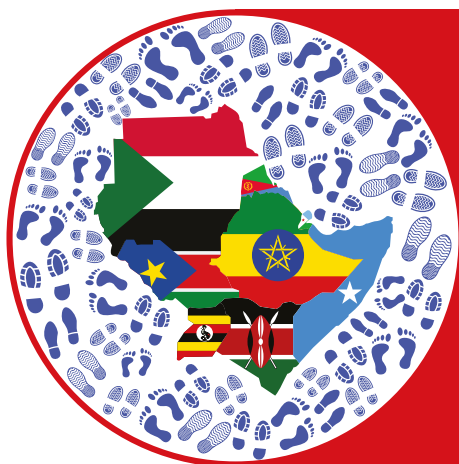




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International  
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An assessment of  
labour migration and  
mobility governance  
in the IGAD region  
Country report for

# Uganda



**FMPT**

Free Movement of Persons and Transhumance  
in the IGAD Region: Improving Opportunities  
for Regular Labour Mobility



# **An assessment of labour migration and mobility governance in the IGAD region: Country report for Uganda**

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**Free Movement of Persons and Transhumance  
in the IGAD Region: Improving Opportunities  
for Regular Labour Mobility**

Funded by the European Union

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An assessment of labour migration and mobility governance in the IGAD region: Country report for Uganda

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## List of abbreviations and acronyms

<b>AU</b>	African Union
<b>BLA</b>	bilateral labour agreement
<b>BTVET</b>	business, technical, and vocational education and training
<b>CEACR</b>	Committee of Experts on the Application of Conventions and Recommendations
<b>CMP</b>	Common Market Protocol
<b>CMW</b>	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
<b>CNDPF</b>	Comprehensive National Development Planning Framework
<b>COFTU</b>	Central Organisation of Free Trade Unions
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>CRRF</b>	Comprehensive Refugee Response Framework
<b>CSO</b>	civil society organizations
<b>DCIC</b>	Directorate of Citizenship and Immigration Control
<b>DIT</b>	Directorate of Industrial Training
<b>DSD</b>	Diaspora Services Department
<b>EAC</b>	East African Community
<b>EAEO</b>	East African Employers Organisation
<b>EALA</b>	East African Legislative Assembly
<b>EATUC</b>	East African Trade Union Confederation
<b>EEMIS</b>	External Employment Management Information System
<b>EEU</b>	External Employment Unit
<b>FUE</b>	Federation of Uganda Employers
<b>GDP</b>	gross domestic product
<b>IGAD</b>	Intergovernmental Authority on Development
<b>ILO</b>	International Labour Organization
<b>IO</b>	international organization

<b>IOM</b>	International Organization for Migration
<b>IUCEA</b>	Inter University Council for East Africa
<b>JLMP</b>	Joint Labour Migration Programme
<b>KNOMAD</b>	Global Knowledge Partnership on Migration and Development
<b>LMIS</b>	Labour Market Information System
<b>MGLSD</b>	Ministry of Gender, Labour and Social Development
<b>MOU</b>	memorandum of understanding
<b>MRA</b>	mutual recognition agreement
<b>NCM</b>	National Consultative Mechanism for Migration
<b>NGO</b>	non-governmental organization
<b>NOTU</b>	National Organisation of Trade Unions
<b>NPA</b>	National Planning Authority
<b>NSSF</b>	National Social Security Fund
<b>OSH</b>	occupational safety and health
<b>PEA</b>	private employment agency
<b>RCP</b>	Regional Consultative Process
<b>REC</b>	regional economic community
<b>RMMS</b>	Regional Mixed Migration Secretariat
<b>SMEs</b>	small- and medium-size enterprises
<b>TIP Report</b>	US Department of State <i>Trafficking in Persons Report</i>
<b>TORs</b>	terms of reference
<b>UAERA</b>	Uganda Association for External Recruitment Agencies
<b>UBOS</b>	Ugandan Bureau of Statistics
<b>UGX</b>	Ugandan shilling
<b>UIA</b>	Uganda Investment Authority
<b>UNECA</b>	United Nations Economic Commission for Africa
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UVQF</b>	Uganda Vocational Qualifications Framework

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# Foreword

The International Labour Organization (ILO) in close collaboration with the IGAD Secretariat has produced this report titled *Labour migration and mobility governance in the IGAD region: Country report for Uganda* as part of the project on “Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility” financed by the European Union. The report forms part of the knowledge-generation component of the project, and aims to generate an evidence base for improving labour migration and mobility governance in the Intergovernmental Authority on Development (IGAD) region, which is characterized by forced displacement, mixed migration flows, and limited options for regular labour migration and mobility.

However, increasing opportunities for labour mobility through an IGAD Free Movement of Persons Protocol is believed to promote regional integration and reduce pressure on national labour markets that are unable to provide sufficient decent work opportunities. In addition, countries of destination within IGAD could benefit from labour and skills that they require for socio-economic development. Furthermore, increased opportunities for legal migration are expected to lead to more migrants migrating safely and enjoying decent work opportunities. The monitoring and enforcement of migrants’ rights are also expected to be improved through the normative framework that such a Protocol will put in place.

In this context, the country report for Uganda highlights major trends and examines various policy and legal frameworks governing labour migration and mobility in the country using a comprehensive Analytical Framework developed for this study. The findings and recommendations of the study are structured around three major pillars and 12 thematic areas that are building blocks of labour migration and mobility governance. The first pillar, Strengthening Labour Migration Governance, examines national systems and capacities to collect and analyse labour migration data; capacity to develop and implement labour migration policies; the regulating of recruitment agencies; and improving coordination on migration issues at various levels. The second pillar, Advancing Opportunities for Regulated Labour Migration and Decent Work, assesses migrants’ access to labour markets, information, education, and finance, and facilitating the social inclusion and integration of migrants. The third pillar, Enhancing the Protection of Migrant Workers and their Families, reviews migrants’ rights, social security, labour inspection, and reception and return.

I believe the findings of the study will provide a comprehensive overview of migration and mobility governance in Uganda and significantly contribute to the development of the IGAD Free Movement of Persons Protocol, as well as its implementation once it is adopted.

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## Executive summary

The International Labour Organization (ILO) is implementing the European Union Emergency Trust Fund-funded project “Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility” in collaboration with the Intergovernmental Authority on Development (IGAD).

The project aims to improve opportunities through the development of models of intervention in the broader context of regional integration. In the long-term it is expected to extend decent work opportunities to current and potential migrants in the region, and further contribute to regional integration.

In this context, the ILO is conducting a series of studies to better understand the migration and labour market dynamics in the region, including the constraints and opportunities for employment creation and the causes of skills shortages. Labour migration and mobility governance assessments have been undertaken of the IGAD Member States, which are captured in country reports and a global report. These assessments should support the development and implementation of the IGAD Free Movement of Persons Protocol.

For these assessments an Analytical Framework was developed, which assesses policies, laws and practices on labour migration and mobility. The Analytical Framework is structured around three pillars that are building blocks for enhancing labour migration in the IGAD region:

- ▶ **Pillar I.** Strengthening labour migration governance;
- ▶ **Pillar II.** Advancing opportunities for regulated labour migration and decent work; and
- ▶ **Pillar III.** Enhancing the protection of migrant workers and their families.

Each pillar contains a set of thematic areas with guidelines that contribute towards achieving the respective pillar. The guidelines are derived from the:

- ▶ *ILO Multilateral Framework on Labour Migration: non-binding principles and guidelines for a rights-based approach to labour migration* (ILO, 2006);
- ▶ IGAD Regional Migration Policy Framework; and
- ▶ draft IGAD Free Movement of Persons Protocol.

The last part of the report contains pivotal recommendations for advancing the governance of labour migration in Uganda and the IGAD region, which are derived from the Analytical Framework assessment. Data for this assessment was gathered through desktop research and semi-structured interviews with government officials, civil society organizations, employers’ and workers’ organizations, international organizations (IOs), and European Union (EU) Delegations during a field mission to Kampala from 9–13 April 2018.

## Overview of Uganda's migration trends and migration management

Uganda stands out as Africa's largest refugee-hosting country and receives asylum-seekers and migrant workers from neighbouring countries. Intra-regional labour mobility is facilitated by the East African Community (EAC), which includes Burundi, Kenya, Rwanda, South Sudan, the United Republic of Tanzania, and Uganda. Asian nationals, especially Indians and Chinese, also form a large share of the migrant workers in Uganda. Ugandans often migrate to neighbouring countries for work, especially Kenya. Low-skilled labour migration to Middle Eastern countries, often through private employment agencies (PEAs), is also common. High population growth, youth unemployment, low wages, and the demand for labour in destination countries, are some of the important driving forces behind these flows (IOM, 2015, p. 12–13). Ugandan migrant workers, especially women, have been exposed to exploitation and human trafficking in these flows. The Government of Uganda aims to promote the protection of Ugandan migrant workers through bilateral labour agreements (BLAs), which it has so far concluded with Jordan and Saudi Arabia, and through the licensing and monitoring of PEAs.

Various government ministries, departments, and agencies play a role in migration and mobility governance in Uganda. This includes the Ministry of Gender, Labour and Social Development (MGLSD); the Ministry of Internal Affairs; the Ministry of Foreign Affairs; the Office of the Prime Minister; and the Ministry of East African Community Affairs. Social partners engage in tripartite consultation with the Government, namely the National Organisation of Trade Unions (NOTU), the Central Organisation of Free Trade Unions (COFTU), and the Federation of Ugandan Employers (FUE). Government, IOs, and civil society participate in the National Coordination Mechanism for Migration (NCM), which is a government-led platform for national coordination on migration issues.

The next section below presents an assessment of Uganda's labour migration and mobility governance in terms of the thematic areas of the Analytical Framework, while offering recommendations that are more fully developed in the final chapter of this report.

## Analytical Framework analysis

### Pillar I. Strengthening labour migration governance

#### Thematic Area 1. Capacity to collect and analyse labour migration data

Uganda has a partially developed Labour Market Information System (LMIS). International migration and labour migration data are collected through the National Population and Housing Census; the National Household Survey; entry and work permit processes; and data collected by the MGLSD on Ugandan migrant workers. Work permit data and administrative data on international migration is generally not analysed and shared with a view to applying it to labour migration policy development. The Government should develop a data collection, analysis, and sharing strategy that identifies the types of data that need to be collected and the systems and capacities that need to be put in place to share and analyse this data among government ministries and agencies to apply it to labour migration policy development. The Government should fully develop the LMIS and institute routine sharing of data and analysis on labour supply, demand, and skills shortages between Uganda and the other IGAD Member States to identify opportunities for enhancing labour migration and fill skills gaps.

#### Thematic Area 2. Coordination on labour migration

The NCM and the National Counter Human Trafficking Taskforce discuss labour migration issues, but largely focus on Ugandan labour migration to the Middle East. The NCM should discuss the full cycle of labour migration, including the protection of migrant workers in Uganda. Social partners do not participate in the NCM, but engage in national tripartite consultations where labour migration issues are discussed. They also engage in labour migration discussions at the EAC level, through their participation in the East African Employers Organisation (EAEO) and the East African Trade Union Confederation (EATUC). Through advocacy and research, the EAEO and EATUC have collectively highlighted obstacles and solutions to the free movement of persons within the EAC region, such as the need to speed up the processing of work permits. The Horn of Africa Confederation of Trade Unions was recently formed and should establish a partnership with IGAD. A regional employers' organization should also be formed, and these organizations should be engaged with at the IGAD level through tripartite consultation. Such consultations could identify impediments and solutions to the free movement of persons in the IGAD region. Moreover, the sharing of labour market information and profiles of good practices on labour migration should be instituted in existing regional and continental forums, such as the IGAD Regional Consultative Process and African Union meetings.

#### Thematic Area 3. Capacity to formulate and implement policy

Uganda has a 2012 draft migration policy and lacks a labour migration policy. The ongoing review of the Employment Act, 2006, may lead to an expansion of this Act to more comprehensively cover migration and labour migration issues, and thus the draft migration policy may not be officially adopted. The Government should consider the development of a labour migration policy. Uganda's Comprehensive National Development Planning Framework, which includes ten- and five-year national development plans and sector policies, could facilitate policy coherence between the labour migration policy and other relevant national policies.

The Government promotes the protection of Ugandan migrant workers through the signing and monitoring of BLAs and by regulating PEAs, which in practice focuses on labour migration flows to the Middle East. The protection of Ugandan migrant workers in other migration flows and of migrant workers in Uganda should also enjoy targeted government efforts. Uganda is a signatory to the ILO Migrants Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It should accede to the ILO Migration for Employment Convention (Revised), 1949 (No. 97).

#### **Thematic Area 4. Regulating recruitment agency practices**

Uganda is promoting the establishment of written, understandable, and enforceable employment contracts to serve as the basis for determining obligations and responsibilities. It is also registering migrant workers' contracts with a view to ensure the protection of migrant workers. A standardized system of licensing for PEAs is in place – licenses can be applied for and approved through the online External Employment Management Information System (EEMIS), which is managed by the MGLSD. PEAs are inspected, and illegal recruitment companies have been closed. PEAs fund pre-departure training for migrant workers, which is provided by companies that are vetted by the MGLSD. To date, only domestic migrant workers receive pre-departure training. The MGLSD is expanding its pre-departure training manual to cover other sectors, and in future other migrant workers who migrate through PEAs should also receive pre-departure training. Fees or other charges for recruitment and placement can, according to the law, be borne directly by migrant workers, and should be abolished. Uganda should accede to the ILO Private Employment Agencies Convention, 1997 (No. 181).

