



# FREE MOVEMENT OF PERSONS AND MIGRATION IN WEST AFRICA (NSA FUND)

FMM West Africa – NON-STATE ACTORS FUND

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# UPDATE ON NON STATE ACTORS PROGRAMME:

**Roles/Space for Trade Unions and CSOs to Interface and Contribute to the effective implementation of the Free Movement and Migration Framework**



# 1. INTRODUCTION

- It is an honor for the FMM project to be part of this session that deals with the role of trade unions and CSOs in making labour migration and free movement of persons work for development. The trade union is indeed a stakeholder in labour migration and development.
- Let me begin by putting into perspective some of the critical challenges in the West African space in terms of managing migration and free movement dynamics:
  - ❑ Absence of knowledge of key provisions of ECOWAS Free movement protocols and migration frameworks by key stakeholders in the Member States (parliaments, border officials, CSOs and labour markets actors);
  - ❑ Mixed migration flows;



## 1. INTRODUCTION (2)

- ❑ The issue of children on the move for child labour;
- ❑ Security of persons and migration (destruction of travel documents and ID card, civil registry);
- ❑ Refugees and statelessness;
- ❑ Border “harassment” of cross-border traders and absence of the identification of this particular target;
- ❑ Irregular migration of youths towards Europe;
- ❑ High rate of human trafficking and migrants smuggling (via private agency recruitment, internet, family, etc) for purpose of domestic work, sexual exploitation, forced labour amongst many others.

## 2. Role of Trade Unions in free movement and migration management? (1)

It is necessary to look at the role of Trade Unions (TU) in promoting and respecting decent living and working conditions for all in a more inclusive society.

For trade unions, it is necessary:

- ❑ to describe the current situation of migrants workers and refugees in West Africa by conducting assessments and research;
- ❑ to identify how the TU could influence or contribute to Member states migration policies and ECOWAS Common approach on migration and free movement protocols;
- ❑ to define what role TU can play in integrating migrants and refugees into the labour market and society through exchange of best practices;

## 2. Role of Trade Unions in free movement and migration management? (2)

- ❑ To design trade union strategies for joint actions and mutual support in advancing integration of migrants and refugees in the labour markets;
- ❑ To develop a common trade union responses in relation to migration by looking at how and why they vary between countries; What responses at the local, national, regional and African level;
- ❑ To assess critical labour market issues:
  - a. Traditional patterns of migration: problem of segregation and exclusion;
  - b. Disorganization and deregulation of labour markets;
  - c. New waves of migration: continuous cycles of migration and mobility;
  - d. New forms of racism and xenophobia;
  - e. Language barriers and vulnerable workers and need of concrete policy focus on social inclusion and cohesion.

### 3. Limitations on trade unions action? (1)

- ❑ Change of political context in terms of new agenda on migration and the increasing xenophobia around national identity;
- ❑ Language barriers and variety of terminology relating to migration and free movement of persons;
- ❑ Problems of level of funding: reliance on EU MS or UN funding streams;
- ❑ Challenge of co-ordination across unions and at regional level – the role of activists and networks working in parallel modes;
- ❑ Lack of visibility of trade unions;
- ❑ Migration as a cross-cutting issues and new dynamics trends in terms of mobility (mobility within the region and towards Europe, Middle East and other African countries);
- ❑ High rate of informality in the labour market;

### 3. Limitations on trade unions action?

(2)

- ❑ Difficulties of knowing the profiles of workers;
- ❑ Lack of data;
- ❑ Lack of harmonized policy in migration and absence of labour migration policies in some countries;
- ❑ Different practices in the region and level of labour laws implementation;
- ❑ Initiatives linked to traditional donor funding and problem of sustainability and implementation of the initiatives;
- ❑ Discrepancies between national laws regulating migration and free movement and ECOWAS protocols;
- ❑ Regulated jobs /liberal professions; high rate of unemployment, illiteracy, lack of qualifications or absence of knowing the profile of the workers;

### 3. Limitations on trade unions action? (3)

- ❑ Lack of accurate and up to date information on the new trends of labour migration from the field;
- ❑ Multiplicity of sources of funding from various donors with different objectives;
- ❑ Lack of interest and knowledge of free movement and migration from the medias;
- ❑ Absence of networking between trade unions and medias;
- ❑ Absence of known strategy developed by trade unions on how they will contribute to the implementation of free movement and migration strategies;
- ❑ Language barriers (French –Portuguese-English in ECOWAS space);

### 3. Limitations on trade unions action ? (4)

- ❑ No spontaneous assessments missions in some critical areas (gold mining sectors, agriculture, fishery where there are high rate of forced labour, child labour, trafficking, sexual exploitation, health, hygiene, insecurity etc.) to raise awareness on abuse and sexual exploitation of migrant workers.
- ❑ Lack of networking and variety of trade unions also hampered the effective implementation of migration and free movement strategy as trade unions are not carry along.

