Relations, Labour Inspection and Social Security sections. As many labour officers as are necessary to administer and enforce the laws are permitted.</p> <p>Labour officers have wide powers of entry, search, questioning and seizure. Where the labour officer has reasonable grounds to believe there has been non-compliance, the labour officer may issue a compliance order on the employer, registered trade union and each affected employee. The order should be displayed in a prominent place by the employer. If the employer wishes to object to the compliance order, this should be done within 30 days of receipt of the order, with a</p>

copy being served on the Labour Commissioner, union and affected employees. The Labour Commissioner may confirm, modify or cancel the order or specify compliance. If the employer fails to comply the issuing labour officer or Labour Commissioner, as the case may be, may apply to the Labour Court for enforcement. The Court may impose or suspend the order pending appeal.

The Labour Court is established as a division of the High Court. It consists of a number of Judges and a Chief Justice. There are also two panels of assessors - one from the employers and one from the employees. Decisions are made by the Judge after taking into account the opinions of the assessors and if not in agreement with the opinions, reasons must be given. The Labour Court has exclusive civil jurisdiction over labour matters with all the powers of the High Court. The Labour Commissioner is able to refer any point of law to the Labour Court or Court of Appeal if there are conflicting decisions of the Court on the same point of law; and parties to the dispute have not appealed. Any registered organisation or federation may in relation to issues of law request to be joined as parties to the proceedings.

Tanzania's Employment Service Agency (TaESA) is an Executive Agency under the Ministry of Labour and Employment. Under this agency, and in order to better protect departing migrants, the Government of Tanzania organizes pre-departure training for migrants. TaESA functions includes;

- Provides placement services to jobseekers and employers;
- Coordinates, provide and monitoring of cross-border placement services;
- Collect, analyze and disseminate Labour Market Information (LMI) to stakeholders and the general public;
- Promotes the provision of job search skills training, career guidance and employment counseling;
- Regulates, registers and monitors public and private employment service agencies, and;
- Promote the use of manual and automated Employment Services processing and analysis techniques.

Zambia	
National Labour Migration Policy	Currently formulating a National Migration Policy, which includes a section on Labour Migration
Type of permit	Short-term work permit: initially 3 months and can be extended up to 6 months Employment permit (long-term work permit)
Application requirements	Requirements for a new application Covering letter from employer addressed to the Director General of Immigration; Employment contract or Letter of offer; Police clearance from country of residence; Curriculum Vitae; Registration certificate from the relevant professional body in Zambia (where required); Certified copy of qualifications (academic, professional); Copy of marriage and birth certificates (where available); Certified copy of valid passport (bio data & last endorsement stamp for Zambia); Certified Certificate of Share Capital and List of Directors; Copy of succession plan which shall include an understudy training program to be conducted by the foreign national to transfer knowledge and/or skills to the Zambian worker; A copy of the Certificate of Incorporation; In the case of Construction, Mining Sector, ICT, Engineering and other project based engagements, a covering letter specifying the project on which the expatriate would be employed, copy of letter of award specifying completion date and value of project must be submitted;

	<p>One recent passport size photographs; and</p> <p>Prescribed fee.</p> <p>Requirements for renewal /extension</p> <p>Covering letter to the Director General of Immigration from concerned employer;</p> <p>Extended contract;</p> <p>Certified copy of valid passport (bio data & last endorsement stamp for Zambia); and Prescribed fee.</p>
Duration of permit	<p>Long term Employment permit: 6 months and more and can be extended for maximum of 10 years</p> <p>Short-term work permit: initially 3 months and can be extended up to 6 months</p>
Employment of Foreign Nationals	<p>The Immigration and Deportation Act 18 of 2010 provides the prescribed requirements, procedures and forms specified for the issuance of an employment permit to the foreigner. Generally, all employees including foreign nationals enjoy protection of the labour laws. In order to work in Zambia, an employee must be in possession of a valid work permit. The application must be made to the Director General of Immigration who may consult with the Ministry of Labour to ascertain whether the skills possessed by the applicant are already available in the country. According to the Immigration Act and Deportation Act, any person who is not a citizen cannot enter Zambia unless that person is in possession of a valid temporary residence permit, residence permit or a valid border pass. An application must be made to the Director General of Immigration in consultation with the Ministry responsible for Labour, in the prescribed manner for an employment permit. The Director General of Immigration must ensure that the applicant for employment is not a prohibited immigrant, which is anyone who belongs to a class set out in the second schedule. The prospective employer must first ensure that there are no locals available to fill the position before hiring a foreign national. The employer must furnish in support of the application the prospective employee's relevant qualifications; their curriculum vitae; the employment offer with terms and conditions offered;</p>

	<p>details of the prospective employer; and a comprehensive application form. Generally, an employer must ensure that they have a skills transfer program in place for the position that the foreign national will occupy.</p> <p>There are two types of work permits, a short-term work visa which is only valid for a maximum period of 3 months and an employment permit valid for a maximum period of 24 months. The work permits can be extended for a maximum period of 5 years from the date of issuance. The application for an employment permit must be made outside of the country and the applicant must wait till the issue of the permit before traveling to Zambia. The processing time for the permit varies between 1-6 weeks.</p>
National Labour Market Institutions	<p>The Labour Commissioner and his officers are responsible for administering the labour laws and ensuring compliance through inspection and investigations. They are also usually the primary method of dispute resolution in both individual and collective disputes. For individual disputes, Labour Officers serve as informal mediators under the Employment Act. For collective disputes, the Labour Commissioner plays an extra-legal dispute resolution role as he has no legal role but a significant practical one.</p> <p>The Industrial Relations Division of the High Court of Zambia in accordance with the Industrial and Labour Relations Act has exclusive jurisdiction to hear and determine any industrial relations matters. Industrial relations matters include issues relating to: inquiries, award and decisions in collective disputes; interpretation of the terms of award, collective agreements and recognition agreements; general inquiries into, and adjudication on, any matters affecting rights, obligations and privileges of employees, employers and their representative bodies. The Court shall not consider a complaint or application unless it is presented to it within 90 days of the occurrence of the event which gave rise to the complaint or application. The Court may extend the ninety-day period for three months after the date on which the applicant has exhausted the administrative channels available to them. The Court is not bound by the rules of evidence in civil and criminal proceedings but the main objective of the Court is to do substantial justice between the parties before it. Any award, declaration, decision of judgment of the Court is binding on the parties. The court may summon witnesses,</p>

records and other things. This includes the power of the court to examine witnesses. Any party can appeal the decision of the Court on any point of law or any point of mixed law and fact to the Court of Appeal. Appeals on findings of fact are not permitted.

The Employment Review Tribunal the Minister may appoint three members one of whom shall be designated by the Minister as the chairman of the Tribunal. The tribunal is only applicable during a period when a declaration of a state of emergency under the Zambian Constitution is in force. Their powers extend to hearing and determining review applications in employment disputes. The decision of the tribunal on any application reviewed under the state of emergency shall be binding and final.

The Tripartite Consultative Labour Council is a statutory council which will be comprised of members representing trade unions, employers and Government as the Minister may determine, being not less than 21 in total. The council is chaired by the Minister; its function is to advise the Government on all issues relating to labour matters, manpower, development and utilization. The body plays a purely advisory role and the Government is not legally bound by the decisions of the council.

Zimbabwe

National Labour Migration Policy

With the support of the ILO and the IOM, Zimbabwe initiated a process of developing a NLAMP in 2011. Following the drafting of a Situational Analysis Report and a series of consultations with a variety of stakeholders, the NLMP was adopted in 2016. The following sets out the Vision, Mission and Strategic Objectives of the NLMP:

Vision

A well-managed and sustainable labour migration management system that promotes good governance on labour migration, effective regulation of labour migration, and protects the rights of labour migrants and their families and the various stakeholders involved.

Mission

Maximisation of benefits of both inward and outward labour migration through safe migration, provision of decent working conditions for labour migrants especially female labour migrants and protection of their fundamental human and labour rights and those of their families.

Strategic Objectives

1. To strengthen governance of labour migration and management of labour migration in line with international norms;
2. To promote provision of decent working conditions for both male and female labour migrants and protection of their fundamental human and labour rights and those of their families;
3. To develop mechanisms to inform labour migrants and potential labour migrants on migration options, risks of irregular migration and opportunities for regular migration;
4. To enhance effective mechanisms for harnessing remittances for investment and development in line with the Migration and Development Strategy;
5. To strengthen and engender the Labour Migration Information System ;
6. To strengthen dialogue on labour migration at national level;
7. To strengthen effective participation in regional and international dialogue on labour migration;
8. To strengthen Migration Resource Centres (MRC) that will provide educative, informational material and awareness programmes to migrant workers; and,
9. Harmonise existing efforts and initiatives that have been undertaken to harness the positive benefits from labour migration

The NLMP identifies four broad policy areas and the action plan that accompanies the NLMP sets out the challenges that need to be addressed and actions to be undertaken. The four broad policy areas are:

1. Governance of Labour Migration,
2. Protection and Empowerment of Migrant Workers,
3. Harnessing Labour Migration for Development

	4. Migration data
Type of permit	<p>Temporary Employment Permit: available for the employees belonging to many categories including following:</p> <p>Journalists</p> <p>Professionals with specialized skills that are not common in Zimbabwe</p> <p>Foreign researchers with clearances from the Research Council of Zimbabwe</p> <p>Short-term employees on six-month contracts with local businesses</p>
Application requirements	<p>To obtain a temporary employment permit, applicants will need to provide the following:</p> <p>Passport should have at least 6 months of validity</p> <p>Probably a proof of yellow fever vaccination</p> <p>A letter containing a job offer from a Zimbabwean company</p> <p>Proof of the applicant's qualifications for the position, including prior work experience</p> <p>Two passport photos</p> <p>A birth certificate and marriage certificate, if applicable</p> <p>Payment of the application fee</p> <p>Employer need to apply for the work permit (Temporary Employment Permit) on behalf of the employee. General steps for submitting an application for TEP:</p> <p>The employee sends the necessary supporting documents to the employer.</p> <p>The employer submits the work permit application to the relevant officials in Zimbabwe.</p> <p>Upon approval, the employee can travel to Zimbabwe and</p>

	begin working.
Duration of permit	N/A
Employment of Foreign Nationals	<p>The Immigration Act provides detailed provisions on prohibited migrants, the prescribed procedures and parameters in which a work permit is issued. A temporary employment permit will be issued for a maximum period of 5 years. All employees including foreign nationals enjoy protection under the Labour Act. According to the Immigration Act 1990 and Immigration Regulation of 1998, no person may enter Zimbabwe without having a valid travel document or a permit. The Minister generally issues regulations which prescribe and provide detailed parameters under which permits may be issued and the procedures to be followed. The Chief Immigration officer may, on application of a person who wishes to engage in an occupation in Zimbabwe, issue a temporary employment permit. The temporary employment permit will authorize the person, in respect of whom it is issued, subject to the conditions specified to enter or remain in Zimbabwe for the period, not exceeding 5 years. A temporary permit may authorize the spouse and children of the person in respect of whom it is issued, to enter or remain in Zimbabwe for the same period. A temporary employment permit may be issued, with the consent of the Minister, to a person who is already in Zimbabwe. The Chief Immigration Officer may extend a temporary employment permit for any period which, together with the period or periods for which it has been in force, does not exceed 5 years. A person whose temporary employment permit expires must leave the country immediately.</p> <p>The temporary employment permit is subject to the following conditions: the holder of the permit can only engage in the occupation specified in the permit and shall not engage in any other occupation; the holder of the permit must enter and remain in the service of that employer; the holder must leave the country on or before expiry of the permit; and the holder of the permit must surrender such permit to an immigration officer before leaving the country. The Chief Immigration Officer may, on a written application of the holder of the employment permit, authorize the holder to cease to engage in the occupation specified in the permit, to engage in a different occupation from that so specified, and to enter into the service of another employer.</p>

The Chief Immigration Officer may, if so directed by the Minister, without prior notice to the person concerned, cancel a temporary employment permit if it was obtained on any information which is materially incorrect; or if the holder of the permit fails to comply with any conditions under which the permit was issued, or any condition imposed.

Visas are not required for qualifying countries on a list available at the Department of Immigration. Nationals of countries in the second category may obtain visas at the port of entry in Zimbabwe. In the latter category visas must be applied for and issued in advance of travel, from the respective Zimbabwe embassies or Trade Consulates.

Any foreign investors wishing to take up residence in the country need to acquire an investment license. Certified copies of investment license, indigenization compliance, proof of funds for investment and police clearance from the country of origin are the major requisites when applying for the investor residence permit.

Any foreigner seeking to take up residence in Zimbabwe is required to hold a valid work permit. Regulations are in place to allow local companies to employ foreigners under temporary work permits. These work permits are issued by the Department of Immigration upon an application by the company which is considered by the Foreign Recruitment Committee. The guiding condition is that the company should provide proof that the required skill cannot be sourced within Zimbabwe. Foreign employees are subject to the minimum conditions laid down in the labour legislation. Any foreign employee seeking to work for an organization or a company registered in Zimbabwe can apply for a temporary employment permits.

However, the only people that can apply for a temporary employment are professionals offering scarce skills, which are not easily available in Zimbabwe; journalists on assignments; personnel on short contracts and researchers (who must first be cleared by the Research Council of Zimbabwe). Temporary employment permits are usually issued for a period of 12 months. Temporary employment permits application forms are submitted directly to the Department of immigration in Harare.

The recruitment of foreigners to work in the country is done in accordance with the Foreign Recruitment Guidelines which outlines the procedures wherein a foreigners are recruited in the country. The Foreign Recruitment Committee is an institution that made up of officials from different Government Departments which has the responsibility to consider applications by Foreigners to be employed in the country.

National Labour Market Institutions

The Labour Court hears and determines any applications and appeals referred to it. The Minister may also refer matters to the labour court and a determination must be made. The labour court can appoint a labour officer, a designated agent or any other person to conciliate the disputes if it considers it expedient to do so. The Labour Court in the case of an appeal conducts a hearing into the matter or decides it on record. In the case of an appeal the labour court can vary, reverse and set aside any decision. In the case of an application made the labour court can remit the matter to the same or different labour officer with instructions directing that officer to attempt to resolve the matter.

The Minister may appoint on recommendation or of his own volition an Advisory Council which will investigate and make recommendations in connection with wages, salaries and benefits. Their powers extend to declaring a service as an essential service.

4. CONTINENTAL AND OTHER SUB-REGIONAL POLICY FRAMEWORKS

4.1 African Union

4.1.1 AU Common Position on Migration and Development

Adopted in June 2006, the African Common Position on Migration and Development acknowledges that “migration can be an effective tool for development by enhancing income distribution, promoting productive work for growth in Africa, enhancing women empowerment and gender equality, combating HIV/AIDS, Malaria and Tuberculosis amongst migrant population and improving partnership amongst the developed and African countries and other stakeholders.”

Reflecting on the potential positive impact of migration on development, the Common Position identifies eleven priority issues that need to be addressed. Specifically, in terms of labour migration (Priority Issue 3.3), the Common Position notes that “labour migration is a current and historical reality in Africa impacting directly the economies and societies of African countries in important ways. Establishing regular, transparent and comprehensive labour migration policies, legislation and structures at the national

and regional levels can result in significant benefits for States of origin and destination. For countries of origin, for example, remittances, and skills and technology transfers can assist with overall development objectives. For countries of destination, labour migration may satisfy important labour market needs. Labour migration policies and legislation that incorporate appropriate labour standards also benefit labour migrants, members of their families, and can have a positive impact on society generally.”

Under Priority Issue 3.11 on Regional Initiatives, the Common Position further notes that “Bilateral and multilateral efforts aimed at strengthened co-operation on labour migration assist in ensuring systematised and regular movements of labourers; responding to the supply and demand needs of domestic and foreign labour markets; promoting labour standards; and reducing recourse to illegal and irregular movements. The need for all parties to work together for the success of the new understanding contained in the common position is also emphasized.”

4.1.2 AU Migration Policy Framework for Africa and Plan of Action (2018-2030)

In November 2016, AU Member States agreed to revise the AU Migration Policy Framework for Africa was adopted in 2006 and subsequently published the revised version as the “Revised Migration Policy Framework for Africa and Plan of Action (2018-2030)” (MPFA).²⁸ The MPFA is a non-binding, reference document and does not impose any obligations on Member States. The purpose of the Framework is to guide Member States and Regional Economic Communities (RECs) in the management of migration, and takes into account AU priorities, policies, Agenda 2063, the Sustainable Development Goals (SDGs) and international migration management policies and standards. The Framework and Plan of Action is formulated as a comprehensive set of policy guidelines and principles to assist Member States and RECs in the formulation and implementation of their own national and regional migration policies. Specifically, in terms of labour migration, the MPFA calls for the establishment of regular, transparent, comprehensive and gender-responsive labour migration policies, legislation and structures at national and

²⁸ https://au.int/sites/default/files/newsevents/workingdocuments/32718-wd-english_revised_au_migration_policy_framework_for_africa.pdf

regional levels. In 2015, as noted above, the AU Commission established the Joint Labour Migration Programme (JLMP) for the purpose of promoting the facilitation of the free movement of workers as a means of advancing regional integration and development. Key activity areas of the JLMP include skills portability and mutual recognition of qualifications, as well as the development and implementation of Labour Market Information Systems.

The MPFA calls for accountable labour recruitment and admission systems, and the promotion of standardised bilateral labour agreements to ensure the protection of migrant workers and facilitation of remittance transfers. The framework also advocates for the integration of migrants into the labour market and the education and training sector, as well as the provision of social protection and social security benefits for migrants while working abroad, as well as upon their return. The MPFA also advances the argument that regional cooperation and harmonization of labour migration policies can foster regular labour migration to meet the supply and demand of domestic and foreign labour markets, promote the enforcement of labour standards, and reduce recourse to irregular migration. In this regard the framework recommends the harmonization and strengthened implementation of AU and REC free movement provisions related to residence and establishment, as well as enhanced cooperation among Member States in regard to the facilitation of free movement.

4.2 Southern African Development Community

4.2.1 SADC Protocol on the Facilitation of Movement of Persons²⁹

The SADC Protocol on the Facilitation of Movement of Persons was adopted in 2005.³⁰ The focus of the protocol is the movement of persons in the region generally, but its stated objectives have important implications for labour migration and mobility since it specifically provides for movement for the purpose of employment. In terms of its objectives (which in turn are aligned with the objectives of the Treaty Establishing SADC, 1992 and the Treaty Establishing the African Economic Community, 1991), the Protocol seeks to “develop policies aimed at the progressive elimination of obstacles to the movement of persons generally into and within the territories of State Parties.”

²⁹ <https://www.sadc.int/documents-publications/show/800#:~:text=The%20SADC%20Protocol%20on%20Facilitation,people%20of%20the%20region%20generally>

³⁰ Vincent Williams Lizzie Carr, “The Draft Protocol on the Facilitation of Movement of Persons in SADC: Implications for State Parties” SAMP Migration Policy Brief No. 18, 2006.

Specifically, the Protocol promotes the following objectives: (a) entry for a lawful purpose and without a visa, into the territory of another State Party for a maximum period of 90 days per year for bona fide visits and in accordance with the laws of the State Party concerned; (b) permanent and temporary residence in the territory of another State Party; and (c) establishment of oneself and working in the territory of another State Party. The Protocol has only been signed and ratified by four states (Botswana, Eswatini, Mozambique and South Africa and has yet to come into effect pending the required number of ratifications. There have been various studies of the obstacles to ratification by all countries.³¹ In 2017, the SADC member states started a consultation process to assess achievements and challenges regarding the status of the free movement of persons within the REC. The first Consultative Meeting of Experts in Botswana urged member states to sign, ratify and implement the Protocol. Experts also recommended using a ‘phased approach’ to implement the necessary changes toward issuing an African passport.³² There have also been discussions about a SADC UNIVISA. COVID-19 may give added impetus. A Tweet from the SADC Secretariat on 26 June 2020 noted that “SADC Protocol on Facilitation of Movement of Persons was adopted in 2005, only 7 Member States have ratified it. There is urgent need to ratify it as COVID-19 points to the need to facilitate movement of persons during normal times states & during pandemics.”³³ The seven include Botswana, Eswatini, Lesotho, Mozambique, Namibia, South Africa and Zambia.

4.2.2 SADC Protocol on Employment and Labour (2014)³⁴

The SADC Protocol on Employment and Labour was adopted in 2014 and has yet to come into effect pending the required number of ratifications. Following a review pertaining to the challenges experienced with the ratification of the Protocol, the SADC Summit held in August 2020, made a decision to withdraw the 2014 Protocol and to begin the process of drafting an alternate SADC Employment and Policy Framework.³⁵

4.2.3 SADC Employment and Policy Framework (2020-2030)³⁶

Section 6 of the Framework focuses on Labour Migration and endorses the priorities and actions proposed in the LMAP. In addition, the section draws attention to the importance of the COVID-19 pandemic in affecting labour migration, noting that it has “complicated matters related to labour migration” and that “it is likely that the space for bilateral and multilateral cooperation on labour migration will take a long time to be restored to pre-COVID-19 levels.” However, ensuring that labour migration takes place in a safe, orderly and regular manner will demand greater cooperation rather than less.

31 Belinda Dodson and Jonathan Crush, Migration Governance and Migrant Rights in the Southern African Development Community (SADC): Attempts at Harmonization in a Disharmonious Region, Research Paper 2015-3, United Nations Research Institute for Social Development (UNRISD), Geneva, 2015; Peter Mudungwe, “Promoting Free Movement of People in Southern Africa A Case for Ratification of the Protocol on the Facilitation of Movement of Persons in the SADC Region” African Diaspora Policy Centre Research Report, The Hague, 2015; Aurelia Segatti, “The Southern African Development Community: A Walk Away from the Free Movement of Persons?” In A Pécoud et al. (eds.), Migration, Free Movement and Regional Integration (Paris: UNESCO, 2017; Ottilia Anna Maunganidze and Julian Formica, “Freedom of Movement in Southern Africa A SADC (Pipe)dream?” ISS Southern Africa Report, Pretoria, 2018.

32 <https://www.sadc.int/news-events/news/immigration-sub-sub-committee-other-experts-consultative-meeting-free-movement-persons-implementation-african-passport/>

33 https://twitter.com/SADC_News/status/1276530107394465792

34 https://www.sadc.int/files/5714/6193/6406/Protocol_on_Employment_and_Labour_-_English_-_2014.pdf

35 Communique of the 40th Ordinary Summit of SADC Heads of State and Government, 17 August 2020

36 SADC, SADC Employment and Policy Framework, 2020-2030 (Gaborone, 2019).

4.2.4 SADC Decent Work Programme (DWP)³⁷

The SADC report Promoting Decent Work for All in the SADC Region provides a comprehensive overview of the regional decent work regional programme (DWP).³⁸ The SADC DWP was endorsed by the SADC ELS Annual Meeting of Ministers of Employment and Labour in 2012 in Luanda, and in revised form by the Meeting of Ministers of Employment and Labour and Social Partners in 2013 in Maputo. While the SADC DWP focuses on employment and labour in general, it has specific content on labour migration policies and legislation as well (Table 6).

Table 6: SADC Decent Work Programme

Priority	Outcomes
1. Regional Technical Work	1.1 Functional SADC Labour Market Information System harmonized and strengthened 1.2 Labour Migration Systems Developed 1.3 Human Trafficking Eliminated
2. Promotional Work	2.1 International Labour Standards ratified, domesticated and complied with 2.2 Youth Employment Promotion Strategy Promoted 2.3 Compliance with SADC Codes (Social Security, Child labour, safe use of chemicals, HIV and AIDS, TB in Mining) 2.4 Decent work promoted in the informal economy in SADC Member States
3. Information Sharing	3.1 Improved knowledge of best practice in employment and labour policies, legislation, programmes and social protection floors among Member States 3.2 Skills development policies harmonised and strengthened

With regard to labour migration, the DWP identified six major challenges: (a) the rapidly changing dynamics of labour migration; (b) increasing migration pressure to South Africa and Botswana; (c) the brain drain and skills shortage; (d) irregular migration and the informalization of labour migration; (e) migrants’ access to social protection and the need for harmonisation of legislation and policies across SADC.

37 <https://www.sadc.int/documents-publications/show/4379>

38 Southern African Development Community, Decent Work Programme (2013-2019): Promoting Decent Work for All in the SADC Region At: https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_561085.pdf

Outcome 1.2 on Labour Migration

- Labour migration policy in SADC developed and adopted;
- SADC Member States are supported to domesticate regional labour migration policies;
- Ratification of the SADC Protocol on Facilitation of Movement of Persons
- Member States supported to finalize and implement the Code of 37 Practice on TB in the mining sector.

The SADC DWP was implemented between 2013 and 2019 and renewed for a second phase for the period 2021-2025.³⁹ Outcome 5 of the new DWP seeks improved labour migration governance for regional development and integration. To achieve this outcome, the ILO will mobilise support across its UN partners, including IOM and UNHCR, towards implementation of the SADC Labour Migration Action Plan (2020-25) Action Plan. Outcome indicators include the following:

- Number of Member States with national policy frameworks that address labour migration, including in combination with other thematic areas;
- Number of bilateral cooperation agreements on labour migration;
- Number of Member States collecting and disseminating data on labour migration.

Outputs and activities for the DWP Outcome 5 are shown in Table 7

Table 7: Outputs and Activities of Outcome 5 in DWP (2020-2026)

Priority	Regional Activities	Country Activities
5.1 Ratification and implementation of key global, continental and regional instruments promoted	<ul style="list-style-type: none"> • Promote and monitor the ratification and domestication of key global and regional labour migration instruments 	<ul style="list-style-type: none"> • Develop gender responsive national policy frameworks that address labour migration taking into consideration the need to leverage migration as a development enabler
5.3 A gender sensitive and inclusive knowledge base on labour migration trends developed	<ul style="list-style-type: none"> • Regional and national research programmes conducted to provide a picture of labour migration within the region 	<ul style="list-style-type: none"> • Conduct national research to provide a picture of labour migration • Include migration modules in Labour Force Surveys

³⁹ SADC and ILO, SADC Decent Work Programme: Action Plan for the SADC Employment and Labour Policy Framework (2021-2025) (Gaborone, 2020).

5.4 Labour migration governance mechanisms reviewed and strengthened in line with the SADC LMAP (2020-2025)	<ul style="list-style-type: none"> • Regional capacity-building interventions on fair recruitment and decent employment for migrant workers • Regional research programmes conducted to provide a picture of labour migration within the region • Produce and disseminate labour migration knowledge products, using digital technologies, to enhance broad understanding of labour migration's role in development • Enhance capacity to monitor the implementation of the SADC LMAP • Strengthen bilateral and multilateral cooperation on labour migration to leverage the development potential of labour migration, while preventing and mitigating exploitative migrant labour practices • Promote implementation of SADC Guidelines on Portability of Social Security Benefits 	<ul style="list-style-type: none"> • Design and implement national labour migration policies and strengthen labour migration institutions • Permit, facilitate and regulate the movement of migrant workers within the region • Domesticate SADC LMAP through national labour migration policies • Implement the SADC Guidelines on the Portability of Social Security Benefits including enhanced mechanisms for remittance transfers
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DWCPs have been implemented as part of the Decent Work Agenda in as many as 13 Southern African countries.⁴⁰ These include Botswana (2010-2016), Comoros (2008-2012, 2015-2019), DRC (2009-2011), Eswatini (2010-2014), Lesotho (2006-2009, 2012-2018), Madagascar (2008-2012, 2015-2019), Malawi (2011-2016), Mauritius (2009-2012), Seychelles (2009-2012), South Africa (2010-2018), Tanzania (2006-2010, 2013-2016), Zambia (2007-2011), and Zimbabwe (2000-2005, 2008-2011, 2012-2015).⁴¹ Although labour migration was not a planning focus in most of these DWCPs, the ILO adjusted its programme of work to contextual changes as “unanticipated international cooperation programmes and country office advocacy, in collaboration with tripartite constituents, opened the promotion of fair migration as a new, relevant area of work”⁴² Currently operational DWCPs in Southern Africa include Angola (2019-2022); Lesotho (2019-2023) Seychelles (2018-2022) and South Africa (2018-2022). However, only the Lesotho DWCP has specific labour migration priorities.⁴³ The DWCP notes that “strategies at maximising the benefits inherent in labour migration have not been adequately explored. There is no systematic structure to link labour migration with diaspora

issues and remittances issues. Moreover, limited provisions of labour migration in the labour legislation need to be addressed so that the National Labour Migration Policy can be effectively implemented.” Outcome 2.3 in the DWCP is Strengthened Labour Migration Management and Governance and ILO strategies are designed to support adoption and implementation of the National Labour Migration Policy and Action Plan. ILO support is provided to (a) ensure that governance of labour migration in Lesotho is in line with relevant international labour standards and good practices and adherence to regional provisions on labour migration; (b) strengthen labour migration governance to safeguard the human rights of migrant workers and their families within and outside the country; and (c) promote women workers rights and the core ILO gender conventions.

4.3 Common Market for Eastern and Southern Africa (COMESA)⁴⁴

There are two primary legal instruments governing the free movement of people in COMESA: (a) the Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements (Visa Protocol) and (b) the Protocol on Free Movement of Persons, Labour, Services, Right of Establishment and Residence (Free Movement Protocol).⁴⁵

4.3.1 COMESA Visa Protocol

The Visa Protocol was signed by the Heads of COMESA Member States in 1984. The Protocol provides for a ninety-day visa free regime and access to visas on arrival. Several COMESA States have already started implementing the provisions of the Protocol either by providing visas on arrival, issuing visas at no cost and in some cases, having eliminated visa requirements for citizens from other COMESA Member States. The Visa Protocol recognizes that two or more Member States can maintain existing bilateral or multilateral arrangements (or enter into new ones) among themselves in respect of free movement of persons which provide for more favourable treatment for their nationals than are provided for in the protocol and these measures are encouraged.

4.3.2 COMESA Free Movement Protocol

The Free Movement Protocol was adopted in 2001 and was developed with the vision towards the operationalization of the Common Market. Its objective is to remove all restrictions to the free movement of persons, labour, and services and provide for the right of establishment and right of residence. It envisages five stages of implementation:

- **Stage 1:** Part II – Articles 3 to 8 Objective: Gradual removal of visa requirements and co-operation in the prevention and the fight against crime;
- **Stage 2:** Part III – Article 9 Objective: Enhancing movement of skilled labour;
- **Stage 3:** Part IV – Article 10 Objective: Movement of services;
- **Stage 4:** Part V – Article 11 Objective: Right of Establishment;
- **Stage 5:** Part VI – Article 12 Objective: Right of Residence.

Burundi, Kenya, Rwanda and Zambia have signed the Protocol but only Burundi has ratified. National Monitoring Committees have been set up in Zambia and Zimbabwe to revitalize the process of implementation of the Protocol.

In 2017, IOM and the COMESA Secretariat published a trainings manual on Free Movement of Persons in the Common Market for Eastern and Southern Africa (COMESA).⁴⁶ The Manual was developed to assist with the task of building the capacity of the COMESA Secretariat and COMESA Member States, and to improve the knowledge and understanding of National Focal Points, National Monitoring Committees and other relevant COMESA and government officials on the COMESA Free Movement Agenda. The Manual gauges levels of knowledge, understanding and capacity to administer roles and responsibilities in relation to the COMESA Visa Protocol and the COMESA Free Movement Protocol.



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⁴⁰ https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_561870.pdf

⁴¹ For evaluations of DWCPs in Southern Africa see Ali Dastgeer and Francisco L. Guzmán, Independent Evaluation of the ILO’s Country Programme for the United Republic of Tanzania: 2004-2010 (Geneva: ILO, 2010); Shubh Kumar-Range and Carla Henry, Independent Evaluation of the ILO’s Country Programme for Zambia: 2001-2007 (Geneva: ILO, 2008); ILO, Independent Evaluation of the ILO’s Strategy to Promote Sustainable Enterprises and Decent Work: Volume II. Annexes 3-6 (Geneva, 2013); Simbarashe Sibanda, Promoting Decent Work in the Rural Economy. Lessons from Zimbabwe 2008-2018 (Geneva: ILO, 2019); Rafael Muñoz-Sevilla, Dwight Ordoñez and Sandy Wark, Independent Evaluation of ILO’s Programme of Work in Four Selected Countries of the Southern African Development Community (SADC) (Lesotho, Madagascar, South Africa and the United Republic of Tanzania), 2014-2018 (Geneva: ILO, 2019).

⁴² Muñoz-Sevilla et al., Independent Evaluation of ILO’s Programme of Work in Four Selected Countries, p. 2. On the place of migration in the first round of DWCPs see Priya Deshingkar, Jon Sward and Elisenda Estruch-Puertas, “Decent Work Programmes and Human Mobility” Migrating out of Poverty Research Programme Consortium, Working Paper 5, University of Sussex, 2012.

⁴³ Government of Lesotho, Decent Work Country Programme III 2018/19-2022.23: Promoting Decent Work for All (Maseru, 2018).

⁴⁴ See <https://www.uneca.org/pages/comesa-free-movement-persons>. This section draws on G. Urko and A. Hakami, Regional Migration Governance in Africa: EU and RECs (Luxembourg: European Union Commission, 2018), pp. 36-39

⁴⁵ COMESA-IOM, Free Movement of Persons Within the Common Market for Eastern and Southern Africa: Trainers Manual (Lusaka, 2017), pp. 64-65. At: https://publications.iom.int/system/files/pdf/trainers_manual_comesa_en.pdfhttps://publications.iom.int/system/files/pdf/trainers_manual_comesa_en.pdf.

4.3.3 COMESA Model Law

A COMESA Model Law on Immigration was established in 2006 in order to harmonize national laws and practices, but progress has been slow on national implementation. The Model Law provides directives on both regular and irregular migration, regulating the entry and stay of persons within the region as well as the removal of irregular migrants. Procedures on a variety of areas are included in the document, such as 37 permits for business, study, visitors, retired persons, workers, cross-border traders and their families, long-term residents and asylum seekers. However, no specific provisions on free movement of citizens of COMESA member states are included. The COMESA Medium Term Strategic Plan (2011-2015) supported the establishment of one-stop border posts. One was launched in 2009 at the border between Zambia and Zimbabwe.