### **Pillar II. Advancing opportunities for regulated labour migration and decent work**

#### **Thematic Area 1. Labour mobility schemes to support labour market needs**

Migration is facilitated through an e-immigration system that allows online applications for entry, residence, and study permits and passes. Twenty-four countries are exempted from paying entry visa fees, including Eritrea and Kenya. Work permit classes, processes, and fees are well explained on the website of the Ministry of Internal Affairs' Directorate of Citizenship and Immigration. Work permits are costly (Kenya is the only IGAD Member State that has been waived work permit fees); are only issued if a Ugandan cannot fill a position; and are tied to the employer. To encourage labour mobility, work permit costs should be reduced. Work permits should also not be tied to the employer, or alternatively migrant workers should be provided with a clear and fair mechanism to switch employers. Circular and temporary labour migration is encouraged in the EAC through the implementation of the EAC Common Market Protocol (CMP). Moreover, Uganda allows dual citizenship, which encourages return or circular migration. The Government should identify and fill skill gaps by developing measures to attract migrant workers, including programmes for the temporary deployment of the diaspora. To enhance investment and business development in Uganda, the ongoing review process of the Investment Code Act (Chapter 92), 1991, should reduce the restrictions imposed on foreign investors in Uganda.

## **Thematic Area 2. Supporting functions for participation in the labour market, including access to information, education, training, skills recognition, and finance**

There is no systematic dissemination of information to migrant workers in Uganda on their rights or on opportunities for integration into the labour market and society. Workers' organizations and NGOs should disseminate information to migrant workers from Uganda and in Uganda on their rights, the mechanisms in place to defend their rights, and opportunities for social and economic integration. The Government disseminates information on opportunities for safe international labour migration by publishing lists of licensed PEAs and by offering potential Ugandan migrants the opportunity to apply for vetted jobs through the online EEMIS platform.

Various bodies in Uganda recognize skills and qualifications obtained abroad, and migrant workers have access to these bodies. The harmonization of curricula and standards between Uganda and other IGAD Member States remains challenging. At the EAC level, mutual recognition agreements have been developed for certain professions, as has the Regional Qualifications Framework for Higher Education, but these mechanisms are not functioning well. The IGAD Secretariat should commission a study on what is working and not working in the harmonization and mutual recognition of qualifications in the EAC region, so that lessons can be learnt for the IGAD region.

The contribution of remittances to national income, which stands at approximately US\$1 billion per year, is recognized in the draft Diaspora Policy. The Government should reduce the cost of remittances by promoting competition among financial institutions, including money transfer operators, and by limiting charges in Uganda (IOM, 2014, p. 59).

## **Thematic Area 3. Promoting social integration and inclusion**

There are no targeted efforts to integrate migrant workers. The Government is undertaking activities to integrate refugees, which includes the national Education Response Plan 2018–2021, which aims to ensure that all children and adolescents from refugees and host communities have access to quality education at all levels. The Government should study the contribution that migrant workers make to Uganda, as well as the integration challenges they face, and develop public awareness-raising activities on their contribution and on interventions to support their integration.

Uganda's legal framework allows for family reunification. In order for a migrant worker to be accompanied by their spouse or child, the dependant needs to obtain a Dependant Pass. A work permit is required to access employment, and to access to the education system requires a Student Pass, which is free of charge for EAC citizens.

## **Pillar III. Enhancing the protection of migrant workers and their families**

### **Thematic Area 1. Protection of migrant workers' human rights**

Human rights are enshrined in Uganda's Constitution, which applies to migrant workers in Uganda. Uganda's Human Rights Commission addresses alleged violations of migrants'

rights, regardless of whether the migrants are in a regular or irregular status. The Government should actively inform migrant workers of their rights and obligations, and the remedies available to them in the case of violation of their rights. The Government should ensure that migrant workers have equal access to courts as nationals to enforce their rights.

The Prevention of Trafficking in Persons Act, 2009, criminalizes all forms of trafficking, including forced labour. Trafficking convictions have taken place under the Act. Measures to prevent trafficking and identify and protect victims include a national awareness strategy on the prevention of trafficking in persons and a national action plan to combat trafficking. Uganda should accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, of the United Nations Convention Against Transnational Organized Crimes, 2000, which it has signed.

## **Thematic Area 2. Social security and social protection**

Regular migrant workers are covered by Ugandan national labour law, and under the terms of the law should not be discriminated against with regard to conditions of work and remuneration, forming trade unions, and collective bargaining. However, enforcement of the law needs to be strengthened.

Migrant workers with an employment contract who work in an establishment of at least five employees can participate in the National Social Security Fund (NSSF), but the self-employed cannot and NSSF benefits are not portable. The Government should conclude international agreements to facilitate the portability of the social security benefits of Ugandan migrant workers and migrant workers in Uganda, including through finalizing the draft Social Security Portability Bill of the EAC CMP. These agreements should also facilitate the portability of benefits earned in the NSSF, and the NSSF should be extended to the self-employed.

## **Thematic Area 3. Labour inspection for migrant workplaces**

Labour inspection of migrants' workplaces are required by the Employment Act, 2006, but capacities and resources need to be reinforced to ensure adequate inspection. Coordination between labour officers, who undertake general labour inspections, and MGLSD staff, who undertake occupational safety and health inspections, needs to be strengthened.

## **Thematic Area 4. Facilitating reception and return**

Migrant workers arriving in Uganda do not receive on-arrival training and information from the Government; they may receive training and information from their employer. The Government should provide on-arrival information to migrant workers in Uganda on their rights and obligations, the protection mechanisms available to them, as well as opportunities for social and economic integration.

Uganda has no return and reintegration strategy. The Government should develop a clear policy framework for reintegration that identifies needs and gaps, and facilitates coordination between services providers and stakeholders.





# 1. Introduction

“

*In the long term, the Project is expected to extend decent work opportunities to current and potential migrants within the region, as well as to contribute to regional integration.*

The International Labour Organization (ILO) is implementing the project “Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility” in collaboration with the Intergovernmental Authority on Development (IGAD). The project is a key component of the European Union Emergency Trust Fund for Africa (EUTF) financed programme “Towards Free Movement of Persons and Transhumance in the IGAD Region”. The overall objective of the programme is to support the free movement of persons in the IGAD region, with a view to spurring regional economic integration and development.

The specific objective of the Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility project is to improve opportunities for regulated labour mobility and decent work within the IGAD Member States, through the development of models of intervention, in the broader context of the regional integration. In the long term, it is expected to extend decent work opportunities to current and potential migrants within the region, as well as to contribute to regional integration, strengthen the link between economic and job growth, and enhance the social and economic integration of migrants.

This report forms part of the knowledge-generation component of the project and aims to create an evidence base on labour migration and mobility governance in the region. This should contribute to the development of the IGAD Free Movement of Persons Protocol, as well as to building the capacities of Member States to implement the Protocol, once it is adopted. To this end, labour migration and mobility assessments of the IGAD Member States have been undertaken, to gain an overview of how labour migration and mobility are governed by these States, as well as areas that require reinforcement at the national and international level.

The assessments capture:

- ▶ the key policies and laws that regulate labour migration and mobility;
- ▶ the roles and responsibilities of the ministries and agencies whose work touches on labour migration;
- ▶ the involvement of social partners; and
- ▶ the inter-ministerial and national coordination mechanisms on migration.

Comprehensive country assessment reports on Djibouti, Ethiopia, Kenya, Somalia, South Sudan, the Sudan, and Uganda have been developed, and follow the same structure and assessment exercise. This enables the identification of areas of commonality and divergence, as well as where capacities need to be strengthened or policies harmonized to pave the way for the implementation of the IGAD Free Movement of Persons Protocol. Moreover, a regional report captures the findings of the country reports; provides an overview of the governance of labour migration and mobility in the IGAD region; and details recommendations for how it can be advanced. The implementation of these recommendations should support the implementation of the IGAD Free Movement of Persons Protocol and aid countries in meeting IGAD and international labour migration governance standards. The report commences in chapter 2 with an overview of the analytical framework employed in the study. This is followed by an overview migration trends in chapter 3. Chapter 4 presents an overview of the roles and responsibilities of the key government ministries and agencies whose work touches on labour migration. Chapter 5 covers Uganda's National Coordination Mechanism on Migration. Chapter 6 is an overview and assessment of Uganda's policies, laws, and practices on labour migration and mobility, as per the analytical framework presented in chapter 2.

The last part of the report contains key recommendations for advancing labour migration governance in Uganda and the IGAD region, which are derived from the Analytical Framework assessment. These recommendations, which include policy areas that need to be developed or capacities that need to be built, could be implemented by the Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility project, or by other actors, partners or projects.

## 2. Methodology

“

*An analytical framework was used to analyse the adherence of national laws, policies, practices, and coordination and consultation mechanisms on labour migration and mobility.*

The research methodology employed for the assessments conducted in this study consists of interviews with key informants undertaken during field missions to the capitals of seven IGAD countries, for which semi-structured interview questionnaires were used. The organizations interviewed include:

- ▶ relevant government ministries and agencies;
- ▶ the IGAD Secretariat;
- ▶ international organizations (IOs);
- ▶ employers' and workers' organizations; and
- ▶ civil society organizations.

The field research was complemented by desktop research and interviews via Skype/phone. A field mission was undertaken to Kampala, Uganda from 9–13 April 2018. The list of key informants that were interviewed for this report is captured in Appendix I of this report. The field research was complemented with desktop research and interviews via Skype/phone.

In addition, an analytical framework was used to analyse the adherence of national laws, policies, practices, and coordination and consultation mechanisms on labour migration and mobility to the provisions of:

- ▶ the draft IGAD Free Movement of Persons Protocol;
- ▶ the IGAD Regional Migration Policy Framework; and
- ▶ ILO standards on labour migration as put forward in the *ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration* (ILO, 2006).

The analytical framework is structured around three pillars, which are all building blocks for enhancing labour migration in the IGAD region:

- ▶ **Pillar I.** Strengthening labour migration governance;
- ▶ **Pillar II.** Advancing opportunities for regulated labour migration and decent work; and
- ▶ **Pillar III.** Enhancing the protection of migrant workers and their families.

Each pillar contains a set of thematic areas with guidelines that contribute towards achieving the respective pillars. These guidelines are derived from the three key documents mentioned above: the ILO Multilateral Framework on Labour Migration; the IGAD Regional Migration Policy Framework; and the draft IGAD Free Movement of Persons Protocol. In order to ease reading of this report, the analytical framework is presented in table 1 below.

In brief outline, the thematic areas of the three pillars are as follows:

- ▶ **Pillar I. Strengthening labour migration governance:**
  1. Capacity to collect, analyse, and share labour migration data;
  2. Coordination on labour migration;
  3. Capacity to formulate and implement policy; and
  4. Regulating employment agency practices.
- ▶ **Pillar II. Advancing opportunities for regulated labour migration and decent work:**
  1. Labour mobility schemes to support labour market needs;
  2. Supporting functions for participation in the labour market, including access to information, education, training, skills recognition, and finance; and
  3. Promoting social integration and inclusion.
- ▶ **Pillar III. Enhancing the protection of migrant workers and their families:**
  1. Protection of migrant workers' human rights;
  2. Social security and social protection;
  3. Labour inspection for migrant workplaces; and
  4. Facilitating reception and return.

In table 1, each thematic area contains a set of guidelines that are used to assess the relevant governance structures and mechanisms in the country. Certain thematic areas contain sub-headings, under which a set of related guidelines are captured to facilitate reading of the report.

In chapter 6 below, each thematic area and sub-heading will be expanded upon through "Overview" and "Assessment" passages. The Overview provides the background information that informed each Assessment, such as the relevant laws and policies. The Assessment contains an evaluation of how Uganda is faring with regards to each sub-heading and its related guidelines. In cases where information is limited, all the information is captured in the Assessment, and an Overview is not provided.

**TABLE 1.** Overview of guidelines related to the pillars and thematic areas of the study<sup>1</sup>

<b>Pillar I. Strengthening labour migration governance</b>
<b>Thematic Area 1. Capacity to collect, analyse, and share labour migration data</b>
<b><i>Labour market information and data: Guidelines</i></b>
<b>ILO Multilateral Framework on Labour Migration</b>
5.1. Establishing systems and structures for periodic, objective labour market analyses that take into account gender issues and that include: <ul style="list-style-type: none"> <li>5.1.1 sectorial, occupational and regional dimensions of labour shortages and their causes, and relevant issues of labour supply;</li> <li>5.1.2 shortages of skilled workers in both origin and destination countries, including in the public, health and education sectors; and</li> <li>5.1.3 long-term impact of demographic trends, especially ageing and population growth, on the demand for and supply of labour.</li> </ul>
<b><i>Labour migration data collection and analysis, and applying it to labour migration policy: Guidelines</i></b>
<b>ILO Multilateral Framework on Labour Migration</b>
3.1. Improving government capacity and structures for collecting and analysing labour migration data, including sex-disaggregated and other data, and applying it to labour migration policy.
<b><i>Sharing of labour market information and labour migration data and analysis at the regional level: Guidelines</i></b>
<b>IGAD Regional Migration Policy Framework</b>
4.2. Regional Cooperation and Harmonization of Labour Migration Policies
<i>Recommended Strategies:</i>
iv. Institute routine data collection, analysis and exchange on labour flows, stock and needs in labour-supply vis-à-vis labour-demand countries in IGAD to eliminate skills mismatch and to maintain proper skills audit.
<b>Thematic Area 2. Coordination on labour migration</b>
<b><i>Coordination of labour migration at national, regional, and continental levels: Guidelines</i></b>
<b>ILO Multilateral Framework on Labour Migration</b>
2.2. Developing intergovernmental dialogue and cooperation on labour migration policy, in consultation with the social partners and civil society and migrant worker organizations.
2.5. Establishing mechanisms for tripartite consultations at regional, international and multilateral levels.
3.5. Collecting and exchanging profiles of good practices on labour migration on a continuing basis.
4.7. Establishing a mechanism to ensure coordination and consultation among all ministries, authorities, and bodies involved with labour migration.

<sup>1</sup> The numbering of the articles and clauses presented in this table are the same as the numbering in the documents they originate from.

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## IGAD Regional Migration Policy Framework

### 4.1. National Labour Migration Policies, Structures and Legislation

#### *Recommended Strategies:*

x. Establish formal national and IGAD-wide social dialogue mechanisms to address migrant labour issues (including social protection and social security benefits, insurance, compensation for employment due to injury and old age pension for labour migrants while working abroad and/or upon their return to the countries of origin).

### 4.2. Regional Cooperation and Harmonization of Labour Migration Policies

#### *Recommended Strategies:*

iii. Hold regular dialogue among IGAD Member States and between them and the Member States of contiguous RECs [regional economic communities] to enhance communication between countries of origin, transit countries, and destination through reviews of national policies and legislation.

