



**Annual meeting of the African Trade Unions' Migration Network  
(ATUMNET)**

**Contributing to the United Nations Global Compact on Migration.  
promoting increased ratification of migration related instruments and  
encouraging fair recruitment**

**Lagos, Nigeria, 10-12 April 2018**



**Summary**



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## ACRONYMS

|         |  |
|---------|--|
| ILO     | International Labour Organization                  |
| GCC     | Gulf Cooperation Council                           |
| ECOWAS  | Economic Community of West African States (ECOWAS) |
| FMM     | Free Movement and Migration                        |
| SDGs    | Sustainable Development Goals                      |
| IOM     | International Organization for Migration           |
| ILO     | International Labour Organization                  |
| ATUMNET | African Trade Unions' Migration Network            |
| UA      | African Union                                      |
| EU      | European Union                                     |

## INTRODUCTION

The UN Global Compact for safe, orderly and regular migration is an opportunity for unions to reflect on their migration policies. This reflection should focus not only on the recognition of human mobility, but also on its contribution to sustainable development. That will certainly change the negative perception on migration and strengthen migrants' power.

The evaluation meeting on Global Compact held from 4 to 6 December 2017 in Puerto Vallarta, in Mexico resulted in the adoption of two reports, namely the Chairman's report and the report of the Secretary General of the United Nations. These reports served as the basis for developing the Zero-Draft. The latter is the working document for the round of negotiations on Global Compact, of which the final document will be adopted in December 2018, in Morocco.

Promoting these instruments has been, over the years, [one of] the main objectives of ITUC-Africa. This is due to the fact that these instruments contribute to advance the protection of migrant workers' rights. In addition, the ILO has developed, for the benefit of the unions, a kit to help them better defend migrants' rights and advance the ratification campaign. Thus, trade unions are expected to obtain the support of the African governments concerning the position of workers and their unions, through lobbying and involvement at the national level. It is equally important that full consideration should be given to [the possible] leadership of the ILO in matters concerning labour migration.

It is against this background that this platform, ATUMNET, made of all the affiliates of the ITUC-Africa in 51 of 55 African countries, convened a meeting to address matters relating to labour migration and the Global Compact on Migration, at the Golden Tulip hotel in Lagos, Nigeria from 10 to 12 April 2018. It should be recalled that ATUMNET make it possible to coordinate the management of migration and related interventions in these countries. ATUMNET meets annually.

The main objectives of the Lagos meeting were as follows: i) reflect on strategies and practical approaches for the ratification of Conventions 97, 143 and 189 in at least 5 countries before its next Congress in 2019; (ii) discuss the level of implementation of the AU Declaration on Migration in Africa (AU / 18 / XXV); (iii) examine the practical and useful approaches to achieve fair recruitment and a better protection of African migrants; and (iv) reflect on the assistance that should be given to African migrants who are returning voluntarily, in order to facilitate their effective rehabilitation and reintegration.

The meeting purposed specifically to:

- a) make it possible for ATUMNET members to present their reports on the level of lobby and discussions with their governments concerning the Zero-Draft of the Global Compact and to explore ways of improving on the gains of the ongoing rounds of negotiations;
- b) Deepen discussions about the ratification of conventions and to develop strategies aimed at supporting the efforts deployed towards the ratification of at least 5 relevant migration conventions by the end of the year 2019;
- c) call for fair and exemplary practices on labour recruitment in Africa and the States of the Council of Cooperation of the Golf (GCC), in order to improve the protection of African migrants.
- d) Visit the sites where returning Nigerian migrants have been established with the help of GIZ; visit the Centre for refugees in order to learn from the initiatives of trade union aimed at contributing to the process of voluntary repatriation, rehabilitation and resettlement of returnees.
- e) Evaluate trade unions' contribution to migration and integration process at sub-regional and regional levels, relevant to follow-up on ECOWAS' 2017 FMM Program.