4.3.4 COMESA Tripartite Agreement⁴⁷

COMESA, SADC (and the EAC) signed a memorandum of understanding in June 2018 to establish a common free trade area which requires 14 ratifications to come into force. As part of the Tripartite Agreement, member states of the three regional organisations also aim to establish a free movement area in Phase II of the negotiations.

4.4 IOC

The 33rd Council of IOC Ministers adopted a 2018-2021 Strategic Development Plan in September 2018. The Plan has four strategic axes, five areas of intervention and 17 fields of action.⁴⁸ The first area of intervention (D1) relates to public health, freedom of movement, tourism development, education, civil society, advancement of women and child protection.⁴⁹ D1 action fields include public health; migration; tourism; gender, advancement of women and child protection; civil society; media and education. The identification of migration as a discrete field of action means it is an important new priority for the IOC. In August 2019, this priority was actioned at a two-day meeting in Seychelles to establish a migration dialogue in the region. Themes discussed included professional mobility and human development; migration governance; migration data; migration and health and trade, tourism and the free movement of people and goods.⁵⁰

4.5 Regional Consultative Processes (RCPs)

4.5.1 Migration Dialogue for Southern Africa (MIDSA)

MIDSA is one of a number of global and African Regional Consultative Processes (RCPs) on migration that have emerged since the mid-1990s. These are informal, non-binding, inter-state forums for dialogue on migration matters of mutual interest.⁵¹ MIDSA is the oldest of three Regional Consultative Processes (RCPs) in Southern Africa.⁵² It was founded in 2001 by the IOM and the Southern African Migration Project (SAMP) and has the participation of all SADC countries.

46 Marius Olivier, Trainers Manual: Free Movement of Persons in the Common Market for Eastern and Southern Africa (COMESA) (Lusaka, 2017)

At: https://publications.iom.int/system/files/pdf/trainers_manual_comesa_en.pdf

47 www.tralac.org/resources/by-region/comesa-eac-sadc-tripartitefta.html

48 <https://www.commissionoceanindien.org/axes-strategiques/>

49 <https://www.commissionoceanindien.org/axes-strategiques/nos-domaines-dintervention/>

IOC, Annual Report 2019, p. 19. At: https://www.commissionoceanindien.org/wp-content/uploads/2020/01/COI_RA2019.pdf; and <https://ropretoria.iom.int/news/iom-countries-indian-ocean-commission-discuss-dialogue-mechanism-migration>

MIDSA has become the forum that most clearly articulates the relationship between migration and development in regional and national policy-making and tends to drive the regional migration and development debate within SADC.⁵³ Between 2001 and 2010, MIDSA convened regular inter-governmental forums attended by senior bureaucrats from Departments of Immigration and Home Affairs in member states (as well as other ministries on an ad hoc basis).⁵⁴ In 2010, MIDSA was scaled up to Ministerial level with a Conference in Windhoek on Managing Migration Through Regional Cooperation.⁵⁵ A second Inter-Ministerial Conference was convened in Maputo in 2013 on “Enhancing Labour Migration in the SADC Region” and a third in Victoria Falls in 2015 on “Addressing Mixed and Irregular Migration in the SADC Region: Protection of the Unaccompanied Migrant Child.” The 2017 Ministerial meeting in Eswatini focused on “Addressing Mixed Migration in Southern Africa: Linking Protection, Immigration, Border Management and Labour Migration.” During the first decade of MIDSA, SAMP mobilized funds to start a policy research series which published three major reports commissioned by member states.⁵⁶

In 2012, MIDSA developed a Regional Roadmap on Enhancing Intra-Regional Migration for Sustainable Development. The roadmap was subsequently revised and endorsed as an Action Plan at the MIDSA Ministerial in Maputo in 2013. The Action Plan is non-binding and there is some overlap between its recommendations and those of the SADC Labour Migration Policy Framework and Article 19 of the Protocol on Employment and Labour.

4.5.2 Migration Dialogue of COMESA (MIDCOM)

MIDCOM was launched in 2013.⁵⁷ Its main objective is to provide a platform for informal and non-binding dialogue on issues and opportunities related to migration management thereby improving the capacity of the governments to better manage migration, network building through regular meetings, including substantial progress towards harmonized data collection systems and harmonized immigration policy and legislation.⁵⁸ Labour migration and data collection are identified as two focus areas. The 2013 launch made a large number of relevant recommendations to the COMESA Secretariat and member states. However, the first meeting of MIDCOM only took place in July 2017 in Lusaka. To date there have been three MIDCOM meetings but no overall strategic plan relating to labour migration has still to be developed along the lines of the MIDSA action plans.⁵⁹

50 IOC, Annual Report 2019, p. 19. At: https://www.commissionoceanindien.org/wp-content/uploads/2020/01/COI_RA2019.pdf; and <https://ropretoria.iom.int/news/iom-countries-indian-ocean-commission-discuss-dialogue-mechanism-migration>

51 R. Hansen, An Assessment of Principal Regional Consultative Processes on Migration (Geneva, 2010).

52 <https://www.iom.int/migration-dialogue-southern-africa-midsa>; <https://ropretoria.iom.int/regional-cooperation>; Jonathan Crush and Daniel Tevera, “The Migration Dialogue for Southern Africa (MIDSA): The First Ten Years” Presentation to Ministerial MIDSA Meeting, Windhoek, Namibia, 2010.

53 Daniel Tevera, “10 Years of MIDSA” Ministerial Conference on Managing Migration Through Regional Cooperation, Windhoek, 2010.

54 See <https://www.iom.int/midsa>

55 See <http://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/15-17-November-2010-Windhoek-Namibia-MIDSA-Ministerial-Conference-on-Migration-through-Regional-Cooperation.pdf>

56 Jonathan Klaaren and Bonaventure Rutinwa, Toward the Harmonization of Immigration and Refugee Law in SADC MIDSA Report No. 1, 2004; Vincent Williams and Tiffany Tsang, The Prospects for Migration Data Harmonization in the SADC, MIDSA Report No. 2: 2007; Benjamin Roberts, A Migration Audit of Poverty Reduction Strategies in Southern Africa MIDSA Report No. 3, 2007. At: <https://samponline.org/midsa-series/>

4.5.3 Migration Dialogue for the IOC (MiDIOCC)

The initial meeting to establish the Migration Dialogue for the Indian Ocean Commission Countries (DiMOI) was held in Seychelles in August 2019.⁶⁰ Themes related to labour migration issues were discussed including professional mobility and human development; the effects of climate change; migration data; migration and health; and the free movement of people.⁶¹ The resulting Mahé Consensus – including the recommendation for the establishment of DiMOI – was to be presented to the 34th IOC Council of Ministers in March 2020.⁶² The Mahé Consensus would commit the four member states to:

- Initiate a forum for consultations and regular exchange of information, experiences and good practices on migration and other related issues of interest and common concerns, such as facilitating human mobility; promoting targeted labour mobility; integrated border management and the fight against transnational crimes; effects of climate change and environmental degradation;
- Enhance knowledge and foster a greater understanding and policy coherence by stakeholders of the migration phenomenon and migration dynamics in the IOC region, as well as policy coordination in this area;
- Build consensus among IOC Member States on migration and related issues;
- Enhance national and regional institutional and technical capacities for effective migration management in a collaborative and knowledge-based manner;
- Identify priority issues of common interest to IOC Member States focusing on technical cooperation, capacity building, migration-related information collection, dissemination and sharing.
- Enhance dialogue and cooperation on migration and related issues between the IOC Member States and, where necessary, other States from the region and Regional Economic Communities;
- Promote Safe, Orderly and Regular Migration in accordance with the United Nations Agenda 2030, the African Union Agenda 2063 and the Global Compact on Migration (GCM).

57 “Report of the Launch of the COMESA Regional Consultative Process on Migration” Lusaka, 2013. At: https://www.iom.int/sites/default/files/our_work/ICP/RCP/COMESA-RCP-Report-FINAL-English-Version.pdf

58 <https://www.iom.int/migration-dialogue-common-market-eastern-and-southern-africa-member-states-midcom>

59 <https://www.tralac.org/news/article/11966-un-migration-agency-supports-comesa-to-host-regional-consultative-process-for-member-states.html>

60 <https://ropretoria.iom.int/news/iom-countries-indian-ocean-commission-discuss-dialogue-mechanism-migration>

61 <https://www.commissionoceanindien.org/dialogue-migration-indianoceanie/>

62 “Conclusions and Recommendations of the consultative meeting on the establishment of a Migration Dialogue for Indian Ocean Commission Countries (DiMOI), Consensus de Mahe” Mahé, Seychelles, 26-28 August 2019

5. UNITED NATIONS CONVENTIONS, PROTOCOLS, AND FRAMEWORKS

This section discusses the range of UN conventions and protocols and the state of ratification by Southern African States, as well as less formal policy frameworks to which States are party.

5.1 UN Migrant Workers Convention⁶³

The UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW) was adopted by the UN General Assembly in December 1990 and came into effect when it achieved the required number of ratifications (20) in 2003. The ICMW draws together a range of conventions pertaining to labour migration into a single instrument and is significant in that it defines the rights of migrant workers during the full cycle of migration; namely, pre-departure, transit, period of employment abroad and return to country of origin. The ICMW also extends basic employment rights to irregular migrant workers, specifically during their period of employment. As of December 2019, only 55 countries had ratified the ICMW, but these are all primarily countries of origin. No important migrant destination countries in Western Europe, North America and the Gulf States, as well as Australia, have ratified this convention. Many states are reluctant to endorse this Convention for reasons that have been explored in detail.⁶⁴ In Southern Africa, only five states have signed the Convention and four have ratified it (Lesotho, Madagascar, Mozambique and Seychelles) (Table 8).⁶⁵ None of the major migrant receiving states in Southern Africa have signed or ratified it. The ratifying states have all recently provided implementation reports to the UN Committee on Migrant Workers.⁶⁶

Table 8: The ICRMW in Southern Africa

Country	Date Signed	Date Ratified	Reports
Angola			
Botswana			
Comoros	22 September 2000		
DRC			
Eswatini			
Lesotho	24 September 2004	16 September 2005	14 December 2005
Madagascar	24 September 2014	13 May 2015	8 August 2018
Malawi			

63 https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtidsg_no=IV-13&chapter=4

64 Jonathan Crush, Vincent Williams and Peggy Nicholson, “Migrants’ Rights After Apartheid: South African Responses to the ICRMW” In P. de Guchteneire, A. Pecoud and R. Cholewinski, eds., Migration and Human Rights: The United Nations Convention on Migrant Workers’ Rights (Paris: UNESCO, 2009), pp. 247-277; Antoine Pécoud, “The Politics of the UN Convention on Migrant Workers’ Rights”

65 For details see UN Human Rights Commissioner, Committee on Migrant Workers at <https://www.ohchr.org/EN/HRBodies/CMW/Pages/CMWIndex.aspx>

66 See Lesotho Report https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fC%2fLSO%2f1&Lang=en; Madagascar Report at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fC%2fMDG%2f1&Lang=en; Mozambique Report at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fC%2fMOZ%2f1&Lang=en; Seychelles Report at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fC%2fSYC%2f1&Lang=en

Country	Date Signed	Date Retified	Reports
Mauritius			
Mozambique	15 March 2012	19 August 2013	31 August 2018
Namibia			
Seychelles		15 December 194	15 September 2015
South Africa			
Tanzania			
Zambia			
Zimbabwe			

5.2 ILO Standards on Labour Migration

There are two specific ILO Conventions on labour migration governance and the protection of migrant workers:

CO 97: Migration for Employment Convention (Revised), 1949

CO 143: Migrant Workers (Supplementary Provisions) Convention, 1975

Support for these universal conventions in Southern Africa has been relatively weak (Table 9). Six SADC countries have ratified C.97. C.143 has only been ratified by two countries, Comoros and Madagascar, and they are furthermore the only two SADC countries to have ratified both conventions (in 2001 and 2019 respectively). Moreover, it is to be noted that while the United Republic of Tanzania, composed of both Tanzania Mainland and of Zanzibar, has not ratified any of the two Migrant Workers Conventions, Zanzibar has ratified ILO C. 97. There is thus a discrepancy within the country regarding labour migration.

In addition, it is important to mention that the Private Employment Agencies Convention has only been ratified by two SADC countries (Zambia, Madagascar) and four countries of the region have ratified the Domestic Workers Convention (Madagascar, Mauritius, Namibia and South Africa). Lastly, the Violence and Harassment Convention has been ratified by three of them: Mauritius, Namibia and Seychelles.

Table 9: The ICRMW in Southern Africa

Country	Migration for Employment Convention (Revised) 1949 (No. 97)	Migrant Workers (Supplementary Provisions) Convention 1975 (No. 143)
Angola		
Botswana	2021	2021
Comoros		
DRC		
Eswatini		
Lesotho		
Madagascar	2001	2019
Malawi	1965	
Mauritius	1969	
Mozambique		
Namibia		
Seychelles		
South Africa		
Tanzania - Zanzibar	1964	
Zambia	1964	
Zimbabwe		

Table 10 shows the ratification by Southern African states of other significant ILO Conventions (C) and Protocols (P) with express relevance to labour migration including the following:

- C19:** Equality of Treatment (Accident Compensation) Convention, 1925
- C29:** Forced Labour Convention
- C102:** Social Security (Minimum Standards) Convention, 1952
- C118:** Equality of Treatment (Social Security) Convention, 1962
- C121:** Employment Injury Benefits Convention, 1964
- C157:** Maintenance of Social Security Rights Convention, 1982
- C181:** Private Employment Agencies Convention, 1997
- C189:** Domestic Workers Convention, 2011
- C190:** Violence and Harassment Convention, 2019
- P29:** Protocol to the Forced Labour Convention, 2014

Table 10: Ratification of other ILO Conventions with express relevance to labour migration

Country	C19	C29	C102	C118	C121	C157	C181	C189	C190	P29
Angola	1976	1976								
Botswana	1988	1997								
Comoros	1978	1978								
DRC	1960	1960	1987*	1987*	1967					2019**
Eswatini	1978	1978								2019
Lesotho	1966	1966								2019**
Madagascar	1962	1960		1962*			2019	2019		
Malawi	1965	1999								
Mauritius	1969	1969					2012	2021		
Mozambique		2003								2018
Namibia		2000						2020		2017
Seychelles		1978								
South Africa	1926	1997						2013	2021	
Tanzania	1964	1962								
Zambia	1964	1964					2013			
Zimbabwe	1980	1998								2019

Source: <https://www.ilo.org/dyn/normlex/en/f?p=1000:11003:::NO:>

Output 2.1 of the SADC Labour Migration Action Plan (2020-2025) notes the need for a “human rights-based approach to the management of labour migration requires Member States to ratify and implement key international labour standards, as well as other international instruments on the protection of migrant workers” including CO97 and CO143. Projected activities to achieve this output include (a) developing model laws and policies to incorporate principles and rights contained in ILS and other relevant treaties into policy frameworks and legislation; and (b) promoting ratification and implementation of international labour standards and other treaties relevant to labour migration; and (c) producing progress reports on the ratification and implementation of labour migration instruments.

In March 2018, ELS Ministers (i) requested Member States to develop National Action Plans to improve compliance with ILO Conventions Nos. 87, 98, and 144 and give a brief on progress made to the SADC ELS Annual meetings; (ii) requested the ILO to consider assisting Member States in meeting the requirements of Convention No. 87; (iii) requested Member States to strengthen tripartite structures for the specific purpose of consultations regarding International Labour Standards under Convention No.144; and (iv) urged Member States that had not yet ratified Convention no. 151 to do so and to take measures to implement the provisions of the Convention and report on progress at the next ELS meeting in line with the resolution of the 2012 ELS meeting held in Luanda, Angola.⁶⁷

5.3 Relevant Policy Frameworks

5.3.1 ILO Multilateral Framework on Labour Migration⁶⁸

The 2006 ILO Multilateral Framework on Labour Migration sets out 15 non-binding principles and accompanying guidelines for implementation, in order to work towards the achievement of a rights-based approach to labour migration. The Framework draws on a range of international instruments and specifically, on the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention 1975 (No. 143), and the accompanying Recommendations Nos. 86 and 151. The 15 principles and guidelines cover the following areas: Decent Work; Means for International Cooperation on Labour Migration; Global Knowledge Base; Effective Management of Labour Migration; Expanding avenues for regular labour migration; Social Dialogue; Consultations with civil society and migrant associations; Protection of migrant workers; The applicability of International Labour Standards and other international instruments to migrant workers; The application and enforcement of national laws and regulations to protect the rights of migrant workers; Prevention of and protection against abusive migration practices; The promotion of orderly and equitable labour migration processes; Licensing and supervision of recruitment and placement services for migrant workers; Social Integration and Inclusion; and Migration and Development.

⁶⁷ <https://www.tralac.org/images/docs/12814/2018-sadc-els-draft-record.pdf>

⁶⁸ https://www.ilo.org/global/topics/labour-migration/publications/WCMS_178672/lang-en/index.htm

5.3.2 UN Global Compact for Safe, Orderly and Regular Migration⁶⁹

This non-binding instrument was approved by 164 nations during the [Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration](#) on 10 December 2018 in Morocco and endorsed by the [United Nations General Assembly](#) on 19 December 2018 with 152 countries voting in favour of the resolution to endorse.⁷⁰ While the Compact states that it rests on various UN Conventions as well as ILO conventions on promoting decent work and labour migration, the ICMRW is not mentioned.⁷¹

The GCM provides a comprehensive set of objectives and commitments related to a range of aspects pertaining to international migration. While acknowledging the sovereign right of UN Member States to determine their national migration policy and their prerogative to govern migration within their jurisdiction, it nevertheless calls for shared responsibility and unity of purpose in addressing and responding to the challenges and opportunities pertaining to international migration. While all of the objectives and commitments contained in the GCM may be of relevance to the management of labour migration in COMESA, IOC and SADC, Objectives 5 and 6 are of specific relevance to labour migration in the region:

OBJECTIVE 5: Enhance availability and flexibility of pathways for regular migration: commitment to adapt options and pathways for regular migration in a manner that facilitates labour mobility and decent work reflecting demographic and labour market realities, optimizes education opportunities, upholds the right to family life, and responds to the needs of migrants in a situation of vulnerability, with a view to expanding and diversifying availability of pathways for safe, orderly and regular migration. To realize this commitment, the following actions are proposed:

Objective 5

- Develop human rights-based and gender-responsive bilateral, regional and multilateral labour mobility agreements with sector-specific standard terms of employment in cooperation with relevant stakeholders, drawing on relevant ILO standards, guidelines and principles, in compliance with international human rights and labour law;
- Facilitate regional and cross-regional labour mobility through international and bilateral cooperation arrangements, such as free movement regimes, visa liberalization or multiple country visas, and labour mobility cooperation frameworks, in accordance with national priorities, local market needs and skills supply;
- Review and revise existing options and pathways for regular migration, with a view to optimize skills matching in labour markets, address demographic realities and development challenges and opportunities, in accordance with

local and national labour market demands and skills supply, in consultation with the private sector and other relevant stakeholders;

- Develop flexible, rights-based and gender-responsive labour mobility schemes for migrants, in accordance with local and national labour market needs and skills supply at all skills levels, including temporary, seasonal, circular, and fast-track programmes in areas of labour shortages, by providing flexible, convertible and non-discriminatory visa and permit options, such as for permanent and temporary work, multiple-entry study, business, visit, investment and entrepreneurship;
- Promote effective skills matching in the national economy by involving local authorities and other relevant stakeholders, particularly the private sector and trade unions, in the analysis of the local labour market, identification of skills gaps, definition of required skills profiles, and evaluation of the efficacy of labour migration policies, in order to ensure market responsive contractual labour mobility through regular pathways;
- Foster efficient and effective skills-matching programmes by reducing visa and permit processing timeframes for standard employment authorizations, and by offering accelerated and facilitated visa and permit processing for employers with a track record of compliance;
- Develop or build on existing national and regional practices for admission and stay of appropriate duration based on compassionate, humanitarian or other considerations for migrants compelled to leave their countries of origin, due to sudden-onset natural disasters and other precarious situations, such as by providing humanitarian visas, private sponsorships, access to education for children, and temporary work permits, while adaptation in or return to their country of origin is not possible;
- Cooperate to identify, develop and strengthen solutions for migrants compelled to leave their countries of origin due to slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, including by devising planned relocation and visa options, in cases where adaptation in or return to their country of origin is not possible;
- Facilitate access to procedures for family reunification for migrants at all skills levels through appropriate measures that promote the realization of the right to family life and the best interests of the child, including by reviewing and revising applicable requirements, such as on income, language proficiency, length of stay, work authorization, and access to social security and services;

⁶⁹ <https://migrationnetwork.un.org/sites/default/files/docs/gcm-n1845199.pdf>

⁷⁰ <https://migrationdataportal.org/themes/gcm-development-process>

⁷¹ Antoine Pécoud, "Narrating an Ideal Migration World? An Analysis of the Global Compact for Safe, Orderly and Regular Migration" *Third World Quarterly* (2020) <https://doi.org/10.1080/01436597.2020.1768065>

- Expand available options for academic mobility, including through bilateral and multilateral agreements that facilitate academic exchanges, such as scholarships for students and academic professionals, visiting professorships, joint training programmes, and international research opportunities, in cooperation with academic institutions and other relevant stakeholders.

OBJECTIVE 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work: commitment to review existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse in order to guarantee decent work and maximize the socioeconomic contributions of migrants in both their countries of origin and destination. To realize this commitment, the following actions are proposed:

Objective 6

- Promote signature, ratification, accession and implementation of relevant international instruments related to international labour migration, labour rights, decent work and forced labour;
- Build upon the work of existing bilateral, subregional and regional platforms that have overcome obstacles and identified best practices in labour mobility, by facilitating cross regional dialogue to share this knowledge, and to promote the full respect for the human and labour rights of migrant workers at all skills levels, including migrant domestic workers;
- Improve regulations on public and private recruitment agencies, in order to align them with international guidelines and best practices, prohibit recruiters and employers from charging or shifting recruitment fees or related costs to migrant workers in order to prevent debt bondage, exploitation and forced labour, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry;
- Establish partnerships with all relevant stakeholders, including employers, migrant workers organizations and trade unions, to ensure that migrant workers are provided written contracts and are made aware of the provisions therein, the regulations relating to international labour recruitment and employment in the country of destination, their rights and obligations, as well as on how to access effective complaint and redress mechanisms, in a language they understand;
- Enact and implement national laws that sanction human and labour rights violations, especially in cases of forced and child labour, and cooperate with the private sector, including employers, recruiters, subcontractors and suppliers, to build partnerships that promote conditions for decent work, prevent abuse and exploitation, and ensure that the roles and responsibilities within the recruitment and employment processes are clearly outlined, thereby enhancing supply chain transparency;

- Strengthen the enforcement of fair and ethical recruitment and decent work norms and policies by enhancing the abilities of labour inspectors and other authorities to better monitor recruiters, employers and service providers in all sectors, ensuring that international human rights and labour law is observed to prevent all forms of exploitation, slavery, servitude, and forced, compulsory or child labour;
- Develop and strengthen labour migration and fair and ethical recruitment processes that allow migrants to change employers and modify the conditions or length of their stay with minimal administrative burden, while promoting greater opportunities for decent work and respect for international human rights and labour law;
- Take measures that prohibit the confiscation or non-consensual retention of work contracts, and travel or identity documents from migrants, in order to prevent abuse, all forms of exploitation, forced, compulsory and child labour, extortion and other situations of dependency, and to allow migrants to fully exercise their human rights;
- Provide migrant workers engaged in remunerated and contractual labour with the same labour rights and protections extended to all workers in the respective sector, such as the rights to just and favourable conditions of work, to equal pay for work of equal value, to freedom of peaceful assembly and association, and to the highest attainable standard of physical and mental health, including through wage protection mechanisms, social dialogue and membership in trade unions;
- Ensure migrants working in the informal economy have safe access to effective reporting, complaint, and redress mechanisms in cases of exploitation, abuse or violations of their rights in the workplace, in a manner that does not exacerbate vulnerabilities of migrants that denounce such incidents and allow them to participate in respective legal proceedings whether in the country of origin or destination;
- Review relevant national labour laws, employment policies and programmes to ensure that they include considerations of the specific needs and contributions of women migrant workers, especially in domestic work and lower-skilled occupations, and adopt specific measures to prevent, report, address and provide effective remedy for all forms of exploitation and abuse, including sexual and gender-based violence, as a basis to promote gender-responsive labour mobility policies; and
- Develop and improve national policies and programmes relating to international labour mobility, including by taking into consideration relevant recommendations of the ILO General Principles and Operational Guidelines for Fair Recruitment, the United Nations Guiding Principles on Business and

Human Rights, and the IOM International Recruitment Integrity System (IRIS).

The GCM is the culmination of several regional and global processes over a long period of time that have endeavoured to address international cooperation in the field of migration, including labour migration. When it was adopted at the UN General Assembly, several countries either voted against it or abstained from the vote, but it was supported by all other UN Member States, including the Member States of COMESA, the IOC and SADC. The GCM objectives and commitments are fundamentally rooted in the core universal human rights instruments, international labour standards and a range of other conventions that are of relevance to regional and national migration (including labour migration) policies and legislation. Given the emphasis of the GCM on shared responsibility and unity of purpose, it provides an important starting point for achieving cooperation between States in the management of labour migration. The implementation of the Global Compacts will require considerable political will and a whole-of-society approach.⁷² Overall responsibility for implementation rests with the new United Nations Network on Migration.⁷³

The UN Network has released a detailed workplan which identifies the following five priority areas: (i) Promoting fact-based and data driven migration discourse, policy and planning; (ii) Protecting safety and wellbeing of migrants, including through addressing the drivers and mitigating situations of vulnerability in migration; (iii) Addressing irregular migration including through managing borders and combatting transnational crime; (iv) Facilitating regular migration, decent work and enhancing the positive development effects of human mobility; and (v) Improving the social inclusion and integration of migrants.⁷⁴ In February 2020, the UN released draft terms of reference for a Regional United Nations Migration Network for East and Southern Africa to be hosted in Pretoria and Nairobi.⁷⁵

6. SOCIAL PROTECTION OF MIGRANT WORKERS

The need to develop and implement effective social security, and more broadly, social protection systems and mechanisms remains high on the agenda of the Member States of COMESA, the IOC and SADC, individually and collectively. The concerns with high levels of poverty and inequality, unemployment and significant under-development are reflected in many of the Poverty Alleviation and/or Development Plans and in regional and national frameworks, strategies and policies.

Most individual States in Southern Africa have some form of social security, but this is uneven with some countries having developed much more comprehensive and advanced systems, whereas others only provide very basic social security services.

72 J. Kevin Appleby, "Implementation of the Global Compact on Safe, Orderly, and Regular Migration: A Whole-of-Society Approach" *Journal of Migration and Human Security* (2020) At: <https://doi.org/10.1177/2331502420907377>

73 https://migrationnetwork.un.org/sites/default/files/docs/un_network_on_migration_tor.pdf and <https://migrationnetwork.un.org/>

74 https://migrationnetwork.un.org/sites/default/files/documents/final_nw_workplan.pdf

75 https://migrationnetwork.un.org/sites/default/files/docs/tors_esa_11_feb_2020.pdf



In addition, to the extent that social security systems are in place and functioning, they are often only accessible to individuals in the formal economy (and by extension their families), but given the large proportion of individuals and families who do not participate in the formal economy (unemployed, informal traders, self-owned small and medium enterprises), the impact of social security and social protection systems is significantly curtailed.

In addition, to the extent that social protection systems exist and are

functional, the impact is often limited to the confines of individual Member States and there is very little coordination or cohesion in terms of the cross-border applicability of social security and social protection systems. In the context of labour migration, this is an issue that has been identified and is referred to in several poverty alleviation strategies, labour migration frameworks, national social security strategies and other instruments, but few substantive cross-border agreements and/or mechanisms for implementation (in cases where there are such agreements) exist.

6.1 ILO Instruments

6.1.1 Social Security (Minimum Standards) Convention, 1952 (No. 102)

Convention No. 102 is the global flagship instrument on social security and defines worldwide agreed minimum standards for all nine branches of social security. It serves as a benchmark and sets minimum standards of protection for: the coverage of the population, the level of benefits to be provided by social security schemes for each risk and the conditions for entitlement to those benefits, as well as related statistical requirements to demonstrate compliance. The convention further defines a set of core principles irrespective of the type of social security system. These include: the general responsibility of the State for the due provision of benefits and the proper administration of the institutions and services concerned in securing the provision of benefits; the participation of the persons protected in the management of social security schemes; the collective financing of social security schemes; the adjustment of pensions in payment; and the right of appeal in case of refusal of the benefit or complaint as to its quality or quantity. States that ratified C102 have to accept at least three of the nine branches of social security.

With the exception of the Democratic Republic of the Congo, no state in SADC, COMESA or IOC has ratified ILO Convention No.102 (Table 10).

6.1.2 Equality of Treatment (Social Security) Convention, 1962 (No. 118)

Convention No.118 sets out the obligation of equal treatment between nationals and non-nationals. Yet, this is contingent upon reciprocity, which signifies that it does not concern all non-national workers employed in the State which has ratified the Convention, but only those who are nationals of a State which has also ratified the Convention. According to C118, the principle must be granted “both as regards coverage and as regards the right to benefits, [and] in respect of every branch of social security for which it [the ratifying State] has accepted the obligations of the Convention”. Equality of treatment must not be limited by a condition of residence imposed solely upon non-nationals (except for certain non-contributory schemes, the duration of which must not exceed the limits set out in the Convention). States that have ratified the Convention must “endeavour to participate in schemes for the maintenance of acquired rights and rights in the course of acquisition under their legislation of the nationals” of the States for which the Convention is also in force. The provisions of C118 are applicable to refugees and stateless persons, for whom equality of treatment must be secured without any condition of reciprocity.

Only two Southern African countries have ratified C118: the Democratic Republic of Congo and Madagascar (Table 10).

6.1.3 Maintenance of Social Security Rights Convention, 1982 (No. 157)

Convention No.157 provides rules for the adoption of national legislation implementing the principles of the maintenance of rights in the course of acquisition and of acquired rights for migrant workers, in respect of all branches of social security.

None of the Southern African countries have ratified C157 (Table 10).

The Convention is supplemented by the Maintenance of Social Security Rights

Recommendation, 1983 (No. 167) which proposes model provisions for the conclusion of bilateral or multilateral social security instruments as well as a model agreement for the coordination of such instruments.

6.1.4 Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)

Convention No. 19 guarantees to nationals of any Member State that has ratified the Convention, and who suffer personal injury due to work accidents, “the same treatment in respect of workmen’s compensation” as that granted to the nationals of the employment country, without any condition of residence.

All Southern African except Mozambique, Namibia and Seychelles have ratified C19.

6.1.5 Social Protection Floors Recommendation, 2012 (No. 202)

ILO Recommendation No. 202 is another key guiding instrument for the development of national social protection floors and serves as a cornerstone in the promotion of the rights of migrant workers and their families. Despite not being binding, R202 still provides useful guidance to build social protection floors within comprehensive social security systems for all in need and to ensure that migrants and their families have at least access to essential health care and basic income security throughout their life cycle. It calls on States to extend social protection and progressively ensure higher levels of social security to as many people as possible. States “should provide basic social security guarantees to at least all residents and children as defined in national laws and regulations” and subject to their existing international obligations. These guarantees should at least be provided to migrant workers with residence status and children irrespective of their status or their parents or guardians’ status. The wording ‘all’ residents emphasizes that all types or categories of residents and residence status defined under national law should be included whether they are permanent or temporary.

6.2 SADC Instruments

6.2.1 Charter of Fundamental Social Rights in SADC

The Charter of Fundamental Social Rights in SADC is a binding instrument that was adopted and entered into force in 2003. With specific reference to Social Protection (Article 10) and its applicability to migrant workers, the Charter states that:

- Member States shall create an enabling environment so that every worker in the Region shall have a right to adequate social protection and shall, regardless of status and the type of employment, enjoy adequate social security benefits.
- Persons who have been unable to either enter or re-enter the labour market and have no means of subsistence shall be entitled to receive sufficient resources and social assistance.



6.2.2 Code on Social Security in the SADC⁷⁶

The Code on Social Security in the SADC is a non-binding agreement that provides strategic direction and guidelines to SADC Member States in the development, implementation and monitoring of social security systems. It covers a wide range of social security issues, including health care, retirement and old age, unemployment and under-employment, as well as basic social rights, such as education and housing. Specifically, in terms of migrants, foreign workers and refugees, the Code provides for the following:

Code on Social Security

- Member States should work towards the free movement of persons. Immigration controls should be progressively reduced;
- Member States should ensure that all lawfully employed immigrants are protected through the promotion of the following core principles. These principles should be contained in both the national laws of Member States and in bi- or multilateral arrangements between Member States;
- Migrant workers should be able to participate in the social security schemes of the host country;
- Migrant workers should enjoy equal treatment alongside citizens within the social security system of the host country. There should be an aggregation of insurance periods and the maintenance of acquired rights and benefits between similar schemes in different Member States;
- Member States should ensure the facilitation of exportability of benefits, including the payment of benefits in the host country;
- Member States should identify the applicable law for purposes of the implementation of the above principles;
- Member States should ensure coverage of self-employed migrant workers on the same basis as employed migrants. Illegal residents and undocumented migrants should be provided with basic minimum protection and should enjoy coverage according to the laws of the host country; and
- The social protection extended to refugees should be in accordance with the provisions of international and regional instruments.

6.2.3 SADC Cross Border Portability of Accrued Social Security Benefits Framework

In May 2016 SADC published this draft policy framework which makes reference to several international labour standards instruments as well as the relevant SADC

frameworks and policies discussed above, and has the following general principles:

Draft Policy Framework

- Recognition and respect for the equality of all Member States;
- Respect for fundamental and basic human rights enshrined in international, regional and national legal instruments;
- Recognition that labour is not a commodity and that decent work and social security can contribute to economic development, poverty eradication and the improvement of the standard and quality of life in the SADC Region; and
- Recognition of the challenges of precarious employment, underemployment and unemployment; and the need to promote decent employment as a priority in the SADC Region.