## Thematic Area 3. Capacity to formulate and implement policy

### ***Labour migration policy development and implementation: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 4.2. Ensuring coherence between labour migration, employment, education and other national policies, in recognition of the wide social and economic implications of labour migration and in order to promote decent work for all and full, productive and freely chosen employment.
- 4.8. Ensuring that specific structures and mechanisms within these ministries have the necessary competencies and capacities to develop, formulate and implement labour migration policies, including, where possible, a special unit for issues involving migrant workers.
- 15.2. Expanding analyses of the contribution of labour migration and migrant workers to the economies of destination countries, including employment creation, capital formation, social security coverage and social welfare.

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### ***Policies that protect the rights of migrant workers, including bilateral labour agreements and gender-sensitive policies: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 4.4. Implementing policies that ensure that specific vulnerabilities faced by certain groups of migrant workers, including workers in an irregular situation, are addressed.
- 4.5. Ensuring that labour migration policies are gender-sensitive and address the problems and particular abuses women often face in the migration process.
- 5.3. Where appropriate, establishing policies and procedures to facilitate the movement of migrant workers through bilateral, regional or multilateral agreements.

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### ***Ratification and domestication of international labour migration Conventions: Guidelines***

#### **IGAD Regional Migration Policy Framework**

### 4.1. National Labour Migration Policies, Structures and Legislation

#### *Recommended Strategies:*

i. Promote the signing, ratification and domestication by the Member States of international instruments relating to labour (e.g. the ILO [Migration for Employment Convention (Revised), 1949] No. 97 and Migrant Workers (Supplementary Provisions) Convention, 1975] No. 143 and the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families) through national legislation.

## Thematic Area 4. Regulating employment agency practices

### ***Employment contracts: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 10.3. Promoting the establishment of written employment contracts to serve as the basis for determining obligations and responsibilities and a mechanism for the registration of such contracts where this is necessary for the protection of migrant workers.
- 13.3. Ensuring that migrant workers receive understandable and enforceable employment contracts.

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### ***Licensing and monitoring of private employment agencies: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 13.1. Providing that recruitment and placement services operate in accordance with a standardized system of licensing or certification established in consultation with employers' and workers' organizations.
- 13.2. Providing that recruitment and placement services respect migrant workers' fundamental principles and rights.
- 13.5. Working to implement legislation and policies containing effective enforcement mechanisms and sanctions to deter unethical practices, including provisions for the prohibition of private employment agencies engaging in unethical practices and the suspension or withdrawal of their licences in case of violation.

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### ***Recruitment and placement fees: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 13.7. Providing that fees or other charges for recruitment and placement are not borne directly or indirectly by migrant workers.

## **Pillar II. Advancing opportunities for regulated labour migration and decent work**

### Thematic Area 1. Labour mobility schemes to support labour market needs

#### ***Rules and regulations governing labour migration and mobility: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

- 5.2. Establish transparent policies for the admission, employment and residence of migrant workers based on clear criteria, including labour market needs.
- 5.5. Ensuring that temporary work schemes respond to established labour market needs, and that these schemes respect the principle of equal treatment between migrant and national workers.
- 12.3. Simplifying administrative procedures involved in the migration process and reducing processing costs to migrant workers and employers.
- 6.3. Promoting dialogue and consultation with employers' organizations on practical opportunities and challenges they confront in the employment of foreign workers.
- 6.4. Promoting dialogue and consultation with workers' organizations on particular concerns posed by labour migration and their role in assisting migrant workers.

## **Draft IGAD Free Movement Protocol**

Part A: Free Movement of Persons and Labour

Article 3. Free Movement of Workers

3. For the purpose of this Article, the free movement of workers shall entitle a worker to:
    - d. stay in the territory of a Member State for the purpose of employment in accordance with the national laws and administrative procedures governing the employment of workers of that Member State;
  8. The national laws and administrative procedures of a Member State shall not apply where the principal aim or effect is to deny citizens of other Member States the employment that has been offered.
- 

### ***Circular and return migration: Guidelines***

#### **ILO Multilateral Framework on Labour Migration:**

- 15.8. Adopting policies to encourage circular and return migration and reintegration into the country of origin, including by promoting temporary labour migration schemes and circulation-friendly visa policies.
- 

### ***Labour exchanges and critical skills: Guidelines***

#### **ILO Multilateral Framework on Labour Migration:**

- 15.7. Adopting measures to mitigate the loss of workers with critical skills, including by establishing guidelines for ethical recruitment.

#### **IGAD Regional Migration Policy Framework**

4.2. Regional Co-operation and Harmonization of Labour Migration Policies

*Recommended Strategies:*

- vi. Establish bilateral and multilateral labour exchanges among IGAD Member States and with contiguous non-Member States of neighbouring RECs to employ or deploy temporarily human resources with scarce or desirable skills
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### ***Establishment and investment: Guidelines***

#### **Draft IGAD Free Movement Protocol:**

Part B: Rights of Establishment and Residence

Article 6. Rights of Establishment

11. For the purposes of this Article, the Member States shall:
  - a. remove the administrative procedures and practices, resulting from national laws or from agreements previously concluded between the Member States, that form an obstacle to the right of establishment;
  - b. progressively remove any administrative procedures and practices resulting from national laws that restrict the right of establishment, in respect of the conditions for:
    - i. setting up agencies, branches or subsidiaries of companies or firms in their territories; and
    - ii. the entry of personnel of the companies or firms registered in another Member State into managerial or supervisory positions in agencies, branches or subsidiaries in that Member State.



## Thematic Area 2. Supporting functions for participation in the labour market, including access to information, education, training, skills recognition, and finance

### ***Disseminating information to migrant workers: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

12.4. Promoting the participation of employers' and workers' organizations and other relevant non-governmental organizations in disseminating information to migrant workers.

### ***Education, training, skills recognition, the harmonization of qualifications, and access to finance: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

14.3. Improving the labour market position of migrant workers, for example, through the provision of vocational training and educational opportunities.

12.6. Promoting the recognition and accreditation of migrant workers' skills and qualifications and, where that is not possible, providing a means to have their skills and qualifications recognized.

#### **IGAD Regional Migration Policy Framework**

4.1. National Labour Migration Policies, Structures and Legislation

##### *Recommended Strategies:*

ix. Facilitate the integration of migrants in the labour market including the education and training sector.

#### **Draft IGAD Free Movement Protocol**

Part A: Free Movement of Persons and Labour

Article 4. Harmonization and Mutual Recognition of Academic and Professional Qualifications

For the purpose of ensuring the free movement of labour, the Member States undertake to:

- a. mutually recognize the academic and professional qualifications granted, experience obtained, requirements met, licences or certifications granted, in other Member States; and
- b. harmonize their curricula, examinations, standards, certification and accreditation of educational and training institutions.

### ***Facilitating remittances: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

15.6. Reducing the costs of remittance transfers, including by facilitating accessible financial services, reducing transaction fees, providing tax incentives and promoting greater competition between financial institutions.

## Thematic Area 3. Promoting social integration and inclusion

### ***Public education and awareness-raising campaigns on the contribution of migrants: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

14.9. Promoting public education and awareness-raising campaigns regarding the contributions migrant workers make to the countries in which they are employed, in order to facilitate their integration into society.

#### **IGAD Regional Migration Policy Framework**

4.1. National Labour Migration Policies, Structures and Legislation

##### *Recommended Strategies:*

vi. Promote integration of migrants by enhancing local citizenry, inclusive policies and engaging with societies in destination countries; address discrimination and xenophobia through civic education and awareness-raising campaigns.

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***Family reunification, and access to employment for family members and education for children: Guidelines***

**ILO Multilateral Framework on Labour Migration**

- 14.10. Facilitating the reunification of family members of migrant workers as far as possible, in accordance with national laws and practice.
- 14.12. Facilitating the integration of migrant workers' children into the national education system.

**Draft IGAD Free Movement Protocol**

Part A: Free Movement of Persons and Labour

Article 3. Free Movement of Workers

5. A worker shall have the right to be accompanied by a spouse and a child, and:
- a spouse who accompanies the worker shall be entitled to be employed as a worker or to engage in any economic activity;
  - as a self-employed person in the territory of that Member State;
  - child who accompanies the worker shall be entitled to be employed as a worker or to engage in any economic activity as a self-employed person in the territory of that Member State subject to the age limits under the national laws of that Member State

**Pillar III. Enhancing the protection of migrant workers and their families**

**Thematic Area 1. Protection of migrant workers' human rights**

***Protecting the human rights of migrants: Guidelines***

**ILO Multilateral Framework on Labour Migration**

- 8.1. Governments should ensure that national laws and practice that promote and protect human rights apply to all migrant workers and that they are respected by all concerned.
- 8.2. Information should be provided to migrant workers on their human rights and obligations and assisting them with defending their rights.
- 8.3. Governments should provide effective enforcement mechanisms for the protection of migrant workers' human rights and provide training on human rights to all government officials involved in migration.
- 10.5. Providing for effective remedies to all migrant workers for violation of their rights, and creating effective and accessible channels for all migrant workers to lodge complaints and seek remedy without discrimination, intimidation or retaliation.
- 10.7. Providing effective sanctions and penalties for all those responsible for violating migrant workers' rights.

**Draft IGAD Free Movement Protocol**

Part A: Free Movement of Persons and Labour

Article 1. Free Movement of Persons

- 1.3. The Member States shall, in accordance with their national laws, guarantee the protection of the citizens of the other Member States while in their territories.

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***Protecting migrants from forced labour and exploitation: Guidelines***

**ILO Multilateral Framework on Labour Migration**

- 8.4.2 Legislation and policies should be adopted, implemented and enforced to protect migrant workers from conditions of exploitation and forced labour, including debt bondage and trafficking, particularly migrant workers in an irregular situation or other groups of migrant workers who are particularly vulnerable to such conditions.

## Thematic Area 2. Social security and social protection

### ***National labour laws and social protection laws applying to migrant workers: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

9.8. Adopting measures to ensure that national labour legislation and social laws and regulations cover all male and female migrant workers, including domestic workers and other vulnerable groups, in particular in the areas of employment, maternity protection, wages, occupational safety and health and other conditions of work, in accordance with relevant ILO instruments.

### ***Social security coverage and portability: Guidelines***

#### **ILO Multilateral Framework on Labour Migration**

9.9. Entering into bilateral, regional or multilateral agreements to provide social security coverage and benefits, as well as portability of social security entitlements, to regular migrant workers and, as appropriate, to migrant workers in an irregular situation.

#### **Draft IGAD Free Movement Protocol**

Part A: Free Movement of Persons and Labour

Article 3. Free Movement of Workers

3.3. For the purpose of this Article, the free movement of workers shall entitle a worker to:

- f. enjoy the rights and benefits of social security as accorded to the workers of the host Member.

Part B: Rights of Establishment and Residence

Article 6. Rights of Establishment

3. For the purposes of paragraph 1, the right of establishment shall entitle:

- b. a self-employed person who is in the territory of another Member State to join a social security scheme of that Member State in accordance with the national laws of that Member State.

## Thematic Area 3. Labour inspection for migrant workplaces

#### **ILO Multilateral Framework on Labour Migration**

10.1. Extending labour inspection to all workplaces where migrant workers are employed, in order to effectively monitor their working conditions and supervise compliance with employment contracts.

10.2. Ensuring that the labour inspectorate or relevant competent authorities have the necessary resources and that labour inspection staff is adequately trained in addressing migrant workers' rights and in the different needs of men and women migrant workers.

## Thematic Area 4. Facilitating reception and return

#### **ILO Multilateral Framework on Labour Migration**

12.1. Facilitating migrant workers' departure, journey, and reception by providing, in a language they understand, information, training and assistance prior to their departure and on arrival concerning the migration process, their rights and the general conditions of life and work in the destination country.

12.2. Wherever possible facilitate migrant workers' return by providing information, training, and assistance prior to their departure and on arrival in their home country concerning the return process, the journey and reintegration.

### 3. Overview of Uganda and its migration trends

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*Uganda stands out as Africa's largest refugee-hosting country and receives asylum-seekers and migrant workers from neighbouring countries.*

Uganda is a land-locked country that borders the Democratic Republic of Congo, Kenya, Rwanda, South Sudan, and the United Republic of Tanzania. It covers a total area of 241,038 square kilometres and has a population of 39,570,125 people. It is endowed with abundant natural resources, such as fertile soil; regular rainfall; substantial reserves of recoverable oil; small deposits of copper, gold, and other minerals; as well as a large share of Lake Victoria (CIA, 2018).

Uganda's economy grew at a meagre 3.5 per cent in 2016/17. The slowdown in economic growth in recent years is attributed to weather conditions, instability in South Sudan, private sector credit impediments, and the ineffective management of public sector projects (World Bank, 2017). Gross domestic product (GDP) per capita, based on purchasing power parity, is US\$2,400 for 2017 (CIA, 2018). The World Bank classifies Uganda as a low-income country. Access to basic services, such as electricity and sanitation facilities; educational completion rates; and malnutrition remain significant challenges to the country's goal of achieving low-middle income country status by 2020. Nevertheless, the World Bank recognizes the gains Uganda has made in reducing poverty, which has been driven by the agricultural sector. Ugandans living below the national poverty line declined from 31.1 per cent in 2006 to 19.7 per cent in 2013 (World Bank, 2016).

Uganda's unemployment rate is relatively low at 9.4 per cent (2013), which the Uganda Bureau of Statistics (UBOS) explains is due to the agrarian nature of the economy. The population active in the informal economy generally engage in some kind of work, for at least a few hours a day, and at low wages. The unemployment rate is therefore not indicative of labour market efficiency (US Embassy in Uganda, 2018). The 2011 National Employment Policy states that 21 per cent of the working population lives below the poverty line. The

majority of the population (71.9 per cent) works in the agricultural sector, 23.7 per cent in services, and 4.4 per cent in industry (CIA, 2018). Rural–rural and rural–urban internal migration is often a survival strategy due to a decline in agricultural yields (MGSO, 2017, p. 6). The majority of internal migrants are female and in urban areas (IOM, 2014, p. 37). Oil production is expected to commence in three to ten years, and become an important source of income for the country and boost the economy (CIA, 2018).