The expected outcomes at the end of the Lagos workshop included:

- established report on the progress made in terms of trade union participation in relation to the negotiation phase on the preliminary draft of the Global Compact; identified strong points (of countries) and areas of support.
- developed and adopted practical and effective strategies for ratifying the ILO Conventions on migration.
- adopted report on the progress made concerning fair recruitment campaigns; and discussed and adopted initiatives aimed at consolidating the progress made and at addressing challenges.
- solidarity visit carried out at the Centre for returnees to boost migrants and refugees morale; ATUMNET Members inspired by the initiatives that they should promote and in which they can participate in their respective countries.
- suggestions on how to promote the ECOWAS FMM Program and other sub regional initiatives would have been discussed and formalized as action plans; and several African governments would have announced arrangements to grant visas to African nationals at ports of entry.

The workshop brought together 40 participants, including ten women from trade unions; participants from civil society, employers and the African Union; facilitators and resource persons. The list of participants is attached as annex 1 to this report.

## **1 OPENING CEREMONY**

The opening ceremony was marked by two presentations. The first was that of Madam Chidi KING, Director of Equality, ITUC-Brussels. After thanking the participants, she pointed out that the African continent is losing a lot of resources as a result of migration. She indicated that the workshop offered an opportunity for unions to discuss more about migration in order to do valuable work before July 2018 negotiations.

Mr Joel ODIGIE, representing the Secretary General of ITUC-Africa, recalled that governments were working hard on the issue of migration. However, unions need to be more involved. He hoped that migration issues would be of concern to candidates during different electoral campaigns in Africa. He equally recalled that the questions of migration concern domestic work and therefore this workshop should be pragmatic and provide a space for discussion.

## **2 PROCEEDINGS**

The 3-day workshop evolved around discussions on presentations and site visits to Resource Centre for Migrants in Lagos. The actual work for the workshop began after the opening ceremony. It was marked by presentations followed by discussions.

### **2.1 PRESENTATIONS AND DISCUSSIONS**

#### **2.1.1 PRESENTATIONS: questions of ratification, development of effective and successful ratification campaigns and implementation.**

This presentation was co-facilitated by two experts from the ILO Regional Office Abuja.

Mr. Dino CORREL Responsible for the Employment and Migration Program, in his communication



gave a general overview of the international standards for labour migration. Labour migration is more complex because it involves several aspects, including risks and brain drain. Migrant workers suffer from violation of their rights despite their contribution to sustainable development. This requires a minimum standard with regard to their protection. The Migration Convention

was put in place after the Second World War, for fair treatment between migrant workers and national workers. This convention requires countries to promote equal treatment. However, it specifies exceptions and requires exchange of information between Member States. It equally recognizes the right of association of workers.

A general survey of migration conventions conducted in 2014 highlighted the implementation of these conventions by the states. The report of this survey was published in 2016 at the request of some states. This report sparked interest among other States now keen to follow in the footsteps of ratifying labour migration conventions. Conventions 97 and 143 are still relevant and constitute a solution to migration problems. The ratification of these conventions is important for discussions on migration.

Mr. David DORKENOO, Specialist of Workers' Activities at the ILO, Nigeria, indicated that the ratification of these Conventions requires trade union action. The reasons why unions must work [hard] for the ratification of these conventions are: (i) unions are an important stakeholders; thus, they must (ii) ensure that a framework is in place for regulations at national level, (iii) guarantee the rights of workers in the formal and informal sectors, (iv) promote fair treatment, combat discrimination against women, (v) promote the rights of women, (vi) end the various forms of exploitation of migrants and their trafficking, (vii) change in perception about migrants.

Mr. Dorkenoo observed that employers are not keen in ratifying Conventions 97 and 143. As evidence, 10 out of 49 African countries have ratified Convention 97 and only 6 have ratified Convention 143. He added that Morocco, which is the host country for the adoption of the Global Compact on Migration, has not yet ratified these conventions.

He then recalled the challenges facing the ratification of these conventions. According to him, the



adoption of the Sustainable Development Goals (SDGs) is one the reasons why governments lose interest in the ratification of these conventions. In fact, governments will use the SDGs and the African Union's agenda to justify their position, since these instruments incorporate migration objectives. He equally indicated that it is through the ILO's supervisory mechanism that the work done and what remains to be done

can be evaluated. Governments should understand these conventions to ratify them; they are flexible in their implementation and adapt to our time. There is an urgent need to take into account all the social partners in the process of ratifying these conventions. [on behalf of the ILO], he reiterated the need to encourage trade unions to work with other social partners and secure support from parliament and political parties in the process of ratifying these conventions. Finally, he decried the fact that unions are not keen in commenting on government's reports.