The specific objectives of this Framework are to:

- Provide mechanisms to enable workers moving within and outside the SADC Region to keep the social security rights which they have acquired under the legislation of the one Member State;
- Ensure that workers in the SADC Region enjoy equal rights under the social security legislation of the Member States;
- Provide a regional platform for the progressive coordination and integration of social security systems in the SADC Region; and
- Contribute towards the improvement of the standard of living and conditions of employment of persons in the SADC Region.

Section 6 of the framework provides for equality of treatment with nationals, as follows:

- Each Member State will grant within its territory to the nationals of any other Member State equality of treatment under its legislation with its own nationals, both as regards coverage and as regards the right to benefits.
- In the case of survivors' benefits, such equality of treatment will also be guaranteed to the survivors of persons who have been subject to the legislation of one or more Member States, irrespective of the nationality of such persons, where their survivors are nationals or residents of a Member State residing in one of the Member States.
- Benefits payable under the legislation of one or more Member States will not be subject to any reduction, amendment, suspension, withdrawal or confiscation on account of the fact that the primary beneficiary or his/her survivors reside in a Member State other than in which the competent institution responsible for

⁷⁶ https://www.sadc.int/files/2513/5843/3198/Code_on_Social_Security_in_SADC.pdf

providing benefits is situated.

Importantly, the framework notes that it is the responsibility of individual Member States to develop policies and legislation to give effect to the provisions of the framework and that

“ All matters related to the implementation of this Framework will be decided by consensus among Member States. ”

6.2.4 Guidelines on the Portability of Social Security Benefits in SADC

Following the adoption of the Cross-Border Portability of Accrued Social Security Benefits Framework as discussed above, a set of guidelines was published to facilitate the drafting of national policies and to enhance cooperation between SADC Member States. The guidelines provide for the following objectives and scope of application:

Objectives

- Provide for the coordination of social security systems so as to ensure that workers moving within the SADC Region can maintain their social security rights which they have acquired under the legislation of two or more Member States, or enjoy corresponding rights under the legislation of another Member State;
- Make provision for the equality of treatment of nationals and migrant workers under the social security legislation of the Member States;
- Establish rules for determining the applicable legislation governing the rights of social security of a worker at any given point in time to avoid conflict of laws;
- Make arrangements for aggregation of insurance periods completed under the legislation of the Member States for the purpose of determining the right to receive a benefit;
- Provide for the portability of benefits and payment of benefits abroad; and
- Contribute to the improvement of the cross-border payment of social security benefits in the SADC Region.

Material Scope

- a. The Guidelines apply to those of the following branches of social security for which a Member State has legislation in force:
 - i. Invalidity benefits;
 - ii. Retirement benefits;
 - iii. Survivors' benefits;
 - iv. Occupational injury and diseases benefits;
 - v. Family benefits;
 - vi. Maternity benefits;
 - vii. Health insurance benefits;
 - viii. Sickness benefits; and
 - ix. Unemployment benefits.
- b. The Guidelines apply to all general social security schemes, as well as to schemes consisting of obligations imposed on employers by legislation in respect of occupational injury and disease.
- c. When concluding bilateral or multilateral agreements implementing these guidelines, each Member State needs to provide a list of social security legislation and regulations to which the Guidelines apply.
- d. The Guidelines apply to only the aforementioned legislation and regulations as provided by the Member States.
- e. Each Member State will give notice of any amendment to the list (referred to in (c) above) as a result of the adoption of new legislation. Such notice will be given within three months of the date of publication of such legislation.

Personal Scope

Recognising the importance of access to social security and the portability of social security benefits to migrant workers and their families in SADC, Members States agree that the Guidelines apply to:

- a. Migrant workers, including the self-employed, who are or have been subject to the social security legislation of one or more Member States.
- b. The survivors of persons who have been subject to the social security legislation of one or more Member States, irrespective of the nationality of such persons, where the survivors are nationals or resident in one of the Member States.

Equal Treatment

Recognising the importance of access to social security and the portability of social security benefits to migrant workers and their families in SADC, Members States agree that the Guidelines apply to:

- a. Each Member State will grant to migrant workers from any other Member State within its territory equality of treatment with its own nationals under its social security legislation.

- b. In the case of survivors' benefit, such equality of treatment shall be guaranteed to the survivors of persons who have been subject to the legislation of one or more Member States, irrespective of the nationality of such persons, or whether the survivors are nationals or residents of a Member State.

In terms of incorporating these guidelines into national legislation and to ensure harmonization, the following mechanisms are proposed:

- a. Competent institutions responsible for social security will be the primary institutions responsible for implementation of the Guidelines, working through structures and mechanisms as may be agreed upon by cooperating Member States;
- b. SADC Committee of Ministers of Employment and Labour and Social Partners will be responsible for putting in place policy measures to support implementation of the Guidelines;
- c. SADC Secretariat shall be responsible for coordinating the implementation of regional programmes that further the objectives of the Guidelines, including monitoring and reporting to the Committee of Ministers.

Note: The stocktaking also identified several projects that have explicitly focused on the implementation of social protection policies in the SADC region (see Annex C).

6.3 COMESA Social Charter

The COMESA Social Charter was adopted in February 2014 and draws on Article 143 of the COMESA Treaty which provides for the adoption of such a Charter. The overall aims and objectives of the Charter are to:

- Promote the welfare of the people of the region;
- Improve the quality of life;
- Accelerate economic growth, social progress and cultural development; and
- Enable all individuals from the region to live in dignity and realize their full potential.

The Charter calls on COMESA Member States to cooperate in the establishment of programmes relating to employment and working conditions; labour laws; vocational training and the eradication of adult illiteracy in the region; cultural and sporting exchanges; the prevention of occupational accidents and diseases; the right of association and collective bargaining between employers and workers; radio and television programmes on matters that will promote cultural development of the region; and provision of facilities for persons with disabilities and older persons (elderly).

In terms of the labour laws of Member States, the Charter calls for the following minimum standards:

Charter Minimum Standards

- Introduction of equitable basic working and living conditions including catering for persons with disabilities;
- Specifications of minimum rest periods, annual paid leave, compassionate leave, paid maternity leave, occupational health and safety protection;
- Stipulation of acceptable rules and compensation for overtime and shift work;
- Conditions of employment for every worker to be stipulated in national law,
- A collective agreement or a contract of employment; and specification of minimum measures for the protection of women working at odd hours.

Specifically, in terms of Social Protection, the Charter confirms that Member States shall strive to create an enabling environment so that every worker shall have a right to adequate social protection and shall enjoy adequate social security benefits in accordance with the status and the type of employment established, such as:

Social Protection

- Reduction of people's exposure to risks through the introduction of social insurance programmes such as pension and health insurance schemes;
- Reduction of inequities and improvement of social integration through changes in laws, budgetary allocations as well as retribution measures;
- Enhancement of the capability of the vulnerable groups to protect themselves against risks, hazards and loss of income through labour market programmes such as public works, small business or enterprise development, micro-finance as well as skills development and training;
- Promotion of social assistance and welfare programmes as a way of mitigating the impact of vulnerability of groups like persons with disabilities, the elderly, children, orphans, and persons affected and infected by HIV and AIDS and other communicable diseases;
- Establishment and strengthening of capacity building programmes for the beneficiaries of social assistance so that they graduate to become self-reliant; and
- Building of disaster risk management mechanisms to reduce the socioeconomic impact of random shocks or disasters through effective planning and response as well as promoting the integration of disaster risk management programmes into sustainable development planning and programming at all levels.

6.4 National Social Protection Policies

This section provides information on access to social security by citizens, permanent residents, temporary residents and irregular migrants in relation to social assistance, pensions, unemployment, health care, housing and schooling. Table 11 is adapted from Access to Social Services for Non-Citizens and the Portability of Social Benefits within the Southern African Development Community.⁷⁷ Data was unavailable for several countries (such as Angola, Comoros, DRC and Zimbabwe) and refers to the situation in 2011. Table 11 clearly shows that, as expected, citizens enjoy the greatest range of social protection programs and that as legal standing for labour migrants becomes less secure, so access to social protection declines.

Table 11: Access to Social Protection

Country	Social Assistance	National and Occupational Old-age and Disability Pension	Unemployment Benefits	Health Care and Health Insurance	Public Housing	Public Schooling
CITIZENS						
Angola						
Botswana	✓	✓	✓	✓	✓	✓
Comoros						
DRC						
Eswatini	✓	✓		✓	✓	✓
Lesotho	✓	✓		✓	✓	✓
Madagascar						
Malawi	✓	✓		✓		✓
Mauritius	✓	✓	✓	✓	✓	✓
Mozambique						
Namibia	✓	✓		✓	✓	✓
Seychelles						
South Africa	✓	✓	✓	✓	✓	✓
Tanzania	✓	✓		✓	✓	✓
Zambia	✓	✓		✓		
Zimbabwe						

⁷⁷ Lethokwa George Mpedi and Nicola Smit (Eds.), Access to Social Services for Non-Citizens and the Portability of Social Benefits within the Southern African Development Community (Bloemfontein: Sun Press, 2011).

Country	Social Assistance	National and Occupational Old-age and Disability Pension	Unemployment Benefits	Health Care and Health Insurance	Public Housing	Public Schooling
PERMANENT RESIDENTS						
Angola						
Botswana				✓	✓	✓
Comoros						
DRC						
Eswatini		✓		✓		
Lesotho		✓		✓	✓	✓
Madagascar						
Malawi	✓	✓		✓		✓
Mauritius	✓	✓	✓	✓	✓	✓
Mozambique						
Namibia	✓	✓		✓	✓	✓
Seychelles						
South Africa	✓	✓	✓	✓	✓	✓
Tanzania	✓	✓		✓	✓	✓
Zambia	✓	✓		✓		
Zimbabwe						
TEMPORARY RESIDENTS						
Angola						
Botswana					✓	✓
Comoros						
DRC						
Eswatini		✓				
Lesotho						✓
Madagascar						
Malawi		✓				

Mauritius				✓		
Mozambique						
Namibia		✓		✓		✓
Seychelles						
South Africa		✓		✓		
Tanzania	✓	✓		✓		✓
Zambia		✓				
Zimbabwe						

Country	Social Assistance	National and Occupational Old-age and Disability Pension	Unemployment Benefits	Health Care and Health Insurance	Public Housing	Public Schooling
IRREGULAR MIGRANTS						
Angola						
Botswana						
Comoros						
DRC						
Eswatini						
Lesotho				✓		✓
Madagascar						
Malawi						
Mauritius						
Mozambique						
Namibia						
Seychelles						
South Africa						
Tanzania	✓			✓		✓
Zambia						
Zimbabwe						

7. QUALIFICATIONS FRAMEWORKS⁷⁸

7.1 SADC Protocol on Education and Training

The Protocol was adopted in 1997 and came into force in July 2000. The Protocol provides for cooperation between SADC Member States in the following areas:

- Policy for education and training;
- Basic education;
- Intermediate education and training;
- Higher education;
- Distance education;
- Training fund
- Research and development;
- Lifelong education and training;
- Publishing and library resources.

The Protocol serves as a guide for the SADC Education and Skills Development Programme which facilitates and coordinates the harmonisation and implementation of regional policies and programme to ensure access to relevant and quality education and training in the SADC region. This is expected to result in availability of educated and skilled human resource in order to contribute to poverty alleviation and regional integration.

7.2 SADC Education and Skills Development Programme

The key elements of the programme include:

- Coordinating the development and implementation of regional policies including Protocols, minimum standards and strategic frameworks on education and training;
- Monitoring of regional, continental and international commitments on education and training;
- Facilitation of exchange programmes, expertise and sharing of information and good practices on education and training-related issues in the SADC region; and
- Coordinating and harmonising SADC position on international commitments.

⁷⁸ For background see Patrick Werquin and Francesco Panzica, Migrant Workers' Skills Portability in Africa at Regional Economic Community and Continental Level: Guidance Towards an African Qualifications Framework (Geneva: ILO, 2018).

7.3 SADC Qualifications Framework (SADCQF)⁷⁹



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In 2011, the SADC Ministers of Education established the SADCQF as a Regional Qualification Framework (RQF) to enable easier movement of learners and workers across the SADC region and internationally. It is underpinned by learning outcomes and quality assurance (QA) principles that will provide a regional benchmark for qualifications and quality assurance mechanisms in eight SADC Member States; namely, Botswana, Lesotho, Mauritius, Namibia, Seychelles, South Africa, Swaziland and Zambia. They have started piloting the alignment of the national qualifications frameworks with the SADCQF and to date the relevant authorities in Mauritius and South Africa report that their National Qualifications Frameworks are fully aligned.⁸⁰ The alignment of the NQFs of Member States with the SADCQF will eventually allow for the mutual recognition and transferability of skills and qualifications across the region. A Technical Committee on Certification and Accreditation (TCCA) – comprising a group of experts from the 16 SADC member states and supported

by the SADC secretariat – was constituted and given the task of implementing the SADCQF. Six implementation areas have been identified and allocated to different countries as follows:

- Governance (SADC secretariat)
- Quality assurance (Botswana)
- Verification (Eswatini)
- Recognition of prior learning, credit accumulation, transfer and articulation (Namibia)
- Advocacy and communication (Zambia); and
- Development and alignment (South Africa).

A recent update reported on progress in implementation to 2018.⁸¹

8. MIGRATION DATA SOURCES

There have been several recent assessments of the quality, reliability and utility of labour migration data in the Southern African region:

High-quality and up-to-date migration statistics are a pre-requisite for designing, implementing and monitoring evidence-based labour migration policies. However, there is still a lack of comprehensive official statistical data on migrant workers at the national, regional and global levels (ILO, 2018)⁸²

Timely, reliable, accessible and comparable data on migration is key to effective migration governance and upholding the rights of migrants. The lack of migration data and objective analysis contributes to the misperception of migration and the manifold negative effects it entails. The lack of a strong evidence base also leads to poorly designed and ineffective policies and programmatic interventions (IOM, 2019)⁸³

Member States recognise that data collection and information management on labour migration remain key challenges and it is therefore important to strengthen the regional and national actors that are involved. Not all the Member States are regularly and timeously collecting labour migration data and the region lacks robust knowledge products that are informed by rigorous research on labour migration (SADC, 2020)⁸⁴. Regional data on migration in Southern Africa are very limited, and existing data are largely on migrant remittances (and) there are no regional statistics on labour migration – a key migration factor in the region – and its contribution to economic development (GMDAC Migration Data Portal)⁸⁵.

This section therefore identifies (a) the major global databases relating to labour migration to and within the Southern African region and what can be inferred about general migration and labour migration characteristics; and (b) other assessments on the quality of the labour migration data for Southern Africa.

8.1 UN DESA International Migrant Stock⁸⁶

The UN DESA International Migrant Stock database is the most comprehensive global database available on migrant stocks (defined as the number of foreign-born persons in a country). The most useful component of the database for Southern Africa are the bilateral tables which show, for every country in the region the number of foreign-born people in each as well as the countries where they were born. This means that it is also possible to estimate the total size of the migrant stock of each country, the regions and countries from which they come (both within and outside Southern Africa), and to disaggregate the migrant population by gender and age. The database has been updated every five years since 1990 which means that it is also possible to track bilateral and aggregate migration trends over time.

⁷⁹ <https://www.saqqa.org.za/docs/webcontent/2017/SADCQF%20booklet.pdf>

⁸⁰ Report on the Alignment of the South African National Qualifications Framework (SANQF) to the Southern African Development Community Qualifications Framework (SADCQF) At: http://197.81.195.225/docs/notices/2018/SADCQF%20alignment%20report_25102018.pdf; Draft Report on the Alignment of the Mauritian National Qualifications Framework (NQF) to the SADC Qualifications Framework (SADCQF) At: <http://www.mqa.mu/English/Documents/FS/Report15042019.pdf>

⁸¹ Coleen Jaftha and Joe Samuels, "Building Trust for Better Movement Across SADC: August 2018 Update on the SADC Qualifications Framework (SADCQF)" At: <https://www.umalusi.org.za/docs/misc/2018/An-update-on-the-SADC-Qualifications-Framework.pdf>

UN DESA figures are widely cited and used as an authoritative and accurate source of migration numbers, trends and flows in Southern Africa. UN DESA has noted that “researchers and analysts are advised to use the database with caution.”⁸⁷ For example, many of the numbers in the latest update are based on projections from census data collected more than a decade ago. In the case of Southern Africa, UN DESA has provided a general guide to how it makes its projections and has promised more information on how it estimates migrant numbers for Southern African countries.⁸⁸ As they note:

We are currently working on revising our methodology for the estimates which will allow us to depict uncertainty more explicitly, however this information is not yet systematically available. We know that the uncertainty varies considerably by country and region and depends largely on the availability, completeness and coverage of empirical data. Data on migrants in an irregular situation are generally included. Where deemed necessary due to coverage or other issues, various types of adjustments are applied.

One disadvantage of the UN DESA database is that it does not disaggregate the estimated or projected total migrant stock for each country by type of migration, reason for migration or the employment profile of migrants in a country. As a result, it is not possible to identify the number of migrants in each country who are labour migrants. The migrant stock data for each country includes all foreign-born individuals (even if they immigrated decades ago), as well as children, the elderly, family members who are not migrant workers refugees and asylum seekers, and mixed migration flows.

In terms of overall trends in migrant stock, UN-DESA data suggests that the overall number of migrants in Southern Africa remained relatively stable between 1990 and 2010 at 4-5 million but accelerated rapidly by over 3 million between 2010 and 2019 to the current figure of nearly 7.9 million (Table 12). Angola, DRC, South Africa and Tanzania – account for 96% of this increase (and 81% of the total migrant stock in the region). In most other countries, the numbers are relatively stable or have shown only slight increases. Only Comoros recorded a decrease in migrant stock in this period.

Table 12: Total Migrant Stock of Southern African Countries, 1990-2019

Country	1990	1995	2000	2005	2010	2015	2019
Angola	33,517	39,813	46,108	61,329	332,126	632,178	669,479
Botswana	27,510	40,168	74,934	84,614	94,614	103,268	110,596
Comoros	14,079	13,939	13,799	13,209	12,618	12,555	12,504
DRC	754,194	1,816,963	744,387	622,869	588,950	824,492	963,833
Eswatini	72,085	25,031	22,855	27,097	30,476	31,576	32,310
Lesotho	8,240	7,204	6,167	6,290	6,414	6,572	6,928
Madagascar	23,917	21,177	23,541	26,058	28,905	32,075	34,934
Malawi	1,127,724	241,624	232,620	221,661	217,722	232,803	247,652
Mauritius	3,613	7,493	15,543	19,647	24,836	28,585	28,849
Mozambique	122,332	168,256	195,702	264,679	306,471	321,794	334,665
Namibia	120,641	115,372	135,547	107,347	103,826	101,618	107,561
Seychelles	3,721	5,148	6,574	8,997	11,420	12,791	12,926
South Africa	1,163,883	1,003,807	1,016,963	1,351,031	2,114,801	3,816,695	4,224,256
Tanzania	574,025	1,106,043	928,180	770,846	308,600	261,222	509,166
Zambia	279,029	244,338	321,167	252,749	149,637	127,915	170,249
Zimbabwe	626,821	431,226	410,041	392,693	397,891	398,866	411,257
TOTAL	4,955,331	5,287,602	4,194,128	4,231,116	4,729,307	6,945,008	7,877,165

Source: UN DESA, *International Migrant Stock by Origin and Destination 2019 Update*, Table 1

Table 13 shows the changes in migrant stock within SADC from 1990-2019. The total number of intra-regional migrants was the same in 2019 as it was in 1990 (at around 3.5 million). However, the 1990 data contains large numbers of Angolan and Mozambican refugees who subsequently returned home during the 1990s. Thus 1995 is a better baseline for comparison and shows an increase of 1.4 million through to 2019. The South African share of intra-regional migrants increased from 31% in 1995 to 60% in 2019.

82 ILO, Global Estimates on International Migrant Workers, Labour Migration Branch & Department of Statistics, International Labour Organization, Geneva, 2018, p. 1.

83 IOM, IOM Regional Strategy for Southern Africa, 2019-2023 (Pretoria, 2019), p. 7.

84 SADC Secretariat, Draft SADC Labour Migration Action Plan (2020-2025) SADC/ELS/M&SP/2020/7 (Gaborone, 2020).

85 <https://migrationdataportal.org/regional-data-overview/southern-africa>

86 <https://www.un.org/en/development/desa/population/migration/index.asp>

87 Sabine Henning and Bela Hovy, “Data Sets on International Migration” International Migration Review 45(4) (2011): 980-985.

88 United Nations (2019). International Migrant Stock 2019 (New York: UN Department of Economic and Social Affairs, Population Division).

Table 13: Intra-Regional Migrant Stock of Southern African Countries, 1990-2019

Country	1990	1995	2000	2005	2010	2015	2019
Angola	15,176	18,442	21,704	29,474	37,241	85,008	100,140
Botswana	16,446	26,538	39,422	62,587	70,306	76,730	82,169
Comoros	10,973	10,863	10,755	10,295	9,835	9,796	9,755
DRC	468,462	276,402	325,733	262,085	260,002	185,205	179,065
Eswatini	67,508	27,680	25,972	24,461	23,821	23,331	23,394
Lesotho	3,289	2,996	2,855	2,911	2,968	3,040	3,199
Madagascar	8,179	7,242	8,050	8,910	9,876	3,040	3,199
Malawi	1,090,791	172,023	165,609	157,810	155,009	153,189	165,951
Mauritius	283	473	928	1,728	2,628	3,023	3,050
Mozambique	96,492	132,722	154,376	208,794	241,768	257,852	269,161
Namibia	71,173	68,059	91,651	72,631	70,367	68,906	72,978
Seychelles	375	886	1,400	1,419	1,439	1,610	1,625
South Africa	697,936	656,783	655,570	880,073	1,378,650	1,906,942	2,137,519
Tanzania	191,977	105,280	183,782	210,067	112,596	94,636	110,956
Zambia	260,548	221,275	319,092	203,177	100,771	87,782	113,621
Zimbabwe	585,810	375,319	338,200	300,516	274,468	275,965	283,387
TOTAL	3,585,418	2,102,893	2,345,069	2,436,938	2,751,745	3,243,968	3,567,902

Source: UN DESA, *International Migrant Stock by Origin and Destination 2019 Update*, Table 1

A common misconception about migration within Southern Africa is that countries are either countries of origin or destination. However, UN DESA data suggests that every country in the region both sends and receives migrants (Table 14). That said, only three (Angola, Botswana and South Africa) received more than they sent in 2019. Another related misconception is that the countries of the region are being overrun by migrants. Table 14 also shows that migrants make up on average 2.1% of the total estimated population of the SADC region, and they represent only 1.0% if considering only migrants originating from the SADC region. It is also interesting to note that Seychelles is the most important SADC country of destination of migrants as a percentage of its total population. South Africa (7.1%), Botswana (4.7%), Namibia (4.2%), Eswatini (3%), Zimbabwe (2.8%), Mauritius (2.3%), and Angola (2.0%) follow with a migrant population representing more than 2% of their total population. Migrants originating from the SADC region are also significantly present in South Africa (3.6%), Botswana (3.5%), Namibia (2.9%) and Eswatini (2.0%).

Table 14: Migrants by Country of Origin and Destination in the SADC region (in decreasing order of importance by migrants as percentage of total population), 2019

Country	Total No. of International migrants	Within SADC Migration by Country of Origin	Within SADC Migration by Country of Destination	Within SADC Net Migration	Total Population of Destination Countries	Total Migrants as % of Total Population	SADC Migrants as % of Total Population
Seychelles	12,926	18,686	1,625	-17,061	98,460	12.7	1.7
South Africa	4,224,256	89,226	2,137,519	+2,048,293	59,308,690	7.1	3.6
Botswana	110,596	79,136	82,169	+3,033	2,351,630	4.7	3.5
Namibia	120,641	187,691	72,978	-114,713	2,540,920	4.2	2.9
Eswatini	32,310	93,536	23,394	-70,142	1,160,160	3.0	2.0
Zimbabwe	411,257	607,420	283,387	-324,033	14,862,930	2.8	1.9
Mauritius	28,849	15,956	3,050	-12,906	1,265,740	2.3	0.2
Angola	669,479	358,473	100,140	-258,333	32,886,270	2.0	0.3
Comoros	12,504	12,806	9,755	-3,051	869,600	1.4	1.1
Malawi	247,652	298,831	165,951	-132,880	19,129,960	1.3	0.9
DRC	963,833	295,509	179,065	-116,444	89,561,400	1.1	0.2
Mozambique	334,665	921,513	269,161	-652,352	31,255,440	1.1	0.9
Tanzania	509,166	42,139	110,956	+68,817	59,734,210	0.9	0.2
Zambia	170,249	192,970	113,621	-79,349	18,383,960	0.9	0.6
Lesotho	6,928	339,943	3,199	-336,744	2,142,250	0.3	0.2
Madagascar	34,934	14,027	11,932	-2,095	27,691,020	0.1	0.0
TOTAL	7,877,165	3,567,902	3,567,902		363,242,640	2.1 (ayc)	1.0 (ayc)

Source: UNDESA, *UN Migrant Stock by Origin and Destination 2019 Update*, Table 1

Note: Population data from <https://data.worldbank.org/indicator/SP.POP.TOTL>

According to the 2019 UN DESA database, the main origin countries outside Southern Africa include various African, Asian and European countries (Table 15). Eight of the top 20 origin countries are in East, Central and West Africa and include Central African Republic (at 327,000 migrants), Rwanda (2801,000), South Sudan (92,000), Congo (87,000) and Kenya (83,000). The migrant population from two countries, Nigeria and Pakistan, is heavily male dominated with only a quarter of migrants being female. However, nine of the top 20 origin countries send more female than male migrants, including Rwanda, South Sudan, Kenya, Somalia and Uganda.

Table 15: Major Countries of Migrant Origin Outside Southern Africa, 2019

	Total	Male	Female	% Female
Central African Republic	327,186	167,058	160,128	48.9
Rwanda	280,630	139,051	141,579	50.5
UK	151,622	70,503	81,119	53.5
Germany	110,414	50,668	59,746	54.1
South Sudan	92,124	42,385	49,739	54.0
Congo	86,689	43,879	42,810	49.4
India	83,249	47,889	35,360	42.5
Kenya	81,526	36,202	45,324	55.8
Portugal	58,811	30,888	27,923	47.5
China	55,930	31,584	24,346	43.5
Italy	43,0100	21,965	21,045	48.9
Nigeria	37,308	27,507	9,801	26.3
Netherlands	36,381	18,772	17,609	48.4
Somalia	35,888	15,876	20,012	55.8
France	25,873	13,454	12,419	48.0
USA	22,404	9,377	13,027	58.1
Ireland	20,611	15,453	5,158	58.7
Pakistan	20,611	15,453	5,158	25.0
Uganda	20,427	8,998	11,429	56.0

Source: UN Migrant Stock by Origin and Destination 2019, Table 1 Note: African source countries shaded

Another misconception is that the region is characterized by a small number of bilateral migration corridors between pairs of countries. As Table 16 shows, however, migrants from one country typically migrate to a number of other countries. For example, South Africans are found in 12 other countries in the region, while Mozambicans can be found in 10, followed by Congolese, Tanzanians, Zambians and Zimbabweans (in 9). Migrants from all other countries (with the exception of Comoros) are in 5-8 other countries. South Africa receives migrants from all 15 other countries followed by Botswana and Tanzania (at 14) and Namibia (at 12).



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Tables 16: Bilateral Migration Stock Matrix for Southern Africa , 2019

Destination Countries	Angola	Botswana	Comoros	DRC	Eswatini	Lesotho	Madagascar	Malawi	Mozambique	Namibia	Seychelles	South Africa	Tanzania	Zambia	Zimbabwe
Angola				92,242											
Botswana	782			1,133	611	279	563								1,484
Comoros							9,611								
DRC	179,065														
Eswatini	132	40		664		220									
Lesotho		113			37										37
Madagascar			11,932												
Malawi				9,406											
Mauritius							2,298								
Mozambique	39,224			11,497		7,869									62,854
Namibia	39,580	681		3,675	202	130									382
Seychelles							809								
South Africa	69,659	73,310	340	53,363	92,608	331,312	746								108,474
Tanzania	1,123	126	534	79,456	78	133									6,194
Zambia	28,908	1,041		44,073											12,355
Zimbabwe		3,825													107,051
TOTAL	358,473	79,136	12,806	295,509	93,536	339,943	14,027								298,831
Name of Countries	8	7	2	9	5	6	5							5	8

Destination Countries	Mauritius	Mozambique	Namibia	Seychelles	South Africa	Tanzania	Zambia	Zimbabwe
Angola		254	909		6,421		314	
Botswana	233	607	992	10	5,751	818	4,429	64,477
Comoros						144		
DRC								
Eswatini		9,844			12,494			
Lesotho		24	4		2,751	89	72	72
Madagascar								
Malawi		58,344			8,292	9,644	42,971	37,294
Mauritius				125	627			
Mozambique				16,997	20,239	7,449	5,333	97,699
Namibia	109	141		57	8,785	1,136	3,132	14,968
Seychelles	559				257			
South Africa	14,883	376,668*	184,496	1,162		16,769	97,672	716,057*
Tanzania	172	13,138	577	335	638		7,688	764
Zambia		1,476	713		3,487	6,090		15,478
Zimbabwe		121,628			19,524		31,359	
TOTAL	15,956	921,513	187,691	18,686	89,266	42,139	192,970	607,420
No. of Countries	5	10	5	6	12	9	9	9

UN DESA data suggests that the feminization of migration has reached significant levels in the Southern African region with 47% of all migrants being female (Table 17). In all countries (with the exception of Seychelles) at least 40% of the migrant stock is female. Five countries (Comoros, DRC, Malawi and Tanzania) have more female than male migrants.

Table 17: Breakdown by Sex of Migrant Stock in Southern Africa, 2019

	Total	Male	% Female
Angola	341,719	327,760	49.0
Botswana	62,943	47,653	43.1
Comoros	6,047	6,457	51.6
DRC	463,954	499,879	51.9
Eswatini	16,582	15,728	48.7
Lesotho	3,751	3,177	45.9
Madagascar	19,897	15,037	44.2
Malawi	117,932	129,720	52.4
Mauritius	15,979	12,870	44.6
Mozambique	161,731	172,934	51.7
Namibia	57,938	49,623	46.1
Seychelles	9,049	3,877	30.0
South Africa	2,350,362	1,873,894	44.4
Tanzania	251,424	257,742	50.6
Zambia	86,098	84,151	49.4
Zimbabwe	233,652	177,605	43.2
TOTAL	4,199,058	3,678,107	46.7

Source: UN DESA, *International Migrant Stock by Origin and Destination 2019 Update*, Tables 2-3

In terms of the age breakdown of the region's migrant stock, UN DESA calculates that there were just over 1 million migrant children or 14% of total migrants in 2019 (Table 18). There are also 504,000 migrants aged 65 and over (6% of total migrants), leaving 80% of working age (between 15 and 65) or 8% of the total. Almost half are aged between 25 and 45. If the age of a migrant is viewed as a proxy for their ability to work, then it is clear that the majority of migrants in the region (over 6 million) could be classified as labour migrants.

Table 18: Age Breakdown of Migrant Stock in Southern Africa, 2019

Country	0-14 Years	15-24 Years	25-34 Years	35-44 Years	45-54 Years	55-64 Years	65+ Years
Angola	115,015	86,123	156,968	133,754	91,690	52,075	33,854
Botswana	12,616	15,974	28,423	25,097	15,787	7,880	4,819
Comoros	1,453	1,991	2,700	2,571	1,950	1,159	680
DRC	131,074	216,124	234,064	157,039	105,936	70,962	48,634
Eswatini	5,498	3,807	5,960	6,243	4,772	3,240	2,790
Lesotho	858	862	1,687	1,569	1,096	599	257
Madagascar	5,140	4,507	4,971	5,025	4,702	4,423	6,166
Malawi	30,904	39,575	58,166	45,005	33,269	20,672	20,061
Mauritius	1,476	3,101	5,217	7,537	8,384	2,148	986
Mozambique	68,067	56,436	76,448	66,075	38,049	19,758	9,832
Namibia	8,092	15,191	29,430	20,986	13,236	10,051	10,575
Seychelles	967	1,125	3,295	3,666	2,356	988	529
South Africa	546,175	557,619	1,166,717	926,546	474,077	270,503	282,619
Tanzania	86,237	70,743	103,465	91,321	72,604	45,851	38,945
Zambia	21,953	28,078	38,106	32,420	23,119	14,815	11,758
Zimbabwe	40,958	52,630	83,071	85,689	70,793	45,926	32,190
TOTAL	1,076,483	1,153,886	1,998,688	1,610,543	961,820	571,050	504,695
% of TOTAL	13.7	14.6	25.5	20.4	12.2	7.2	6.4

Source: UN DESA, *International Migrant Stock by Origin and Destination 2019 Update*, Table 2

8.2 ILOSTAT Data on Labour Migration

The ILO recently produced global estimates on migrant workers.⁸⁹ The absence of detailed country-level data in the report is due to the unavailability of national data from those countries.⁹⁰

In 2015-2016, ILO conducted a metadata survey in 229 Member countries and territories.⁹¹ The ILO developed seven different questionnaires to identify the most common sources of data for international migrant workers.⁹² The overall response rate from Southern African countries was 63%. The number of migration metadata sources reported by Southern African countries are shown in Table 19.

⁸⁹ ILO, *Global Estimates on International Migrant Workers: Results and Methodology*. 2nd Ed. Geneva: International Labour Office, 2018.

⁹⁰ Communication from Andonirina Rakotonarivo, ILO Geneva.