Uganda is a founding Partner State of the East African Community (EAC), which has five other Partner States, namely Burundi, Kenya, Rwanda, South Sudan, and the United Republic of Tanzania. The Free Movement of Persons among EAC Partner States is provided for by the Treaty for the Establishment of the EAC and the Protocol for the Establishment of the EAC Common Market (CMP). Partner State citizens benefit from access to each other's labour markets, and the right to residence and establishment, on the basis of certain criteria. Through this framework, regular labour mobility and migration takes place between Uganda and the other EAC Partner States.

An analysis of data on work permits issued in Uganda between 2012 and 2013 indicates that 62.7 per cent were issued to individuals from Asia, with Indians accounting for 38.6 per cent of all work permits, followed by Chinese (14.9 per cent), Americans (6.1 per cent), and Kenyans (5.5 per cent) (IOM, 2015, pp. 20–21). Uganda has experienced an increase in regular migrants in recent years, which the Government attributes to the EAC CMP. The number of work permits issued increased from 7,975 in 2011/12 to 9,161 in 2012/13, a jump of 13 per cent (Government of Uganda, 2015, p. 12).

Uganda is also a member of the Common Market for East and Southern Africa (COMESA), which has 21 Member States. COMESA's Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements, 1984, is in force, but is not fully implemented. The COMESA Protocol on Free Movement of Persons, Labour, Services, the Right of Establishment and Residence was adopted in 2001, but has only been ratified by Burundi and signed by Kenya, Rwanda, and Zimbabwe (COMESA, 2017, p. 4). Moreover, Uganda is a Member State of IGAD, which is developing a protocol to allow for the free movement of persons among its members.

Many migrants in Uganda are from the Democratic Republic of Congo, Rwanda, Burundi, Kenya, the United Republic of Tanzania, and South Sudan (RMMS, 2016a, p. 3). EAC citizens enjoy visa-free entry, while South Sudanese and citizens of the Democratic Republic of Congo often enter as asylum-seekers (RMMS, 2016a, p. 3). According to the United Nations Statistics Division (2018), Uganda had an international migrant and refugee stock of 1,692,120 persons in 2017. Uganda is Africa's largest refugee hosting country, with 1,444,873 refugees and asylum-seekers, largely from South Sudan (72.9 per cent), Democratic Republic of Congo (19.1 per cent), Burundi (2.8 per cent), and Somalia (2.6 per cent) (RMMS, 2018). Following the adoption of the New York Declaration on Refugees and Migrants, Uganda has agreed to implement the Comprehensive Refugee Response Framework (CRRF), which, inter alia, aims to enhance the self-reliance of refugees. The Government has agreed to use the ongoing mid-term review of Uganda's Second National Development Plan covering the period 2015/16–2019/20, to integrate the refugee response into longer-term national planning, on the basis of the CRRF roadmap (UNHCR, 2018). Uganda is often praised for its progressive

refugee policy, which grants refugees the right to work, access to land, and a significant degree of freedom of movement (Kigozi, 2017).

Uganda is a country of origin for people in mixed migration flows, although to a lesser extent than some of its neighbours (RMMS, 2016b). High population growth, youth unemployment, low wages, and the demand for labour in destination countries are some of the important driving forces behind these flows (IOM, 2015, pp. 12–13). Most Ugandans migrate to neighbouring countries, especially Kenya, while a large diaspora is also found in Europe and North America. The size of the Ugandan diaspora is estimated to be up to 3 million (RMMS, 2016b). In 2017 Uganda received US\$1.182 billion in remittances that were channelled through formal means, which amounted to 4.3 per cent of GDP in 2017 (KNOMAD, 2018). Personal transfers to Uganda are largely used for household consumption, education, business, and health expenditures (IOM, 2014). Brain drain in the health sector is a concern, with better remuneration abroad being a major cause. It has led to recent plans by the Government to bring 200 Cuban doctors to Uganda to fill skills gaps in this sector (*Daily Monitor*, 2017).

Ugandan men travel to Afghanistan, Iraq, Qatar, Saudi Arabia, and the United Arab Emirates to work as private security guards (RMMS, 2016b). Low-skilled labour migration to the Middle East has become an established migration route, as it has for other countries in the East and Horn of Africa, such as Kenya and Ethiopia. These migration flows are often facilitated by private employment agencies (PEAs). Young women are vulnerable to exploitation in these flows. The Government banned labour migration for domestic work to the Middle East in 2016, but irregular labour migration to these countries continued as workers travelled through Kenya and the United Republic of Tanzania to their destination. Ugandan migrant workers have suffered forced labour and sex trafficking in Algeria, Egypt, Iraq, Iran, Kuwait, Oman, Qatar, Saudi Arabia, Turkey, and the United Arab Emirates (US Department of State, 2017). The Ugandan Government lifted the ban on labour migration for domestic work on 1 April 2017 (Kamoga, 2018). It has concluded bilateral labour agreements (BLAs) with Jordan and Saudi Arabia to promote the safe labour migration to the Middle East.

The US Department of State's *Trafficking in Persons Report 2017* (hereafter, *TIP Report*) classifies Uganda as a source, transit, and destination country for men, women, and children that are trafficked for forced labour and sex. The forced labour of children takes place in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, and domestic service. Girls and boys are both exploited in the sex industry. Children from Burundi, the Democratic Republic of Congo, Kenya, Rwanda, South Sudan, and the United Republic of Tanzania are reportedly also exploited in the agricultural sector and for prostitution in Uganda. Trafficked Ugandans have been identified in neighbouring countries, as well as further afield, including in Malaysia, Poland, Switzerland, Thailand, and the Ukraine. Traffickers are often relatives or friends who promise lucrative job opportunities abroad or in Uganda's urban areas (US Department of State, 2017).

## 4. Overview of the roles and responsibilities of the ministries, agencies, and tripartite organizations

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*Various government ministries, departments, and agencies play a role in migration and mobility governance in Uganda and social partners engage in tripartite consultations with the Government.*

### 4.1 Government ministries and agencies

#### Ministry of Gender, Labour and Social Development (MGLSD)

The MGLSD houses the Directorate of Labour, Employment and Occupational Safety, which works to increase employment opportunities and productivity, and ensure good working conditions. The Directorate is responsible for:

- ▶ developing the Labour Market Information Systems (LMIS);
- ▶ developing labour standards and guidelines; and
- ▶ ensuring the enforcement of labour laws, including the:
  - Employment Act, 2006;
  - Labour Unions Act, 2006;
  - Labour Disputes Arbitration and Settlement Act, 2006;
  - Occupational Safety and Health Act, 2006;
  - Statutory Instrument No. 62 on the externalization of labour (Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005); and
  - National Social Security Fund Act, 1985.



The Directorate conducts labour inspection of workplaces and settles workplace disputes and compensation claims (MGLSD, 2018).

The External Employment Unit (EEU) oversees the externalization of labour, which largely entails labour migration to the Middle East. The EEU licenses and regulates PEAs based in Uganda, in order to promote the protection of migrant workers.

## **Ministry of Internal Affairs**

The Ministry of Internal Affairs houses the Directorate of Citizenship and Immigration Control (DCIC), which has three departments:

- ▶ the Department of Immigration Control, which is responsible for border management and issuing immigration visas and passes, including entry, residence, and work permits.
- ▶ the Department of Citizenship and Passports Control, which administers national travel documents and Ugandan citizenship; and
- ▶ the Department of Inspection and Legal services, which is responsible for the inspection, investigation, prosecution, and removal of undesirable immigrants from Uganda (DCIC, 2018a).

The DCIC also serves as the Secretariat of the National Citizenship and Immigration Board, (established under article 16 of the Constitution) and implements the Board's decisions. The Board consists of a chairperson and at least four other persons appointed by the President and approved by the Parliament. It decides on the registration and issuance of national identity cards, passports, and other travel documents; granting and cancelling citizenship; and registering and issuing identity cards to aliens.

## **Ministry of Foreign Affairs (MOFA)**

The MOFA provides protocol and consular services, and is responsible for ensuring the protection of Ugandan citizens abroad. To this end it negotiates BLAs with destination countries. Foreign Service Officers in Ugandan missions abroad play the role of labour attachés. Distressed Ugandan migrants are hosted by the MOFA's embassies until they are returned to Uganda, most often by the International Organization for Migration (IOM). While the MGLSD licenses PEAs based in Uganda, the MOFA vets PEAs in destination countries. PEAs in Uganda identify potential Ugandan migrant workers in Uganda and collaborate with PEAs in Middle Eastern countries for the deployment of Ugandan migrant workers to these countries.

The Diaspora Services Department (DSD) leads engagement with the diaspora and coordinates with Ugandan missions abroad to resolve issues related to the diaspora. A draft Diaspora Policy was developed in 2013, but is yet to be officially endorsed. The DSD's activities include raising awareness on how the diaspora can contribute to Uganda's development at the annual Home is Best Summit, which takes place every December in Uganda; and participating in conventions organized by diaspora associations abroad, such as the Uganda North America Association, Uganda UK, and the Uganda Convention Nordics (MOFA, 2018). The DSD is in the process of developing a diaspora database that will contain the identity, contact details, and skills of members of the diaspora who have registered with Ugandan overseas missions.



Moreover, the DSD works to address human trafficking abroad by collaborating with Ugandan diplomatic missions, the police, the Ministry of Internal Affairs, and the MGLSD, and by participating in the Inter-Ministerial Taskforce on Anti-Human Trafficking (MOFA, 2018).

### **Office of the Prime Minister**

The Refugees Department of the Office of the Prime Minister manages refugee affairs, including by granting asylum, providing physical protection, overseeing income-generating activities for refugees, and advising the Government and other stakeholders on refugee issues (Office of the Prime Minister, 2018).

### **Ministry of Justice and Constitutional Affairs**

The Ministry of Justice and Constitutional Affairs drafts legislation, provides legal advice, and enforces the rule of law. A number of institutions fall under the Ministry, including the judiciary, the Uganda Law Reform Commission, and the Uganda Human Rights Commission.

### **Ministry of Finance, Planning and Economic Development**

The Ministry of Finance, Planning and Economic Development formulates economic policy, promotes regional integration, mobilizes financial resources for the Government's priorities and regulates their management.

### **National Planning Authority**

The National Planning Authority was established by the National Planning Authority Act, 2002. The Authority coordinates development planning; advises the President on development policies and strategies; monitors and evaluates public projects and programmes; and builds the Government's development planning capacities.

### **Ministry of Education and Sports**

Ministry of Education and Sports provides and regulates education and training through the following directorates:

- ▶ Basic and Secondary Education;
- ▶ Higher, Technical, Vocational Education and Training; and
- ▶ Education Standards and Industrial Training.

A number of affiliated institutions provide skills and qualification recognition services to migrants in their respective areas, including:

- ▶ the Uganda National Examination Board;
- ▶ the Uganda Business and Technical Examination Board,
- ▶ the Uganda Allied Health Examination Board,
- ▶ the Uganda Nurses and Midwives Examination Board, and
- ▶ the National Council for Higher Education.

## Uganda Bureau of Statistics (UBOS)

The UBOS is the main data collecting, processing, analysing, and disseminating agency, and it coordinates and monitors the national statistical system. The statistics the UBOS produces are used for national development planning and policy-making. The Bureau undertakes the census as well as surveys in numerous social and economic areas, including the National Household Survey, the National Labour Force Survey, and the Ongoing Manpower Survey.

## Uganda Investment Authority (UIA)

The UIA was established by the Investment Code Act, 1991. It facilitates and promotes investment in Uganda, and advises the Government on policies that nurture investment and growth. The UIA's main activities are:

- ▶ raising awareness on investment opportunities and packaged investment projects;
- ▶ providing local and foreign investors with information on the business environment and the necessary legal and administrative steps to take when investing; and
- ▶ facilitating inter-ministerial coordination that is required for business processes, through a focal point that it has in each ministry.

These UIA focal points in the different ministries are collectively called Team Uganda. Moreover, the UIA identifies the investment needs of the diaspora, and provides them with information on investment opportunities through the Home is Best Summit, and through investment summits abroad.

The UIA participates in the investment team meetings of the EAC Sectoral Council on Trade, Investment and Finance, for which each of the three technical areas – i.e., trade, investment, and finance – meet separately. In these meetings, investment boards, investment-related policy recommendations, and how to attract investment to the EAC are discussed, and the Council's decisions are forwarded to the Sectoral Council, which consists of permanent secretaries and ministers, for further action. The UIA monitors investment at the national level, and reports on investment and trade to the EAC, which compiles an annual regional report on investment and trade.

## Ministry of Trade, Industry and Cooperatives

The Ministry of Trade, Industry and Cooperatives develops policies and legislation on trade, industrialization, and related technologies and cooperatives, and coordinates and oversees pertaining policies and programmes. The Ministry monitors and evaluates the performance of the sectors under its mandate, and conducts research on the impact of different policies on poverty eradication, with a view to advise the relevant authorities.

## Ministry of East African Community Affairs

The Ministry of East African Community Affairs leads cooperation with the EAC and is in charge of Uganda's integration process with the EAC. The Ministry coordinates national input for the implementation of the EAC Customs Union, the Common Market, and the planned monetary union and political federation. The Ministry liaises with EAC organs and institutions – as well as the public and private sectors and civil society – on EAC issues.

## The Bank of Uganda

The Bank of Uganda is the central bank of Uganda and carries out its mandate under the Bank of Uganda Act, 2000. It serves as the banker to the Government and commercial banks; develops monetary policy; issues the national currency; manages the country's external debt and foreign reserves; fosters price stability and a sound financial management system; supervises and regulates financial Institutions; and advises the Government on financial and economic issues.

The Bank of Uganda and the UBOS collect data on remittances, and have together undertaken a number of National Household Workers' Remittances Surveys on money sent home by Ugandans living and working abroad.

