

REPORT

African Employers Consultation - Business Perspectives on migration with focus on Africa

On 27 May 2021, the consultative session for the private sector representatives in Africa came to a successful completion. It drew interest from 40 representatives of national business groups and human resources professionals from across the continent, on the implementation, follow-up and review of the Global Compact for Safe, Orderly and Regular Migration (GCM). The International Organisation of Employers (IOE), Business Africa, the Business Advisory Group on Migration and the International Organization for Migration (IOM) joined hands to provide a virtual space for employers in Africa for interactive and open exchange of views with the goal of harnessing better opportunities created when migration governance duly encompasses the considerations and the needs of the labour market in terms of needs for skills. This meeting also aimed to promote the adoption of a whole-of-society approach with closer and fruitful partnerships between governments and the private sector on labor migration issues.

The virtual event kicked off with overarching business perspectives on migration, with a focus on Africa from key leaders in the region, setting the stage for the employers in the next panels to share their perspectives on the role of business in facilitating good migration governance. Employers were encouraged to bring forward recommendations to the governments, international organisations, and their fellow employers, linking current business priorities to the GCM objectives 5, 6, and 18.

What does Skills Mobility mean for business? A discussion on effective policies and challenges Focus on GCM Objective 5: Enhance availability and flexibility of pathways for regular migration

The participants shared the experiences from Lesotho, Tunisia and South Africa, on national and regional practices of employers on the need for “*flexible, transparent, and predictable labour mobility frameworks that respond to labour market needs.*” Panelists called for critical attention on the loopholes in national migration frameworks that hinder regular migration channels to match skills to labour market needs.

Employers’ Challenges:

- Inconsistencies/lack of appropriate work visa categories: essential work, dependent’s visa, short term visas to hire or move talent intra-companywide or internationally.
- Lengthy, inconsistent, and bureaucratic processes for the issuance of work permits which lead to corruption in recruitment sector.
- In light of renewal difficulties and the severe impact of travel and mobility restrictions imposed by the health pandemic, the duration of granted work permits are too short.
- Existing labour laws and policies are often outdated, lack flexibility and hence lack the agility to quickly adapt to the fast-changing needs of the labour market. With the devastating impact of the COVID-19 pandemic, businesses struggle to find the right skills for the current needs: insufficient number of work permits, manual processes, red-tape and lack of data all add up to challenges for both employers and migrant workers.

Recommendations for governments:

- Reforming and strengthening labour migration policies require a shift in mindset to perceive labour migration as an asset for development and innovation. This requires a critical role for the private sector to identify needed skills that match the reality in the local labour market.

- Digitization of migration and recruitment processes will aid in streamlining, coordinating and accelerating movement and the matching of skills, enforcing transparency, credibility and regular migration channels. The pandemic has made e-visas, remote work visas and critical skills visas (e.g. Nigeria, Rwanda, South Africa) very vital to ease migration processes.
- Exchanging and learning best practices from each other and streamlining bilateral agreements between sending and receiving countries to ease the transfer of skills and visa application processes.
- Labour mobility initiatives, policies and laws should be needs-driven and flexible and take into account the voices of private sector representatives who deal with day-to-day changes in the labour market.

Responsible recruitment: what does an effective regulatory framework look like for businesses?
Focus on GCM Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work

This session opened with a discussion on what an effective regulatory framework looks like from the private sector perspective and what businesses would recommend be amended. Employers from The Democratic Republic of the Congo, Morocco, and Uganda echoed the sentiment that the regulatory framework is an important area where private sector involvement is critical in the consultative process with their governments. They raised issues in regulatory processes, recruitment fees, and the coordination of stakeholders in the management of labour migration, frameworks for national dialogues, and requirements for pre-departure trainings.

Employers' Challenges:

- Lack of coherent coordination and collaboration among all stakeholders (including governments, international organizations) involved in migration governance.
- Employers have regular contact with their Ministry of Labour; however, very often, this Ministry does not include experts on migration.
- Firewall: lack of communication or misinformation between governments and employers.
- While employers need skills, no matter where they come from, recruitment agencies feel that they need to be more consulted to ensure multiple-win-solutions for employers, recruiters, workers and governments.