⁹¹ https://www.ilo.org/ilostat-files/SSM/SSM9/SSM9_E.html#S

⁹² ILO, "Analysis of the ILO Country Survey on International Migrant Workers" At: <https://www.ilo.org/ilostat-files/SSM/SSM9/Analysis%20of%20the%20ILO%20Country%20Survey.pdf>

Table 19: Results of ILO Metadata Survey for Southern Africa

	No. of Metadata Sources Reported	Links
Angola	0	
Botswana	0	
Comoros	4	https://www.ilo.org/ilostat-files/SSM/SSM9/COMOROS.pdf
DRC	6	https://www.ilo.org/ilostat-files/SSM/SSM9/DRC.pdf
Eswatini	3	https://www.ilo.org/ilostat-files/SSM/SSM9/ESWATINI.pdf
Lesotho	3	
Madagascar	0	
Malawi	0	
Mauritius	4	https://www.ilo.org/ilostat-files/SSM/SSM9/MAURITIUS.pdf
Mozambique	4	https://www.ilo.org/ilostat-files/SSM/SSM9/MOZAMBIQUE.pdf
Namibia	0	
Seychelles	3	https://www.ilo.org/ilostat-files/SSM/SSM9/SEYCHELLES.pdf
South Africa	4	https://www.ilo.org/ilostat-files/SSM/SSM9/SOUTH%20AFRICA.pdf
Tanzania	2	https://www.ilo.org/ilostat-files/SSM/SSM9/TANZANIA.pdf
Zambia	3	https://www.ilo.org/ilostat-files/SSM/SSM9/ZAMBIA.pdf
Zimbabwe	4	https://www.ilo.org/ilostat-files/SSM/SSM9/ZIMBABWE.pdf

Statistics from official sources, mainly labour force surveys, censuses and administrative datasets, are collected using the International Labour Migration Questionnaires (ILMQ) developed by the ILO.⁹³ In July 2018, ILO Statistical Department (STATISTICS) restarted collection of international labour migration statistics from all governments using the ILMQ. The ILOSTAT database also collects information on 51 different international labour migration data indicators at the national level for all countries.⁹⁴

⁹³ A copy of the ILMQ is available in ILO, Guide on Developing an International Labour Migration Statistics Database in ASEAN (Bangkok, 2015), pp. 22-27. The ILMQ Database can be accessed from the ILOSTAT portal at <https://ilostat.ilo.org/topics/labour-migration/>

⁹⁴ <https://ilostat.ilo.org/>

The primary data source used in ILOSTAT is national Labour Force Surveys. There is some use of other surveys in some countries (such as Integrated Household Surveys, and Household Income and Expenditure Surveys). Census data is occasionally incorporated. Only one of the 51 categories uses administrative data (Mozambique in Q42). The content of the database reflects the data submitted by the countries to the ILO in response to that questionnaire and, according to ILO, very few African countries have submitted data based on administrative records. Table 20 provides a list of each indicator, which countries in Southern Africa are included in that indicator, and for what years.

Table 20: ILOSTAT Labour Migration Indicators in Southern Africa

1. Working-age population by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2011, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
2. Working-age population by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
3. Working-age population by sex, education and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2011, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014),
4. Working-age population by sex, education and citizenship	Botswana (2006, 2009), Comoros (2014), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
5. Stock of nationals abroad by sex and country of residence	Eswatini (2017)
6. Inflow of foreign-born working-age population by sex and country of birth	Namibia (2018)

7. Inflow of working-age non-citizens by sex and country of citizenship	
8. Inflow of foreign-born working age population by sex and education	Namibia (2018)
9. Inflow of working-age non-citizens by sex and education	Namibia (2018)
10. Inflow of nationals returned from abroad by sex and country of previous residence	
11. Inflow of foreign-born employed persons by sex and economic activity	
12. Foreign-born working-age population by sex and country of birth	
13. Inflow of employed non-citizens by sex and economic activity	Namibia (2018)
14. Inflow of foreign-born employed persons by sex and occupation	Namibia (2018), Zambia (2017)
15. Inflow of employed non-citizens by sex and occupation	

16. Outflow of nationals by sex and country of destination	Namibia (2018)
17. Non-citizen working-age population by sex and country of citizenship	
18. Labour force by sex, age and place of birth	
19. Labour force by sex, age and citizenship	Mauritius (2011), Zambia (2017)
20. Labour force participation rate by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
21. Labour force participation rate by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005,2012), Eswatini (2016), Madagascar (2012), Namibia (2012-2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
22. Employment by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
23. Employment by sex, age and citizenship	Botswana (2006, 2009), Comoros (214), DRC (2005, 2012), Eswatini (216), Madagascar (2012), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
24. Employment by sex, economic activity and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
25. Employment by sex, economic activity and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)

26. Employment by sex, occupation and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
27. Employment by sex, occupation and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
28. Employment by sex, status in employment and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
29. Employment by sex, status in employment and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
30. Employment-to-population ratio by sex, age and place of birth (7)	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
31. Employment-to-population ratio by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
32. Employment distribution by economic activity (by sex and place of birth)	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
33. Employment distribution by economic activity (by sex and citizenship)	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
34. Employment distribution by occupation (by sex and place of birth)	Angola (2009), Comoros (2014), Eswatini (2016), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)

35. Employment distribution by occupation (by sex and citizenship)	Botswana (2006, 2009), Comoros (2014), DRC (2005), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016), Seychelles (2014-2018), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
36. Employment distribution by status in employment (by sex and place of birth)	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
37. Employment distribution by status in employment (by sex and citizenship)	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
38. Employed foreign-born persons by sex and country of birth	Namibia (2018), Zambia (2018)
39. Employed non-citizens by sex and country of citizenship	Mauritius (2011)
40. Outflow of nationals for employment by sex and country of destination	
41. Outflow of nationals for employment by sex and education	
42. Outflow of nationals for employment by sex and economic activity	Mozambique (2018)
43. Outflow of nationals for employment by sex and occupation	

44. Unemployment by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2013, 2017), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
45. Unemployment by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
46. Unemployment rate by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
47. Unemployment rate by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Mauritius (2011), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017), Zimbabwe (2014)
48. Mean nominal monthly earnings of employees by sex and place of birth	Comoros (2014), Eswatini (2016), Malawi (2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
49. Mean nominal monthly earnings of employees by sex and citizenship	Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Namibia (2012-2014, 2016, 2018), Tanzania (2006), Zambia (2017), Zimbabwe (2014)
50. Persons outside the labour force by sex, age and place of birth	Angola (2009), Comoros (2014), Eswatini (2016), Malawi (2005, 2011, 2013), Namibia (2016, 2018), Zambia (2017), Zimbabwe (2014)
51. Persons outside the labour force by sex, age and citizenship	Botswana (2006, 2009), Comoros (2014), DRC (2005, 2012), Eswatini (2016), Madagascar (2012), Namibia (2012-2014, 2016, 2018), Seychelles (2014-2019), Tanzania (2006, 2014), Zambia (2017)

8.3 World Bank Remittances Database⁹⁵

Data on total annual remittance outflows and inflows for each Southern African country is available for the period to 2018. The methodology for calculating remittance flows is based on balance of payments, estimated by central banks at the national level and compiled by the International Monetary Fund (IMF). Relevant data on remittance inflows was extracted from the database for the period 2010 to 2018 (Table 21). According to the WB, the volume of all remittances into Southern African countries increased from USD4.6 million in 2010 to USD7.0 million in 2018. Countries

experiencing a major increase included Botswana, Comoros, DRC, Eswatini, Malawi, and Mozambique. Countries with declining remittance inflows included Angola, Mauritius, and South Africa. Most of the other countries had relatively stable flows over the last decade. Thereafter the volume fell in 2019 and 2020, the latter primarily a result of the COVID-19 pandemic.

Table 21: ILOSTAT Labour Migration Indicators in Southern Africa

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Migrant remittance inflows (USD million)											
Angola	8	3	2	1	4	11	31	37	40	11	29
Botswana	35	59	32	36	25	30	46	36	20	20	22
Comoros	161	169	134	132	131	129	126	116	110	108	87
DRC	1,109	2,076	1,823	1,076	593	1,167	756	1,001	856	1,128	16
Eswatini	112	126	126	144	98	96	96	75	89	64	55
Lesotho	471	543	629	596	490	371	393	463	555	649	610
Madagascar	392	408	426	343	299	327	344	358	330	335	456
Malawi	189	217	182	78	39	41	38	34	28	25	22
Mauritius	285	319	191	140	194	224	327	249	249	249	226
Mozambique	349	299	296	258	93	143	155	152	174	130	116
Namibia	64	66	54	48	66	47	81	64	80	79	69
Seychelles	10	24	23	22	22	18	15	13	18	25	17
South Africa	811	890	929	874	755	825	913	971	1,085	1,158	1,070
Tanzania	409	433	413	403	403	388	389	382	390	410	344
Zambia	135	98	107	94	38	47	58	54	73	46	44
Zimbabwe	1,220	922	1,730	1,730	1,856	2,047	1,904	1,890	2,114	1,919	1,413
TOTAL	5,760	6,652	7,094	5,976	5,107	5,910	5,675	5,895	6,211	6,357	4,596

⁹⁵ <https://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT>

The South African Reserve Bank (SARB) has provided a dataset tracking formal remittances on a per-country basis for the period 2016 to 2018 (Table 22).⁹⁶ This data covered four relevant balance of payments components, as well as cross-border bank card transactions by individuals. The data suggests a significant increase in remitting to Malawi, Lesotho, and Mozambique, and a decline in remitting to Zimbabwe over this three-year period.



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⁹⁶ FinMark Trust, SADC Remittance Values and Volumes 2018: Research Report (Pretoria, 2020). This report contains useful supplementary quantitative and qualitative information on remitting channels and practices. However, large-scale representative data on the use and impacts of remittances has not been collected since the SAMP household surveys in recipient countries in 2005-8; Jonathan Crush and Wade Pendleton, "Remitting for Survival: Rethinking the Development Potential of Remittances" *Global Development Studies* 5(2009): 1-28.

Table 22: Remittance Outflows from South Africa, 2016-2018

Migrant remittance outflows (ZAR million)	Total	2016	2017	2018
Zimbabwe	11,922.96	4,656.24	4,091.84	3,174.89
Malawi	4,777.90	843.22	1,681.53	2,353.15
Lesotho	2,621.18	446.19	857.88	1,317.10
Mozambique	1,510.99	453.89	455.44	601.65
Zambia	1,382.29	425.63	464.23	492.42
Namibia	1,019.92	350.91	345.87	323.14
Botswana	638.84	204.44	203.50	230.91
Mauritius	608.13	162.50	213.23	233.40
Tanzania	562.28	166.50	189.63	206.14
DRC	446.23	102.35	147.12	196.75
Eswatini	413.65	123.37	135.84	154.44
Madagascar	86.90	28.85	27.42	30.62
Angola	38.27	15.58	11.71	10.98
Seychelles	41.10	11.20	14.17	15.73
Comoros	5.68	1.31	1.76	2.62
TOTAL	26077.32	7992.18	8741.17	9343.94

Source: SARB/Finmark Trust

8.4 Regional Labour Migration Data

8.4.1 African Union (AU)

The 2018 Revised African Union (AU) Migration Policy Framework for Africa and Plan of Action (2018-2030) lays out a broad agenda for migration governance on the continent over the next decade (see 7.2). With regard to migration data, the AU Revised Migration Policy Framework notes that:

- Migration data is key to mainstreaming migration into policy and planning frameworks and development initiatives, and essential to developing effective, evidence-based migration policies and programmes;
- The lack of reliable sex-disaggregated migration data is one of the principal obstacles to effective migration management, policy and cooperation;
- The continuing need for systematic and comprehensive migration data gathering, analysis and exchange on all aspects of migration remains a "critical

challenge” within and between African states.

- National and regional labour migration data collection, analysis and exchange to document the conditions and needs of migrant women and men workers and their families.⁹⁷

The AU Commission has published two editions of its biennial Report on Labour Migration Statistics in Africa.⁹⁸ The first edition was the product of a single stocktaking exercise and provides data to 2014. The second edition updates much of the data to 2017 and also includes new information on the social protection of migrant workers and remittances. The Reports themselves are a concrete deliverable of the AU’s Joint Labour Migration Programme for Development and Regional Integration (JLMP), an initiative of the AU, the ILO, the IOM, and East African Community (EAC).⁹⁹ The Report has several objectives: (a) to compile information on the stocks and flows of international migrants; (b) to assess the quality of labour migration data; (c) to build member state capacity in the collection, compilation and management of labour migration statistics; (d) to serve as a reference for future data collection efforts in Africa and beyond; and (e) to publish the data on the ILO Labour Migration database, ILOSTAT.

The report’s data is based on responses from governments to the ILO’s International Labour Migration Questionnaire (ILMQ). However, the overall response rate for the First Edition from all countries was only 63% and the majority returned incomplete questionnaires which made it difficult to compile and produce international labour migration statistics. The response rate to the ILMQ for the Second Edition was higher (around 87%) but “this high response rate is somewhat deceptive, because many countries did not provide information on a significant number of indicators.”¹⁰⁰ The most significant challenge was determining the number of employed migrant workers with few countries providing relevant data. For example, only Botswana, Eswatini and Namibia in Southern Africa provided relevant data on the employment status, economic activity, occupation and education of employed migrant workers. Nonetheless, the Report estimates that there were 14.4 million international migrant workers in 2017, nearly doubling from 7.5 million in 2008.

Section 4.1 of the Second Edition provides a profile of international migration in Africa including trends in the size of the international migrant population (4.1.1), its spatial distribution by regional economic community (4.1.2), and the number of working-age migrants by sex (defined as anyone over the age of 15) (4.1.3). Section 4.2 focuses on migrant workers and includes sections on trends in the size of the migrant worker population from 2008 to 2017 (4.2.2), its spatial distribution and sex breakdown by economic community (4.2.2), and trends in the number of youth migrant workers by economic community and sex (defined as those aged 15-34) (4.2.3). Section 5 provides additional data on the profile of migrant workers for eight countries including three SAMM participants (Botswana, Eswatini and Namibia).

⁹⁷ AU, Migration Policy Framework for Africa and Plan of Action (2018-2030) (Addis Ababa: African Union), p. 70.

⁹⁸ African Union, Report on Labour Migration Statistics in Africa in 2015 (Addis Ababa: African Union Commission, 2017); African Union, Report on Labour Migration Statistics in Africa: Second Edition 2017 (Addis Ababa: African Union Commission, 2019).

⁹⁹ The JLMP is overseen by the African Labour Migration Advisory Committee; see <https://au.int/lesp/migration>



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No additional data is provided for the major migrant destination countries in the region. The report provides aggregated data for SADC (8.1 million migrants, 6.8 million working-age migrants, and 5 million migrant workers, and 2 million youth migrant workers) and for COMESA (8.7 million, 6.5 million, 4.8 million and 1.8 million). Unlike the first edition, the report contains no breakdown of the migrant or migrant worker population for all 16 SAMM countries.

The Second Edition contains a methodology chapter which identifies several limitations of the data for estimating migrant worker numbers noting, that (a) labour force surveys very rarely look at the migration status of workers; (b) administrative records are often incomplete; (c) nationally-representative household surveys may miss migrants because of the sampling approach adopted; (d) migrants may be difficult to reach and not all household members are likely to be present for interview; (e) long intervals of at least 10 years between censuses may mean that accurate counts quickly date; and (e) irregular migrants are less likely to show up in data collection surveys and administrative records.

The report’s data is based on responses from governments to the ILO’s International Labour Migration Questionnaire (ILMQ).

In May 2021, the AU launched an African Migration Data Network (AfMDN) based in Tunisia in partnership with the IOM GMDAC, OECD and Statistics Sweden to mobilize resources for migration surveys. In December 2020, the African Union also inaugurated an African Migration Observatory on International Migrants Day. The Observatory is housed in the Moroccan capital, Rabat.



8.4.2 Southern African Development Community (SADC)

The 2014 Labour Migration Policy Framework noted that “data on labour migration within SADC is scant at best, with variances from country to country. This itself is an issue that this regional policy must address through arrangements for better collection, management and sharing of data.”¹⁰¹ Under the 2013-2015 LMAP, member states committed to putting in place national labour migration policies by 2020 which included the collection and recording of migration data including mainstreaming labour migration into labour force survey modules and other relevant surveys in order to create national labour migration data banks. Data from national data banks would be incorporated on a regular basis into a SADC Secretariat regional database on intra-regional labour migration. These ambitious plans narrowed in the 2016 Plan to a focus primarily on establishing a Labour Migration Information System (LMIS) and assisting countries to integrating of the SADC labour migration module template into labour force surveys, which was adopted at a SADC-ILO workshop in December 2014. Innovations proposed in the latest LMAP include a Technical Committee on Labour Migration to oversee implementation of the LMAP and operationalising the SADC Labour Market Information System (LMIS) under the related SADC Decent Work Programme. With regard, specifically, to labour migration information and data, the LMAP proposes the production and dissemination of labour knowledge products, including statistical reports and research papers (Objective 2, Output 2.3) including:

- Conducting regular Labour Force Surveys with a module on labour migration at least every two years;
- Producing and disseminating statistical reports on labour migration in the region; and
- Undertaking case studies that profile best practices on labour migration.

The SADC Statistics Group in the Secretariat compiles data from member states into an annual SADC Statistic Yearbook. Yearbooks for the years 2011 to 2014 are available online in the excel spreadsheets format but no yearbooks are online for the years 2015 to 2019.¹⁰²

Table 1.2 of the Yearbook contains data on annual remittance inflows and outflows for 2008-2014 in the form of total flows and % of GDP for each country. The source of data for both tables is the World Bank.¹⁰³ Table 8.2.1 provides country-level data on the total number of non-resident tourists/visitors for the period 1995 to 2014 obtained from the World Tourism Organization and National Statistics Offices. Data on purpose of entry is not included. SADC also publishes an annual publication called SADC Selected indicators available for the period 2012 to 2018. None of the 35 tables in the 2018 report contain relevant information on migration in general or labour migration in particular.

100 AU, Report on Labour Migration Statistics in Africa: Second Edition 2017, p. 3.

101 SADC, “Labour Migration Policy Framework.”

102 <https://www.sadc.int/information-services/sadc-statistics#Yearbook>

103 http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/RemittanceData_Inflows_Apr2015.xls

8.4.3 MIDSA

A Migration Data Side Event was held at the 2019 MIDSA meetings and attended by high-level representatives of NSOs within SADC Member States.¹⁰⁴ Five key priorities for migration data work in the region were agreed by the NSOs:

1. National Coordination and Harmonization:

A need exists to ensure that the coordination and management of migration data at the national level is achieved through an inter-agency coordination group composed of national data suppliers, users and national research and training institutions. The coordination group should:

- gather on a regular basis and expound upon existing inter-governmental consultation frameworks, such as the Migration Profile working group or other national coordination committees;
- facilitate and regulate the dissemination of migration data within and beyond the national level;
- ensure the anonymization of migration data agreed to be disseminated, in line with national regulations and requirements, as well as ensure the respect of data privacy aspects.

2. Regional Coordination and Capacity-Building:

A need exists for governments to support and facilitate the setting-up of a regional technical working group responsible for the harmonization of migration indicators and definitions across countries,

as well as to facilitate and regulate aspects related to the management and dissemination of migration data beyond the national level:

- The technical working group should be represented by selected focal points from Ministers of Internal Affairs, National Statistical Offices, and national research/training institutions;
- Training of Trainers (ToTs) capacity-building activities should be developed at the regional technical working group level, to be then cascaded at the national level in order to capacitate all relevant national actors regarding the collection and analysis of harmonized migration data.

3. Enhancement of migration data collection:

The potential of the upcoming round of populations censuses should be capitalised, ensuring that the maximum number of migration-relevant questions is included. The conduction of standardized and comparable migration surveys in all Southern African countries should be explored.

4. Strengthening of administrative data management:

A need exists to maximise the cooperation between National Statistical Offices and migration data suppliers with respect to data collection, archiving, and reporting of standardised statistical instruments, with the goal of rendering statistics official and agreed at the national level, and to avoid the existence of conflicting information.

- This could be done by facilitating the systematic collaboration of NSOs' personnel with relevant data suppliers, particularly at government levels.
- The systematic availability of NSOs' focal points in relevant institutions would serve to facilitate the collection, analysis and coordination of administrative data scattered across various institutions.

5. Enhancement of data on underreported migrant groups:

Governments to encourage and assist relevant actors to supply information on underreported groups such as emigrants, as well as undocumented and vulnerable migrants (including unaccompanied migrant children and victims of trafficking) that would be useful for statistical purposes and programming.

8.5 Community for Eastern and Southern Africa (COMESA)

In COMESA, statistics development and management is guided by Article 140 of the Treaty which commits Member States to co-operate to create an enabling environment for the regular flow of up-to-date, reliable, harmonised and comparable statistical data on various sectors of economic activity, required for efficient implementation of the objectives of the Common Market. Member States commit to:

- Provide regular and timely statistical data that are reliable, harmonised and comparable, through the harmonisation and adoption of

common methodologies, concepts and definitions to be used in collecting and compiling statistics;

- Harmonise and adopt common statistical classification to be used in compiling their statistics;
- Encourage co-operation among their national statistical systems in the exchange of statistical data covering various sectors of their economic activities such as external trade, agriculture, industry, energy, natural resources, transport, communications, tourism, population, manpower, money and banking, balance of payments, external debt, government finance, prices, purchasing power parities and national accounting investments;
- Promote the exchange of skills and personnel and enhance co-operation in statistical training through the use of existing training institutions;
- Co-operate in the field of data processing; and
- Adopt a Common Market strategy for the implementation of the Addis Ababa Plan of Action for Statistical Development in Africa.

COMESA's Medium Term Strategic Plan (MTSP) for 2016-2020 includes "actively engaging with national, regional and international strategic partners to leverage the benefits of inter-dependence and participatory decision making for the benefit of Member States, the private sector, academia and other stakeholders. It includes collaboration to leverage technical assistance training and sharing

¹⁰⁴ Matteo Busteo, "Strengthening Migration Data Management in Southern Africa: Key Outcomes of MIDSA Side Event of 24/06/2019" (PowerPoint).

¹⁰⁵ COMESA, Treaty Establishing the Common Market for Eastern and Southern Africa (Revised Version 2009). At: https://www.comesa.int/wp-content/uploads/2019/02/comesa-treaty-revised-20092012_with-zaire_final.pdf

of information concerning lessons learned and best practices.”¹⁰⁶ The 2017-2020 Regional Statistics Strategy was crafted to support the priorities of the MSTP by the COMESA Statistics and COMESA Strategic Planning Units and reviewed by the COMESA Committee on Statistical Matters.¹⁰⁷ The Statistics Strategy has three global objectives:

- To ensure that statistics in the region are produced using harmonized frameworks and/or international standards in order to ensure comparability;
- To enhance the quality, availability and comprehensiveness of statistics in the region.
- To ensure a wide dissemination of statistical outputs for use by policy makers and COMESA member States in their review and monitoring of the Common Market.

The COMSTAT Data Hub has major datasets on foreign trade, infrastructure, economy, agriculture and small-scale cross border trade.¹⁰⁸ Work is currently underway with Statistics Sweden and SAMM to develop a labour migration database in COMSTAT.¹⁰⁹ The COMSTAT Data Hub Dashboard contains a Demographics Section with information and data visualization on (a) population and refugee stock; (b) refugee and migrant stock in COMESA; (c) refugee population by country of origin and (d) the refugee population seeking asylum.¹¹⁰ The Dashboard uses UNDESA and UNHCR data to build innovative graphics for each country of the proportion of the total migrant stock that are refugees and asylum seekers for the period 1990-2017.

COMESA’s other work on migration comes from an earlier project with the EU’s MIEUX Initiative funded by the EU and implemented by the International Centre for Migration Policy Development (ICMPD) between 2013 and 2016: the COMESA Migration Data Exchange Mechanism.¹¹¹ The objective of the action was to support COMESA in upgrading its information and data collection systems, especially by investing in the capacity building of National Focal Points for Migration and supporting COMESA in the Ministerial and Heads of Immigration meetings through input to the discussions via EU expertise and good practices in migration data collection and management.

106 COMESA, Medium Term Strategic Plan 2016-2020: In Pursuit of Regional Economic Transformation and Integration. At: [file:///C:/Users/Jonathan%20Scott/Downloads/COMESA-MTSP-2016-2020%20\(1\).pdf](file:///C:/Users/Jonathan%20Scott/Downloads/COMESA-MTSP-2016-2020%20(1).pdf)

107 COMESA, Regional Statistics Development Strategy to Support Its Medium Term Strategic Plan (MTSP) 2016-202 and Regional Integration Agenda from 2018-2020. AT: https://www.comesa.int/wp-content/uploads/2019/04/COMESA-Gazette-Volume-21-Final_upload_web.pdf

108 COMESA Data Hub at <https://comstat.comesa.int/>

109 Communication from Jesse Mertens, ILO.

110 COMESA Data Hub Dashboard at <https://comstat.comesa.int/apps/gallery>

111 For more details see <https://www.mieux-initiative.eu/en/actions/126-comesa-data-management-migration-legislation-irregular-migration-trafficking-in-human-beings>; https://www.mieux-initiative.eu/files/ICMPD%20MIEUX%20Factsheet%20East%20Africa_WEB_EN.pdf; and <https://www.icmpd.org/news-centre/news-detail/project-news-mieux-organises-migration-data-harmonisation-meeting-for-comesa/>

8.6 Regional Migration Data Hub for Southern Africa (RMDHub)

The RMDHub has conducted a number of assessments through its project on ‘Strengthening of Migration Data Collection and Analysis in Botswana, Lesotho, South Africa, Malawi and Zimbabwe.’¹¹² These assessments focus on providing an inventory of migration data sources and gaps in collection and availability of data. The following key data gaps and weaknesses were identified in relation to labour migration:¹¹³

- Most countries lack adequate data on international migrant workers. For example, migrants who enter the countries on asylum and are absorbed in the work force are rarely captured in national data systems. Development of appropriate methodologies for capturing information on the main categories of international migrant workers was discussed as one of the key strategies needed to ameliorate the existing gaps in data on international migrant workers.
- Weak inter-agency migration data harmonization: Limited coordination between relevant stakeholders, migration data compilers and users;
- Absence of a standard format of gathering migration data collecting data by non-statistical departments/agencies;
- Lack of appreciation of the relevance of statistics by the National Statistical System. Collaboration among institutions that collect administrative data on migration reported to be weak.
- Data on migration is fragmented and not homogeneous across different sources in all the countries. A limited coordinated platform for data sharing was noted as well as varying different databases with migration data.
- Sharing of migration data for policy purposes was lacking. It would be practical to set migration data sharing mechanism that allows centralization of data analysis by various institutions or agencies and further elaborated to inform policy-making processes and programming.
- In all five countries, the stakeholders unanimously highlighted the necessity to improve the national coordination mechanisms regulating the management of migration data. Stakeholders highlighted the need for the creation/revitalization of an inter-agency coordination group tasked with the coordination and management of migration data at the national level and composed of national data suppliers, users and national research and training institutions.

112 John Mushomi, “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in Botswana” (Draft Report, July 2019); “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in Botswana” (revised Draft Report, March 2019); “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in Malawi” (Revised Report, July 2019); “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in South Africa” (Revised Draft Report, May 2019); “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in South Africa” (Draft Report, July 2019); “Assessment of Existing Migration Data and Gaps: Strengthening of Migration Data Collection and Analysis in Botswana, South Africa, Lesotho, Zimbabwe and Malawi” (Report for IOM Regional Office, nd).

113 Mushomi, “Assessment of Existing Migration Data and Gaps.”

- Limited automation in the collection of migration data. There is a general need to move away from the paper collection to automation including big data. Few countries only collect migration data regularly using entry and exit cards on borders. Data on entry and Capacities vary across countries.
- Lack of surveys that are specific on migration. All countries collect some information from censuses, but the challenge is analyzing available migration data and linkages to policymaking.
- The paucity of data, lack of comparability, lack of common methodology, need for coordination and the need for the development of policies based on evidence were underscored.
- Computerization of migration data management is below standard with lack of basic technology and applications to analyze and share migration information. Migration information systems available are not integrated and comprehensive. Most administrative data are not computerized and are not in a systematic format.
- Most institutions collect migration data according to the specific needs and mandates and therefore stored differently. As a result, migration data is stored both electronically and manually in paper format. Most data on migration is scattered. Migration information systems available are not integrated and comprehensive. Most administrative data are not computerized and are not in a systematic format
- Limited in-depth data analysis of migration-related data except the reports compiled by the NSOs. Most government institutions do not compile in-depth analytical reports or summary reports of the data collected to be shared with other institutions and implementing agencies.
- Limited demand for migration data coupled with limited knowledge on migration variables make the analysis of migration data inadequate.
- The gap between producers and users of administrative migration data remains wide: user-producer dissemination workshops following completion of reports by the National Statistics office. Migration-related information appears in survey and census reports as a section on a chapter on population dynamics.
- Limited user interface platform exists for the dissemination of migration information which is a current need in the era of technology. This has translated into limited awareness on the need and importance of migration data and information across stakeholders.
- In Botswana, Zimbabwe, Lesotho and Malawi, the gap between producers and users of administrative migration data remains wide. Limited or no use

of e-platforms for the dissemination of migration information was noted. A low levels of awareness on the need and importance of migration data and information across stakeholders was also evidenced.

- One of the major challenges of migration administrative data was sensitivity of some of the data collected by institutions which affects ability of institutions to share data with other agencies. Limited capturing of migration flows due to the usage of porous borders or the absence of formal data capturing system in some border posts;
- Limitations in the processing of data electronically, as well as regarding the potential of using big data;
- Environment disasters pose a challenge for migration statistics and it is recommended that an environmental induced migration data collection in the region. This would require SADC region to have a migration management system that can be updated from time to time.
- Absence of formal data capturing system as a result of reported porous borders in most of the border posts. In order to ameliorate this challenge, SADC countries will need to strengthen joint flow monitoring surveying support.

Recommendations¹¹⁴

- Organize dedicated workshops for better inclusion and advocacy for inclusion of migration questions in the upcoming round of Population and Housing Censuses. Follow up support on inclusion of migration questions into the upcoming censuses for countries for countries in the region;
- The need for cooperation at the regional level for the enhancement of migration data analysis and dissemination while ensuring a common standard measurement that is comparable. Support the countries to set up Standard Operative Procedures (SOPs) in order to provide a harmonized framework and a practical operative tool for organizations dealing with international migration data management. SOPs describe how to facilitate a number of critical phases linked to migration data management, spanning from the specification of user need to the design of appropriate tools required to collect, analyze and disseminate migration data effectively. This should be done in consultation with countries in the region and standards for data collection agreed upon as a region. This should lead to common methodologies across the region on migration data collection;
- A comprehensive approach to migration data strengthening would need to deal with issues of strengthening of migration data infrastructure and coordination mechanisms;
- Strengthen systems monitoring for migrants in the countries and across borders by developing a regional migration information management system;

- Countries that can already benefit from the existence of a national coordination mechanism should strengthen such mechanisms by allowing an aspect of it to be fully dedicated to migration data. Those countries without such infrastructure, should strive to setting up one urgently, in order to facilitate inter-agency coordination and information sharing on migration at the national level and address issues of duplication of information;
- Strengthen the cooperation between NSOs and migration data suppliers with respect to data collection, archiving, and reporting of standardized statistical instruments. This could be done by enhancing operationalization of the NSSs;
- The involvement of training and research institutions in conducting research and working with institutions that collect migration data for further in-depth analysis of migration data needs to be enhanced in all countries. To this end, centres of excellence should be identified in each country to partner with government in research and training in all matters regarding migration data analysis;
- National Statistics offices should be supported to collect, compile, analyze, publish and disseminate of migration statistical information. For example, support countries to prepare Census Analytical Reports targeting Migration as well as support towards updating the national migration profiles;
- Innovative Migration data sources: In order to complement existing data sources and fill current gaps in the migration knowledge base.

8.7 National Labour Migration Data

8.7.1 National Population and Housing Census

The 2010 Population and Housing Census Round potentially provides “a comprehensive source of internationally comparable information because they include questions that can generate information at low levels of resolution relevant to the phenomenon of international migration, including details on country of birth, country of citizenship, country of residence one year or five years prior to the census, and year of arrival in the country.”¹¹⁵ Table 23 lists all recent (and planned) censuses in the 2010 and 2020 Census Round in Southern Africa by country.

Table 23: Date of Population and Housing Censuses in Southern Africa

Country	Last Census	Next Census
Angola	2014	2024
Botswana	2011	2021 ¹¹⁶
Comoros	2003	
DRC	1984	
Eswatini	2007, 2017 ¹¹⁷	2027
Lesotho	2016	2026
Madagascar	1993	2017
Malawi	2018	2028
Mozambique	2017	2027
Namibia	2011	2021
Seychelles	2010	2020
South Africa	2011	2021
Tanzania	2012	2022
Zambia	2010	2020
Zimbabwe	2012	2022

Table 24 shows that apart from basic information on the place of birth/country of origin and nationality of migrants, there are few additional migration-specific questions in the 2010 Census Round. In some cases (Botswana, Eswatini, Lesotho, Malawi, Mauritius and Zimbabwe’s 2017 Inter-Censal survey), questions are asked about absent household members outside the country. A number of census reports contain short sections on international migration (e.g. Botswana, Eswatini, Lesotho,

¹¹⁵ S. Juan and R. Snow, “The Potential of the 2010 population and Housing Census Round for International Migration Analysis” Global Migration Data Analysis Centre (GMDAC), Berlin, 2016, p.3.

¹¹⁶ Statistics Botswana, 2021 Population & Housing Census Cartographic Strategy. At: <http://www.statsbots.org.bw/sites/default/files/publications/2021%20Population%20%20Housing%20Census%20Cartographic%20Strategy.pdf>

¹¹⁷ Only preliminary results have been released from the 2017 census.

¹¹⁴ Mushomi, “Assessment of Existing Migration Data and Gaps.”

Malawi, Tanzania, Zambia, Zimbabwe) but reports dedicated purely to migration are fewer in number (Mauritius, Namibia, South Africa) (see Annex D for details). There is limited evidence of statistics agencies extracting sub-samples of migrants and creating demographic and socio-economic profiles. Similarly, as Annex D shows, there are only a small number of research studies using census data on migration even though many agencies make their data open and accessible.