## 4.2 Workers' and employers' organizations

Uganda's legal framework recognizes the rights of workers and employers to form organizations that represent their interests. Articles 29(e) and 40(3) of the Ugandan Constitution, 1995, acknowledges the right of every person to form and join associations or unions, including trade unions. Furthermore, the Labour Institutions Act, 2006, in Part II, section 3, recognizes the right of employees to organize themselves in any labour union. In the National Tripartite Charter on Labour Relations, 2013, the Government commits in Part II, section 19, to provide mechanisms for tripartite consultation. In section 24 it commits to strengthening the Industrial Court, the Minimum Wages Advisory Board, the Labour Advisory Board, and the National Tripartite Council as tripartite forums (MGLSD et al., 2013).

Regular migrant workers fall under national labour law and are therefore allowed to join trade unions. Migrant worker participation in a trade union is, however, limited by the law. Section 76 of the Citizenship and Immigration Control Act (Chapter 66), 1999, prohibits a foreign national from being a member of the executive committee of a trade union or a youth movement in Uganda.

### The National Organisation of Trade Unions (NOTU)

The NOTU is an umbrella organization with 20 trade union affiliates, and represents them in the tripartite structure in Uganda. The NOTU's functions include promoting workers' rights, formulating policies on the management of trade unions and welfare of employees, and supervising the activities of trade unions.

The NOTU is a member of the East African Trade Union Confederation (EATUC), a regional workers' body which promotes the interests of workers at the EAC and the free movement of persons. It is headquartered in Arusha, the United Republic of Tanzania.

### **The Central Organisation of Free Trade Unions (COFTU)**

The COFTU is the other umbrella trade union organization in Uganda, which also participates in the tripartite structure in Uganda. The COFTU coordinates the activities of 24 affiliated national unions and 112 district workers' forums.

### **The Federation of Ugandan Employers (FUE)**

The FUE is an umbrella employers' organization and represents employers' interests in the tripartite structure in Uganda. Its services include advising members on labour law; providing advocacy and research, as well as policy formulation, on relevant topics; representing members in the Industrial Court; and training, including on employment relations.

The FUE participates in the East African Employers Organisation (EAEO). It represents employers' views at the EAC and promotes the interests of employers at the regional level. It is headquartered in Arusha, the United Republic of Tanzania.

## 5. National coordination mechanisms on migration

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*The NCM is a Government-led inter-agency coordination platform with the mandate to strengthen and coordinate national responses to migration issues.*

The National Coordination Mechanism for Migration (NCM) was established in Uganda in May 2015 and is chaired by the Office of the Prime Minister, which also houses the NCM Secretariat. The NCM is a Government-led inter-agency coordination platform with the mandate to strengthen and coordinate national responses to migration issues in partnership with national, regional, and international actors. It operates on the basis of terms of reference (TORs) that have been endorsed at the technical level, and annual work plans. The NCM Secretariat plans for the TORs to be endorsed at Cabinet/political level. According to the TORs, the Office of the Prime Minister will ensure government funding for the NCM budget.

The NCM enjoys the ownership and participation of numerous government agencies, IOs, and non-State actors. It holds meetings at the technical level, in which senior technical officials participate, and at the policy level, in which ministers participate (IOM, 2016, p. 6). The Policy Level Committee meets biannually, reviews the work of the technical team, sets the NCM's direction, and is chaired by the Permanent Secretary of the Office of the Prime Minister. The Technical Level Committee is chaired by the Office of the Prime Minister's Commissioner of Refugees and meets quarterly (Government of Uganda, 2016).

The following government Institutions participate in the NCM:

- ▶ the Office of the Prime Minister;
- ▶ the Ministry of Finance, Planning and Economic Development;
- ▶ the Ministry of Justice and Constitutional Affairs;
- ▶ the Directorate of Public Prosecutions;
- ▶ the Ministry of Trade, Industry and Cooperatives;
- ▶ the MGLSD;

- ▶ the Ministry of Internal Affairs;
- ▶ the MOFA;
- ▶ the Ministry of Local Government;
- ▶ the Internal Security Organisation;
- ▶ the External Security Organisation;
- ▶ the UBOS;
- ▶ the Ministry of Education and Sports ;
- ▶ the Ministry of Tourism, Wildlife and Antiquities;
- ▶ the National Planning Authority ;
- ▶ the National Identification and Registration Authority;
- ▶ the Uganda National Bureau of Standards;
- ▶ the National Population Council;
- ▶ the Uganda Police Force;
- ▶ the Uganda Human Rights Commission;
- ▶ the Ministry of Health;
  - the Ministry of Water and Environment; and
  - the Bank of Uganda.

Other stakeholders that participate in the NCM include:

- ▶ the IOM;
- ▶ the United Nations High Commissioner for Refugees;
- ▶ the ILO;
- ▶ the United Nations Development Programme;
- ▶ Makerere University;
- ▶ the Uganda Youth Development Link;
- ▶ the Danish Refugee Council;
- ▶ the Refugee Law Project;
- ▶ the Platform for Labour Action;
- ▶ Terre des Hommes Netherlands; and
- ▶ the Inter-Religious Council (Government of Uganda, 2016).

The National Counter Human Trafficking Taskforce, which coordinates all anti-trafficking efforts, also addresses labour migration issues. The trafficking and exploitation of Ugandan migrant workers, especially in the Middle East, has been a concern of the Government of Uganda. Uganda's Coordination Office to Combat Trafficking in Persons serves as the secretariat of the Taskforce, and is led by a Permanent Secretary of the Ministry of Internal Affairs (US Department of State, 2017).

# 6. Analytical Framework analysis

## 6.1 Pillar I. Strengthening labour migration governance

### 6.1.1 Thematic Area 1. Capacity to collect and analyse labour migration data

#### 6.1.1.1 Labour market information and data

##### *Overview*

According to the Directorate of Labour, Employment, Occupational Safety and Health, Uganda is not currently undertaking labour market assessments. It has a partially developed Labour Market Information System (LMIS), which is available at: <http://lmis.mglsd.go.ug/index.php>. The Directorate would like to receive technical assistance to further develop the LMIS. The Social Development Sector Plan 2015/16 -2019/20 recognizes that “accurate, consistent and timely labour market information is essential for the proper functioning of the labour market”. It states that the LMIS shall be strengthened by building the capacity of public and private sector institutions, including social partners, to produce, collect, and analyse labour market information, and inform secondary and tertiary institutions on the skills development that is required at the national and regional levels. The Directorate plans for the LMIS to capture information on jobs, jobseekers, labour mobility, employment level, real wages, hours worked, and desirable skills in the market (MGLSD, 2016a, p. 52).

According to the UBOS, the last National Labour Force Survey was undertaken in 2016/2017 and the results are yet to be finalized. The National Labour Force Survey covered labour supply. Uganda also undertook a manpower survey in 2016 as part of an EAC initiative to conduct manpower surveys in all the EAC Partner States to inform the implementation of the EAC CMP. Uganda’s previous manpower survey was conducted in 1988. For 2016/17 manpower survey, all government agencies were surveyed, as well as private companies with at least 20 employees. Data was collected on available skills and qualifications, which the UBOS plan to use to develop a skills inventory. The survey also covers the informal sector and is the only survey that covers the demand for labour. The results of the manpower survey have been disseminated, apart from a module to assess the manpower of the diaspora, which still needs to be finalized.

The National Planning Authority is developing a Human Resource Plan based on the manpower survey. It is envisioned to project, up to 2040, which skills are available, in demand, and in oversupply at occupational level. The Human Resource Plan will help to identify skills gaps, and facilitate the employment of migrant workers in Uganda to fill those gaps. The Plan is expected to provide an evidence base for opening up certain sectors to migrant labour. The Plan will have a module in Uganda’s ten-year and five-year national development plans, which will indicate linkages between the different sectors. The National

Planning Authority intend to engage all relevant line ministries in the development of the Plan, as well as academia and CSOs.

### **Assessment**

Uganda needs to fully develop its LMIS, which is planned for in the Social Development Sector Plan 2015/16–2019/20. The results of the manpower survey and the Human Resource Plan, should depict sectoral, occupational and regional dimensions of labour shortages, as well as the supply of skills, number of employers, and number of jobseekers.

#### **6.1.1.2 Labour migration data collection and analysis, and applying it to labour migration policy**

##### **Overview**

The most recent National Population and Housing Census was undertaken in 2014 by the UBOS, and included questions on international migration. According to the UBOS, the same questions are captured in the recent National Household Survey (2017), which takes place every three years, and the National Labour Force Survey (2016/17).

The *Main Report of the 2014 National Population and Housing Census* states that the questions on international migration were the following:

- ▶ What is (NAME)'s ethnicity? If non-Ugandan write code of country of citizenship.
- ▶ In which district was (NAME) living before moving to this district? If the person was living outside of Uganda, write code of country of previous residence.
- ▶ How many years has (NAME) lived in this district continuously?

According to the Main Report, the Housing Census concluded that 1.5 per cent of the population were non-Ugandans and 88.7 per cent of the non-Ugandan population were citizens of neighbouring countries (UBOS, 2016, p. 20).

During the interview for this study, the UBOS drew attention to its need for capacity building on undertaking independent international migration surveys, as well on improving the management of administrative data.

The UBOS shares its data with Ministry of Finance, Planning and Economic Development; the MGLSD; and the National Planning Authority, which analyses the data and may apply it to policy development. Interviews undertaken for this study highlighted that there is insufficient inter-ministerial sharing of data related to labour migration, which is an impediment to effective labour migration policy development. This includes work permit data and administrative data on international migration. The DCIC runs an e-immigration system<sup>2</sup>, through which visas and different types of passes can be applied for, and the data of these applicants is recorded electronically. Data on work permits is generally not adequately shared with other ministries.

The 2011 National Employment Policy recognizes that “data on immigrant workers are hardly accessible and therefore it is difficult to regulate the inflow and working conditions of both skilled and less skilled immigrants” (para. 3.4.6). According to the Directorate of

<sup>2</sup> See: <https://visas.immigration.go.ug/#/>.



Labour, Employment, Occupational Safety and Health, the identification of critical skills is insufficient. There is little indication that the labour migration data being collected, as well as other relevant data, are used to develop mechanisms to attract migrant workers to Uganda in critical skills areas.

A draft migration policy was developed in 2012, and is yet to be finalized. It contains a section on labour migration. Its policy objectives are geared towards filling skills gaps; protecting the rights of migrant workers; and developing a national labour externalization programme that is properly regulated and monitored. The externalization of labour migration is an explicit policy objective of the Government, and mostly concerns low-skilled labour migration to the Middle East. The National Employment Policy highlights it as a temporary solution while the country works on developing sufficient job opportunities in Uganda (section 7.8).

Until recently the EEU kept paper records of Ugandan migrant workers who registered with them or who migrate through PEAs (IOM, 2014, p. 12). The name; job; place of origin and destination; gender; education level; employer; and next of kin were recorded. With the April 2018 launch of the External Employment Management Information System (EEMIS), this data is captured through a dedicated online platform when potential migrant workers register on the site<sup>3</sup>. PEAs can apply for licenses online through the EEMIS, and workers are able to apply on EEMIS for jobs that have been vetted by the MGLSD. This system should improve data management, the monitoring of PEAs, and aid the Government in the protection of Ugandan migrant workers. Progress in this area is partly due to information on the abuse and exploitation of Ugandan migrant workers in the Middle East, which has been reported by the media and IOs, among others. The EEU does not systematically collect data on returnees, and this area should be advanced to better understand the migration cycle and inform effective policy-making.

### **Assessment**

Insufficient sharing of data between government agencies, lack of data on returnees, and lack of data analysis for labour migration policy development hampers effective policy-making. The EEMIS should improve data collection and management, and the monitoring of regular labour migration flows to the Middle East.

The Government should develop a strategy for data collection and analysis that informs labour migration policy development. The implementation of this strategy should be a collaborative effort of the various government agencies that collect and analyse the relevant data needed to inform labour migration policy-making. The strategy should include the capacities that need to be built to enhance data collection and analysis for policy development, and the data sharing and information coordination mechanisms that need to be put in place.

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<sup>3</sup> See: <https://eemis.mglsd.go.ug>.

### 6.1.1.3 Sharing of labour market information and labour migration data and analysis at the regional level

#### *Overview*

Labour flows and skill shortages are at times discussed in IGAD meetings, such as the Regional Consultative Process (RCP), but there are no systems in place for regularly sharing data on labour supply and demand between Uganda and other IGAD Member States.

In the EAC region national manpower surveys are irregular and incomplete, resulting in a shortfall of data on stock of skills, characteristics, distribution, and skill supply and demand (Alper et al., 2016: 16). There is also no established regional labour market information system (Ogalo, 2012: 33). Information on national labour supply and demand may be exchanged ad hoc or at meetings between the EAC Partner States, but there is no routine exchanges on labour flows, stocks and needs in labour-supply vis-à-vis labour-demand countries in the EAC region. The COMESA region, to whom Uganda also belongs, is less integrated than the EAC, and little labour market data is shared, and not on a routine basis. Information may be exchanged ad hoc at COMESA meetings.

#### *Assessment*

Routine data analysis and exchange of labour flows, stocks and needs between Uganda and the IGAD countries is not undertaken, and needs to be put in place. Uganda plans to develop a skills inventory and Human Resource Plan to identify skills gaps. This Plan will be used to address skills mismatch, by informing training institutes of the skills that are needed and that are in over supply. On the basis of this Plan, mechanisms are expected to be put in place to attract migrant workers to fill skills gaps.

## 6.1.2 Thematic Area 2. Coordination on labour migration

### 6.1.2.1 Coordination of labour migration at national, regional, and continental levels

#### *Overview*

Labour migration issues are at times discussed by the NCM and the National Counter-Human Trafficking Taskforce, which are both well established and benefit from the participation of CSOs. The NOTU, COFTU, FUE and migrant associations<sup>4</sup> do not participate in these consultation forums. Moreover, discussions on labour migration in these forums tend to focus on labour migration flows to the Middle East, while labour migration in the EAC region may also be discussed.

According to the Directorate of Labour, Employment, Occupational Safety and Health, inter-ministerial coordination meetings on labour issues are held quarterly at the MGLSD, and

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<sup>4</sup> While migrants' associations exist in Uganda, such as for Somalis and Indians, they focus on the general well-being of these nationalities, and not specifically on employment issues, and do not participate in consultations on labour migration issues.

participants include the ministries dealing with internal affairs, security, local government, justice and constitutional affairs, and works and transport.