The discussions that followed the presentations by the 2 experts of the ILO focused on:

- **Establishing relations** with ministries that are involved in the process of ratification of these conventions, and with the parliament. ;
- **Protecting workers' rights:** the ratification of these conventions aims at protecting the rights of migrant workers;
- **the state of the ratifications in participants' countries:** their interventions revealed that countries are at various stages of ratification Some countries shared experiences on steps they have taken concerning the ratification. These include, submission of reports to the Government on the occasion of May Day (reports on the state of progress of the ratification of conventions related to protection of the of migrant workers' rights);
- **ratification of conventions related migrants' rights by Western countries :** it is paramount to ensure that Western countries ratify the conventions related to migrants' rights ;
- **taking into account different types of migrants,** including environmental and climate-related migrants and migration in all its aspects;

- **the repositioning of migration issue** on the African agenda
- **Governments' instability:** the replacement of Governments was mentioned among the delaying factors in the process of ratifying conventions;
- **the ratification of convention 189:** It is also important to work towards the ratification of the convention related to domestic workers;

### **2.1.2 Rounds of negotiations on Global Compact; Zero-Draft: State of affairs and how to consolidate our positions and win.**

The afternoon of the first day was devoted to discussions by video conference. The first video conference was facilitated by Mr Laxman BSNET, a Nepalese delegate in the discussions on the Global Compact [held] in New York. This was supplemented by Ms. Chidi KING and the second video was facilitated by Mr. Shabari NAIR, a specialist of migration policy in the Committee for labour migration at the ILO.

These two conferences focused on the process related to Global Compact. Mr Laxman BSNET briefly



recalled the background to this process. One of the reference points of this conference was the Declaration of New York (where important discussions were undertaken). Discussions focused on the following: (i) factors causing migrants to leave their countries , (ii) difference between regular and irregular migration, (iii) difference between migrants and refugees, (iv) respect for human dignity, (v) implementation of all international agreements on the protection of migrants, (vi) facilitation of fair and equitable recruitment, (vii) mechanisms for the preparation of the migration cycle.

Ms. KING, supplemented Mr. Laxman BSNET's intervention; she recalled the context in which the Global Compact project was drafted. Subsequently, she talked about the discussions held with respect to the body that should oversee the coordination of the Global Compact. Proposals had been made to entrust the International Organization on Migration (IOM) with the coordination, but there is still reluctance [from some quarters]. She revisited the issue of regular and irregular migrants; the stumbling block being the reluctance by governments to facilitate the access of regular or irregular migrants to health care.

Mr. Shabari NAIR, on his part, spoke about the attitude of the European Union (EU) to negotiations on Global Compact. He informed the participants that the EU countries have adopted a common position; for them the Global Compact applies only to regular migrants. He also clarified Switzerland's position in these negotiations. Switzerland argument is that labour migration is the ideal way to regular migration. It suggested an 18<sup>th</sup> objective to decent work. He also recalled the important role of South Africa in discussing the process of Global Compact.

The discussions after these 2 video-conferences focused on:

- **Submission of the Draft on Global Compact** by the unions to try and solicit governments' support on key points deemed important by the unions;
- **Relations between unions and Ministries of Labour and Foreign Affairs:** unions must engage discussions with these State's structures ;
- **relations between right [of each State] to sovereignty and international law ;**
- **mobility and border disparities between countries ;**
- **the arguments to be used by unions to convince ordinary citizen.**

### **2.1.3 fair recruitment and employment to reduce acts of aggression against migrants**

The presentation on the second day of the workshop was via video conference by Mrs. Maria GALLOTI, ILO's Migration Specialist. the presentation aimed at discussing the principles of fair recruitment This session was chaired by Mr. David Dorkenoo.

At the beginning of her presentation, Mrs. Maria GALLOTI indicated that her organization was



running projects on 6 corridors, which include Madagascar. She underlined that it was a question of speaking to fair recruitment issues and deepening ILO's approach to fair recruitment. She observed that least skilled workers work a lot, are paid less and cannot come together to defend their rights.