Table 24: Migration-Related Questions in 2010 Census Round

Topic of Question	Countries
Emigration of household members?	Botswana, Eswatini, Lesotho, Malawi, Mauritius, Zimbabwe (2017)
Reasons for Emigration?	Mauritius
Country/Place of Emigration?	Malawi
Ever Lived Abroad?	None
Reasons for Immigration?	Mauritius, Zambia
Country/Place of Birth of Parents?	Angola, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, South Africa, Tanzania, Zambia, Zimbabwe
Nationality?	Angola, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, Seychelles, Tanzania, Zambia, Zimbabwe
Country/Place of Birth of Parents?	None
Country of Previous Residence?	None
Receipt of Remittances?	Malawi, Namibia
Duration of Visit?	None
Legal Status of Residency?	None
Country of Residence at Specified Past Date?	None

Country of Residence?	None
Reasons for Return Migration?	None
Refugee Status?	None
Purpose of Visit?	None
Duration of Living Abroad?	None
Year or Period of Return?	None
Immigration of Father/Mother?	None
Intention to Live Here for at least 12 Months?	Mauritius
Country of Residence of Parents?	None
Country of Permanent Residence?	None
Displacement/resettlement Due to War?	None
Emigration of Neighbouring Household?	None
Overseas Worker?	None

Source: Adapted from Juran and Snow (2016)

While censuses are potentially valuable sources of labour migration data, “censuses are sometimes conducted infrequently or the data from census are not fully released, or remain under-analyzed.”¹¹⁸ All of these factors constrain the use of the 2010 Census Round for analysis of labour migration across Southern Africa. Using the Census Round to construct an accurate regional picture of labour migration at a single point in time is difficult for a number of reasons:

- Lack of standardization across the region in the way in which migration-related questions are formulated and the data analysed and presented.

- Methodologically, comparative analysis of cross-sectional data from different surveys demands that they be conducted in the same time frame.¹¹⁹ In Southern Africa, the latest national censuses span an eight-year period from Zambia (2010) to Malawi (2018). Only two censuses were actually conducted in 2010, with another three in 2011, and two in 2012. At least four censuses (Eswatini, Lesotho, Malawi and Mozambique) will be considered part of the 2020 Round.
- Census data is already almost a decade old for many Southern African countries. As a result, some countries, as well as the UNDESA, make projections from dated census figures to arrive at current estimates. There are grounds for questioning the basis and accuracy of at least some of these projections, particularly for those censuses taken 8-10 years ago.
- There is no recent census data at all for some Southern African countries, especially Comoros¹²⁰ and DRC and the 2017 data for Madagascar has yet to be made public. DRC's last national census was conducted over 35 years ago.¹²¹

8.7.2 Labour Force Surveys

Labour Force Surveys (LFS) represent a potentially useful source of data on labour migration. The ILO has worked with governments to include a Labour Migration Module in their LFS. If all countries were to include such a module this would clearly yield a significant amount of relevant data on labour migration. To date only six countries have implemented a Labour Migration Module either as part of the LFS or alternative survey such as the multi-purpose survey. In addition, only 10 countries in the region conduct LFSs and the intervals between surveys vary widely (Table 25). Namibia and South Africa have moved to a Quarterly LFS while Lesotho last conducted an LFS in 2008. The LFS collects data on the labour force in situ and does not collect data on migrants working outside the country. Information on Labour Force Surveys, data accessibility and outputs are included as Annex E. South Africa has only included a migration module in its Quarterly Labour Force Survey on two occasions (Q3 2012 and Q3 2017).¹²²

Table 25: Labour Force Surveys Conducted in Southern Africa

Country	Years	Labour Migration Module in Most Recent Survey?
Botswana	2016, 2019(Q3), 2019(Q4)	No ¹
Eswatini	2010, 2014, 2016	No
Lesotho	2008	Yes ²
Malawi	2013	2028
Mauritius	2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018	No ³
Namibia	2012, 2013, 2014, 2016, 2018	Yes (2018)
South Africa	2012, 2017	Yes (2017)
Tanzania	2014	No ⁴
Zambia	2012, 2014, 2017, 2018	Yes (2018)
Zimbabwe	2011, 2014, 2019	Yes (2019)

Note:

- Botswana:** there is no separate labour migration module but has a Labour Force Module.
- Lesotho:** contains a separate migration Module in section H of the questionnaire.
- Malawi:** only some background information was captured such as place of birth, month and year of migration to the current place, and the country or district of previous residence.
- Tanzania:** Chapter 3 section 3.2.5 but very short and limited to internal migration only.

Other official surveys with migration-related data are listed in Annex F.

¹²² Statistics South Africa, Labour Market Outcomes of Migrant Populations in South Africa: 2012 and 2017 (Pretoria: StatsSA, 2019); Christine Fauvelle-Aymar, "Migration and Employment in South Africa: An Econometric Analysis of Domestic and International Migrants (QLFS (Q3) 2012)" MiWOCR Report No. 6, ACMS, University of the Witwatersrand, Johannesburg, 2014.

¹¹⁸ Ibid.

¹¹⁹ Longitudinal studies comparing Census data for different time periods include Yamkela Majikijela and Gabrel Tati, "Structural Changes in the Participation in the Participation of African Migrants in the Labour Force of South Africa (2010-2011)" Alternation 1 (2017): 336-366; Susan Ziehl, "Comparing Migration Data from Post-Apartheid Censuses: A Challenge for Longitudinal Research" South African Review of Sociology 48(2017): 38-62; OECD/ILO, How Immigrants Contribute to South Africa's Economy. OECD Publishing, Paris, 2018.

¹²⁰ Comoros appears not to have participated in the 2010 round. However, annual demographic projections are available for the period 2010 to 2015 but do not include migration information; see the Comoros Data Portal at <https://comoros.opendataforafrica.org/eqobsvc/comoros-census>

¹²¹ The Third Madagascar Census was originally scheduled for 2003 but postponed several times and finally implemented in 2017. According to one source, preliminary results were made available in August 2019; see <https://blogs.worldbank.org/nasikiliza/dear-people-madagascar-how-many-us-do-you-think-there-are>.

8.8 LMAP Data Assessments

A number of Southern African LMAPs include assessments of national data quality and needs:

8.8.1 Eswatini¹²³

Data Sources Cited: Census 2017; 2013/14 & 2016 Labour Force Surveys

Self-Assessed Data Quality

- Administrative data on entries, exits and work permit numbers is limited. Ideally, these should be regularly collected and compared with statistical data;
- Poor coordination of the collection and analysis of relevant labour migration and labour market data for policy formulation, monitoring and evaluation for evidence-based decision making;
- Labour force surveys are conducted every 3 years; hence there are intervals which impede analysis of changing trends;
- No mechanisms to access and share sub-regional (SADC), regional and global labour migration data;
- Having comprehensive, up to date information on labour markets, migration, skills and employment is essential to ensure safe and regular migration leading to economic growth. This includes the establishment of a LMIS;
- Lack of standardised labour migration indicators and data in the main national surveys (Census, LFS, EHIES);
- Limited access to and analysis to existing data limited access and analysis no mechanisms for distribution of existing data analytical capacity among stakeholders.

Data Needs:

- Commitment to establish and maintain a comprehensive data management system including increased efficiency of registration of labour migrants within Eswatini and Emaswati migrants going abroad and returning home;
- Harmonise existing data within various ministries to close gaps, streamline data sources and extract information;
- Establish cooperation with receiving States for data on Emaswati diaspora and workers abroad;
- Prioritize the generation of information and labour migration data through multi-sectoral cooperation and including key indicators related to labour and migration within national surveillance mechanisms.

- Develop an inventory of migrant workers who are abroad;

8.8.2 Lesotho¹²⁴

Data Sources Cited: Census 2017; 2013/14 & 2016 Labour Force Surveys

Self-Assessed Data Quality

- Has a functional labour migration data collection and coordination system which policymakers and other stakeholders use regularly;
- Has a Migration Data Management Framework.

Data Needs:

- Collect data on incoming migrant workers flows through mapping of skills, qualifications to ensure better job matching;
- Conduct a mapping of diaspora communities and develop a related database;
- Establish joint structure responsible for the regular processing and analysis of labour migration data (administrative and statistics) for policy decision and evaluation;
- Establish an information system providing information on wages, conditions of employment/contracts, benefits, etc.

8.8.3 Namibia¹²⁵

Data Sources Cited: Census 2011, UN-DESA

Self-Assessed Data Quality

- With the exception of entry and exit data, immigration data of an administrative nature are difficult to obtain. There is also a problem of inadequately digitised information regarding the issuance of work permits;
- Inadequate information exists on available skills and skills shortages in the country.

Data Needs:

- Data relating to the nationality/country of origin of the prospective immigrant worker need to be obtained, while data in relation to their sex. Age, education and occupation of employment need to be captured as part of the Labour Force Survey;
- Labour migration data shortcomings need to be addressed through enhanced data collection, analysis and availability.

8.8.4 Zimbabwe¹²⁶

Data Sources Cited: 2014 Labour Force and Child Labour Survey (LFCLS)

Self-Assessed Data Quality

- Timeous availability in the public domain of official information and gender disaggregated statistics on labour migration is critical for development of sound policies on labour migration;
- The policy challenge is the lack of integration of engendered labour migration data within the national Labour Market Information System.

Data Needs:

- In collaboration with ZIMSTAT, align all indicators of labour migration to existing standard indicators adopted at AU and SADC levels;
- Develop a Labour Migration Information System that will help gather reliable and accurate data on labour migrants abroad by gender, professions, duration of stay, wages and salaries and working conditions;
- Strengthen/capacitate the migration unit at Zimbabwe National Statistical Agency (ZIMSTAT) and analytical capacity within the MPSLSW;
- Develop engendered systemized registration mechanisms at Embassies on diaspora associations;
- Improve collection and quality of data on remittances so as to create a solid basis for future policy options on remittances;
- Coordinate with labour-receiving countries in providing information about returnees (both legal and irregular migrants) before repatriation;
- Identify the diaspora communities and establish a database to promote networking.

8.9 National Administrative Data

In the course of managing migration flows and administering immigration policies, Southern African governments collect various transactional administrative data. The collection, processing and dissemination of administrative data on labour migration requires a high degree of coordination between national statistical offices and line ministries such as home affairs, immigration and labour.

¹²³ Kingdom of Eswatini, National Labour Migration Policy (Mbabane, nd).

¹²⁴ Ministry of Labour and Employment, National Labour Migration Policy for Lesotho (Maseru, 2018).

¹²⁵ Republic of Namibia, National Labour Migration Policy (Windhoek, 2019).

¹²⁶ National Labour Migration Policy for Zimbabwe (Harare, nd).

A scan of the websites of national statistical agencies in Southern Africa shows that only a small number currently regularly and systematically process and publish administrative statistical data relevant to labour migration flows (Table 26). South Africa seems to make the data available on an occasional basis only. Statistics

South Africa has published two reports on immigration to South Africa based on data generated by the Department of Home Affairs on temporary and permanent permit applications and renewals, types of permits issued, country of origin, and the age and sex breakdown of recipients for 2012 and 2015 respectively.¹²⁷

¹²⁷ Statistics South Africa, Documented Immigrants in South Africa: 2013. Statistical Release PO351.4 (Pretoria: StatsSA, 2014); Statistics South Africa, Documented Immigrants in South Africa: 2015. Statistical Release PO351.4 (Pretoria: StatsSA, 2017).

Lesotho	Bureau of Statistics	Labour Statistics Report
Madagascar		
Mauritius	Statistics Mauritius Digest of International Travel and Tourism Statistics	Digest of Labour Statistics Digest of International Travel and Tourism Statistics
South Africa	Statistics South Africa Department of Home Affairs	PO3-51: Tourism and Migration Annual Reports

2015	Once only	Migrant Claims within Four Quarters of 2013 Work Permit Applicants and Continent Work Permit Applications and Outcome Work Permit Applications and Occupation in four Quarters
		https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=MDG&Lang=EN
2012-2018	Annual	Foreign workers employed in large establishments by industrial group and sex
2012-2018	Annual	Arrivals by country of embarkation Departures by country of disembarkation Total arrivals by age and gender Total departures by age and gender, - Arrivals and departures of Mauritian residents by age, gender, and country of embarkation and disembarkation
2010-2020	Monthly	Number of South African residents and foreign travellers by travel direction Number of South African residents and foreign travellers by travel direction and mode of travel Number of foreign arrivals by region of residence and mode of travel Number of foreign arrivals by sex, age group and region of residence
2010-2020	Annual	Numbers of permanent and temporary residence permits, work permits, deportations

Nine of the Southern African countries that responded to the 2015-16 ILO Metadata Survey listed the administrative data that they collect and who holds the data.¹²⁸ Table 27 consolidates this information. Details about the types of migration information in the listed administrative data (as well as that in censuses and other surveys) is provided in the reports listed in the footnote.

128 <https://www.ilo.org/ilostat-files/SSM/SSM9/COMOROS.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/DRC.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/ESWATINI.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/MAURITIUS.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/MOZAMBIQUE.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/SEYCHELLES.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/SOUTH%20AFRICA.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/TANZANIA.pdf>; <https://www.ilo.org/ilostat-files/SSM/SSM9/ZIMBABWE.pdf>

Table 27: Administrative Data Collected by Countries

Country	No. of Sources Reported	Type of Administrative Data	Responsible Agency
Comoros	2	Arrivals from Abroad at Borders	Directorate of Tourism
		Register of Arrivals at Frontiers	Directorate of Territorial Security
DRC	2	Issuance of Visas	General Directorate of Migration
		Register of National Identification	Ministry of National Economy
Eswatini	1	Ngwenya Border Posts	Immigration Border Control
Mauritius	2	PIO Border Control System	Passport and Immigration Office
		Work Permit Records	Ministry of Labour
Mozambique	2	Border/ Admission Statistics	Migration Service
		Social Security/Social Assistance	Ministry of Labour
Seychelles	1	Migration and Tourism Statistics	Migration and Tourism Statistics
South Africa	2	Migration and Tourism Statistics	Statistics South Africa
		Documented Immigrants	Statistics South Africa

Country	No. of Sources Reported	Type of Administrative Data	Responsible Agency
Zimbabwe	2	International Migration & Tourism Statistics	Zimbabwe National Statistics Agency
		Foreign Recruitment Database	Ministry of Labour

Source: ILOSTAT

Without further investigation it is not possible to state with any precision the full range of migration-related administrative data that is collected by government departments in each Southern African country.

9. WORK ON LABOUR MIGRATION BY NON-STATE ACTORS

9.1 International Labour Organization (ILO)¹²⁹

- Global Action to Improve Recruitment Framework of Labour Migration (REFRAME): as part of ILO's global REFRAME programme¹³⁰, this project in Madagascar involved (a) establishment of an interministerial framework on labour migration; (b) development of a roadmap on professional migration in Madagascar (with IOM); (c) inventory with respect to the provisions of international labour standards on labour migration; (d) negotiations of bilateral labour migration agreements with Saudi Arabia, Lebanon and Mauritius.¹³¹ The REFRAME project falls under the Fair Migration Agenda which has also published technical reports of labour migrants in several key economic sectors including construction, commercial agriculture and mining. The construction industry report contains a case study of South Africa and the mining industry report has a case study on Chinese migrants in Zambia.¹³²
- Global Action Programme on Migrant Domestic Workers and their Families (GAP-MDW) (2013-2016) sought to promote the human and labour rights of migrant domestic workers by concentrating on ten countries and five main migration corridors including Zimbabwe-South Africa. The main output was a guide for Zimbabwean migrant workers seeking employment in domestic service in South Africa.¹³⁴
- Assessing the Economic Contribution of Labour Migration in Developing Countries as Countries of Destination (ECLM) (2014-2018) in collaboration with the OECD Development Centre, this ILO project aimed to assess the economic contribution of labour migration in developing countries of destination.¹³⁵ South Africa was one of nine countries involved in the project. Outputs included a general comparative report and a South Africa country report.¹³⁶

- Farm Workers' Living and Working Conditions in South Africa:¹³⁷ a research project commissioned by ILO in 2015 focused on 10 case study sites across South Africa.

9.2 International Organization for Migration (IOM)

IOM's current regional programme for Southern Africa has six key areas of intervention: labour migration and development; migration health; regional cooperation; immigration and border management, migration assistance; and emergencies and transition. In addition, IOM has country specific programmes. In South Africa, the Regulating Migration Programme is the most relevant of five programmes to labour migration. IOM Mozambique has a Labour Migration and Human Development Programme.

Country Migration Profiles: IOM has published 8 country migration profiles in Southern Africa to date (in order of publication) (Table 28). Although the earlier profiles are now dated, all of the profiles are useful sources of information on migration volumes and trends (including labour migration) as well as indicators of available in-country data sources and gaps.

Table 28: IOM Country Profiles and Migration Governance Profiles in Southern Africa

Country	Title	Year Published	Links
DRC	Migration en République Démocratique du Congo: Profil national 2009, 134pp	2010	https://publications.iom.int/books/migration-en-republique-democratique-du-congo-profil-national-2009
Madagascar	Migration à Madagascar: Profil National 2013, 150pp	2014	https://publications.iom.int/books/migration-madagascar-profil-national-2013
Mauritius	Migration in Mauritius: A Country Profile 2013, 144pp	2014	https://publications.iom.int/books/migration-mauritius-country-profile-2013

129 ILO's previous work on labour migration in Southern and Eastern Africa (to 2015) is summarized at https://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_385959.pdf

130 <https://www.ilo.org/global/topics/labour-migration/projects/reframe/lang-en/index.htm>

131 REFRAME, Examen des lois, politiques et pratiques concernant le recrutement des travailleurs migrants à Madagascar (Geneva : ILO, 2020). At: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_742457.pdf

132 Michelle Buckley, Adam Zende, Jeff Biggar, Lia Frederiksen and Jill Wells, Migrant Work and Employment in the Construction Sector (Geneva: ILO, 2016); Mylène Coderre-Proulx, Bonnie Campbell, Issiaka Mandé, International Migrant Workers in the Mining Sector (Geneva: ILO, 2016).

133 https://www.ilo.org/global/topics/labour-migration/projects/WCMS_222567/lang-en/index.htm#:~:text=Project%20Objectives,risks%20of%20exploitation%20and%20abuse.

134 https://www.ilo.org/global/topics/labour-migration/publications/WCMS_502772/lang-en/index.htm

135 https://www.ilo.org/global/topics/labour-migration/projects/WCMS_344706/lang-en/index.htm#Outputs

Malawi	Migration in Malawi: A Country Profile 2014	2015	https://publications.iom.int/books/migration-malawi-country-profile-2014
Namibia	Migration in Namibia: A Country Profile 2015, 208pp	2016	https://publications.iom.int/books/migration-namibia-country-profile-2015
Seychelles	Migration in Seychelles: A Country Profile 2013, 120pp	2014	https://publications.iom.int/books/migration-seychelles-country-profile-2013
Zambia	Migration in Zambia: A Country Profile 2019, 176pp	2019	https://publications.iom.int/books/migration-zambia-country-profile-2019
Zimbabwe	Migration in Zimbabwe: A Country Profile 2010-2016, 148pp	2018	https://publications.iom.int/books/migration-zimbabwe-country-profile-2010-2016

Governance Profiles	Year	Links
Mauritius	2018	https://migrationdataportal.org/sites/default/files/2018-07/Migration%20Governance%20Snapshot-The%20Republic%20of%20Mauritius.pdf
Lesotho	2018	https://migrationdataportal.org/sites/default/files/2018-09/Migration%20Governance%20Snapshot-The%20Kingdom%20Republic%20of%20Lesotho.pdf
Zambia	2019	https://publications.iom.int/books/migration-governance-indicators-profile-2019-zambia

136 OECD/ILO, How Immigrants Contribute to Developing Countries' Economies (Paris: OECD Publishing, 2018); OECD/ILO, How Immigrants Contribute to South Africa's Economy (Paris: OECD Publishing, 2018).

137 Margaret Visser and Stuart Ferrer, Farm Workers' Living and Working Conditions in South Africa: Key Trends, Emergent Issues, and Underlying and Structural Problems. Report for ILO Pretoria Office, 2015 at https://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_385959.pdf

Developing a Roadmap to Facilitate South-South Labour Mobility in Southern Africa Project (2015-2017) involved nine SADC Member States (DRC, Madagascar, Malawi, Mauritius, Mozambique, Madagascar, Namibia, Tanzania, Zambia and Zimbabwe). The aim was (a) to enhance labour migration management capacities and (b) to build innovative rights-focused frameworks to strengthen regional labour migration plans and policies. Key reference tools drafted by the project included regional guidelines on bilateral labour agreements, a regional labour exporting framework; a model intra-SADC circular migration programme and a regional guide to complement the SADC Labour Migration Action Plan.¹³⁸

Voices from the Underground: Building the Advocacy and Human Rights Capacity of Migrant Mineworkers and their Families (2014 – 2016): involved institutional capacity-building of the Mozambican Mine Workers Association (AMIMO); strengthening legal services for mine workers and families in South Africa and Mozambique in partnership with Lawyers for Human Rights (LHR); and devising advocacy strategies to increase national and regional protection of migrant mine workers and their families.¹³⁹

Partnership on Health and Mobility in East and Southern Africa (PHAMESA) (2004-2017). The programme unfolded in three phases: (a) Partnership on HIV and Mobility in Southern Africa (PHAMSA) (2004-2008)¹⁴⁰; (b) Partnership on Health and Mobility in East and Southern Africa (PHAMESA) (2010-2013)¹⁴¹ and (c) PHAMESA II (2014-2017) and is now officially concluded.¹⁴² PHAMESA activities covered 11 countries (South Africa, Botswana, Mauritius, Mozambique, Namibia, Zambia, Kenya, Tanzania, Uganda, Lesotho and Swaziland) and aimed to improve the management of migration health and reduce migrants' vulnerability to HIV and other communicable diseases. According to the End-of-Project Evaluation, PHAMESA funded or conducted 14 national surveys and health surveillance instruments incorporated various migration-related variables. Six regional studies were conducted.¹⁴³

Partnership on Health and Mobility in the Mining Sector of Southern Africa (2012-2015). This EU-funded project was a response to the SADC Declaration on TB in the Mining Sector and aimed to address the health vulnerabilities of 20,000 migrant mineworkers, their families and affected communities in Southern Africa.¹⁴⁴ The project was designed to pilot interventions which directly improve access to health services for mine worker destination, sending and transit communities. Sexual Reproductive Health and Rights (SRHR)-HIV Knows No Borders (2016-2020)¹⁴⁵ is a collaborative consortium between the IOM, the lead agency, Save the Children Netherlands (SC) and Wits School of Public Health to improve sexual and reproductive health and HIV (SRH-HIV) related outcomes amongst migrants (including migrant adolescents, young people and sex workers) as well as non-migrant adolescents,

138 Regional Guidelines for the Development of Bilateral Labour Agreements in the Southern African Development Community (Maputo: IOM, 2016) at https://publications.iom.int/system/files/pdf/regional_guide_bilateral_labour_agreements.pdf; *Regional Guide to Facilitate South-South Labour Mobility in Southern Africa* (Maputo: IOM, 2016) at https://publications.iom.int/system/files/pdf/regional_guide_to_facilitate_south-south_southern_africa.pdf

139 <https://mozambique.iom.int/voices-underground-building-advocacy-and-human-rights-capacity-migrant-mineworkers-and-their-vozes-do-subsolo>; *Manual de Formação para Profissionais Paralegais sob a Associação de Mineiros Moçambicanos (AMIMO)* (Maputo, 2016).

139 PHAMSA, *HIV and People on the Move: Risk and Vulnerabilities of Migrants and Mobile Populations in Southern Africa* (Pretoria: IOM, 2006).

young people, sex workers and others in migration-affected communities. The project is being implemented in six countries: Eswatini, Lesotho, Malawi, Mozambique, South Africa and Zambia.

9.3 World Bank

Southern Africa TB in the Mining Sector Initiative (2012-2018)¹⁴⁶. In 2012, the SADC Declaration on TB in the Mining Sector was signed by 15 Southern African heads of state to combat the TB epidemic in the region's mining sector. The 2015 SADC Code of Conduct on TB in the Mining Sector operationalised the Declaration. A Framework for the Harmonized Management of TB in the Mining Sector was signed in 2014 with ministries of health in Eswatini, Lesotho, Mozambique, and South Africa. The project was led by the WB's South Africa Knowledge Hub and partners included the World Bank, the Global Fund, the Stop TB Partnership, UK-DFID, the Chamber of Mines and five gold mining companies. A recent publication on the project discusses the partnership's objectives, activities and results and presents five case studies of multisectoral partnerships that were implemented through this regional initiative to address TB in the mining sector in Southern Africa.¹⁴⁷ According to South Africa's Deputy Minister of Mineral Resources, they "make a clear case for strengthening and scaling up cross-border and cross-sector partnerships to address a regional crisis of this nature."¹⁴⁸

9.4 UNHCR

UNHCR (Geneva) funded a recent SAMP project on migrant and refugees working in the South African informal economy as part of its broader project on economic impacts of refugees in urban settings.¹⁴⁹ UNHCR also earlier commissioned an evaluation of its xenophobia related programmes in Southern Africa which details the various programmes.¹⁵⁰

9.5 UNRISD

UNRISD commissioned a report on obstacles to free movement within the Southern African region with a focus on labour migration.¹⁵¹

9.6 Trade Unions

The trade union movement, through the Southern African Trade Union Coordinating Congress (SATUCC), has taken a keen interest in labour migration issues at a regional level. A document titled, "Developing a Cohesive and Transformative Labour Migration Policy Framework for SADC" makes the following statement:

141 IOM, *Regional Assessment on HIV-Prevention Needs of Migrants and Mobile Populations in Southern Africa* (Pretoria, 2011). At: https://southafrica.iom.int/system/files/drupal-private/2010_02_11_Regional%20Assessment_Report.pdf

142 <https://ropretoria.iom.int/sites/default/files/document/PHAMESA%20blurb.pdf>

143 Ibid.

144 <https://www.iom.int/news/partnership-health-and-mobility-southern-african-mining-sector-launched>. For a description of planned activities and outcomes see https://southafrica.iom.int/system/files/drupal-private/Partnershipon_healthandmobility.pdf

145 Sarah Pugh, *Sexual and Reproductive Health and Rights (SRHR)-HIV Knows No Borders: Stories of Change and Best Practices* (Pretoria: IOM and SCI, 2019).

146 <https://www.worldbank.org/en/programs/the-southern-africa-tb-in-the-mining-sector-initiative>

SATUCC needs to contribute towards the development and implementation of a comprehensive regional migration system and policies, while simultaneously strengthening its own capacities, competencies and coordination mechanisms in order to strengthen its ability to positively influence migration and labour related policy outcomes at regional level.¹⁵²

The document lists five key areas for SATUCC action: (a) undertake evidence-based research and analysis on emerging trends on labour migration; (b) invest in capacity development through education, training and conscientisation on labour migration; (c) strengthen advocacy and engagement at regional and national level on ratification and domestication of the relevant labour migration instruments; (d) strengthen networks on labour migration for sharing data and information on emerging trends and possible strategies to address emerging challenges for trade unions regarding labour migration; and (e) strengthen institutional capacities for development of bilateral or multi-lateral trade union agreements on labour migration, including revision and reform of trade union constitutions and structures to include migrant workers.

SATUCC's interest in engaging with labour, including migration issues, is reflected in a Concept Note to establish a SADC Labour Research Centre of Excellence that was submitted to the SADC Employment & Labour Sector (ELS) meeting in Windhoek, Namibia in March 2019. SATUCC notes that only a few of its affiliates have been directly engaged in activities pertaining to labour migration and the protection of migrant workers (see Table 29).

Table 29: SATUCC Affiliates Engaged in Labour Migration

Country	Trade Union	Actions
Botswana	BFTU	Plans underway to convene a meeting for migrants to sensitize them on joining trade unions. Plans in place to develop a migration policy for the federation.
Zimbabwe	ZiCTU	ZiCTU has a focal person on labour migration. ZiCTU participated in the development of the policy including the validation meetings.
Zambia	ZaCTU	Undertook activities on labour migration. Have a focal person on labour migration.
Seychelles, Madagascar, Comoros, Reunion, Mauritania, Mayotte	Trade Union Centres	In 2015 ACTRAV, the ILO Country Office in Madagascar and the ILO Pretoria Office undertook a two-day training workshop on labour migration to sensitize and train unionists to the protection of migrant workers from a Decent Work and Fair Migration perspective.

9.7 Private Sector

Coordinated sectoral data from private sector employees of labour migrants is not readily available in Southern Africa. The main exception is the South African mining industry. The industry has been the major private sector employer of migrant workers in Southern Africa since the late 19th century. In the post-apartheid period, there has been a steady decline in numbers and little recruiting of new workers. TEBA (the mine recruiting organization) has made data freely available on the numbers of mineworkers in South Africa from other SADC countries in the past and are still willing to do so at cost. In the 1970s, the numbers were over 300,000. By 2003, this had fallen to 120,000 and to 43,000 in 2018 (Table 30).

147 Paul Osewe and Barry Kistnasamy, Tuberculosis Must Fall! A Multisector Partnership to Address TB in Southern Africa's Mining Sector (Washington DC: World Bank, 2018).

148 Ibid., p. viii.

149 Jonathan Crush, Godfrey Tawodzera, Abel Chikanda and Daniel. Living with Xenophobia: Zimbabwean Informal Enterprise in South Africa. SAMP Migration Policy Series No. 77, Cape Town, 2017; Jonathan Crush, Caroline Skinner and Manal Stulgaitis, Rendering South Africa Undesirable: A Critique of Refugee and Informal Sector Policy. SAMP Migration Policy Series No. 78, Cape Town, 2017; Vanya Gastrow, Problematizing the Foreign Shop: Justifications for Restricting the Migrant Spaza Sector in South Africa, SAMP Migration Policy Series No. 80, Cape Town, 2018.

150 Jean Pierre Misago, Iriann Freemantle and Loren Landau, Protection from Xenophobia: An Evaluation of UNHCR's Regional Office for Southern Africa's Xenophobia Related Programmes (Pretoria: UNHCR, 2015).

151 Belinda Dodson and Jonathan Crush, Migration Governance and Migrant Rights in the Southern African Development Community (SADC): Attempts at Harmonization in a Disharmonious Region. Research Paper 2015-3, United Nations Institute for Social Development (Geneva, 2015)

152 Southern Africa Trade Union Co-ordination Council (SATUCC) "Regional Research on Migration, "Developing a Cohesive and Transformative Labour Migration Policy Framework for SADC" (no publication).



“ One of the consequences of mine closures, retrenchments and the downsizing of the migrant labour force has been an upsurge in so-called “illegal mining” of gold in shuttered mines.¹⁵³ ”

153 South African Human Rights Commission, Report of the SAHRC Investigative Hearing: Issues and Challenges in Relation to Unregulated Artisanal Underground and Surface Mining Activities in South Africa (Braamfontein: SAHRC, 2015). At: <https://www.sahrc.org.za/home/21/files/Unregulated%20Artisanal%20Underground%20and%20Surface%20Mining%20Activities%20electronic%20version.pdf>

Table 30: Non-South African Migrant Workers on South African Mines, 2006-2018

Year	Botswana	Eswatini	Lesotho	Mozambique	Total
2003	4,204	7,970	54,479	53,829	102,482
2004	3,924	7,598	48,962	48,918	109,402
2005	3,264	6,993	46,049	46,975	103,281
2006	2,992	7,123	46,078	46,706	102,889
2007	2,845	7,099	45,608	44,879	100,431
2008	2,654	6,397	42,851	43,004	94,906
2009	2,357	5,855	38,559	39,090	85,861
2010	1,800	5,009	35,179	35,782	77,770
2011	1,783	4,779	34,583	34,940	76,085
2012	1,527	4,485	30,519	31,596	68,127
2013 - 2015	N/A	N/A	N/A	N/A	N/A
2016	957	3,215	22,704	23,108	49,984
2017	840	2,926	21,234	22,075	47,075
2018	762	2,712	19,410	20,359	43,234

Source: TEBA

The South African Human Rights Commission advocates for the alternative term “unregulated artisanal mining” in its commission of enquiry into the industry. Migrants from Lesotho, Mozambique and Zimbabwe, in particular, are known to participate in this dangerous and unregulated sector. The number of migrants involved is unknown although the Minerals Council estimates that it is in the “many thousands”.¹⁵⁴ Another project funded by the EU puts the number at 30,000.¹⁵⁵ Control and elimination of the practice is a major aim of the Minerals Council who are working with the Department of Mineral Resources, UNODC and UNICRI on the issue.

Private sector inputs and interests in labour and labour migration policy issues at the level of SADC is facilitated through the SADC Private Sector Forum (SPSF). While the SPSF is not directly engaged in any specific initiatives pertaining to labour migration, they represent private sector interests in the tri-partite SADC Employment and Labour Sector (SADC-ELS) and have thus been involved in all the high-level discussions and agreements facilitated by the SADC-ELS, including the SADC Draft Labour Migration Policy Framework and the SADC Labour Migration Action Plan. Importantly, however, on the 12th of June 2020, the SPSF launched a web-based SADC Labour Law Guide via a regional online event. An ILO initiative, this guide provides extensive information about labour laws in all the SADC Member States, including sections on fundamental rights, minimum standards, social security and so on.¹⁵⁶

9.8 Independent Research

The volume of independent research on labour migration in Southern Africa has grown exponentially in the last decade. While this body of research provides valuable insights into migrant motivations and experiences, it is characterised by (a) a very strong focus on migrants in South Africa and the South-Africa Zimbabwe corridor; and (b) reliance on very small sample sizes and qualitative methodologies. Projects and programmes of survey-based research that employ larger sample sizes with some degree of representativeness are summarized in Annex F.

10 COVID-19 and Labour Migration

On 30 January, the World Health Organization (WHO) declared a global health emergency of the highest concern for the SARS-CoV-2 virus and associated COVID-19 pandemic. By 31 October 2020, 60.5 million people worldwide had tested positive for COVID-10 and 1.4 million people had died. A year later, at the beginning of September 2021, these figures had increased to 222 million cases and 4.6 million deaths. These numbers are widely seen as underestimating the extent of the pandemic given widespread asymptomatic spread, limited testing capacity in many countries and attribution of death to co-morbidities. Compared to other regions, SARS-CoV-2 was slower to arrive from Europe and spread within Southern Africa. South Africa has been most affected but no country in the region has been unaffected. In October 2020, there were nearly 900,000 diagnosed cases in Southern Africa and 23,000 deaths.