Since 2011, the Labour Advisory Board has been the key instrument for tripartite dialogue. Its duties include: advising the Minister on employment and industrial relations; the regulation of employment agencies; and the dispute resolution process (ILO, n.d.). The Labour Advisory board was established by the Employment Act, 2006, and further specified in the Employment Regulations, 2011. According to the Employment Act, section 21(6), the Board should meet quarterly. Interviews indicated that the meetings do not take place regularly; while labour migration discussions focus on labour migration by Ugandans to the Middle East, and not on labour migration to Uganda.

Discussions with trade unions in Uganda indicate that they have members who are migrant workers, but that they work in Uganda under the guise of being Ugandans. These workers enter Uganda from neighbouring countries, and due to similarities in language and other aspects, are able to work in Uganda as Ugandans. (The limited possibilities for the movement of labour under the EAC CMP, as well as the relative ease of working in Uganda in this fashion, has the effect that some EAC citizens work in Uganda clandestinely.) These migrant workers' interests may therefore be represented in tripartite consultations, but not in the way they should be under the law, as they are in fact in an irregular status in Uganda.

At the regional level, occasional consultations in which the tripartite organizations participate take place at the EAC. Labour ministries of the Partner States, the EATUC, and the EAEO participate in such consultations, but formal tripartite consultation structures have not been established. The EATUC and the EAEO collaborate on a number of issues, and have collectively brought to the attention of the EAC Secretariat and the East African Legislative Assembly (EALA) issues of common concern, through both research and advocacy. Such issues include obstacles to the free movement of persons and the recommendation to standardize work permit applications across the EAC. Their 2016 joint publication *Implementation of Schedule for Free Movement of Workers of Annex II of the East African Community Common Market Protocol* identifies challenges faced by employers and workers in utilizing the free movement of workers provisions under the CMP, and offers potential solutions. One of the challenges they point out is that it takes between two to six months in all Partner States (apart from Rwanda) to process work permits. They propose that the processing time for the issuing of work permits should be reduced to a maximum of 30 days. A further challenge they point out with regard to the implementation of the Schedule for the Free Movement of Workers of Annex II of the EAC CMP is that corresponding laws and policies at the national level have not been sufficiently revised to conform to Annex II. Rwanda is the only country to have made significant progress in this area, while immigration and labour laws in the other Partner States still do not sufficiently conform to Annex II. They call for the fast tracking of the harmonization of existing national laws and policies to conform to the EAC CMP (EAEO and EATUC, 2016, pp. 31–33).

Labour market information and profiles of good practices on labour migration are not routinely shared – either bilaterally or multilaterally – between Uganda and other countries, including the IGAD Member States. Information on these topics may be shared at African Union (AU), EAC, COMESA, and IGAD meetings, and in the case of COMESA and IGAD, through their RCPs. The Joint Labour Migration Programme (JLMP) – which is led by the AU

and implemented by the ILO, IOM and the UN Economic Commission for Africa (UNECA) – shares information on these issues at some of its meetings.

While there are no routine meetings between IGAD Member States and the Member States of neighbouring regional economic communities, the AU has increasingly focused on migration, including labour migration, and serves as a useful forum for bringing together origin, transit, and destination countries. In the past two years it has held numerous migration consultations as it:

- ▶ reviewed the AU Migration Policy Framework;
- ▶ developed the AU Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Establishment; and
- ▶ cultivated inputs for the Global Compact on Migration.

Moreover, in 2018 the AU commenced the implementation of the revised AU Migration Policy Framework for Africa and its Action Plan (2018–2030), which has a strong focus on labour migration and the free movement of persons. In addition, the African Labour Migration Advisory Committee was inaugurated in May 2018 to promote and protect the rights of migrant workers and members of their families across the continent. Participants of the Committee include representative of the regional economic communities, AU bodies, the ILO, IOM, UNECA, and social partners. The AU is therefore expected to continue to serve as central forum for exchanges on labour migration law, policies, and practice.

### ***Assessment***

Labour migration issues are at times discussed by the NCM and the National Counter Human Trafficking Taskforce, who are both well established and benefit from the participation of CSOs. However, labour migration issues beyond Ugandan labour migration to the Middle East should enjoy a stronger focus in the NCM, tripartite consultations, and government discussions.

Tripartite consultation takes place at the EAC level and should be further formalized. The successful collaboration of the EATUC and the EAEO with the EAC stands out as a best practice. It should be replicated at the IGAD level. The Horn of Africa Confederation of Trade Unions was recently formed and should establish a partnership with IGAD. A regional employers' organization should also be formed and establish a partnership with IGAD. These organizations should then be engaged with at the IGAD level through tripartite consultation mechanisms. Such collaboration could assist in highlighting impediments to the free movement of persons in the IGAD region and in devising workable solutions.

The sharing of labour market information and profiles of good practices on labour migration should be instituted in existing forums, such as the IGAD RCP, COMESA RCP, EAC meetings, AU meetings, and meetings of the JLMP.

## 6.1.3 Thematic Area 3. Capacity to formulate and implement policy

### 6.1.3.1 Labour migration policy development and implementation

#### Overview

Since 2007, the Comprehensive National Development Planning Framework (CNDPF) has been Uganda's strategic planning framework. It consists of a 30-year national vision (currently Uganda Vision 2040); 10-year national development plans; five-year national development plans; sector policies and master plans; as well as annual plans and budgets. Vision 2040 contains Uganda's long-term development goals. The 10-year successive plans outline the objectives for each respective decade, and these are further defined in the five-year medium-term plans, which set out the priority public sector development programmes.

Ministries, government departments, and agencies prepare sector policies and master plans, which should be aligned to the long-term national development goals and objectives. A sector policy charts the strategic direction of the sector for the next five years. A master plan specifies the interventions required to achieve the objectives of a sector policy. The annual plan/budget sets out the priority activities for the year and their budgetary allocations (National Planning Authority, 2018).

Uganda does not have a labour migration policy. Labour migration features in the 2012 draft migration policy, which according to the Ministry of Internal Affairs' *Ministerial Policy Statement for the financial year 2017/2018*, has been completed and is due for tabling to Cabinet. However, in November 2018 the MGLSD indicated that the migration policy may not be adopted. The Government is in the process of reviewing the Employment Act, 2006, and Statutory Instrument No. 62 on the externalization of labour, and may elaborate these further to more extensively cover migration and labour migration issues, rather than adopt the migration policy.

The externalization of labour, in the context of promoting decent work opportunities, is a clear policy objective of the Government. It is found in various policy documents, including the draft migration policy, Vision 2040, the Second National Development Plan 2015/16–2019/20, and the Social Development Sector Plan 2015/16–2019/20. Another key labour migration policy objective – which is reflected in the draft migration policy – is filling skills gaps through migrant labour. The Human Resource Plan being developed by the National Planning Authority should be a useful instrument to ensure policy coherence between different sectors to work towards this goal, as it is planning on involving all relevant ministries and government agencies in the development of the Plan.

The CNDPF can potentially be a useful instrument for facilitating coherence between labour migration policy objectives and other sector policies. Although the number of planning instruments could potentially also cause confusion. In addition, a lot of time and human resources are being spent on developing this array of instruments, which could perhaps be better used for the implementation of a few selected priorities.

#### Assessment

The Government of Uganda is promoting policy coherence through the CNDPF. It does not have a labour migration policy, but is reviewing the Employment Act, 2006, and Statutory Instrument No. 62 on the externalization of labour, which may in future cover migration and labour migration issues more extensively. In addition, the Government should consider the development of a labour migration policy. Analyses of the contribution of labour migration and migrant workers should be expanded beyond remittances and used to inform policy development.

The CNDPF consists of numerous development planning instruments. In order to achieve labour migration policy objectives, it will be important to prioritize a realistic number of targeted interventions in the medium term. The concrete steps required to implement them should be mapped out, as well as the roles and responsibilities of different ministries, the necessary reinforcement of their capacities to meet them, and the required inter-ministerial coordination mechanisms.

Moreover, the Human Resource Plan that the National Planning Authority plans on developing could be a useful tool to ensure policy coherence between different sectors in working towards the goal of filling skills gaps through migrant labour. In order to formulate effective labour migration policies, a skills inventory needs to be developed – as well as a fully functioning LMIS – so that the skills that are needed and in oversupply can be identified, and policies developed accordingly.

The EEU is dedicated to the deployment of Ugandan migrant workers abroad. There is no unit specifically for migrant workers in Uganda. To aid the protection, integration, and development contribution of migrant workers in Uganda, such a unit should be established, or focal points dedicated to migrant worker concerns should be appointed in different ministries and government agencies.

### **6.1.3.2 Policies that protect the rights of migrant workers, including bilateral labour agreements and gender-sensitive policies**

#### ***Overview***

On 22 January 2016 the Government of Uganda imposed a ban on the labour migration of domestic workers to the Middle East, due to reports of exploitation and abuse. The ban was lifted on 1 April 2017 (Kamoga, 2018). The MGLSD reported that it worked with the Saudi Arabian authorities on the protection of the rights of Ugandan migrant workers, and decided to lift the ban once it believed that sufficient progress had been made. Uganda proceeded to sign a BLA with the Saudi Arabian Government on 31 December 2017, which for the first time allowed Ugandan professionals to seek employment in Saudi Arabia. Uganda also signed an amended BLA on Domestic Workers with the Saudi Arabian Government, which was first signed in 2015. This BLA aims “to specifically streamline the operations of the labour externalisation sector with focus on fighting against trafficking and violation of workers’ rights”. After the signing of these BLAs, the Saudi Arabian Government instructed its embassy in Uganda to once again start issuing visas to Ugandan migrant workers (Kamoga, 2018). The MGLSD works closely with Saudi Arabian authorities to monitor the deployment and movement of Ugandan migrant workers to and from Saudi Arabia. Saudi Arabia has an online visa database system, called MUSANED. Once the MGLSD has approved the contract of a Ugandan migrant



worker destined for Saudi Arabia, the Ministry will enter the worker's personal data (such as passport number, name, age, and gender) into the MUSANED database, after which Saudi Arabia will issue the migrant worker with a visa. Through this system the MGLSD is notified when Ugandan migrant workers enter and reside in Saudi Arabia.

The Government of Uganda states that it is promoting safe migration to the Middle East through BLAs, which it has also signed with Jordan and Saudi Arabia. In addition, the Government is developing BLAs with Bahrain, Kuwait, Lebanon, Qatar, and the United Arab Emirates. The BLAs are not publicly available and could not be reviewed for this study. According to the MGLSD, a Joint Implementation Committee forms part of the BLA agreement, and serves to monitor the implementation of a BLA. Uganda's ministries of Labour, Justice, Internal, and Foreign Affairs participate in such committees. By November 2018, a Joint Implementation Committee had been set up for the BLA with Jordan, but one has not yet been established for the BLA with Saudi Arabia. A Joint Implementation Committee should meet on an annual basis, or more often, and discusses issues that may arise with the implementation of a BLA, including the working conditions of migrant workers. The MGLSD highlighted the importance of these committees to ensuring that the conditions stipulated in a BLA are monitored and enforced. The MGLSD also conducts monitoring missions to the countries with which it has BLAs to ensure that migrant workers' rights are respected and the provisions of the pertaining BLA are implemented. The Ministry would like to conduct these missions quarterly, but due to lack of funds these monitoring missions have been infrequent.

The 2015 Guidelines on Recruitment and Placement of Ugandan Migrant Workers Abroad addresses BLAs in section 20. It states that BLAs will be concluded to protect the working conditions of Ugandan migrant workers, and cover:

1. collective obligations of the two countries (Uganda and the country of employment),
2. obligations of Uganda (selection and recruitment procedures),
3. obligations of the country of employment,
4. conditions of employment,
5. protection of basic rights of the migrant workers,
6. social security,
7. dispute settlement procedures and
8. reunification of families and return of migrant workers.

These instruments were developed in response to the abuse experienced by low-skilled Ugandan migrant workers in the Middle East, many of whom are female domestic workers. Other measures the Government of Uganda has undertaken to prevent and address the exploitation of migrant workers, include initiating the criminal prosecution of PEAs engaged in trafficking, and transforming the Coordination Office to Combat Trafficking in Persons into an official department with a small permanent budget allocation to aid its anti-trafficking efforts (US Department of State, 2017).

Protection efforts have also catered for Ugandan migrant workers in an irregular situation. The MGLSD and MOFA have, for example, assisted Ugandan migrant workers in Riyadh, Saudi Arabia, regardless of whether they were regularly deployed or not. This assistance included the provision of consular services, visits to detention centres, providing replacement travel

documents, and arranging the safe return of the stranded migrants to Uganda (MGLSD, 2016b).

To further enhance the protection of migrant workers, the MGLSD plans for labour attachés to be appointed in Middle Eastern countries. In November 2018, it had a labour liaison officer in Abu Dhabi, the United Arab Emirates.

### ***Assessment***

Uganda has taken a number of measures to enhance the protection of Ugandan migrant workers abroad, including the development of BLAs and strengthening the regulation of PEAs. While the Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers Abroad, 2005, aim to “protect every Ugandan desiring to work overseas”, in practice, protection efforts are geared towards migrant workers destined for the Middle East. Many of these migrants are female, and protection measures have been strengthened to address the specific vulnerabilities they face. It remains important to investigate and address the protection needs of Ugandan migrant workers in other countries and regions of destination. Moreover, the protection of migrant workers in Uganda should enjoy targeted efforts.

### **6.1.3.3 Ratification and domestication of international labour migration Conventions**

#### ***Overview***

The Committee of Experts on the Application of Conventions and Recommendations (CEACR) noted in 2017 that the Government of Uganda had not submitted its report on matters raised in the Committee’s 2013 comments on Uganda’s implementation of the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). In 2013 the CEACR requested information regarding sections of the Employment Act, 2006, and its implementation, that affect its obligations under the Convention (CEACR, 2017).