Recommendations for governments:

- There is a little improvement in skills mobility within the countries on the African continent. Free movement protocol within the continent, linked to the right to work, should be promoted.
- There is a need for more accountability on how the relationship between government and the private sector is taking place. There is a need to have a dedicated focal point inside each institution as part of the social dialogue.
- Digitalization of recruitment processes is key, and it can be facilitated to build more inclusive policies with better protection for migrant workers and more transparency for employers.
- Recommendation on mainstreaming migration in all the strategies of relevant ministries particularly Ministry of Labour, Economy and Trade, etc.

Skills identification and development: matching and updating skills to labour market needs
Focus on GCM Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences

Employers from Cameroon, Côte D'Ivoire and Egypt shared good practices as well as the challenges for such practices to grow into a sustainable public private partnership to support skills development. For piloted programs between the private sector and other stakeholders to scale and feed into policy frameworks, it is essential to increase coordinated support from the government. For business, the nationality of workers is not an important consideration, what matters are the potential skills and expertise they bring. Employers are aware of the needs for skills for their respective sectors and can predict the needs of the national labour market for future. Having regular consultations with the private sector will feed national governments in origin and destination countries with the necessary updated information on the needs with regards to labour migration, mobility, training and educational policies and hence reflect the job market realities.

Employers' Challenges:

- Certain provisions contained in the Economic Community of West African States (ECOWAS) agreement are not fully respected on the ground. To move from one country to another, migrants often have to meet the same criteria as those coming from outside the region. There should be a strong sub-regional agreement before moving to the continental level and then to the global level.
- Existing regulatory challenges make it difficult for migrants in the country to acquire work permits. Their work permits need to be negotiated with the Ministry of Labor before the arrival of the migrant into the country.
- Acute need for better data and transparent statistics on what skills are needed in the labour market.
- Most migrant workers end up in the informal sector. Compliance with regulations is not ensured and with no means for enforcement and there is little capacity for stricter inspections in the informal sector.

Recommendations for governments:

- Improving bilateral and multilateral agreements, such as cooperation within ECOWAS for the free movement of migrants among the countries of ECOWAS¹. Processes for obtaining a work permit should be facilitated so that migrants move easily within the region for employment.
- Developing and practicing more mutual agreements on recognition of diplomas and validation of prior learning. Acknowledgment of universal work certificates in both destination and origin countries.
- Adopting and implementing smart regulations that are conducive to transitioning from the informal to the formal economies. If migrant workers in the informal sector are allowed to formalize their employment and regulate their status, they would enjoy the same rights as nationals in terms of professional trainings and apprenticeships as well as other opportunities for career development. The private sector would benefit by being able to retain qualified workers. Better protected and integrated migrant workers, the national economy and the social security system would benefit from having a larger pool of contributors to the social security system and a larger number of taxpayers.

¹ While the recommendation on ECOWAS was made an example, it is equally applicable in all sub regions of Africa.

Floor interventions from UN Regional Coordination Offices in Egypt and Tunisia touched on specific examples of public private partnerships IOM have sponsored in the region to support skills mobility programs across continents and within the region. They emphasized the importance of inclusive dialogue and a whole-of-society approach to build innovative, and flexible migration policies that respond to labour market needs, while recognizing vulnerabilities of migrant workers in informal sectors and being transparent about their needs as equal employees.

Recurring points which were made from employers in all panel sessions, include the following:

- Employers need to familiarize themselves with the GCM objectives. To that end, employers are called upon to strengthen the capacity of national employers' organization in evidence-based advocacy in order to support their efficient engagement in the labour migration policy debate and support businesses.
- Without waiting for an invitation or referral, employers need to proactively voice their recommendations and proposals at the policy level with their governments to have real impact, including data on skills needs to prepare for the tomorrow's world of work. They need to make sure that a seat is made available for them in the GCM implementation as well as in the follow-up and review processes.
- International organizations working in Africa should create space and give a strong voice to private sector representatives to meaningfully engage in policy level discussions and decision-making processes of labour migration governance.
- IOM can strengthen engagement with the active employer organisations in each country and involve appointed migration focal points of employer organisations in the region in their efforts to implement migration development projects in the region.

The outcomes and recommendations of this consultation serve as a first step to feed into the GCM Regional Follow-up and Review for Africa. These recommendations will be the basis to draft an African Employers' Declaration, which will be further elaborated in a series of sub-regional consultations in the third and fourth quarters of 2021, to be endorsed by the participating employer organizations towards the beginning of 2022, in lead up to the 2022 International Migration Review Forum.