The initiative on fair recruitment was launched in 2014. It is concerned with strengthening recruitment mechanisms to guarantee fair

recruitment. In addition, this initiative is beneficial to all stakeholders She went on to discuss the general principles of fair recruitment, which are non-binding instruments to be adopted. These instruments promote good practices in recruitment and cover migrant workers and recruiters.

Mrs. GALLOTI presented the agreed principles, which include: (i) abolition of recruitment fees and related costs, (ii) freedom of movement for workers and freedom to terminate employment, (iii) workers' access to vital rights, which unions must endeavour to secure, (iv) transparency in transactions.

Referring to the use unions can make of these principles, the presenter listed some actions to be carried out: (i) advocacy to harmonize employment mechanisms, (ii) deliberation on the Global Compact, (iii) actions in collaboration with media, (iv) promotion of fair recruitment.

In 2016, the ILO adopted the guide on fair recruitment principles. This guide focuses on the responsibilities of employers and workers. To conclude, copies of video on fair recruitment were given out to participants.

Participants' concerns at the end of the presentation focused on:

- **lack of training program for workers;**
- **clarification of the term "recruitment of arable countries":** it was agreed to speak of recruitment system rather than recruitment of arable countries which has a negative connotation;
- **recruitment practices;**
- **role of unions** with respect to migrant workers.

#### 2.1.4 Country and organization reports on the level of implementation of the conclusions of Abuja 2017

This session was devoted to reports by country or organizations' representative with respect to the



level of implementation of the conclusions of the workshop held in Abuja from 7 to 9 December 2017. participants discussed about progress made, challenges and way forward. Observations from participants revealed that efforts had been made. However, countries were

at different stages. Participants presentations are annexed to this report.

#### 2.1.5 Exchanges with representatives of the Italian trade unions

Two representatives of the Italian trade unions, Mr Mario ARCA and Mr Salvatore MARRA,



introduced their project on the promotion of decent work in target countries.

The presenter recalled that Italy has always been a country of immigration and the Italian trade unions have always been involved in migration issues. The target countries consisted of Algeria, Côte d'Ivoire, Mali, Mauritania,

Morocco, Niger, Nigeria, Senegal and Tunisia. However, it was noted that the list was not definitive, other countries could be added. The funding for the project amounts to 2 million Euros and it will run for 24 months. Four [major] objectives are envisaged. i.e., (i) strengthen the network through training, (ii) collect information on labour migration and monitor labour migration, (iii) promote gender equality, (iv) agree on the importance of improved governance for the protection of migrants rights.

The project will start with the signing of an agreement between the 3 Italian confederations, the ILO and the Italian Ministry of labour.

at the end of the presentation, the attention of those participating the workshop focused on:

- **the list of target countries:**
- **the project partners** : cooperation will be established with all countries working on migration;
- **the countries of the Horn of Africa (Eritrea, Ethiopia, Somalia)** : Italian trade unions are already working on other projects with these countries. there are some challenges in Somalia ;
- **the absence of Libya in the list of countries involved in the project** :
- **the risk of duplication of a similar project in some countries** :

## 2.2 Site visit to Resource Centre for Migrants in Lagos



The site visit to the Resource Centre was done on the third day of the workshop. Madam, Mienye Tondo Badejo, Head of Competence and Placement Centres for Returning Migrants (under the Nigerian Ministry of Labour) led the delegation to the site.

The delegation was welcomed by Mr. Bayor, in charge of the Centre. After his welcoming remarks, Mr. Bayor spoke briefly about the history of the Centre. He indicated that the Centre was a product of partnership between the Federal Ministry of labour and employment, the European Union and the International Organization for Migration (IOM). It was created in 2016 in accordance with the national policy of the Federal Republic of Nigeria on migration. which was adopted in 2014 in order to address the problems facing migrants. In the light of the success stories of the Centre, other centres have been created with the support of the EU, IOM and GIZ, including the Abuja Centre.