The DCIC in the Ministry of Internal Affairs is responsible for implementing Uganda’s obligations under the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Government of Uganda, 2015a, p. 8). The Government of Uganda submitted a report on its implementation of the Convention in March 2015. Following recommendations by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), the Government of Uganda submitted a follow up report in December 2017 on the steps it is taking to implement the CMW’s recommendations. The CMW issued its response to this report in April 2018, and recommended that Uganda take the following additional steps to implement the Convention:

Uganda should augment its efforts to ensure that, in law and in practice, migrant workers and members of their families, including those in an irregular situation, have equal opportunities as nationals to file complaints and receive effective redress in the courts, including labour courts, in the case of the violation of their rights under the Convention.

Migrant workers and members of their families, including those in an irregular situation, should also be better informed of the judicial and remedial options available to them, in the event that their rights under the Convention are violated.



Moreover, Uganda should take steps, in law and in practice, to guarantee to migrant workers and members of their families the right to form and be a member of the executive bodies of associations and unions, for the promotion and protection of their economic, social, cultural, and other interests, in accordance with Article 40 of the Convention and the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87). At present, section 76 of the Citizenship and Immigration Control Act, 1999, prohibits a foreign national from being a member of the executive committee of a trade union or youth movement in Uganda.

Finally, Uganda should ensure that Ugandan migrant workers living abroad can exercise their right to vote (CMW, 2018).

### **Assessment**

Uganda should accede to the ILO Migration for Employment Convention (Revised), 1949 (No. 97). It is already a signatory to ILO Convention No. 143. In this regard, Uganda should submit its report in response to the comments raised by the CEACR in 2013, which relate to aspects of the Employment Act, 2006.

Uganda is a signatory to the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and in April 2018 was commended by the CMW for furthering its implementation of the Convention. Uganda should act on the recommendations that were provided by the CMW in April 2018, to enhance its implementation of the Convention.

## **6.1.4 Thematic Area 4. Regulating recruitment agency practices**

### **6.1.4.1 Employment contracts**

#### **Overview**

The Employment Act, 2006 allows written and oral employment contracts (section 24). Oral contracts are foreseen for illiterate persons. Section 26(1) requires that a “contract of service made with an employee who is unable to read or understand the language in which the contract is written shall be attested to”. Section 26 further requires that a magistrate or labour officer draw up a written document as attestation, and before attesting to the contract will verify that the employee has agreed to the contract out of their free will; that the contract complies with the Employment Act; and that the employee has duly understood the terms of the contract before consenting to it. A copy of the document recording the attestation will be given to the employer and the employee, but the original will remain with the magistrate or labour officer. Protection of the employee is further ensured in section 26(4), which states that a “contract which should have been, but was not, attested to as provided for under this section may be enforced at the instance of the employee and the absence of attestation shall not prejudice in any way the rights of the employee”.

Section 12 addresses the settlement of grievances. Under this section, grievances regarding the fulfilment of an employment contract can be submitted by an employer or an employee to the labour officer. The labour officer should resolve the dispute by agreement, by engaging

the workers or the labour union that is present at the pertaining workplace. Section 14 gives the labour officer the power to take a case to the Industrial Court, in case of a contravention or alleged contravention of the Employment Act. Moreover, the Employment Regulations, 2011, contains procedures for the receiving of a complaint by a labour officer (section 7).

The Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers Abroad, 2005, requires that PEAs issue migrant workers with employment contracts that conform to the standard employment contract (regulation 68 (3)), which is “a written government-approved employment contract stipulating a specific period of employment and formulated through tripartite consultation individually adopted and agreed upon by the principal/ employer and the Uganda migrant workers”.

The minimum requirements for the contract are the following, as stated in regulation 67:

- a. guaranteed wages for regular working hours and an overtime pay for services rendered beyond regular working hours;
- b. free emergency medical and dental treatment facilities;
- c. just cause for the termination of the contract or of the services of the workers;
- d. workers compensation benefits and war hazard protection;
- e. repatriation of worker’s remains and properties in case of death to the point of hire, or if this is not possible under the circumstances, the proper dispatch upon prior arrangement with the worker’s next-of-kin and the nearest Embassy or Consulate;
- f. assistance in the remittance of worker’s salaries, allowances or allotments to his or her beneficiaries.

Moreover, the 2015 Guidelines on Recruitment and Placement of Uganda Migrant Workers states in section 15.3.1:

All selected migrant workers should receive a written employment contract that is enforceable, clear, and in a language the migrant worker understands. The employer should deliver the employment contract to the migrant worker prior to departure, and with adequate time for the migrant to review all provisions before signing.

The EEU ensures that the employment contracts of Ugandan migrant workers who are deployed abroad through PEAs conform to the standard employment contract (MGLSD, 2016). They keep copies of the contracts to ensure the protection of these migrant workers.

One of the requirements for migrant workers to be granted the right to work in Uganda is the submission of an employment contract to the immigration authorities (Government of Uganda, 2015a, p. 30). The authority retain copies of contracts, inter alia, to ensure the protection of migrant workers.

### ***Assessment***

The Government of Uganda is promoting the establishment of written, understandable, and enforceable employment contracts to serve as the basis for determining obligations and responsibilities, as well as the registration of migrant workers’ contracts, with a view to ensure the protection of migrant workers.

### 6.1.4.2 Licensing and monitoring of private employment agencies

#### Overview

Section 38 of the Employment Act, 2006, states that to operate a recruitment agency, a recruitment permit issued by the commissioner (in the ministry responsible for labour) is required. The Employment Regulations, 2011, addresses PEAs in Part IV, regulation 12. It requires PEAs to be registered and possess a valid operational license, which is to be issued by the commissioner (in the ministry responsible for labour). The Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005 (Statutory Instrument No. 62), states in regulation 7 that an application for a license to operate as a PEA must be made in writing to the EEU. The documents that should accompany the application include:

- ▶ proof of a minimum capital of 10 million Ugandan shillings (UGX) (US\$2,683.38)<sup>5</sup>; and
- ▶ proof of clearance from the Criminal Investigation Department, the EEU, and other Government agencies, of all members of the board of directors or partners and employees of the agency.

The 2015 Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad explains the registration and licensing process of PEAs in a more accessible format. Other requirements that need to be fulfilled when applying for a license include:

- ▶ proof of possession by the chief executive officer of a bachelor's degree and three years business experience;
- ▶ list of all officials and personnel involved in the recruitment and placement, together with their appointment, bio-data, and two copies of passport-size photographs, as well as their clearances from Interpol; and
- ▶ presentation of a bank guarantee.

The bank guarantee is specified in Annex II as being UGX50 million (US\$13,416.90). The cost of the license application form is listed as UGX100,000 (US\$26.83), and the fee for the certificate of license as being UGX500,000 (US\$134.16). The bank guarantee aids the protection of migrant workers. It is used by the Government to pay wages in the event that payment is withheld from migrant workers, or to return workers to Uganda if they face challenges in their country of destination and it is deemed necessary to repatriate them.

The Guidelines state in section 7.2.1 that applicants seeking a PEA license need to be trained in and pass two modules of the Certificate for Employment Agencies test, which is conducted by the Department of Employment Services. The training aims to build the knowledge of PEAs on the legislative framework, as well as management and counselling. Section 7.2.2 states that the Department of Employment Services is responsible for informing "officials and staff of licensed agencies and representatives of the foreign employers on the requirements, standards, laws and regulations in the recruitment and employment of Ugandan migrant workers".

Regulation 10(5) of the Rules and Regulations indicate that the validity of a license is two years. Regulation 13 states that the renewal of a license must be applied for on or before the

<sup>5</sup> The exchange rate used for the conversions in this report from UGX to US\$ is from <https://www.xe.com/> on 21 November 2018.

expiry date of the license; and needs to be supported by a number of documents, including a renewed bank guarantee.

The Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad states in section 6:

- 6.1.1. No migrant worker shall be discriminated against on the basis of race, colour, sex, religion, political opinion and social origin.
- 6.1.2. All parties shall refrain from exploitation, treatment of migrant workers as commodities and accord them greater human dignity and protection.
- 6.1.3. No migrant workers shall be hired or recruited using forced or compulsory means nor be coerced into signing a contract without ascertaining their terms and conditions of work.

Section 32 of the Guidelines covers the roles of stakeholders, and requires associations of PEAs to:

- ▶ develop a binding code of conduct and ethics;
- ▶ gather information on high risk agencies and regularly screen their members and new membership applications; and
- ▶ sensitize their members on the code of conduct and ethics.

On 26 July 2017, the Uganda Association for External Recruitment Agencies (UAERA) adopted a code of conduct that all its members must adhere to. Principle 14 of the code on “Respect for the Worker’s Rights”, calls for the promotion of “[e]quitable, objective and transparent principles for the calculation of agency workers’ wages”. Failure to pay wages on time to workers will result in deregistration and disciplinary action from the UAERA. Other relevant principles include respect for safety at work; respect for laws; and refraining from bidding down wages. Principle 21 – “Sanctions for Non-compliance” – states that members shall face a disciplinary committee if they do not conform to the code.

Moreover, the UAERA has undertaken three monitoring visits to Jordan in the last three years to inspect where its members deploy Ugandan domestics workers. Ugandan migrant workers can contact the UAERA or its members if they face challenges, and they will in turn contact the MGLSD or the relevant Ugandan mission. Section 25 of the Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad is titled “Complaints and Grievance Procedures”, and it states that complaints can be made in writing or by telephone against a recruitment agency or employer with the Department of Employment Services or to the nearest Ugandan mission.

Section 11 of the Guidelines covers the inspection of PEAs, which is to be undertaken by the EEU. The EEU will inspect the premises, facilities, and relevant documents before the issuing of a license and in cases of transfer of office, and will also undertake spot inspections and routine inspections.

Section 7.6 states that the renewal of a license shall be based on performance, and can be cancelled, including in the following cases: illegal recruitment; involvement in trafficking in persons; and violating the Regulations. The Minister of State for Youth and Children Affairs, Florence Nakiwala Kiyingi, indicated in a statement on 18 May 2018 that in order to counter illegal activities by PEAs, the Government has suspended, cancelled, and not renewed the licenses of some agencies. The Minister added that the Government has adopted a four-party

employment contract, wherein employment companies in Uganda and recipient countries are jointly liable (Kiyingi, 2018, p. 8). The four-party employment contract requires the PEA in Uganda (who identifies the potential Ugandan migrant worker) and the PEA in Jordan (who identifies the employer in the country of destination) to sign a contract. In addition the migrant worker and the employer sign an employment contract.

The MGLSD launched the EEMIS in April 2018 (MGLSD, 2018), through which the licensing of PEAs takes place online. In the two-year period leading up to May 2018, the Government licensed 95 PEAs (Kiyingi, 2018). During the reporting period of the US Department of State's *TIP Report 2018*, the Ugandan Government reported that more than 80 illegal recruitment agents and companies were investigated and closed, and that some of the staff were prosecuted for illegal recruitment for the purpose of human trafficking.

Employers' and workers' organizations contributed to the development of the licensing system for PEAs. The FUE, NOTU and COFTU participate in the Labour Advisory Board, which advises the minister responsible for labour. The Board discussed the Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005.

#### *Pre-departure training*

Regulation 70(1) of the Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005, obliges every licensed PEA to provide every worker deployed abroad with a pre-departure orientation seminar. The seminar can only be given by:

- ▶ a licensed PEA with an accredited pre-departure orientation seminar;
- ▶ an association of licensed agencies;
- ▶ an NGO who focuses on the concerns of migrant workers;
- ▶ other persons or organizations that have been authorized to conduct these seminars by the EEU; or
- ▶ embassies, consuls, or diplomatic attachés of the countries to which the workers will be deployed (regulation 70(2)).

Regulation 72 requires the approval and accreditation of all pre-departure orientation seminar programmes, tie-ups, and trainers by the EEU. Regulation 73 states that the EEU will supervise and monitor the pre-departure orientation activities of licensed agencies. The pre-departure orientation venue will be inspected by the EEU as often as it deems necessary, including spot checks. A worker will be given a certificate of attendance by the agency upon completion of the seminar (regulation 75), copies of which will be submitted to the EEU. Workers who are deployed overseas by the EEU will be given a pre-departure orientation seminar by the EEU (regulation 76).

The 2015 Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad further describes the orientation of Ugandan migrant workers in section 21. The duration should be at least three days. It should include a legal orientation on the relevant laws, and, inter alia, cover immigration, health and social welfare, and temporary protection. As part of the orientation the contract needs to be read through and the rights and obligations of the migrant worker explained, including the duties and obligations of employers; the workplace and living conditions; the job skills required; the location and telephone number

of the Uganda Embassy in the country of destination; and where and how to seek assistance in case of distress. Cultural and social orientation will also be given, and capture the way of life in the country of destination and, inter alia, focus on general rights and obligations of citizens; public health services; the education system; and the social welfare system. Moreover, psycho-social orientation will cover cultural aspects, and linguistic orientation will cover basic language skills.

According to the MGLSD, there was no pre-departure orientation until July 2017. By November 2018, approximately 15 companies had been authorized to provide training. The training materials of these companies have been vetted by the MGLSD. At the time that this study was drafted, only domestic workers were being given pre-departure training. This training consists of a seven-day course that includes health and safety, basic language skills, and occupational skills, such as operating a washing machine. PEAs pay for the pre-departure training for these migrant workers, which is a requirement for PEAs to deploy these migrant workers abroad.

The MGLSD has developed a pre-departure training curriculum for domestic workers, and is working on expanding it to cover other sectors. In future migrant workers in other sectors that migrate for work through PEAs should therefore also receive pre-departure training.

### ***Assessment***

The Government has in place a standardized system of licensing for PEAs, which can take place through the online EEMIS platform. Tripartite consultation contributed to the development of this system. The Employment Act, 2006; the Employment Regulations, 2011; and the Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005, constitute the legal framework for the licensing system.

The Government is actively working to ensure that recruitment and placement services respect migrant workers' fundamental principles and rights, including through effective enforcement mechanisms. Uganda should ratify the ILO Private Employment Agencies Convention, 1997 (No. 181).