Nearly a year later, these numbers had risen to nearly 4 million cases and 106,000 deaths (Table 31). Given factors such as high rates of asymptomatic spread, lack of access to healthcare facilities and medical care for symptomatic cases, and (in some countries) political interference in the form of COVID denialism, it is highly likely that the actual number of cases and deaths is much higher in most countries. As one 2021 study notes on the basis of seroprevalence testing, “so far, the reported prevalence of SARS-CoV-2-specific antibodies is several orders of magnitude higher than would be expected from the reported cases.”¹⁵⁷ Another study of COVID-related deaths points out that the official figures are based only on hospital data and that the number of deaths may be more than double that reported.¹⁵⁸

¹⁵⁴ <https://www.mineralscouncil.org.za/work/illegal-mining>

¹⁵⁵ Alan Martin, “Uncovered: The Dark World of the Zama Zamas” ENACT Policy Brief, Pretoria, 2019.

¹⁵⁶ <https://www.sadclabourlawguide.spsf.org/bw/country/>

¹⁵⁷ Sofonius Tessema and John Nkengasong, “Understanding COVID-19 in Africa” Nature Reviews Immunology 21 (2021): 469-470.

¹⁵⁸ D Bradshaw, R. Dorrington, R. Laubscher, T. Moultrie and P. Groenewald, “Tracking Mortality in Near to Real Time Provides Essential Information About the Impact of the COVID-19 Pandemic in South Africa in 2020” South African Medical Journal 111(8) (2021): 732-739.



Table 31: COVID-19 in Southern Africa, 7 September 2021

Year	Designed Cases	Cases Per Million	Reported Deaths	Deaths Per Million
South Africa	2,824,063	46,919	83,617	1,389
Zambia	207,294	10,916	3,620	191
Botswana	162,186	67,366	2,309	959
Mozambique	148,054	4,586	1,881	58
Zimbabwe	125,681	8,313	4,493	297
Namibia	125,659	48,421	3,412	1,315
Malawi	60,852	3,087	2,217	112
DRC	55,307	596	1,061	11
Angola	48,790	1,432	1,282	38
Eswatini	44,234	37,667	1,156	984
Madagascar	42,884	1,503	616	34
Seychelles	20,323	205,106	108	1,090
Lesotho	14,395	6,657	403	186
Mauritius	11,466	8,998	32	25
Comoros	4,086	4,584	147	165
Tanzania	1,367	22	50	0.8
TOTAL	3,896,642		106,404	

Source: <https://www.worldometers.info/coronavirus/?#countries>

To try and contain the spread of this virus, a range of extraordinary and emergency conditions were imposed globally by governments as public health measures. For the first time in history, nearly all of the countries in the world closed their borders to regular activities, banned the entry of tourists, migrants and non-citizens, severely limited international travel and migration, and imposed strict lockdowns on all residents and shuttered all but essential economic and public health activities. Table 32 shows the measures imposed in Southern African countries. By 1st September 2020, most countries had also banned the arrival of citizens of over 200 countries/territories/areas (C/T/As), with the exception of DRC, Malawi, Tanzania and Zambia. Malawi and Zambia permitted the controlled entry from around 100 C/T/As, while DRC and Tanzania lowered their restrictions for a larger number of countries and territories (IOM, 2020e). Many of these restrictions on cross-border mobility have been lifted but movement within and to the region has not yet reached pre-pandemic levels. Along with border closures and travel restrictions, strict internal lockdowns were undertaken from March onwards, greatly unsettling the regular rhythms of social and economic activities within and across borders. South Africa organized two such lockdowns lasting for a period of 35 days.¹⁵⁹

Table 32: Distribution of COVID-19 Responses¹⁶⁰

Year	School Closures	Workplace Closures	International Travel Restrictions	Workplace Closures	Social Distancing
Angola	Yes	Yes	Yes	Yes	Yes
Botswana	Yes	Yes	Yes	Yes	Yes
Comoros	Yes	Yes	No	Yes	Yes
DRC	Yes	Yes	Yes	Yes	Yes
Eswatini	Yes	Yes	Yes	Yes	Yes
Lesotho	Yes	Yes	Yes	Yes	Yes
Madagascar	Yes	Yes	Local	Yes	Yes
Malawi	Yes	Yes	None	Yes	Yes
Mauritius	Yes	Yes	Yes	Yes	Yes
Mozambique	Yes	Yes	None	Yes	Yes
Namibia	Yes	Yes	Yes	Yes	Yes
Seychelles	Yes	Yes	Yes	Yes	Yes
South Africa	Yes	Yes	Yes	Yes	Yes
Tanzania	Yes	Yes	Yes	Yes	Yes
Zambia	Yes	Yes	Yes	Yes	Yes
Zimbabwe	Yes	Yes	Yes	Yes	Yes

10.1 Short - Term Impacts

- All forms of labour migration were immediately and severely impacted by border closures. Migrants seeking entry through official land border posts were denied entry to their country of destination or transit. Airline travel from outside the region also ceased for long-distance migrants.
- The most obvious and immediate impact of COVID-19 in 2020 was the effect on migration flows of the closure of border posts and attendant restrictions on cross-border mobility. Based on Statistics South Africa’s arrival data, the drastic impact of the pandemic on legal patterns of migration can be seen. As Table 33 shows, there were over 11 million arrivals in South Africa from

January to September 2019 and only 4 million in the same period in 2020. For the months April to September, the number was 7.5 million in 2019 and only 352,000 in 2020.¹⁶¹ In January and February 2020 the positive increase in numbers was abruptly replaced by negative growth by March. The number of migrant arrivals plummeted during this month, registering a sharp drop of nearly 34%. The following months witnessed acute contractions exceeding 90%. By April, less than 30,000 migrants traveled to the country. There was a slight increase from May to July, even though total arrivals were less than 70,000 migrants each month, well below the regular volumes documented in the pre-COVID period. These figures recovered somewhat with the opening of all South African borders in November 2020. However, they stabilized for the first part of 2021 at around 250,000, still more than one million below the equivalent numbers for 2019.

Table 33: Comparison of International Migrant Arrivals in South Africa¹⁶²

Month	2019	2020	2021	% Change (2019 - 2020)
January	1,561,510	1,595,388	195,861	2.2
February	1,205,901	1,218,468	136,610	1.0
March	1,301,855	863,232	223,135	- 33.7
April	1,301,855	29,341	248,314	- 97.8
May	1,213,675	49,481	258,314	- 95.9
June	1,163,574	62,841	258,521	- 94.6
July	1,238,165	68,914	253,857	- 94.4
August	1,377,914	67,051	217,373	- 95.2
September	1,219,616	75,273	268,946	- 93.9
October	1,297,483	124,165		- 90.4
November	1,336,068	152,694		- 88.6
December	1,559,368	279,534		
TOTAL	11,632,377	4,029,989		- 65.5

Source: Statistics South Africa

¹⁶¹ The numbers did not fall to zero because some borders remained open to essential travel such as for food imports and exports.
¹⁶² Compiled from Statistics South Africa (SSA), Tourism and Migration, January-July 2020 (Pretoria: SSA, 2020).

¹⁵⁹ Abdool Karim, “The South African Response to the Pandemic” New England Journal of Medicine 382, 2020.
¹⁶⁰ ILO, Rapid Impact Assessment of COVID-19 on Migrant Workers in SADC (Pretoria, 2020), p. 20.

- The voluntary return of migrants to their homes in the early weeks of the pandemic in order to survive increased significantly. Similar patterns were observed within countries. IOM's Situation Reports for Southern Africa found that around 60,000 migrants, mostly from Lesotho, Mozambique, and Zimbabwe, immediately returned home.¹⁶³ According to a report by the Government of Zimbabwe, 17,853 individuals returned to Zimbabwe from more than 95 countries. The IOM randomly surveyed 938 migrants who had returned to Zimbabwe and found that 71% reported negative socio-economic impact on their livelihoods and well-being due to the COVID-19 pandemic.
- Migrants in transit were stranded outside their own countries. Travel bans and lockdowns prevented migrants from returning to their home countries, increasing the number of stranded and vulnerable migrants, while increasing irregular flows. Migrants smuggled en route to South Africa were dumped in Zimbabwe during the lockdowns.¹⁶⁴ In early May 2020, IOM's Displacement Tracking Matrix identified 6,854 Zimbabwean stranded and vulnerable migrants in South Africa requiring return transport assistance.¹⁶⁵
- The closure of official border posts may have led to an increase in irregular entry through unofficial channels for those determined to return to or find work in other countries or to seek refuge and asylum. This, in turn, produced additional business and incentives for local smuggling syndicates.¹⁶⁶ South Africa constructed a new 40km fence along the border with Zimbabwe to stop migrants using these unofficial routes but the fence was ineffectual.
- Countries did not discontinue deportations during the lockdowns. South Africa, for example, deported 1,376 irregular migrants by June 2020 after a state of disaster was declared, including 705 Zimbabweans, 488 Mozambicans, along with 178 and 5 citizens respectively of Lesotho and Swaziland.¹⁶⁷ Migrants stuck in some countries were forced by lockdowns to overstay their visas. One country responded by imposing 5-year bans on further entry.¹⁶⁸
- Vulnerable migrants were susceptible to the economic shocks associated with the pandemic, intensifying their insecurities and hardships.¹⁶⁹ Results of a survey conducted by Statistics South Africa on the impact of COVID-19 on mobility, migration and education showed that migrants were more adversely affected and vulnerable in comparison to citizens, with higher rates of unemployment, weaker social safety nets and depressed patterns of remitting.¹⁷⁰
- COVID-19 imposed considerable hardship on migrants in countries of destination due to lay-offs in the formal economy. In South Africa, for example, one out of every three employed people either lost their job or did not work or received no wages in April 2020.¹⁷¹ Migrants in formal employment tend to be concentrated in primary industry such as mining and agriculture, domestic work and services. In all sectors there were large-scale layoffs. As tourism (on which many countries depend to a greater or lesser degree) plummeted and hotels and restaurants closed, migrants were disproportionately laid off.
- One of the major anticipated global impacts of COVID-19 was an unprecedented decline in remittances.¹⁷² Remittances tend to have a stabilizing effect by improving food security and livelihoods; a decline in remittances inevitably increases the pressure for additional migration from the household. Results of the survey conducted by The Statistics South Africa survey found that 18% of migrant respondents remitted during the lockdown, one-third sent smaller amounts and 20% had sent nothing due to lack of funds.¹⁷³ Border closures also depressed important informal remitting channels as the carriage of remittances in person or via transport operators was negatively affected.
- Formal sector employees were not the only labour migrants affected.¹⁷⁴ Many migrants are self-employed or employed in the informal sector in countries and cities of destination. In the early stages of the pandemic, governments moved to ban all informal sector activity as street vending and food markets which were seen as possible vectors and hotspots of transmission. The harshest restrictions were later relaxed as considerable damage was being done to the livelihoods and incomes of small business informal vendors.¹⁷⁵

163 IOM, Southern Africa COVID-19 Response - Situation Report 1, February-May 2020; IOM, Southern Africa COVID-19 Response - Situation Report 2, 22 May-4 June 2020.

164 <https://www.theeastafrican.co.ke/tea/news/rest-of-africa/traffickers-dump-south-africa-bound-immigrants-in-zimbabwe-1442308>

165 IOM Displacement Tracking Matrix (DTM), Stranded and Vulnerable Zimbabwean Migrants in South Africa (COVID-19 Preparedness and Response), Issue 1, 7 May 2020; IOM, "Preliminary Findings Report on Socio Economic Assessment of Migrants Returning to Zimbabwe in the Time of COVID-19" August 2020.

166 <https://www.timeslive.co.za/news/south-africa/2020-06-22-watch-continued-covid-19-lockdown-sees-rampant-smuggling-desperation-at-border-with-zimbabwe/>

167 PMG, Question NW938 to the Minister of Home Affairs, 19 June 2020.

168 <https://www.dailymaverick.co.za/article/2020-05-21-zimbabweans-stuck-in-sa-because-of-pandemic-slapped-with-five-year-ban/>

169 OECD, The Impact of Coronavirus (COVID-19) on Forcibly Displaced Persons in Developing Countries, OECD Brief, 15 June 2020.

170 Statistics South Africa, Social Impact of COVID-19 (Wave 3): Mobility, Migration, and Education in South Africa (Pretoria: Statistics South Africa, 2020).

171 Vimal Ranchod and Reza Daniels, "Labour Market Dynamics in South Africa in the Time of COVID-19" SALDRU Working Paper 265, University of Cape Town, 2020.

172 <https://www.newframe.com/zimbabweans-struggle-as-remittance-lifeline-shrinks/>

173 Statistics South Africa, Social Impact of COVID-19 (Wave 3): Mobility, Migration, and Education in South Africa (Pretoria: Statistics South Africa, 2020).

174 M. Benhura and P. Magejo, "Differences between Formal and Informal Workers' Outcomes During the COVID-19 Crisis Lockdown in South Africa" NIDS-CRAM Working Paper, University of Cape Town, 2020.

175 Pilar Balbuena and Caroline Skinner, "For World's Street Vendors, Life May Never be the Same after COVID-19" At: <https://hungrycities.net/for-worlds-street-vendors-life-may-never-be-the-same-after-covid-19/>; M.Rogan and C. Skinner, "The COVID-19 Crisis and the South African Informal Economy: 'Locked Out' of Livelihoods and Employment" NIDS-CRAM Working Paper, University of Cape Town, 2020; Jane Battersby, "South Africa's Lockdown Regulations and the Reinforcement of Anti-Informality Bias" Agriculture and Human Values 37(2020): 543-544.

10.2 Longer-Term Impacts

- Containment and mitigation measures produced sharp contractions in local and national economies, massive job losses, and negative economic growth throughout the region, all of which have drastically affected many non-citizens and citizens. For persons on the move, the COVID-19 crisis has unfolded with three distinct dimensions: (a) health crisis with weaker ability for protection against the virus; (b) socio-economic crisis severely constraining livelihoods of precarious migrants and poor social protection available to them; and (c) protection crisis due to border closures and severe restrictions on migration.¹⁷⁶ For many migrants, it has truncated their earning capacities as well as their ability to support relatives in sending communities.
- The lingering effects of the pandemic are expected to be felt widely for the next few years and affect all forms of migration. Remittances are expected to plummet steeply in the region in 2021 and 2022 despite greater dependence and urgent need for these fiscal resources in sending communities.¹⁷⁷ With the pandemic negatively affecting major revenue-generating economic activities like manufacturing, exports and tourism, crisis-affected countries may be hit harder than other areas.
- Negative economic growth
- in most countries will likely narrow regular channels of cross-border migration, by reducing demand for migrants and deepening protectionism of labour markets.
- Migrants are more likely to find themselves in irregular situations or have to move irregularly. The global pandemic has escalated xenophobic, anti-migrant tendencies in many areas. New threats of public violence targeting migrants and refugees have been recently reported for South Africa.¹⁷⁸
- Another consequence of pandemic responses with lasting impact is greater attention to cross-border movement and the fortification of borders.¹⁷⁹
- Marginalized labour migrants already existing in fragile conditions may be disproportionately affected and at heightened risk of infection, due to their overcrowded living conditions. They are also likely to be at the back of the queue for accessing vaccinations once they become available with preference given to citizens.
- With national ID or special permits required to access government relief efforts in some countries, migrants have been largely excluded from social assistance measures. From 30 March to 13 May 2020, 382,518 persons in South Africa received daily food packages and of these, only 112 were non-citizens.¹⁸⁰

South Africa's judiciary ordered the government to extend the R350 monthly COVID-19 social relief grant to asylum-seekers and special permit-holders from Lesotho, Angola and Zimbabwe, expanding its eligibility criteria beyond refugees and migrants with permanent resident status.¹⁸¹ As of mid-July 2020, 3,336 refugees and 173,898 permanent residents had applied for the new social relief grant.¹⁸²

- The risks of further pandemic waves are higher among these precarious groups and irregular migrants may be more reluctant to seek medical help due to lack of documentation and fears of possible arrest and deportation.¹⁸³
- In the longer-term, the pandemic is likely to reconfigure many of the push and pull factors driving migration flows to and within the Southern African region but in different ways and with different impacts. It is probable that the push factors may intensify as livelihoods, human security and food security are negatively impacted by the pandemic. On the other hand, the pull factors (particularly those of an economic nature) are likely to be drastically reduced as a result of the severe economic impacts of the pandemic, especially on formal and informal sectors in which migrants tend to congregate.

¹⁷⁶ United Nations, COVID-19 and People on the Move, Policy Brief June 2020, At: https://www.un.org/sites/un2.un.org/files/sg_policy_brief_on_people_on_the_move.pdf

¹⁷⁷ KNOMAD, COVID-19 Crisis Through a Migration Lens. Migration and Development Brief 32 (Washington DC: KNOMAD, 2020).

¹⁷⁸ J. Bornman, "Rising Xenophobia Needs to be Challenged", New Frame, 26 August 2020, At: <https://www.newframe.com/rising-xenophobia-needs-to-be-challenged/>

¹⁷⁹ Franzisca Zanker and Khangelani Moyo, "The Corona Virus and Migration Governance in South Africa: Business as Usual", Africa Spectrum, 55(1), (2020): 100-112; and <https://businesstech.co.za/news/government/383143/massive-border-fence-between-south-africa-and-zimbabwe-to-combat-coronavirus-spread/>

¹⁸⁰ PMG, Question NW940 to the Minister of Social Development, 20 July 2020; PMG, Question NW649 to the Minister of Social Development, 18 June 2020.

¹⁸¹ PMG, Question NW1382 to the Minister of Social Development, 31 July 2020.

¹⁸² PMG, Question NW940 to the Minister of Social Development, 20 July 2020.

¹⁸³ Ferdinand Mukumbang, Anthony Ambe and Babatope Adebiyi, "Unspoken Inequality: How COVID-19 has exacerbated existing vulnerabilities of asylum-seekers, refugees, and undocumented migrants in South Africa" International Journal for Equity in Health 19, (2020).

11 CONCLUSIONS AND RECOMMENDATIONS

1. There is a wide range of global, regional and sub-regional instruments (conventions, protocols, policy frameworks, action plans and guidelines) pertaining to the facilitation of movement of persons, labour migration, the protection of migrant workers, social security/protection and mutual recognition of skills and qualifications that are directly or indirectly relevant to the management of labour migration in the COMESA, IOC and SADC regions. Most COMESA, IOC and SADC Member States are either legally (through adoption and ratification) or in principle (through signing) party to a significant number of these instruments and particularly those that have been developed and adopted at sub-regional levels. In many cases, where instruments have been ratified, they have been domesticated in relevant national legislation.
2. With specific reference to the management of labour migration, very few states have comprehensive national policies and legislation. Instead, policy and legislative provisions that are of relevance to the management of labour migration are reflected in a wide range of other policy and legislative instruments, such as immigration laws (work permit provisions), labour laws (minimum standards, fundamental rights, institutions) and social security/protection policies and laws.
3. While many of the labour laws of countries have provisions regarding the employment of foreign workers (mostly outlining the procedures to do so), there is a significant absence of provisions that make direct reference to the applicability of the above policies and laws to migrant workers. Simultaneously, there are very few policies and laws with provisions that specifically prohibit their applicability to migrant workers. In the absence of provisions regarding specific applicability, it is usually assumed (and often implemented in practice) that the above policies and laws are applicable to migrant workers.
4. To the extent that governments have, or are in the process of developing National Labour Migration Policies, there appears to be two sets of issues that are being considered. Firstly, it is a focus on how labour migration policies and the implementation thereof can contribute to the achievement of labour market stability (by responding to and fulfilling labour market needs) and more broadly, contribute to poverty reduction and development objectives and strategies. Secondly, it is about the rights and protection of migrant workers in countries of destination (employment conditions, labour standards and social security, including portability of benefits).
5. While not necessarily reflected in national policies and legislation, there appears to be significant cohesion and agreement regarding the provisions and labour-related policies and legislation and its applicability to migrant workers, at least in principle.

6. Within the SADC region, Member States have committed to the development of National Labour Market Policies, in line with the SADC Labour Migration Policy Framework and the Labour Migration Action Plan. However, progress towards achieving this goal has been slow and has been hampered by a lack of capacity in terms of human and financial resources.
7. While the development of a National Labour Migration Policy is an important achievement, implementation thereof will be a significant challenge since it may in many cases also require amendments to other policies and laws, in particular, labour, immigration, social security and education (pertaining to recognition of skills and qualifications) policies and laws.
8. While trade unions and the private sector have been involved in the development of some regional frameworks and action plans pertaining to labour migration, employers of labour migrants and organizations representing them need to be consulted on issues of implementation. There appears to have been minimal input to date from other civil society organisations and in particular, migrant associations and diaspora organisations that may have an interest, particularly in national policies and legislation.
9. The gendered dimensions of migration have traditionally been neglected in labour migration governance at the continental, regional and national scale. Recent Labour Migration Policies and LMAPs in SADC call for gender-sensitive policies and sex-disaggregated data. While these are largely aspirational, it is essential that longstanding gender-bias and gender-blindness be addressed through concrete, proactive planning and policy actions.
10. There is broad agreement from a variety of SAMM stakeholders about the urgent need to improve the quality, comprehensiveness, integrity and coordination of data on all aspects of labour migration across the region. The call for improved data for better migration management is echoed in a whole variety of statements from national governments, regional organizations and international organizations. The proposed SAMM Migration Observatory is clearly warranted as a centralized repository for data that does exist, for identifying data gaps, for proposing actionable solutions, for implementing regional data gathering exercises, for commissioning research to plug data gaps, and ultimately for building a more complete and comprehensive regional picture of labour migration volumes, trends, characteristics and development impacts.
11. Official data sources collected at the country level tend to be of three types: (a) data from the national census; (b) data from sample surveys such as Labour Force Surveys; and (c) administrative data. The strengths and weaknesses of each of these data sources are discussed in this report. First, with regard to the census, implementation is the prerogative of national statistical agencies who aim to hold a census every ten years. Because there was no regional

coordination in the past on implementation dates, a single census round takes place over several years instead of in all countries in the same year. Inevitably, then, census data is very dated for some countries and very current for others. A second issue is that there is no real uniformity across the region in the migration-questions asked. Standardization according to recommended best-practice and the inclusion of more migration-related questions is very desirable. Third, with the exception of some work on the 2001 and 2011 South African census by researchers to address the question of the labour market impacts of migration, raw census data is not mined in any systematic way and remains largely under-utilized.

12. The inclusion of a migration module in some Labour Force Surveys is a welcome development although it would be helpful if these followed a similar template. This data is potentially extremely useful but comparability across the region is hampered by the fact that the timing and frequency of surveys varies from country to country. There have been some attempts to use this data but in general it remains underutilized. If countries lack the capacity and resources to undertake in-depth analysis, one solution would be to make the LFS data available and open access which would enable researchers to address labour migration issues in greater depth. The Open Data Portal of DataFirst, for example, allows access to the South African Quarterly Labour Force Survey results and could be a potential model for the SAMM Observatory.¹⁸⁴
13. Administrative or transactional data on labour migration is the most scattered, incomplete and variable. Countries collect data in different ways and there are few examples of systematic aggregation of data. We strongly recommend additional scoping of potential big data sources and analytical tools for Southern Africa.
14. There are clear limits to the scope and depth of quantitative data on labour migration which emerges from surveys designed for other purposes. The idea of dedicated National Migration Surveys needs to be considered by national governments, statistical agencies and SAMM. Migration surveys in the past have yielded an extremely rich amount of relevant labour migration data which facilitated the kind of in-depth analysis and understanding not available from censuses, labour force surveys or administrative data.¹⁸⁵ Our primary recommendation here, therefore, is that SAMM initiate a new round of National Migration Surveys in the region.
15. In conclusion, there appear to be 5 priority areas that need to be addressed in relation to achieving a comprehensive and cohesive approach to the management of labour migration:

1. Development of a strategic plan for the design and incorporation of migration data and statistics into the new SADC Labour Migration Observatory which would include collection and collation of existing official survey and administrative data as well as the generation of new data and information on labour migration through National Migration Surveys as well as targeted research and new data sources such as big data.
2. Ongoing promotion of the need for the ratification of relevant international and regional instruments and assisting Member States in doing so and the domestication of such instruments.
3. Technical, human and financial resources to assist all countries to develop National Labour Migration Policies and to review and amend related policies referred to above. This will include further research into gendered labour migration dynamics and labour market needs and conditions (Situation Analysis) as a basis for national labour migration policies.
4. The establishment, capacity-building and resourcing of an appropriate institutional framework and appropriate institutions at national and regional levels to facilitate and coordinate the conceptualization and implementation of national labour migration policies in cooperation with other legally mandated institutions.
5. Research on the immediate and longer-term impact of the COVID-19 labour migration in Southern Africa is needed to understand the disruptions to labour migration dynamics and impacts. In addition, addenda to pre-pandemic plans and frameworks could incorporate new COVID related outcome, outputs and activities to assist in post-pandemic recovery.

¹⁸⁴ For example, Bruce Frayne, Wade Pendleton, "Migration in Namibia: Combining Macro and Micro Approaches to Research Design and Analysis" International Migration Review 35(2001); Fion de Vletter, "Migration and Development in Mozambique: Poverty, Inequality and Survival" SAMP Migration Policy Series No. 43, 2006; Wade Pendleton et al. "Migration, Remittances and Development in Southern Africa" SAMP Migration Policy Series No. 44, 2006; Jonathan Crush et al. "Migration, Remittances and 'Development' in Lesotho" SAMP Migration Policy Series No. 52, 2010.

¹⁸⁴ <https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/StatsSA>

ANNEX A: LIST OF INFORMANTS

For the purpose of collecting documents and information and/or verifying and supplementing documentation and information found in the public domain, contact was made with several organisations and institutions. This list of key informants only provides the details of those who assisted by providing documents and information and/or provided initial comments on a draft version of the report.

We wish to thank the following individuals for their kind assistance:

1. **Ms Mpinane Masupa** - *Principal Liaison Officer, Ministry of Labour and Employment, Lesotho*
2. **Mr Douglas Dlamini** - *Ministry of Labour, Eswatini*
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4. **Mr Lovemore Theu** - *Ministry of Labour, Malawi*
5. **Mr. Michael Kandukutu** - *Zimbabwe Congress of Trade Unions*
6. **Mr Jeremia Mendes** - *IOM Angola and Eswatini*
7. **Ms Mavis Koogotsitse** - *Southern African Trade Union Coordinating Council*
8. **Ms Zoe Isaacs** - *SADC Private Sector Forum*
9. **Mr Mustafa Hakki Ozel** - *Senior Statistician, ILO-STAT*
10. **Kenza Dimechkie** - *ILO Geneva*
11. **Dr Sannasse Rajah Vinesh** - *SADC S&HD Directorate*
12. **Professor Evance Kalula** - *University of Cape Town*
13. **Ms Maxine Hlaba** - *SADC Banking Association*
14. **Mr Brian Chigawa** - *COMESA Secretariat*
15. **Professor Daniel Tevera** - *University of Western Cape*
16. **Dr Ndeyapo Nickanor** - *University of Namibia*
17. **Dr Lawrence Kazembe** - *University of Namibia*
18. **Dr Ines Raimundo** - *Centre for Policy Analysis, Eduardo Mondlane University*
19. **Mr Diego Iurralde** - *Statistics South Africa*
20. **Mr Matteo Busteo** - *IOM Pretoria*
21. **Mr Sunday Omoyeni** - *IOM Pretoria*

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1. **Mr Molefi Nyaka** - *Ministry of Foreign Affairs, Lesotho*
2. **Mr Mthunzi Shabangu** - *Commissioner of Labour, Eswatini*
3. **Mr George Khaki** - *Employers Consultative Association, Malawi*
4. **Mr Wafwile Musuka** - *Ministry of Labour, Malawi*
5. **Mr Joe Samuels** - *(former CEO of the South African Qualifications Authority, retired)*

ANNEX B: SOCIAL PROTECTION PROJECTS in SADC

1. MIGSEC Project (2008 - 2010)¹⁸⁶

The main objective of the MIGSEC Project (titled “Strategies for extending social security to migrant workers and their families from and within Africa”) was to support governments of African countries to develop to national and regional approaches for the enhanced social protection of migrant workers and their families. Ten African countries were covered by this project and SADC countries included Mauritius, South Africa, Tanzania and Zambia. Through this broad task, efforts were made to strengthen existing social security programmes and their management in African countries. The project was carried out between September 2008 and December 2010. In collaboration with social partners (migrant employers’ and workers’ organizations), the project sought to (a) promote and develop stronger understanding of social security measures for migrant workers; (b) contribute to the development of social security agreements on migrant workers between countries and regions in the continent; (c) incorporate and expand social security provisions in temporary and circular labour migration programmes; (d) deepen regional arrangements for social security measures; and (e) promote voluntary insurance schemes for migrant workers in destination countries. Key activities included capacity-building and knowledge-building events for government officials and representatives of employers’ and workers’ organizations which also provided first-hand training on drafting cooperative agreements.¹⁸⁷

Key lessons:

- SADC countries showed strong support for the MIGSEC project in order to tackle various challenges associated with social security coverage for migrant workers in their regional setting.
- MIGSEC provided the foundation for the setting up of bilateral and multilateral agreements in Africa between countries and regions for pension portability between migrant workers’ countries of origin and destination.
- One of the key recommendations was that MIGSEC create a compendium of African experts on social security and migration to enhance project objectives.

2. Social Protection for Non-Citizens in the South African Development Community (2008-2012)

This project was implemented by the Institute for Social Law and Policy, North West University, South Africa, and produced the first comprehensive stocktaking of regional and national social protection policies affecting migrants and demonstrated the existence of many gaps in access to and portability of social protection benefits by migrants.¹⁸⁸

¹⁸⁶ https://www.ilo.org/global/topics/labour-migration/projects/WCMS_200985/lang-en/index.html

¹⁸⁷ Marius Olivier, “Evaluation of the Prospects for the Conclusion of a Sub-Regional Multilateral Social Security Agreement: EAC and SADC” Report for the ILO/MIGSEC Project, 2009; Warren McGillivray, “Strengthening Social Protection for African Migrant Workers Through Social Security Agreements” ILO International Migration Paper No. 100, Geneva, 2010; F. Hempel, “Voluntary Insurance Provisions in National Social Security Schemes. Contribution to the MIGSEC Project Extending the Social Security Rights of African Migrant Workers” ESS Paper 26, International Labour Office, Geneva, 2010. Stanley A. Asangalisah, “Extending Social Security to African Migrant Workers and Their Families – RBSA Evaluation” ILO Office, Addis Ababa, 2012.

3. Southern African Social Protection Experts Network (SASPEN)¹⁸⁹

SASPEN is a group of multiple stakeholders, including scholars and practitioners involved with social-protection-focused research and work in the SADC region. This group has its origins in a meeting of regional social security practitioners attended by executives, policy makers and academics from the SADC region. It led to the formation of the SADC Core Group of Social Security Experts which served as the initial advisory arm to SADC on matters of social protection. SASPEN was created in Johannesburg in May 2012 by the Friedrich Ebert Stiftung, which provided organisational and capacity support through the initial years of the network.

According to the organization's website, SASPEN actively promotes the strengthening of social protection and social protection floor initiatives in the SADC region and beyond through research and other activities. It provides various opportunities for dialogue on social protection and helps to build greater awareness of these issues. Through its network format, it connects and brings together social protection experts and institutions and encourages discussion and reflection for policy-relevant change. It organizes regular workshops, seminars and other events along with opportunities for research on social protection and provides a wider circulation of such outputs among relevant stakeholders. Each year, SASPEN holds an international conference on social protection which brings together experts on this topic from SADC countries and beyond. Its 2014 Conference focused on 'Social Protection for Migrants in the SADC: Prospects, Vulnerability and Benefits across Borders'.¹⁹⁰

The theme of the latest conference is 'Social Protection and Social Services in the SADC Region: Agenda 2063 and Agenda 2030'. Other activities involve web seminars on social protection, emergency responses to the COVID-19 pandemic and its effects on various migrant groups.

Key SASPEN recommendations include:¹⁹¹

- There is a clear need for a common SADC formal framework of rules and mechanisms on social security for migrants.
- More precise statistics are needed on migrant employment and labour-related activities to assess their social security contributions and ways in which it can be expanded. Greater attention needs to be given to informal sector activities of migrants and other less-visible migrant categories such as seasonal farm labour and irregular migrants.

188 Marius Olivier, "Regional Overview of Social Protection For Non-Citizens In The South African Development Community (SADC)" SP Discussion Paper No. 0908, World Bank, Washington DC, 2009; Marius Oliver, "Political and Regulatory Dimensions of Access, Portability and Exclusion: Social Security for Migrants, with an Emphasis on Migrants in Southern Africa" In R. Sabates-Wheeler and R. Feldman (eds.), Migration and Social Protection: Claiming Social Rights Beyond Borders (London: Palgrave Macmillan, 2011); Marius Olivier and Avinash Govindjee, "Social Protection Lessons from SADC for the Global South" In R. Modi (ed.), South-South Cooperation (London: Palgrave Macmillan, 2011).

189 <http://www.saspen.org/home/en/>

190 <http://www.saspen.org/home/en/conferences/migration/>; http://www.saspen.org/conferences/migration2014/Olivier-Overview-PPT_FES-SASPEN-INT-CONF_Social-Protection-for-Migrants_Oct-29-30-2014.pdf

- Stakeholders need to address restrictions, challenges and impediments in extending social security to migrants guided by the principles of universality, equality of treatment, accessibility, portability, comprehensiveness, credibility and sustainability.
- Detailed social security country profiles are required as a first step which identify legal provisions, institutional structures, practices and programs that address or are able to positively affect the social security of migrant workers.
- Putting in place concrete measures that involve migrant workers (example, reimbursement of social security contributions to migrants at departure in the absence of portability schemes; social security coverage by sending country; inclusion of such provisions through recruitment agencies).
- International standards on migrant workers and social security need to be incorporated into national legislation and implementation measures, such as the ILO Conventions on Social Security.
- Mapping exercise needs to be conducted of existing possibilities and avenues for cooperation between national security systems across the SADC countries, including portability and maintenance of rights, and also the persistent differences.
- Identify mechanisms of regional cooperation on social security in the SADC region, by referring to other successful integration programs such as EU and MERCOSUR in South America.