Mr. Bayor presentation was supplemented by that of Mr. Enuha, the Federal Labour Director, responsible for the centre. He welcomed the fact that the African Trade Unions' Migration Network were placing importance on migration issues. He recalled that the Centre in Lagos was identified as a suitable location for this program after a tour by GIZ in search for appropriate facilities to host the Support Program for migrants. He equally indicated that Nigeria Labour Congress (NLC) is their local partner

The Resource Centre for Migrants was set up to respond to the needs of national and non-national



migrants who were returning from Western countries, Africa and within the country. These include, ensuring the rights of migrants and their families are protected, providing advice to migrants on the right conduct to adopt in Nigeria, caring for the welfare, housing and medical care of migrants, arguing cases for migrants through legal experts, providing psychological counselling to traumatized migrants.

Since its inception, the Centre has helped 50 people, with support of the National Council for Migration. This performance can be explained by the availability of financial resources, and also by the administrative procedures which are sometimes sluggish. In addition, challenges facing the Centre were identified. They were pertaining to issues of:

- **visibility of the Centre:** of course, there are mechanisms set up for the visibility of the Centre through website, information at the points of entry of Nigeria and social media. However, the last two were only partially operational;
- **Raising awareness on the existence of the Centre :** It appeared that sensitization about the Centre remained insufficient;
- **Insufficient funding;**
- **lack of agreement between countries of departure and countries of destination** was making it difficult to address the problems of migrants by means of bilateral process.

Migrants assisted by the Resource Centre had testified of their own relations with the Centre. These



noteworthy accounts included:

- **Delusions of Africans:** before the journey, migrants believed that life was better across the Mediterranean, but the reality has shown us that migrants were abandoned to their fate.
- **the risk to retaking the adventure** unless something is done for

the reintegration of migrants;

- **The intervention of the Centre to sought redress for violations of migrants' rights :** cases of violations of the rights of migrants had been reported, whereby migrants were denied their salaries.

### 2.3 final session

During the final session of the workshop, Mr Joël ODIGIE addressed the following points:

- **Developing national plans:** Network members were all encouraged to develop national action plans that would be supported. Already, 10 countries, namely Benin, Burkina Faso, Côte d'Ivoire, Guinea, Mali, Morocco, Mauritania, Niger, Senegal and Togo were part of a project supported by the FGTB. All the national plans must secure inputs and approval of the affiliates of ITUC-Africa in respective countries, in particular where ITUC-Africa has more than one affiliate. The idea is to consciously and systematically mainstream values such as unity, solidarity and cohesion within and among unions to strengthen workers' power. And also, to eliminate competition, duplication and waste of dwindling resources;
- **Establishing a national platform on migration:** national platforms should include as much as possible civil society organizations.
- **Integrating a WhatsApp number for migrants on the website of the ITUC-Africa.** In addition, unions with a website can put a WhatsApp number on their migration page;
- **Involving the Ministry of labour in trade unions meetings:** the intention is to allow the Ministry of Labour participate in trade unions' meetings.

## 3 RECOMMENDATIONS

At the end of the workshop, the following recommendations were made:

- Unions should comment on government reports;

- network members should give priority to the ratification of Conventions 97, 143 and 189 and other related agreements that advance the rights of migrants and their families. In this regard, ITUC-Africa, in partnership with the ILO (MIGRANT and ACTRAV), should provide technical, material and any other support for the ratification campaign;
- Network members should intensify their engagement with their governments to positively influence the ongoing cycle of the United Nations Global Compact on Migration (GCM), in particular by promoting the decent work agenda for all migrants.
- It was also agreed that ITUC-Africa should contact the ILO and other support organizations to help African trade unions build their capacity to ensure fair recruitment practices that will help reduce and ultimately eliminate exploitation and violation of migrants' rights. ITUC-Africa will provide a trade unions' guide on ratification at national level.

#### **4 CLOSING CEREMONY**

The closing remarks were made by Mr. Joel Odigie who on behalf of the General Secretary of ITUC-Africa thanked the participants for their attendance and quality of interventions during the meeting. He reiterated the values of the ITUC-Africa, which are solidarity, unity and transparency for the emergence of changes that unions were striving for in the context of labour migration. To conclude, he wished a safe journey to all participants.

#### **5 CONCLUSION**

The Lagos workshop offered to participants an opportunity to better understand the process of Global Compact on migration. It also offered an opportunity to learn about the activities of the Resource Centre for Migrants in Lagos.