Hence, Trade unions need to strategically position themselves to support the Free Movement and migration strategy in the region for the benefit of the community citizens

## 4. Overview of some best practices

- ❑ Adoption of a code of labour practices to protect workers' rights;
- ❑ Training domestic workers on their rights and the dangers of trafficking (Kenya);
- ❑ Advocating for the rights of migrants workers;
- ❑ Lobbying the government to protect workers' rights (Bahrein);
- ❑ Promoting standards to ensure fair trade conditions and workers' rights;
- ❑ Raising awareness about trafficking within the trucking industry- gold mining sector.

# 5. INTRODUCTION TO THE NON – STATE ACTOR (NSA) FUND

## 5.1. About the Fund for Non-State Actors

- ❑ The FMM Non-State Actors Fund (FMM NSA Fund) is based on the assumption that the role of the Non-State Actors (NSAs) and local authorities in protecting migrants' rights, increasing their understanding and knowledge of fighting trafficking in persons and forced labour is crucial.
- ❑ Its purpose is to fund projects from NSAs in partnership with local public authorities in such areas of migration management.
- ❑ Through a call for proposals, grants will be provided to NSAs and local public authorities for the implementation of specific projects. The considered projects are limited in size (between 50 000 EUR and 100 000 EUR per project) and duration (from 12 to maximum of 18 months).



## 5. INTRODUCTION TO THE NON – STATE ACTORS FUND (2)

Applicants eligible to receive grants from the Fund must be Non-State Actors legally registered and operating in one of the 15 ECOWAS member states or Mauritania. Eligible Non-State Actors include:

- Non-governmental organizations (NGOs);
- Economic and Social partners (such as Trade unions and Employer's associations);
- Private sector (such as Business organisations and other private sector associations);
- Traders and Transporters Associations or Syndicates;
- Media organizations;
- Migrants associations.



## 6. PROJECTS UNDER THE NON – STATE ACTORS FUND (1)

- ❑ The Non – State Actors Fund selected projects which are currently at various stages of implementation;
- ❑ 10 NSA Fund projects were approved for the following ECOWAS members states Ghana, Guinea Conakry, Nigeria, Togo, Cote D'Ivoire, Niger, Liberia, Senegal, Cabo Verde, Gambia while 5 NSA Fund projects for Burkina Faso, Benin, Guinea Bissau, Mali, Sierra Leone are at various stages of evaluation and review process by the Grant Evaluation Committee (GEC);
- ❑ The 10 projects selected are at various stages of implementation across the ECOWAS members' states through the civil society NGOs. Risk assessment missions in Cabo Verde, Liberia, Senegal and Gambia to ensure proper implementation of the projects.



## 6. PROJECTS UNDER THE NSA FUND (2)

- ❑ Togo project is on sensitization on biometric ID card and combating harassment at the border points;
- ❑ Guinea Conakry project is on preventing and combatting child trafficking. Ghana project is on sensitization of ECOWAS citizens on migrant rights;
- ❑ Senegal project is on reintegration of return migrants through support to establish micro enterprises;
- ❑ Cote D'Ivoire project is on Irregular migration and socio-economic reintegration of returning migrants;
- ❑ Nigeria project is on actions to combat child/human trafficking and child labour.



## 6. PROJECTS UNDER THE NSA FUND (3)

- ❑ Liberia project is on free movement and cross-border cooperation (Early Warning System);
- ❑ Niger project is on free movement, pastoralism and cross-border cooperation;
- ❑ Cabo Verde project is on Labour migration (access to liberal professions/entrepreneurship);
- ❑ Gambia project is on curbing irregular migration/Youth socio-economic empowerment.

Others under review: Benin- Burkina Faso-Guinea Bissau- Mali- Sierra Leone.

## 7. CONCLUSIONS

- ❑ In conclusion, we do understand that the migration phenomenon is a big issue that requires cooperation from the most possible number of actors. The trade unions cannot reach all the workplaces and countries and in some cases the legal framework does not provide for their existence.
- ❑ There are other actors – like NGOs and migrant associations - that can also provide protection and representation. The challenge now is to create the broad alliance in making the work of millions of migrant workers decent – getting their fair share of their labour in a context where they have rights and dignity.

## 7. CONCLUSIONS

- ❑ Challenge now is to create the broad alliance in making the work of millions of migrant workers decent – getting their fair share of their labour in a context where they have rights and dignity.
- ❑ The union movement must not rely on the state for support in terms of collective rights and regulation but this means that unions constantly need to innovate and engage with regards to membership and workforce, as much of the activity is reliant on a particular set of circumstances (a strong union branch, committed union officers or external funding).



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