4. Decent Work and Social Protection for Migrant Workers in the Public Services in South Africa (2014-2016)

Between 2014 and 2016, PSI (Public Services International) organized the 'Project on Decent Work and Social Protection for Migrant Workers in the Public Services in South Africa'. PSI is the global federation of trade unions representing 20 million workers in the public services of 163 countries. The main objective of this project was to promote and publicise pathways for decent work and the expansion of social security provisions for migrant works in public services. PSI partners in South Africa include the Democratic Nursing Organisation of South Africa (DENOSA), Hospital Personnel Trade Union of South Africa (HOSPERSA), Hospital Personnel Trade Union of South Africa (SAMWU), National Union of Public Service and Allied Workers (NUPSAW), National Public Service Workers Union (NPSWU), and National Education, Health and Allied Workers Union (NEHAWU).

The project's main activities were: (a) outreach efforts for the inclusion and organisation of migrant workers in trade unions; (b) 'Ethical Recruitment Campaign' based on WHO code of practice for international staffing and employment of migrant workers and in compliance with UN and ILO standards; (c) to develop and expand 'migrant desks' in South African trade unions; and (d) produce new migrant-centred materials and enhance existing ones to create greater awareness

191 Patrick Taran, "Extending Social Security to Migrants in Southern Africa" SASPEN Brief No. 1, Lusaka, 2015.

of migrant rights and responsibilities. The project produced information materials for migrant workers (Return and Reintegration to South Africa, South Africa Pre-Decision and Information Kit, Passport to Worker and Union Rights in South Africa, Pre-Decision and Information Kit for Women Health & Social Service Workers).¹⁹² Produced as part of PSI's International Migration and Women Health and Social Care Workers' programme, the South Africa National Report highlights existing challenges and is based on face-to-face interviews with 300 health and social care workers in nine South African provinces and three focus group discussions with migrant nurses and midwives considering migrating, social workers, and migrant nurses and midwives who had migrated to South Africa for work.

5. Bilateral Agreements Study¹⁹³

This ILO study attempted to map existing social protection arrangements in bilateral agreements and other cooperative arrangements for labour migration between countries globally. Three regional mapping exercises were carried out, one for African countries which included both South-South and South-North migrations. Another report focused on low-skilled workers. The report includes a case study of the 2009 Memorandum of Understanding between Zimbabwe and South Africa on Cooperation in the Fields of Employment and Labour was concluded in 2009 with the objective of defining "the basis for institutional relations under which co-operation ties can be developed between the Parties in the fields of employment and labour" (Article 1).

6. Towards an Instrument for the Portability of Social Security Benefits in the Southern African Development Community

The Southern Africa Trust collaborated with the Centre for International and Comparative Labour and Social Security Law (CICLASS) in a review of portability of social security benefits in SADC.¹⁹⁴ The study concluded that "the portability of social security benefits is limited because of the absence of a region-wide social security coordination or portability agreement." Further, that "the diversity of national social security systems and schemes does not preclude the adoption of a regional instrument for social security coordination. SADC member states merely need to specify issues such as the social security risks or benefits (and scope of beneficiaries) to be covered; equality of treatment in the respective national systems; exportability of benefits; aggregation of insurance periods; determination of the legislation applicable; and institutional and administrative cooperation." The study includes (as an Appendix) a suggested Portability of Accrued Social Benefits Within the Region Policy Framework.¹⁹⁵

¹⁹² http://www.world-psi.org/sites/default/files/documents/research/south_africa.pdf; http://www.world-psi.org/sites/default/files/documents/research/final_rrsa_information_kit.pdf; http://www.world-psi.org/sites/default/files/documents/research/en_pdkmigrationsouth_africa.pdf; http://www.world-psi.org/sites/default/files/documents/research/passport_to_workers_and_union_rights_south_africa.pdf

¹⁹³ Clara van Panhuys, Samia Kazi-Aoul and Genevieve Binette, "Migrant Access to Social Protection under Bilateral Labour Agreements: A Review of 120 Countries and Nine Bilateral Agreements" ESS Working Paper No. 57, Social Protection Department, Labour Migration Branch, ILO, Geneva, 2017.

¹⁹⁴ Letlhokwa George Mpedi, Mathias Ashu and Tako Nyenti, Towards an Instrument for the Portability of Social Security Benefits in the Southern African Development Community (Stellenbosch: SUN Press, 2017).

¹⁹⁵ Ibid., pp. 128-133.

7. Strengthening Capacities and Policy Instruments on Social Security, Including Portability of Rights, in the Southern African Development Community (SADC) (2017-2019)¹⁹⁶

The project aims to extend social protection to migrant workers, including those in the informal sector, and their families, by strengthening the capacities of RECs and member States to provide, as well as drive the implementation of regional frameworks, on the extension of social protection to migrant workers and their families. It is implemented as part of the AU Joint Labour Migration Programme (JLMP) and funded by the European Commission, through the Pan-African MMD Facility implemented by ICMPD. Stakeholders and target groups in the SADC include the SADC Secretariat and other SADC policy organs in charge of labour, migration and social protection issues, regional social partners, social security institutions, and Member States. The Action aims to support SADC and its sub-regional social partners to effectively coordinate and contribute to regional and sub-regional social protection programmes for migrant workers in both the formal and informal economy through:

- Supporting SADC and other RECs to participate in south-south cooperation initiatives and intra-RECs technical cooperation, including the participation and involvement in communities of practice at the continental and RECs level;
- Building the capacities of the AUC, selected RECs including SADC and regional and sub-regional social partners to advance social protection for migrant workers; and
- Initiatives for systematic collection and analysis of statistical information, to inform policy making and support SADC member States monitor progress towards the achievement of social protection related SDGs and relevant AU Agenda 2063 targets.

In May 2018, as part of this project, the SADC Secretariat convened a two-day workshop in Windhoek, Namibia on the project on "strengthening capacity and policy instruments on portability of social security benefits in the SADC region".¹⁹⁷ The objective of the workshop was to provide a platform for experts to deliberate on key issues on portability in the region by undertaking the following tasks:

- Reviewing the draft inception reports for two ongoing assessment studies on the state of social protection access and potential for portability of benefits for migrant workers in the agricultural and mining sectors in SADC;
- Identifying key intervention areas and enablers, including mechanisms for design and implementation of a model framework for portability of social security benefits in the SADC region to be elaborated through a study on the financial services sector; and

¹⁹⁶ https://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_647944.pdf

¹⁹⁷ https://www.usp2030.org/gimi/RessourcePDF.action;jsessionid=EtlZGjo3k3igwhSpnZPoo-Bz_zp0hWs7m5rN2dD6jvxcE-1jYv4it1653088929?id=55324

- Establishing an ELS Troika governance mechanism for the project on strengthening capacity and policy instruments on portability of social security benefits in the SADC region.

The workshop adopted a workplan/action plan that included the following:

- Reviewing the draft inception reports for two ongoing assessment studies on the state of social protection access and potential for portability of benefits for migrant workers in the agricultural and mining sectors in SADC;
- Identifying key intervention areas and enablers, including mechanisms for design and implementation of a model framework for portability of social security benefits in the SADC region to be elaborated through a study on the financial services sector; and
- Establishing an ELS Troika governance mechanism for the project on strengthening capacity and policy instruments on portability of social security benefits in the SADC region.

The workshop adopted a workplan/action plan that included the following:

- Studies on social security in the mining and agricultural sectors
- A study on financial services (payment and administrative systems in SADC)
- The establishment of an Ad Hoc Troika comprising experts (one each) from the following Member States/Social Partners/organisations:
 - a. South Africa
 - b. Namibia
 - c. Eswatini
 - d. SADC Private Sector Forum (SPSF)
 - e. Southern Africa Trade Union Coordinating Council (SATUCC)
 - f. the ILO and IOM
- The modelling of portability arrangements in the SADC region

The successful implementation of the action plan would lead to the drafting/formulation of portability mechanisms for consideration by the Ministers and Social Partners in April 2019.

¹⁹⁸ <http://www.saspen.org/home/wp-content/uploads/2019/07/STIAS-Team-Project-ProposalMigration-vulnerability-and-SP.pdf>

8. STIAS Project on Migration Vulnerability and Access to Social Protection

The Stellenbosch Institute for Advanced Study in South Africa (STIAS) is conducting a study on “Migration Vulnerability and Access to Social Protection”.¹⁹⁸ This project was initiated in late 2019 and will continue to November 2023. Its principal focus is to examine access to social protection, its quality and effectiveness for three categories of migrants: migrants affected by climate or environmental change; migrants in the informal economy; and highly skilled migrants, such as business entrepreneurs and corporate transfers professionals. In the second category, focused attention is to be given to informal cross-border traders and migrant entrepreneurs participating in local economies of receiving countries. It is widely accepted that the first two categories of migrants have weak access to social protection and are often excluded from existing public schemes. A key thematic focus is the vulnerability of migrants across the various stages of the migration cycle as well as multiple forms of vulnerability tied to gender and disability. Proposed activities include two stakeholder workshops and several consultative meetings of the research team. The project has been held up by COVID-19.¹⁹⁹

¹⁹⁹ Communication from Dr Evance Kalula, STIAS

ANNEX C: MOST RECENT POPULATION & HOUSING CENSUS by COUNTRY

Angola

Agency/Government Department:

Instituto Nacional de Estatística de Angola (National Institute of Statistics of Angola)

<https://www.ine.gov.ao/>

Year: 2014

Link to Survey Instrument:

https://andine.ine.gov.ao/nada4/index.php/catalog/14/related_materials

<https://andine.ine.gov.ao/nada4/index.php/catalog/14/download/168>

Link to Data Base:

<https://andine.ine.gov.ao/nada4/index.php/catalog/14/download/220>

Questions on Nationality: Country of Origin/Birth: Q19; P09

Link to Report(s):

Results part 1:

<https://andine.ine.gov.ao/nada4/index.php/catalog/14/download/174>

Results part 2:

<https://andine.ine.gov.ao/nada4/index.php/catalog/14/download/175>

Migration Publications: None

Botswana

Agency/Government Department:

Statistics Botswana

<https://statsbot.org.bw>

Year: 2011

Link to Survey Instrument:

<http://botswana.microdatahub.com/index.php/catalog/15/download/83>

Link to Data Base:

<http://botswana.microdatahub.com/index.php/catalog/15/data-dictionary>

Questions on Nationality: Country of Origin/Birth: QA7(7)

Link to Report(s):

<http://www.statsbots.org.bw/sites/default/files/publications/Population%20%26%20Housing%20Census%20Dissemination%20analytical%20report%20.pdf>

<http://www.statsbots.org.bw/sites/default/files/publications/2011%20Population%20and%20Housing%20Census%20%28Results%29.pdf>

<http://www.statsbots.org.bw/sites/default/files/publications/Pop%20%20Housing%202011%20Census%20Administrative%20and%20Technical%20%20Report%20%281%29.pdf>

<http://www.statsbots.org.bw/sites/default/files/publications/Cities%20%20and%20%20Towns%20Population%20and%20Housing%20Census%202011%20%20Selected%20Indicators.pdf>

Migration Publications:

Chapter 12 of Census Analytical Report on “Migration”

K. Navaneetham and V. Dwivedi, “Patterns and Differentials of Migration in Botswana” Botswana Notes and Records 46(2014): 72-83.

Eswatini

Agency/Government Department:

Central Statistical Office

<http://www.gov.sz/index.php/component/content/article/78-economic-planning-a-development/economic-planning-a-development/687-central-statistics-office?Itemid=799>

Year: 2007

Link to Survey Instrument:

<https://catalog.ihsn.org/index.php/catalog/4274/download/56174>

Questions on Nationality: Country of Origin/Birth: P06-P010

Other: Emigration status in Section E captures age, sex, destination, and activity involved abroad

Link to Report(s):

https://www.worldcat.org/title/swaziland-population-and-housing-census-report-2007/oclc/1034948716&referer=brief_results

Migration Publications:

Vol 3 of the Census Report on international migration

UNICEF Migration Profile: <https://esa.un.org/migmgprofiles/indicators/files/Swaziland.pdf>

D. Tevera, "Migration and Development in Swaziland" UNISWA Research Journal, 26(2011): 15-27.

Lesotho

Agency/Government Department:

Lesotho Bureau of Statistics

<http://www.bos.gov.ls/>

Year: 2016

Link to Survey Instrument:

<http://www.bos.gov.ls/microdata/index.php/catalog/16/download/33>

Link to Data Base: None

Questions on Nationality: Country of Origin/Birth: B10, B15

Link to Report(s):

<http://www.bos.gov.ls/microdata/index.php/catalog/16/download/36>

<http://www.bos.gov.ls/microdata/index.php/catalog/16/download/37>

Migration Publications:

Census Analytical Report: Volume 111A: Population Dynamics, Chapter 13 (2018)

D. Tevera, "International Migration and Development in Lesotho: A Complex Interrelationship" In W. Khonje, Migration and Development: Perspectives from Small States (London, 2015).

Malawi

Agency/Government Department:

National Statistical Office of Malawi

<http://www.nsomalawi.mw/>

Year: 2018

Link to Survey Instrument:

Annex to main report

Link to Data Base:

http://www.nsomalawi.mw/index.php?option=com_content&view=article&id=226:2018-malawi-population-and-housing-census&catid=8:reports&Itemid=6 including Series F: Migration Tables & Series L: Emigration Tables

Questions on Nationality: Country of Origin/Birth: P07

Link to General Survey Report(s):

http://www.nsomalawi.mw/images/stories/data_on_line/demography/census_2018/2018%20Malawi%20Population%20and%20Housing%20Census%20Main%20Report.pdf

Migration Publications:

General Survey Report Section 3.1 Nationality and 3.2 Emigration

Mauritius

Agency/Government Department:

Department: Statistics Mauritius

<http://statsmauritius.govmu.org>

Year: 2011

Link to Survey Instrument:

Annex to main report

Link to Survey Instrument:

<http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/Archive%20Census/2011%20Census/Questionnaires/2011%20Housing-Census%20Questionnaires.pdf>

<http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/Archive%20Census/2011%20Census/Questionnaires/2011%20Housing-Census%20Questionnaires.pdf>

Link to Data Base:

Tables and Analytical Reports at <http://statsmauritius.govmu.org/English/CensusandSurveys/Pages/census/Census-2011.aspx>

Questions on Nationality:

Country of Origin/Birth: P07A, P07B, P09A, P09B

Other:

P10A captures if not in country for last 12 months

P10C captures reason for living abroad

P10D captures reasons for staying in Mauritius

P11A captures if outside country 5 years ago

Link to General Survey Report(s):

<http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/ESI/toc1.htm>

<http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/ESI/pop2011.pdf>

Migration Publications:

Census Analytical Report Volume IV: Migration. At: http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/HPC/2011/HPC_AR_Vol4_Migration_Yr11.pdf

R. Ramtohul, "High Net Worth' Migration in Mauritius: A Critical Analysis" Migration Letters 13(2016): 16-32.

Mozambique**Agency/Government Department:**

Department: Instituto Nacional de Estatistica
(National Institute of Statistics)

<http://www.ine.gov.mz>

Year: 2017

Link to Survey Instrument:

Annex to main report

Link to Data Base: None

Questions on Nationality:

Country of Origin/Birth: B10, B15

Link to General Survey Report(s):

<http://www.ine.gov.mz/operacoes-estatisticas/censos/censo-2007/censo-2017>

<http://www.ine.gov.mz/iv-rgph-2017/mocambique/censo-2017-brochura-dos-resultados-definitivos-do-iv-rgph-nacional.pdf/view>

Migration Publications:

V. Agadjanian, S. Hayford and B. Oh, "When Leaving is Normal and Staying is Novel: Men's Labor Migration and Women's Employment in Rural Mozambique" Migration Studies (2019)

Namibia**Agency/Government Department:**

Namibia Statistical Agency

<https://nsa.org.na>

Year: 2011

Link to Survey Instrument:

<https://unstats.un.org/unsd/demographic/sources/census/quest/NAM2011enHh.pdf>

Link to Data Base:

<https://nsa.org.na/page/central-data-catalogue/>

Questions on Nationality: Country of Origin/Birth: B9, B11

Link to General Survey Report(s):

<https://d3rp5jatom3eyn.cloudfront.net/cms/assets/documents/p19dmn58guram30ttun89rdrp1.pdf>

Migration Publications:

Namibia Statistics Agency, Migration Report, 2015. Chapter 4: International Migration at <https://d3rp5jatom3eyn.cloudfront.net/cms/assets/documents/p19dmqq344hnc6jilcioc1eg21.pdf>

Seychelles

Agency/Government Department:
National Bureau of Statistics

<https://www.nbs.gov.sc>

Year: 2010

Link to Survey Instrument:

<https://unstats.un.org/unsd/demographic/sources/census/quest/SEY2010en.pdf> and annex in Main Report

Link to Data Base:

None

Questions on Nationality:

Country of Origin/Birth: P10

Link to General Survey Report(s):

<https://www.nbs.gov.sc/downloads/population-and-housing-census-2010-report/download>

Migration Publications:

None

South Africa

Agency/Government Department:
Stats SA

<https://statssa.gov.za>

Year: 2011

Link to Survey Instrument:

http://www.statssa.gov.za/?page_id=3852

Link to Data Base:

<https://microdata.worldbank.org/index.php/catalog/2067>

Questions on Nationality:

Country of Origin/Birth: P07-P10b

Other: Location (P10, P11)

Link to General Survey Report(s):

<http://www.statssa.gov.za/publications/P03014/P030142011.pdf>

Migration Publications:

Stats SA, Census 2011: Population Dynamics in South Africa, Report 03-01-67 (2015).

States SA, Migration Dynamics of Women, Children and Elderly in South Africa, Report No 03-51-04 (2019)

C. Fauvelle-Aymar, "Immigration and the South African Labor Market" MiWORC Working Paper No. 2, Johannesburg, 2014.

S. Ziehl, "Comparing Migration Data from Post-Apartheid Censuses: A Challenge for Longitudinal Research" South African Review of Sociology 48(2017): 38-62.

S. Rule "Migrants in Cape Town: Settlement Patterns" HSRC Review 16(2018/19): 19-21.

T.Sparreboom, J. Mertens and S. Berger, "The Labour Market Impact of Immigration in Three Sub-Saharan African Economies" Journal of International Migration and Integration (2019)

Tanzania

Agency/Government Department:
Tanzania National Bureau of Statistics

<https://www.nbs.go.tz>

Year: 2012

Link to Survey Instrument:

https://www.nbs.go.tz/nbs/takwimu/census2012/Long_Questionaire.pdf

Link to Data Base:

<http://www.dataforall.org/CensusInfoTanzania/libraries/asp/Home.aspx>

Questions on Nationality:

Country of Origin/Birth: B13, B16

Link to General Survey Report(s):

<https://www.nbs.go.tz/index.php/en/census-surveys/population-and-housing-census/164-2012-phc-tanzania-basic-demographic-and-socio-economic-profile>

http://www.tzdpg.or.tz/fileadmin/documents/dpg_internal/dpg_working_groups_clusters/cluster_2/water/WSDP/Background_information/2012_Census_General_Report.pdf

Migration Publications:

National Bureau of Statistics, Migration and Urbanization Report: Population and Housing Census Vol. 4 (2015) https://www.nbs.go.tz/nbs/takwimu/census2012/Migration_and-Urbanisation_Monograph.zip

Zambia**Agency/Government Department:**

Zimbabwe National Statistics Agency

<http://www.zimstat.co.zw/>

Year: 2012 (2017)¹⁹⁹

Link to Survey Instrument:

Annex to the main report

Link to Data Base:

None

Questions on Nationality:

Country of Origin/Birth: B6, B10

Link to General Survey Report(s):

<http://www.zimstat.co.zw/wp-content/uploads/publications/Population/population/census-2012-national-report.pdf>

http://www.zimstat.co.zw/wp-content/uploads/publications/Population/population/ICDS_2017.pdf

Migration Publications:

ZimStat, Inter-Censal Demographic Survey 2017 (Harare, 2018), pp. 53-57.

¹⁹⁹ Zimbabwe conducted an Inter-Censal Demographic Survey of 11,200 households in 2017.

ANNEX D: LABOUR FORCE & OTHER RELEVANT SURVEYS in SOUTHERN AFRICA**Botswana****Agency/Government Department:**

Statistics Botswana

Name of Survey: Labour Force Survey/Botswana Multi-Topic Household Survey (Labour Force Module)

Year: 2016, 2019(Q3), 2019(Q4)

Sample Size: 3,885 (2019)

Link to Survey Instrument:

https://www.ilo.org/ilostat-filesountry_Dashboard/BWA.html

Labour Migration Module:

None

Reports Available Online:

<http://www.statsbots.org.bw/latest-publications>

Link to Data Base:

None

Labour Migration Analysis: Very limited analysis:

Chapter 3 of both 2019 (Q4) and (Q3) reports contain formal sector employment with data analysis categorizing citizens, non-citizens and sex. For eg: Table 1.9a and 1.9b provide total number and percentage of non-citizens employed on formal sector; similarly, table 1.10a and 1.10b provide district wise distribution of the same data; Table 1.11a: Estimated Formal Sector Employment by Education/Training Level, Citizenship and Sex; Table 1.11b: Percentage of Formal Sector Employment by Education/Training Level and Citizenship; Table 1.12: Estimated Formal Sector Employment Monthly Average Earnings by Occupation, Citizenship and Sex; Table 1.13: Estimated Formal Sector Employment Monthly Average Earnings by Industry, Citizenship and Sex.

Figures 1.20 and 1.21 of **Q4 report** and 1.16 and 1.17 of **Q3 report**: Average Earnings by Occupation, Citizenship and Sex

BMTHS 2015/2016: Figure 5.16 and Table ME2 present average earnings by occupation, citizenship, and sex; Table ME2: Average earnings (in Pula) for wage earners (15 years & above) by Occupation, Sex and Citizenship; Table ME3: Average earnings (in Pula) for wage earners (15 years & above) by Industry, Sex and Citizenship; Table ME4: Average earnings (in Pula) for wage earners (15 years & above) by Subject of Training, Sex and Citizenship

Note: Statistics Botswana combined the Labour Force Survey (LFS) and Botswana Core Welfare Indicators Survey (BCWIS) planned for 2015/16 into one Botswana Multi Topic Household Survey (BMTHS). From 2019(Q3), the survey became the Quarterly Multi Topic Survey (QMTS) with a Labour Force Module.

Eswatini

Agency/Government Department:
Ministry of Labour and Social Security

Name of Survey: Integrated Labour Force Surveys

Year: 2010, 2014, 2016

Sample Size: 3,216 households (2016)

Link to Survey Instrument:
None

Labour Migration Module:
None

Reports Available Online:
[https://www.lmis.gov.sz/w/publications/list\(2014,2016\)](https://www.lmis.gov.sz/w/publications/list(2014,2016))

[http://www.ilo.org/public/libdoc/igo/divers/Swaziland%20Labour%20Force%20Survey%20Report%202010.pdf\(2010\)](http://www.ilo.org/public/libdoc/igo/divers/Swaziland%20Labour%20Force%20Survey%20Report%202010.pdf(2010))

Link to Data Base:
None

Labour Migration Analysis:
Tables on employed population by sex and country of origin in Table 6.2.10 of 2010 report. Table on citizen/non-citizen proportional breakdown by sector in 2013/14 report

Lesotho

Agency/Government Department:
Lesotho Bureau of Statistics

Name of Survey: Lesotho Integrated Labour Force Survey

Year: 2008

Sample Size: 11,406 households

Link to Survey Instrument:
<http://www.bos.gov.ls/microdata/index.php/catalog/18/download/48>

Labour Migration Module:
None

Reports Available Online:
<http://www.bos.gov.ls/microdata/index.php/catalog/18/download/49>

Link to Data Base:
None

Labour Migration Analysis:
Chapter 10 of Report

Note: The last Labour Force Survey was conducted in 2008. The Bureau of Statistics launched the Continuous Multi-Purpose Household Survey (CMS) in 2009. In 2011 a module on Household Budget Survey (HBS) was incorporated. In 2013, the CMS was modified to include Labour Market Information System (LMIS) related indicators. The CMS was administered in 2014/15 (3,800 households) and 2018 (4,320 households) and collects very limited data on labour migration and remittances; see <http://www.bos.gov.ls/microdata/index.php/catalog/30/download/80>

Malawi

Agency/Government Department:
National Statistical Office

Name of Survey: Malawi Labour Force Survey

Year: 2013

Sample Size: 11,000 households)

Link to Survey Instrument:
Attached to report

Labour Migration Module:
None

Reports Available Online:
http://www.nsomalawi.mw/images/stories/data_on_line/demography/Labour%20Force/Labour%20Force%20Survey%202013/Malawi%20Labour%20Force%20Surver%202013%20Report.pdf

Link to Data Base:
None

Labour Migration Analysis:**Mauritius****Agency/Government Department:**
Statistics Mauritius**Name of Survey:** Continuous Multi-Purpose Household Survey (CMPHS)**Year:** 2011-2018**Sample Size:** None**Link to Survey Instrument:**
None**Labour Migration Module:**
None**Reports Available Online:**
<http://statsmauritius.govmu.org/English/Publications/Pages/Regular-Reports.aspx>http://statsmauritius.govmu.org/English/Publications/Pages/LF_Emp_Unemp_1Qtr18.aspx**Link to Data Base:**
None**Labour Migration Analysis:**
Table 2.31 of 2018 Report (2016-2018 data); Annex 3 of 2018(Q1 Report)**Note:** Statistics Mauritius collects labour force data as part of CMPHS and published annual digest of labour statistics and for Q1(2018)**Namibia****Agency/Government Department:**
Namibia Statistics Agency**Name of Survey:** Namibia Labour Force Survey**Year:** 2008, 2012, 2013, 2014, 2016, 2018**Sample Size:** 2,480 households (2018)**Link to Survey Instrument:**<https://nsa.org.na/microdata1/index.php/catalog/35/related-materials>**Labour Migration Module:**

Yes (2018)

Reports Available Online:<https://nsa.org.na/microdata1/index.php/catalog/35/related-materials> (2018)https://cms2.my.na/assets/documents/Labour_Force_Survey_-_20161.pdf (2016)<https://d3rp5jatom3eyn.cloudfront.net/cms/assets/documents/9b8e77842e3dec459407c2a76b9d79ab.pdf>(2014)https://d3rp5jatom3eyn.cloudfront.net/cms/assets/documents/Namibia_Labour_Force_Survey_report_2013.pdf(2013)<https://cms2.my.na/assets/documents/p19dmnb3g84n115kkcch9bvsk1.pdf> (2012)**Link to Data Base:**

None

Labour Migration Analysis:

Table 2.31 of 2018 Report (2016-2018 data); Annex 3 of 2018(Q1 Report)

Note: Labour migration and disability modules were added in the 2016 questionnaire as per the demand from SADC**South Africa****Agency/Government Department:**
Statistics South Africa**Year:** Quarterly Labour Force Survey (2008-2020)**Sample Size:** 30,000 dwelling units (2020)**Link to Survey Instrument:**
None**Labour Migration Module:**

Yes. Migration module is not a permanent feature in the QLFS. Questions on migration in QLFS for the first time in Q3 of 2012.

Reports Available Online:

<http://www.statssa.gov.za/publications/P0211/P02111stQuarter2020.pdf> (Q1 2020)

http://www.statssa.gov.za/publications/catalogue/Catalogue_of_products_and_publications_Latest.pdf(pp. 12-14)

Link to Data Base:

None

Labour Migration Analysis:

Migration Dynamics of Women, Children and the Elderly in South Africa. Report No. 03-51-04 (Pretoria: Statistics South Africa, 2020).

Labour Market Outcomes of Migrant Populations in South Africa, 2012 and 2017. Report: 02-11-04(Pretoria: Statistics South Africa, 2020).

Tanzania**Agency/Government Department:**

Tanzania National Bureau of Statistics

Name of Survey: Integrated Labour Force Survey

Year: 2014

Sample Size: 11,520 households

Link to Survey Instrument:

<https://catalog.ihsn.org/index.php/catalog/8477/download/89747>

Labour Migration Module:

Yes

Reports Available Online:

<https://www.nbs.go.tz/nbs/takwimu/labour/ILFS%202014%20Analytical%20Report.zip>

Link to Data Base:

https://nbs.go.tz/tnada/index.php/catalog/31/data-dictionary/F1?file_name=2014_ILFS_DATASET

Labour Migration Analysis:**Zambia****Agency/Government Department:**

Zambia Statistics Agency

Name of Survey: Labour Force Survey

Year: 2012, 2014, 2017, 2018

Sample Size: 10,400 households (2018)

Link to Survey Instrument:

[Annex to Main Report \(2018\)](#)

Labour Migration Module:

Yes(2018)

Reports Available Online:

<https://www.zamstats.gov.zm/index.php/publications/category/7-labour?download=9:2018-labour-force-survey-report> (2018)

<https://www.zamstats.gov.zm/index.php/publications/category/7-labour?download=8:2017-labour-force-survey-report> (2017) <https://www.zamstats.gov.zm/index.php/publications/category/7-labour?download=6:2014-lfs-report> (2014)

<https://www.zamstats.gov.zm/index.php/publications/category/7-labour?download=5:2012-labour-force-report> (2012)

Labour Migration Analysis:

Zimbabwe

Agency/Government Department:
Zimbabwe National Statistics Agency

Name of Survey: Labour Force Survey

Year: 2011, 2014, 2019

Sample Size: 10,475 households (2019)

Link to Survey Instrument:
Annex to Main Report (2019)

Link to Data Base:
None

Labour Migration Module:
Yes

Reports Available Online:

<http://www.zimstat.co.zw/wp-content/uploads/publications/Economic/Employment/Labour-Force-Report-2019.pdf> (2019)

<http://www.nada.zimstat.co.zw/nada/index.php/catalog/77/download/309> (2014)

<http://www.zimstat.co.zw/wp-content/uploads/publications/Economic/Employment/Labour-Force-Report-2011.pdf> (2011)

Labour Migration Analysis:
Chapter 11 of 2019 Report

Other Surveys

Botswana

Name of Survey: Botswana Demographic Survey

Year: 2017

Sample Size: 9,560 Households

Link to General Survey Report(s):

<http://www.statsbots.org.bw/sites/default/files/publications/Botswana%20Demographic%20Survey%20Report%202017.pdf>

Table 2.5 of the report shows the total number of foreign populations as per gender. A separate chapter for migration, Chapter 5 section 5.6 provides the country wise data of international migrants living in Botswana

Name of Survey: Botswana Multi-Topic Household Survey Report

Year: 2015/6

Sample Size: Households 7060; participants 25130

Link to General Survey Report(s):

<http://www.statsbots.org.bw/sites/default/files/publications/Botswana%20Multi%20Topic%20Household%20Survey%20REPORT%202015%202016.pdf>

Table 6.5T and figure 6.4 shows household income source where remittances from outside Botswana is shown.

Table IS7: Remittances from relative abroad who supported for establishing informal businesses

Comoros

Name of Survey: Demographic and Health Survey coupled with Cluster Survey on Multiple Indicators (EDSC-MICS II 2012)

Year: 2012

Sample Size: 4482; total participants: women-5329, men-2167

Link to General Survey Report(s):

<https://dhsprogram.com/pubs/pdf/FR278/FR278.pdf>;

<http://www.inseed.km/index.php/themes/statistiques-demographiques>

Eswatini

Name of Survey: Multi-Indicator Cluster Survey

Year: 2014

Sample Size: : 4865 households interviewed

Link to General Survey Report(s):

<https://catalog.ihns.org/index.php/catalog/8464/download/89680>

Provides some information about children with parents living abroad in the main report: page 175-176

Lesotho

Name of Survey: Lesotho Multiple-indicator Cluster Survey (MICS)

Year: 2018

Sample Size: : 8847 households interviewed

Link to Survey Instrument:

Questionnaire is included in the annex E of the main report available at <http://www.bos.gov.ls/Publications.htm>

Link to General Survey Report(s):

<http://www.bos.gov.ls/Publications.htm>

Table SR11.2 provides information about children whose at least one parent is living abroad.

Tracks the information about migration from outside Lesotho (Table SR7.1W and SR7.1M)

Malawi

Name of Survey: Integrated Household Survey 2010/2011

Year: 2010/2011

Sample Size: : 12288 households

Link to General Survey Report(s):

http://www.nsomalawi.mw/images/stories/data_on_line/economics/ih/IHS3/IHS3_Report.pdf

Mainly provides information of internal migration; shows movement of people outside Malawi to urban Malawi in table 2.6 in the main report

Mauritius

Name of Agency/Government: Statistics Mauritius

Name of Survey: Census of Economic Activities

Year: 2013

Sample Size: : 3600 small establishments and 2400 large establishments

Link to Survey Instrument:

Annexed to the reports (Annex B) of both Phase I and Phase II reports

Link to General Survey Report(s):

http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/CEA/Small_Establishment/2013/CEAS_Phase1_Yr13.pdf

http://statsmauritius.govmu.org/English/CensusandSurveys/Documents/CEA/Large_Establishment/2007/CEAL_Phase1_Yr07.pdf

Information about ownership of the economic activities- distinguish between Mauritian and non-Mauritian ownership in equity participation (Questionnaire 2.4)

Namibia

Name of Survey: Census of Economic Activities

Year: 2017

Sample Size: 2114 households

Link to Survey Instrument:

<https://nsa.org.na/microdata1/index.php/catalog/32/download/186>

Link to Data Base: <https://nsa.org.na/microdata1/index.php/auth/login/?destination=catalog/32/get-microdata>

Link to General Survey Report(s):

<https://nsa.org.na/microdata1/index.php/catalog/32/download/184>

Q 113.2 captures the money sent to other country in the past 6 months.

Q 115.2 captures the money received from someone living in another country

Table 28 shows 3.1% sent money outside the country and table 29 shows 2.1 percent received remittances from outside the country

Name of Survey: Namibia Intercensal Demographic Survey

Year: 2016

Sample Size: 12480 households

Link to Survey Instrument:

<https://nsa.org.na/microdata1/index.php/catalog/30/download/170>

Link to Data Base:

<https://nsa.org.na/microdata1/index.php/auth/login/?destination=catalog/32/get-microdata>

Link to General Survey Report(s):

<https://nsa.org.na/microdata1/index.php/catalog/30/download/171>

Name of Survey: Household Income and Expenditure Survey

Year: 2015/6

Sample Size: 10368

Link to Survey Instrument:

<https://nsa.org.na/microdata1/index.php/catalog/28/download/158>

Link to Data Base:

<https://nsa.org.na/microdata1/index.php/auth/login/?destination=catalog/32/get-microdata>

(asks for registration)

Link to General Survey Report(s):

<https://nsa.org.na/microdata1/index.php/catalog/28/download/164>

Population by sex and citizenship in Table 2.2.4 of the main report

Seychelles

Name of Survey: Household Budget Survey

Year: 2013

Sample Size: 3000 households

Link to Survey Instrument:

<https://unstats.un.org/unsd/demographic/sources/census/quest/SEY2010en.pdf>

Link to Data Base:

<https://catalog.ihnsn.org/index.php/catalog/6480/data-dictionary>

Link to General Survey Report(s):

<https://catalog.ihnsn.org/index.php/catalog/6480/download/79347>

South Africa

Name of Survey: Community Survey

Year: 2016

Sample Size: 1.3 million households

Link to Survey Instrument:

<https://catalog.ihnsn.org/index.php/catalog/7188/download/86016>

Link to Data Base:

<https://catalog.ihnsn.org/index.php/catalog/7188/data-dictionary>

Link to General Survey Report(s):

Statistical release:

<http://www.statssa.gov.za/publications/P03014/P030142011.pdf>

Technical report:

http://cs2016.statssa.gov.za/wp-content/uploads/2016/06/CS-2016-Technical-report_Web.pdf

<http://www.statssa.gov.za/publications/03-01-06/03-01-062016.pdf>

Demographic, year of migration, citizenship status

Name of Survey: Living Conditions Survey

Year: 2014/15

Sample Size: 30818 Dwelling Units (DUs)

Link to Survey Instrument:

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/608/download/8921>

Link to Data Base:

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/608>
(asks for registration)

Link to General Survey Report(s):

<http://www.statssa.gov.za/publications/P0310/P03102014.pdf>

Name of Survey: Labour Market Dynamics in South Africa

Year: 2017

Sample Size: None

Link to Survey Instrument:

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/727/download/9903>

Link to Data Base:

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/727/related-materials>

Link to General Survey Report(s):

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/727/download/9905>

Trends of foreign-born working age population from 2012 to 2017

Name of Survey: National Income Dynamics Survey (NIDS)

Year: 2011 (Wave 2), 2012 (Wave 3), 2014-15 (Wave 4), 2017 (Wave 5)

Sample Size: 7300 Households

Link to Survey Instrument:

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/452>

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/453/study-description>

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/706>

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/570/>

<https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/712>

Link to Publications: <https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/NIDS>

NIDS data has been mainly used to date for internal migration.

Tanzania

Name of Survey: Household Budget Survey

Year: 2011/2

Sample Size: 10400 households interviewed

Link to Survey Instrument:

<https://nbs.go.tz/tnada/index.php/catalog/24/download/245>

Link to Data Base:

https://nbs.go.tz/tnada/index.php/catalog/24/data-dictionary/F1?file_name=HBS-2011-12-Poverty-Dataset

Link to General Survey Report(s):

Statistical release:

https://www.nbs.go.tz/nbs/takwimu/hbs/The_2011-12_HBSFinalReport.zip

Reason for migrating to Tanzania from other countries (Section 1 Q. 14), demographic information, time of stay (section 1, Q. 12)

Name of Survey: Household Budget Survey

Year: 2017/18

Sample Size: 552 households

Link to Survey Instrument:

https://www.nbs.go.tz/nbs/takwimu/hbs/2017_18_HBS%20QUESTIONNAIRES.zip

Link to Data Base:

<https://www.nbs.go.tz/index.php/en/census-surveys/poverty-indicators-statistics/household-budget-survey-hbs/477-the-2017-18-household-budget-survey-dataset>

Link to General Survey Report(s):

https://www.nbs.go.tz/nbs/takwimu/hbs/2017_18_HBS_Key_Indicators_Report_Engl.pdf

Reason for staying to Tanzania from other countries (Section 4 Q. 4.5), demographic information, time of stay (section 1, Q. 12)

Zambia

Name of Survey: Living Conditions Monitoring Survey

Year: 2010

Sample Size: Approx. 20000 households

Link to Survey Instrument:

<https://catalog.ihnsn.org/index.php/catalog/2597/download/38839>

Link to Data Base:

Data range 1991-2015:

<https://zambia.opendataforafrica.org/dajivbb/living-conditions-statistics>

2010 data description files: <https://catalog.ihnsn.org/index.php/catalog/2597/data-dictionary>

Link to General Survey Report(s):

<https://catalog.ihnsn.org/index.php/catalog/2597/download/38842>

The survey captures the amount of remittances paid outside Zambia (Questionnaire section 11B: Remittances household expenditure Q. 18, 19 & 20)

Name of Survey: Living Conditions Monitoring Survey

Year: 2015

Sample Size: 12260 households

Link to Survey Instrument:

<https://catalog.ihnsn.org/index.php/catalog/7105/download/83852>

Link to Data Base:

Data range 1991-2015:

<https://zambia.opendataforafrica.org/dajivbb/living-conditions-statistics>

2015 data description files: <https://catalog.ihnsn.org/index.php/catalog/7105/data-dictionary>

Link to General Survey Report(s):

<https://www.zamstats.gov.zm/index.php/publications/category/9-living-conditions?download=125:2015-living-conditions-monitoring-survey-report>

The survey captures the amount of remittances paid outside Zambia (Questionnaire section 11B: Remittances household expenditure Q. 18, 19 & 20)

Zimbabwe

Name of Survey: Poverty Income Consumption and Expenditure Survey

Year: 2017

Sample Size: 31195 households interviewed

Link to Survey Instrument:

<http://www.nada.zimstat.co.zw/nada/index.php/catalog/79/download/326>

Link to Data Base:

<http://www.nada.zimstat.co.zw/nada/index.php/catalog/79/related-materials>

Link to General Survey Report(s):

<http://www.nada.zimstat.co.zw/nada/index.php/catalog/79/download/327>

Information about international migration and disability, level of education etc in chapter 7 of the main report.

**ANNEX E: RESEARCH SURVEYS on LABOUR
MIGRATION**

Organization	Project	Year Cmpltd	Sample Size	Reports Outputs
Southern African Migration Programme (SAMP)	Migrants in Countries in Crisis (MICIC): Zimbabweans in South Africa	2017	Survey: 304 In-Depth (ID): 46 Key Informants (KI): 24	https://samponline.org/outputs-of-migrants-in-countries-in-crisis/
	Migration for Inclusive Growth & Development in Southern Africa	2017	KI: 60	https://samponline.org/outputs-of-harnessing-migration-for-inclusive-growth-and-development-in-southern-africa/
	Growing Informal Cities: Migrant Entrepreneurship in Informal Sector	2016	Survey: 1181 ID: 30 KI: 15	https://samponline.org/outputs-of-growing-informal-cities-gic-project/
	Food Insecurity of Zimbabwean Migrants in South Africa	2016	Survey: 500 ID: 50 FG: 10	https://samponline.org/outputs-of-food-insecurity-of-zimbabwean-migrants-in-south-african-cities/
	Diaspora Engagement for Development	2015	Survey: 2439	https://samponline.org/outputs-of-diaspora-engagement-for-development/
	Migration of Highly-Trained Health Professionals	2015	Survey: 1383	https://samponline.org/outputs-of-the-migration-of-highly-trained-health-personnel/
	Migration & Reconstruction in Zimbabwe	2015	ID: 100 (S Africa) ID: 202 (Botswana) FG: 10 (S Africa)	https://samponline.org/outputs-of-cross-border-migration-in-the-reconstruction-and-development-of-zimbabwe/
	Xenophobia in Southern Africa	2015	Survey: 2400	https://samponline.org/outputs-of-the-politics-of-xenophobia-in-southern-africa/

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	Migration & Remittances Survey (MARS)	2012	Survey: 4500	https://samponline.org/wp-content/uploads/2016/10/Acrobat44.pdf https://samponline.org/wp-content/uploads/2016/10/Acrobat52.pdf
Migrating Out of Poverty Research Consortium	Zimbabwean Migrations	2018	Survey: 1,146 households	http://www.migratingoutofpoverty.org/files/file.php?name=wp64-nyikahadzoi-et-al-2019-incomes-remittances-and-implications-for-the-welfare-of-sending-households-in-zimbabwe.pdf&site=354
				http://www.migratingoutofpoverty.org/files/file.php?name=2018-19-11-cass-enhancing-the-welfare-of-migrant-sending-households-in-zimbabwe-ir.pdf&site=354
	Migration Drivers and Zimbabwean Migration	2018	Survey: 1193 Zimbabwe households (2015)	http://www.migratingoutofpoverty.org/files/file.php?name=wp53-litchfield-2018-drivers-of-intra-regional-and-inter-regional-migration-in-africa.pdf&site=354 http://www.migratingoutofpoverty.org/files/file.php?name=wp29-dzingirai-et-al-2015-migrating-out-of-poverty-in-zimbabwe.pdf&site=354
	Migration Drivers and Zimbabwean Migration	2018	Survey: 1193 Zimbabwe households (2015)	http://www.migratingoutofpoverty.org/files/file.php?name=wp53-litchfield-2018-drivers-of-intra-regional-and-inter-regional-migration-in-africa.pdf&site=354 http://www.migratingoutofpoverty.org/files/file.php?name=wp29-dzingirai-et-al-2015-migrating-out-of-poverty-in-zimbabwe.pdf&site=354

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African Centre for Migration and Society (ACMS)	Economic, working conditions and vulnerabilities of female sex workers in Johannesburg, Rustenburg and Cape Town	2017	Survey: 1,653 (758 cross-border migrants)	https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3895178/
	African Migrants in Johannesburg	2016	Survey: 842 (2006)	https://www.tandfonline.com/doi/abs/10.1080/00220388.2015.1098628
	Xenophobia in South Africa	2015	ID: 105 FG: 2	https://www.unhcr.org/55cb153f9.pdf
	Regulating Somali Informal Trade in Cape Town	2015	ID: 147 KI: 41	http://www.migration.org.za/wp-content/uploads/2017/08/lawless-regulation.pdf http://www.migration.org.za/wp-content/uploads/2017/08/Somalinomics-A-case-study-of-the-economics-of-Somali-informal-trade-in-the-Western-Cape.pdf
	Migrant Workers in Musina	2012	ID: 100 FG: not specified KI: 15 + 11	http://www.migration.org.za/wp-content/uploads/2017/08/We-have-to-go-into-the-bush-Understanding-the-responses-of-NGOs-and-government-in-addressing-conditions-faced-by-cross-border-migrant-workers-in-Musina..pdf
	Zimbabwean Documentation Process in South Africa	2011	Survey: 905	http://www.migration.org.za/wp-content/uploads/2017/08/The-Zimbabwean-Documentation-Process-Lessons-Learned.pdf
	Migration and Construction Industry in Johannesburg	2010	Survey: 120 ID: 15	http://www.migration.org.za/wp-content/uploads/2017/08/Migration-and-Employment-in-the-Construction-Industry.pdf

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	Vulnerability and Mobility in Johannesburg	2010	Survey: 2028 (2010)	http://www.migration.org.za/wp-content/uploads/2017/08/Vulnerability-Mobility-and-Place.pdf
Afrobarometer	Xenophobia and Public Attitudes o Migration in South Africa	2020	Surveys: 1800 (2018); 2400 (2016); 4900 (2015); 2400 (2010, 2013)	https://afrobarometer.org/sites/default/files/publications/Dépêches/ab_r7_dispatchno360_south_africans_question_integration_of_immigrants_and_refugees.pdf https://afrobarometer.org/sites/default/files/publications/Dispatches/ab_r6_dispatchno72_south_africa_immigration1.pdf https://afrobarometer.org/sites/default/files/publications/Dispatches/ab_r6_dispatchno44_xenophobia_in_south_africa.pdf https://afrobarometer.org/sites/default/files/publications/Briefing%20paper/afrobriefno112_2.pdf https://afrobarometer.org/sites/default/files/publications/Briefing%20paper/AfrobriefNo82.pdf
Cape Peninsula University of Technology	Migrant Street Vendors in Cape Town	2013	Survey: 208	https://www.mcser.org/journal/index.php/mjss/article/view/198/183
Finmark Trust	Remittance Corridors in the DRC	2018	Survey: 105	http://www.finmark.org.za/wp-content/uploads/2018/06/DRC-Remittances_Final-English_25-May-2018.pdf
	Remitting Patterns of Zimbabweans in Botswana	2018	FG: 10 (98 participants)	http://finmark.org.za/wp-content/uploads/2019/02/Understanding-remittances-from-Botswana-to-Zimbabwe-July2018.pdf
	Impact of Remittances in Lesotho, Malawi and Zimbabwe	2016	Survey: 60 FG: 6 (South Africa) ID: 94	http://www.finmark.org.za/wp-content/uploads/2017/06/the-impact-of-remittances-in-lesotho-malawi-and-zimbabwe.pdf

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HSRC	South African Social Attitudes Survey (SASAS)	2020	Survey: 3500-7000 (per wave)	Find it here
Socio-Economic Rights Institute/ SERI	Informal Traders in Johannesburg	2015	ID: 89 FG: 2	http://www.seri-sa.org/images/Seri_informal_traders_report_FINAL_FOR_SIGN_OFF_2.pdf
UNISA	South African Social Attitudes Survey (SASAS)	2020	Survey: 3500-7000 (per wave)	Find it here
WIEGO	Informal Economy Monitoring Study	2013	Survey: 600 FG: 60	https://www.wiego.org/sites/default/files/publications/files/IEMS-Durban-Street-Vendors-City-Report-English.pdf
GCRO	Quality of Life Study	2018/19 (last wave)	Survey: 24,899	https://gcro.ac.za/m/documents/gcro_data_brief_informal_sector_enterprise_and_employment.pdf
North-West University	Migrant Day Labourers in South Africa	2017	Survey: 242 (2004) 335 (2007) 290 (2015)	https://www.researchgate.net/publication/318928162_Migrant_day_labourers_in_South_Africa_worker_centres_and_the_regulation_of_informality https://onlinelibrary.wiley.com/doi/abs/10.1002/psp.2119
Good Governance Africa (GGA)	Informal Economy and Enterprise Development in Ghana and South Africa	2019	Survey: 1093 (South Africa)	https://gga.org/wp-content/uploads/2019/06/OSISA-INFORMAL-ECONOMIES-STUDY-240519.pdf
UWC/UJ	Day Labour, Informality and Vulnerability in South Africa	2015	Survey: 3,830	https://escholarship.org/content/qt66b0b3kd/qt66b0b3kd.pdf?t=ojx5rv
Sustainable Livelihoods Foundation	Township Economies in Namibia and South Africa	2020	Survey: 2016: 270 (Namibia) 2008: 133 (Namibia) 2019: 265 (Delft)	http://livelihoods.org.za/wp-content/uploads/2020/07/Township-Economy-Series-6.pdf

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	Informal Economy Studies	2020	Surveys: Delft (879 in 2010, 1485 in 2015); Philippi (313 in 2020); Uitenhage (2000 in 2018) ID: 298 (Delft in 2010) 129 (in 2015)	
Society, Development and Work Institute, Wits University	Vulnerable Workers in Security, Agriculture and Hospitality Sectors in Gauteng	2012	Survey: 2753 (2009)	Society, Work and Development Institute. (2012) Decent Work and Development: The decent work deficit challenge in Gauteng. Prepared for the Gauteng Department of Economic Development. Johannesburg: University of Witwatersrand.
	Decent Work and Development Initiative	2016	Survey: 2016: (Uses some material from above survey) ID: 39 KI: 16	http://pdj.sagepub.com/content/16/2/203.short
University of Hare	Remittances and Receiving Households in Zimbabwe	2017	Survey: 159 ID: 10 KI: 5	Find it here and Find it here
University of Free State	African Migrant Women in six South African cities	2019	Survey: 332	https://www.researchgate.net/publication/335752403_Job_Market_Perceptions_of_African_Migrant_Women_in_South_Africa_as_an_Initial_and_Long-Term_Coping_and_Adaptation_Mechanism
	Survival and Livelihoods of Zimbabwean Women in South Africa	2019	Survey: 187	http://africamigration.com/issue/july2019/NCUBE_BAHTA_JORDAAN_Issue_10.pdf

ANNEX E: RESEARCH SURVEYS on LABOUR MIGRATION

Arizona State University	Gender, Male Out-Migration and Children's Health in Rural Southern Mozambique	2014	Survey: 1,772 (2009) 2,039 (2011)	https://repository.asu.edu/attachments/134763/content/SoaresLuz_asu_0010E_13604.pdf (also uses 2006 survey data from the above study)
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REFERENCES

Alvarez, P., Briod, P., Ferrari, O. and Rieder, U. "Remittances: How Reliable are the Data?" *Migration Policy Practice* 5(2), 2015.

Appleby, J. "Implementation of the Global Compact on Safe, Orderly, and Regular Migration: A Whole-of-Society Approach" *Journal of Migration and Human Security* (2020)

Asangalisah, S. "Extending Social Security to African Migrant Workers and Their Families - RBSA Evaluation" ILO Office, Addis Ababa, 2012.

AU, *Evaluation of the African Union Migration Policy Framework for Africa* (Addis Ababa: African Union, 2016), p. 44.

AU, *Migration Policy Framework for Africa and Plan of Action (2018-2030)* (Addis Ababa: African Union), p. 70.

AU, *Report on Labour Migration Statistics in Africa in 2015* (Addis Ababa: African Union Commission).

AU, *Report on Labour Migration Statistics in Africa: Second Edition 2017* (Addis Ababa: African Union Commission, 2019).

Battersby, J. "South Africa's Lockdown Regulations and the Reinforcement of Anti-Formality Bias" *Agriculture and Human Values* 37(2020): 543-544.

Botea, I., Chakravarty, S. and Compennolle, N. "Female Migration in Lesotho Determinants and Opportunities" Policy Research Working Paper No. WPS8307, World Bank, Washington DC, 2018.

COMESA, *Free Movement of Persons Within the Common Market for Eastern and Southern Africa: Trainers Manual* (Lusaka, 2017).

Crush, J. and Pendleton, W. "Remitting for Survival: Rethinking the Development Potential of Remittances" *Global Development Studies* 5(2009): 1-28.

Crush, J., Dodson, B., Gay, J. and Leduka, C. *Gender and Remittances: Creating Gender-Responsive Local Development: The Case of Lesotho*. Report for INSTRAW, Santa Domingo, 2010.

Crush, J., Dodson, B., Williams, V. and Tevera, D. *Harnessing Migration for Inclusive Growth and Development in Southern Africa*. SAMP Special Report, Waterloo, 2017.

Crush, J., Skinner, C. and Stulgaitis, M. *Rendering South Africa Undesirable: A Critique of Refugee and Informal Sector Policy*. SAMP Migration Policy Series No. 78, Cape Town, 2017.

Crush, J., Williams, V. and Nicholson, P. "Migrants' Rights After Apartheid: South African Responses to the ICRMW" In P. de Guchteneire, A. Pecoud and R. Cholewinski, eds., *Migration and Human Rights: The United Nations Convention on Migrant Workers' Rights* (Paris: UNESCO, 2009), pp. 247-277.

Dastgeer, A. and Guzmán, F. *Independent Evaluation of the ILO's Country Programme for the United Republic of Tanzania: 2004-2010* (Geneva: ILO, 2010).

de Haas, H. *Situation Analysis: Patterns, Levels and Trends of African Migration*, Report for UN Economic Commission for Africa and IOM, Addis Ababa, 2017.

de Vletter, F. "Migration and Development in Mozambique: Poverty, Inequality and Survival" SAMP Migration Policy Series No. 43, 2006.

Dodson, B. "Gender, Migration and Livelihoods: Migrant Women in Southern Africa" In *New Perspectives on Gender and Migration: Livelihood, Rights and Entitlements* (London: Routledge, 2007).

Dodson, B. and Crush, J. *Migration Governance and Migrant Rights in the Southern African Development Community (SADC): Attempts at Harmonization in a Disharmonious Region*. Research Paper 2015-3, United Nations Institute for Social Development (Geneva, 2015).

Fauvelle-Aymar, C. "Migration and Employment in South Africa: An Econometric Analysis of Domestic and International Migrants (QLFS (Q3) 2012)" MiWORC Report No. 6, ACMS, University of the Witwatersrand, Johannesburg, 2014.

FinMark Trust, *SADC Remittance Values and Volumes 2018: Research Report* (Pretoria, 2020).

Frayne, B. and Pendleton, W. "Migration in Namibia: Combining Macro and Micro Approaches to Research Design and Analysis" *International Migration Review* 35(2001).

Gastrow, V. *Problematizing the Foreign Shop: Justifications for Restricting the Migrant Spaza Sector in South Africa*, SAMP Migration Policy Series No. 80, Cape Town, 2018.

Hempel, F. "Voluntary Insurance Provisions in National Social Security Schemes. Contribution to the MIGSEC Project Extending the Social Security Rights of African Migrant Workers" ESS Paper 26, International Labour Office, Geneva, 2010.

Henning, S. and Hovy, B. "Data Sets on International Migration" *International Migration Review* 45(4) (2011): 980-985.

Hovhannisyan, S., Baum, C., Ogude, H. and Sarkar, A. *Mixed Migration, Forced Displacement and Job Outcomes in South Africa* (Washington DC: World Bank, 2018).

ILO and IOM, *Preliminary Stocktaking Study: Development and Implementation of Bilateral Labour Migration Arrangements by African Union Member States* (Geneva, 2019).

ILO, *Global Estimates on International Migrant Workers*, Labour Migration Branch & Department of Statistics, International Labour Organization, Geneva, 2018.

ILO, *Guidelines Concerning Statistics of International Labour Migration*, Department of Statistics, International Labour Office, Geneva, 2018.

ILO, *Women and Men in the Informal Economy: A Statistical Picture* (3rd Edition), International Labour Office, Geneva, 2018.

IOM, *Regional Assessment on HIV-Prevention Needs of Migrants and Mobile Populations in Southern Africa* (Pretoria, 2011).

IOM, *Regional Guidelines for the Development of Bilateral Labour Agreements in the Southern African Development Community* (2016). At: https://publications.iom.int/system/files/pdf/regional_guide_bilateral_labour_agreements.pdf

IOM, *Regional Guide to Facilitate South-South Labour Mobility in Southern Africa* (Maputo: IOM, 2016) at https://publications.iom.int/system/files/pdf/regional_guide_to_facilitate_south-south_southern_africa.pdf

IOM, *Bilateral Labour Migration Arrangements in Two Southern African Development Community Corridors* (Geneva: IOM, 2021).

Jaftha, C. and Samuels, J. "Building Trust for Better Movement Across SADC: August 2018 Update on the SADC Qualifications Framework (SADCQF)" At: <https://www.umalusi.org.za/docs/misc/2018/An-update-on-the-SADC-Qualifications-Framework.pdf>

Klaaren, J. and Rutinwa, B. *Toward the Harmonization of Immigration and Refugee Law in SADC* MIDS Report No. 1, 2004.

Kumar-Range, S. and Henry, C. *Independent Evaluation of the ILO's Country Programme for Zambia: 2001-2007* (Geneva: ILO, 2008).

Lai, S. et al, "Exploring the Use of Mobile Phone Data for National Migration Statistics" *Palgrave Communications* 5:34 (2019)

Landau, L. and Segatti, A. (eds.), *Contemporary Migration to South Africa: A Regional Development Issue* (Washington DC: World Bank, 2011).

Madzivanyika, K. "The Movement of Persons in COMESA: Regulatory Convergence, Differences and Regional Contrasts" In COMESA, *Key Issues in Regional Integration Vol 5* (Lusaka: nd), pp. 25-42.

Majikijela, Y. and Tati, G. "Structural Changes in the Participation in the Participation of African Migrants in the Labour Force of South Africa (2010-2011)" *Alternation* 1 (2017): 336-366.

Maunganidze, O. and Formica, J. "Freedom of Movement in Southern Africa A SADC (Pipe)dream?" ISS Southern Africa Report, Pretoria, 2018.

Misago, J., Freemantle, I. and Landau, L. *Protection from Xenophobia: An Evaluation of UNHCR's Regional Office for Southern Africa's Xenophobia Related Programmes* (Pretoria: UNHCR, 2015).

Mpedi, L. and Smit, N. (eds.), *Access to Social Services for Non-Citizens and the Portability of Social Benefits within the Southern African Development Community* (Bloemfontein: Sun Press, 2011).

Mpedi, L., Ashu, M. and Nyenti, T. *Towards an Instrument for the Portability of Social Security Benefits in the Southern African Development Community* (Stellenbosch: SUN Press, 2017).

Mudungwe, P. "Promoting Free Movement of People in Southern Africa A Case for Ratification of the Protocol on the Facilitation of Movement of Persons in the SADC Region" African Diaspora Policy Centre Research Report, The Hague, 2015.

Muñoz-Sevilla, R., Ordoñez, D. and Wark, S. *Independent Evaluation of ILO's Programme of Work in Four Selected Countries of the Southern African Development Community (SADC) (Lesotho, Madagascar, South Africa and the United Republic of Tanzania), 2014-2018* (Geneva: ILO, 2019).

OECD/ILO, *How Immigrants Contribute to South Africa's Economy* (Paris: OECD Publishing, 2018).

Oliver, M. "Political and Regulatory Dimensions of Access, Portability and Exclusion: Social Security for Migrants, with an Emphasis on Migrants in Southern Africa" In R. Sabates-Wheeler and R. Feldman (eds.), *Migration and Social Protection: Claiming Social Rights Beyond Borders* (London: Palgrave Macmillan, 2011).

Olivier, M. "Regional Overview of Social Protection for Non-Citizens In The South African Development Community (SADC)" SP Discussion Paper No. 0908, World Bank, Washington DC, 2009.

Olivier, M. and Govindjee, A. "Social Protection Lessons from SADC for the Global South" In R. Modi (ed.), *South-South Cooperation* (London: Palgrave Macmillan, 2011).

Osewe, P. and Kistnasamy, B. *Tuberculosis Must Fall! A Multisector Partnership to Address TB in Southern Africa's Mining Sector* (Washington DC: World Bank, 2018).

Plaza, S. and Ratha, D. (eds.), *Diaspora for Development in Africa* (Washington DC: World Bank, 2011).

Popova, N. and Panzica, F. *Tool for the Assessment of Bilateral Labour Migration Agreements Pilot-Tested in the African Region*. At: https://www.ilo.org/global/topics/labour-migration/publications/WCMS_722208/lang--en/index.htm

Ranchod, V. and Daniels, R. "Labour Market Dynamics in South Africa in the Time of COVID-19" SALDRU Working Paper 265, University of Cape Town, 2020.

Ratha, D. et al. (eds.), *Leveraging Migration for Africa Remittances, Skills, and Investments* (Washington DC: World Bank, 2011).

Roberts, B. *A Migration Audit of Poverty Reduction Strategies in Southern Africa* MDSA Report No. 3, 2007.

Rogan, M. and Skinner, C. "The COVID-19 Crisis and the South African Informal Economy: 'Locked Out' of Livelihoods and Employment" NIDS-CRAM Working Paper, University of Cape Town, 2020.

SADC Secretariat, *Draft SADC Labour Migration Action Plan (2020-2025)* SADC/ELS/M&SP/2020/7 (Gaborone, 2020).

Sefika, M. *Enhancing Migration Data Management in Lesotho: Assessment and Recommendations* (Brussels: ACP Migration Observatory/IOM, 2013).

Segatti, A. "Explaining the Impasse of Circular Migration in Southern Africa" In C. Sole, S. Parella, T. Marti and S. Nita, eds., *Impact of Circular Migration on Human, Political and Civil Rights* (Cham: Springer, 2016), pp. 85-108.

Segatti, A. "The Southern African Development Community: A Walk Away from the Free Movement of Persons?" In A Pécoud et al. (eds.), *Migration, Free Movement and Regional Integration* (Paris: UNESCO, 2017).

Sookrajowa, S. and Joson, M. "An Analysis of the Challenges and Implications of the UN Migrant Workers Convention: The Case of Mauritius" *Migration and Development* 7(2) (2018): 262-281.

South African Human Rights Commission, *Report of the SAHRC Investigative Hearing: Issues and Challenges in Relation to Unregulated Artisanal Underground and Surface Mining Activities in South Africa* (Braamfontein: SAHRC, 2015).

Southern African Trade Union Coordinating Council (SATUCC), *Developing a Cohesive and Transformative Labour Migration Policy Framework for SADC*. Regional Research on Migration Report (2017).

Statistics South Africa, *Documented Immigrants in South Africa: 2013*. Statistical Release PO351.4 (Pretoria: StatsSA, 2014).

Statistics South Africa, *Documented Immigrants in South Africa: 2015*. Statistical Release PO351.4 (Pretoria: StatsSA, 2017).

Statistics South Africa, *Labour Market Outcomes of Migrant Populations in South Africa: 2012 and 2017* (Pretoria: StatsSA, 2019).

Statistics South Africa, *Social Impact of COVID-19 (Wave 3): Mobility, Migration, and Education in South Africa* (Pretoria: Statistics South Africa, 2020).

Taran, P. "Extending Social Security to Migrants in Southern Africa" *SASPEN Brief No. 1*, Lusaka, 2015.

UNCTAD, *Economic Development in Africa Report 2018: Migration for Structural Transformation* (New York: UN Publications, 2018).

Vearey, J. "Moving Forward: Why Responding to Migration, Mobility and HIV in South(ern) Africa is a Public Health Priority" *Journal of the International AIDS Society* 21(S4) (2018): e25137.

Visser, M. and Ferrer, S. *Farm Workers' Living and Working Conditions in South Africa: Key Trends, Emergent Issues, and Underlying and Structural Problems*. Report for ILO Pretoria Office, 2015.

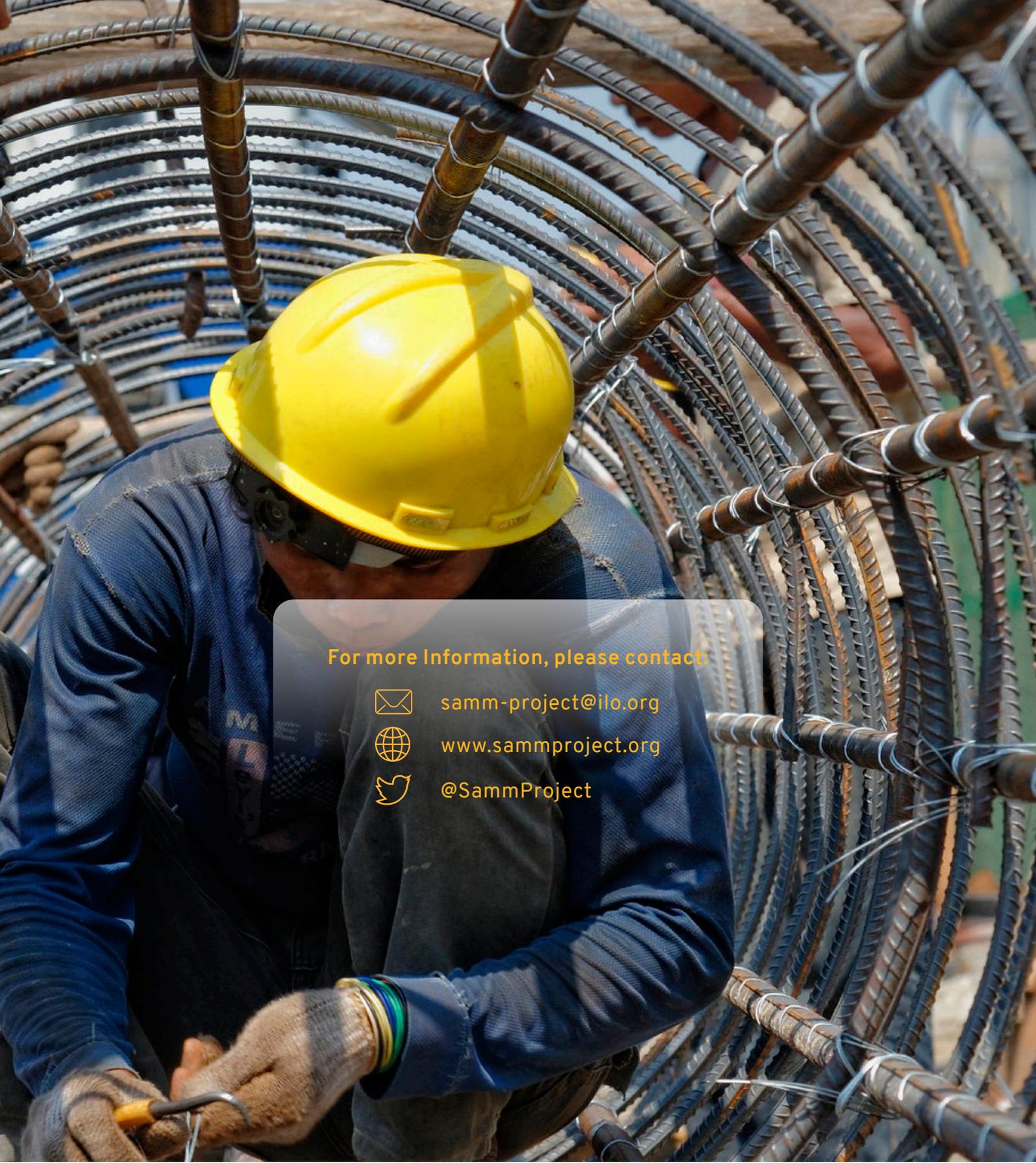
Werquin, P. and Panzica, F. *Migrant Workers' Skills Portability in Africa at Regional Economic Community and Continental Level: Guidance Towards an African Qualifications Framework?* (Geneva: ILO, 2018).

Williams, V. and Tsang, T. *The Prospects for Migration Data Harmonization in the SADC*, MIDSA Report No. 2: 2007.

Zhou, S. "Ethnic Migration Patterns in South Africa: A Case of Zimbabwean Immigrants" MPhil Thesis, University of Cape Town, 2018.

Ziehl, S. "Comparing Migration Data from Post-Apartheid Censuses: A Challenge for Longitudinal Research" *South African Review of Sociology* 48(2017): 38-62.





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