#### **6.1.4.3 Recruitment and placement fees**

##### ***Overview***

The Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005, addresses the fees chargeable to migrant workers by PEAs. Migrant workers may be charged up to UGX50,000 (US\$13.41) for recruitment and deployment services as administration costs. They may also be charged a placement fee to cover related costs, such as a trade or skills test, medical examination, and passport and visa costs. These fees may only be collected once the employment contract has been signed, and receipts need to be issued upon payment (regulation 29).

##### ***Assessment***

Fees or other charges for recruitment and placement can, according to the law, be borne directly by migrant workers. They should be abolished.

## 6.2 Pillar II. Advancing opportunities for regulated labour migration and decent work

### 6.2.1 Thematic Area 1. Labour mobility schemes to support labour market needs

#### 6.2.1.1 Rules and regulations governing labour migration and mobility

##### *Overview*

The following laws constitute the legal framework for regulating immigration in Uganda:

- ▶ the Citizenship and Immigration Control Act, 1999, (which entered into force in 2002) as amended by the Uganda Citizenship and Immigration Control (Amendment) Acts of 2006 and 2009;
- ▶ the Uganda Citizenship and Immigration Control Regulations, 2004; and
- ▶ the Uganda Citizenship and Immigration Control of Aliens Regulations, 2004 (Government of Uganda, 2015a).

##### *Entry, work, and residence permits*

The Ugandan Constitution established the National Citizenship and Immigrant Board (article 16), under the Ministry of Internal Affairs. Section 7 of the Citizenship and Immigration Control Act, 1999, contains the functions of the Board, which include:

- ▶ granting and cancelling of immigration permits;
- ▶ registering and issuing identity cards to aliens; and
- ▶ determining any questions that may arise in the implementation of the Act or any questions referred to it by the Minister of Internal Affairs.

The Board supervises the work of the Director of Immigration<sup>6</sup> and the immigration officers who implement the Act and the decisions of the Board (Government of Uganda, 2015a, p. 8).

Section 53 of the Citizenship and Immigration Control Act, 1999, regulates entry into Uganda. To enter or remain in Uganda a valid entry permit, a certificate of permanent residence, or a pass<sup>7</sup> must be obtained, for which a person must be in possession of a passport, certificate of identity, conventional travel document, or any other valid travel document. The classes of entry/work permits are:

- ▶ Class A (government and diplomatic service);
- ▶ Class A2 (government contractors);
- ▶ Class B (investment in agriculture);
- ▶ Class C (mining);

<sup>6</sup> The Uganda Citizenship and Immigration Control (Amendment) Act, 2006, elevated the Directorate of Citizenship and Immigration Control to directorate level, and the head became the Director.

<sup>7</sup> The types of passes include: (a) dependant's pass; (b) pupil's or student's pass; (c) visitor's pass; (d) in transit pass; (e) inter-state pass; (f) prohibited immigrant's pass; (g) special pass; and (h) re-entry pass.



- ▶ Class D (business and trade);
- ▶ Class E (manufacturers);
- ▶ Class F (professionals);
- ▶ Class G1 (volunteers, NGO workers, and missionaries); and
- ▶ Class G2 (employees).

They are detailed in the Fourth Schedule of the Citizenship and Immigration Control Act, 1999. Section 53(4) of the Act specifies that a person who plans to be employed under a Class G entry permit may only enter Uganda once the entry permit has been granted.

Online applications for a visa; entry permit; residence certificate; dependent pass; special pass; or student pass can be made through the DCIC e-immigration system.<sup>8</sup> Twenty-four countries are exempted from paying visa fees, including two IGAD Member States: Eritrea and Kenya (DCIC, 2018b). The process, fees, and requirements are well explained on the e-immigration system, as well as the website of the DCIC: <https://www.immigration.go.ug>.

Entry permit costs are as follows:

- ▶ single entry permit – US\$50;
- ▶ multiple entry permit (6–12 months) – US\$100;
- ▶ multiple entry permit (24 months) – US\$150; and
- ▶ multiple entry permit (36 months) – US\$200 (DCIC, 2015).

Work permit costs for more classes are as follows:

- ▶ six-month work permits for all classes – US\$800 (for Class D there is an additional top up fee of US\$450 USD);
- ▶ 12-month work permits – pre- payment fee of US\$1,500, and top up fee of US\$1,000;
- ▶ 24-month work permits – pre- payment fee of US\$1,500, and top up fee of US\$2,500 (the top up fee for Class D is US\$3,500);
- ▶ 36-month work permits – pre-payment fee of US\$1,500, and top up fee of US\$3,500 (the top up fee for Class D is US\$6,000).

Class A2 work permits for parastatals are less expensive: US\$300 for 12 months; US\$500 for 24 months; and US\$760 for 36 months (DCIC, 2015).

Residence certificates cost US\$2,500 for five years; US\$2,000 for 10 years; and US\$2,500 for life (DCIC, 2015).

In addition to paying a work permit fee, the payment of a security bond is also required for numerous work permit categories (B, C, D, E, F, and G2) (DCIC, 2018c). The Ministry of Internal Affairs indicated that the security bond amounts to the cost of air travel to the country of origin, and is retained by the Ministry until the migrant worker returns home. Moreover, in order for a work permit to be extended, it should be viewed as beneficial to Uganda, and it should not be possible for a Ugandan to fill the position (Wandera, 2012, p. 14).

#### *Mobility within the EAC*

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<sup>8</sup> See: <https://visas.immigration.go.ug>.



The Treaty for the establishment of the EAC and the EAC CMP form the legal basis for free movement among the EAC Partner States. Entry provisions are outlined in CMP Part D, article 7 on “Free Movement of Persons”, which provides for visa free entry for Partner States’ citizens. The Free Movement of Persons Annex states that citizens should be issued with a pass entitling them to entry and a six-month stay in the host Partner State. Further provisions outline conditions for pass renewal and prohibit pass holders from undertaking employment, though students can undertake internships or industrial training.

CMP article 10 on the “Free Movement of Workers” allows EAC citizens to apply for work and accept offers of employment. Equal treatment between migrant and national workers are provided for. Article 10(2) states that Partner States shall ensure the non-discrimination of EAC workers on the basis of nationality in relation to employment, remuneration, and other conditions of work and employment.

It should be noted that the EAC CMP and its implementation imposes limitations on the free movement of labour. The Schedule for the Free Movement of Workers (CMP Annex II), which contains the types of skilled workers that have market access and to which Partner States, largely excludes low-skilled workers and some argue that it betrays the spirit of articles 76 and 104 of the EAC Treaty, which call for the free movement of workers without qualification (Wasalumbi-Mapanga and Bakunda, 2013, p. 9). The categories of workers that are allowed to work in Uganda under the CMP include chairmen of companies; civil engineers; aircraft and ship controllers; and technicians (Government of Uganda, 2015a, p. 46). Moreover, Partner States have been slow to implement the Schedule and most categories of professions are yet to enjoy the right to move freely to take up employment in neighbouring Partner States (EAEO and EATUC, 2016, p. 4). Informants of this study suggested that the CMP has not de facto made it easier for EAC Partner States’ citizens to access employment in Uganda, as they still require a work permit to work in Uganda and the schedule for the free movement of workers is mostly not implemented. EAC Partner State citizens face the same obstacles as citizens from other countries, with the DCIC, in principle, granting work permits only when there are no Ugandans available or trained to fill the position. Instead of attempting the regular route of accessing employment under the CMP (which is in itself limited due to it only applying to certain categories of workers), there is a tendency for some migrant workers from EAC Partner States to work in an irregular status in Uganda, as it is possible and easier. Compounding this challenge is the lack of a fully developed citizenship registration and identification system, which makes it difficult to distinguish foreign nationals from Ugandan nationals (Wandera, 2012, p. 11).

Within the EAC, a national identity card can be used by nationals of Kenya, Rwanda, and Uganda for travel between their countries since 2014. This forms part of the Northern Corridor Integration Projects, which is an initiative that exists between these three Partner States to speed up implementation of commitments made under the CMP (Trade Mark East Africa, 2017). It should be noted as a best practice for variable geometry in the regional economic communities. These Partner States have also reciprocally waived work permit fees.

#### *Labour market needs and temporary work schemes*

In principle, the Ministry of Internal Affairs addresses labour market needs by only issuing a work permit to a foreign worker if a Ugandan is not available or qualified to fill the pertaining position. This criterion is met by requiring that an advertised position could not be filled by a

Ugandan worker over a one-month period. Developing skills that are required in the labour market is addressed by requiring that a Ugandan is trained to fill the position that the work permit has been issued for. Proof of this training needs to be submitted in order to renew a work permit (DCIC, 2018c). There are, however, little along the lines of proactive policies or mechanisms to identify labour market needs and to fill skill gaps by attracting migrant workers. Moreover, without a fully developed LMIS, it difficult to have accurate information on labour market needs, and thereby develop policies and programmes to meet these needs.

The temporary work schemes that exist consist of the deployment of Ugandan migrant workers (mostly low-skilled) through PEAs and the EEU, largely to Middle Eastern countries. This labour supply meets the labour demand of the destination countries. In Uganda these labour migration flows are regarded as a temporary solution to unemployment in Uganda, and as aiding development in Uganda through remittances. The Government tries to ensure the protection of Ugandan migrant workers through developing BLAs and regulating PEAs. However, non-discrimination between Ugandan migrant workers and nationals in countries of destination appears to be jeopardized. Ugandan domestic migrant workers are often paid relatively low wages compared to nationals in the countries of destination. In addition, while employment contracts normally contain at least one rest day per week, discussions with informants suggest that in practice domestic migrant workers are often expected to work seven days a week.

Temporary work schemes to Uganda are uncommon. In May 2018 the Government planned to deploy 200 Cuban doctors in Uganda. These plans were met with much controversy, and were opposed by the Ugandan Medical Association and the NOTU, as it is seen as a response to strikes by doctors and to avoid increasing the wages of doctors. One of the contentious issues is the salaries of the Cuban doctors, which are expected to be higher than the salaries of Ugandan doctors (Arenite, 2018). If this would turn out to be the case, the principle of equal treatment between migrant and national workers would be jeopardized.

### ***Assessment***

Uganda serves as an example of best practice in making information on permits and passes and the requirements for the admission, employment, and residence of migrant workers easily accessible, by making this information available online. Administrative procedures involved in the migration process have been simplified by offering many services online.

There are no known national laws and administrative procedures with the principal aim or effect of denying citizens of other IGAD Member States employment that has been offered. However, the administrative procedures and conditions governing the employment of migrant workers is more restrictive than those of nationals. Section 6(5) of the Employment Act, 2006, allows the minister responsible for labour to limit, by regulation, the range of jobs that are open to migrant workers. Moreover, foreign nationals need to apply for work permits to access employment. Work permits are costly (Kenya is the only IGAD Member State whose nationals do not pay for work permits); can only be obtained if a Ugandan cannot fill the position; and are tied to the employer. To encourage labour mobility, work permit costs should be reduced and work permits should not be tied to the employer. Or alternatively, migrant workers should be provided with a clear and fair mechanism to switch

employers. The fact that a work permit is tied to the employer makes it difficult for a migrant worker to change positions and renders migrant workers vulnerable to exploitation.

The EAC CMP facilitates mobility among its Partner States, and Kenya, Rwanda, and Uganda have reciprocally waived work permit fees. However, in practice, the implementation of the free movement of workers under the CMP is not functioning well, and EAC citizens face virtually the same labour market access barriers as other nationalities when applying for work permits.

Furthermore, without a fully developed LMIS, there is an insufficient evidence base of labour market needs, and policies and programmes to meet those needs are lacking. Temporary work schemes largely consist of low-skilled migration to the Middle East through the EEU and PEAs. While Uganda works to improve its data collection and management and grow its LMIS, it should also be taking steps to identify and fill skill gaps by attracting migrant workers. One of the ways in which this should be done is through opening up more work categories to EAC Partner States' citizens, and properly implementing the CMP so that EAC citizens have de facto better labour market access than other nationalities.

Consultations with employers' and workers' organizations on labour migration, through tripartite structures, largely focus on outward labour migration flows to the Middle East, and not on labour migration to Uganda. Consultation with employers' organizations on the practical opportunities and challenges they confront in the recruitment of migrant workers should be enhanced, with a view to craft policies and procedures that nurture labour migration. At the EAC level, consultation with employers' and workers' organizations (through the EAEO and EATUC) on the opportunities and challenges they confront, works quite effectively. Such consultation has drawn attention to labour mobility impediments, and how they can be addressed. One of the EAEO and EATUC's joint initiatives was the production of the *Joint Position Paper Removing Barriers on Free Movement of Workers in the EAC Region*.

### 6.2.1.2 Circular and return migration

#### **Assessment**

Circular and temporary labour migration is encouraged in the EAC through the implementation of the EAC CMP. Moreover, Uganda allows dual citizenship under a 2009 amendment to the Citizenship and Immigration Control Act, 1999, which encourages the return or circular migration of the diaspora. The DSD organizes an annual Home is Best Summit, which takes place every December in Uganda, and is used to engage with the diaspora and encourage their involvement in contributing to Uganda's development. However, while the value of brain circulation and the skills of the diaspora and their potential contribution to the development of Uganda are recognized in the draft Diaspora Policy, there is no programme in place for their temporary deployment in Uganda. The DSD should complete the development of the diaspora database, and use it to identify skills held by diaspora members that would be useful to deploy in Uganda, which could also be in the form of engaging the diaspora in skills exchange initiatives in Uganda. On this basis a programme for diaspora deployment should be developed. To garner support for the programme, it could be launched at the Home is Best Summit, as well as at diaspora investment conventions abroad.

### 6.2.1.3 Labour exchanges and critical skills

#### *Overview*

For the deployment of Ugandan migrant workers to take place through PEAs or government-to-government agreements, the EEU needs to receive and vet a job order for a certain number of workers in a certain sector. In order to mitigate the loss of medical practitioners, the EEU is currently not accepting job orders for nurses and doctors. This is the only mechanism that is currently in place to prevent the loss of workers with critical skills. However, doctors and nurses would still be able to engage in labour migration by independently identifying and acquiring job opportunities abroad.

#### *Assessment*

Identifying critical skills; developing measures to address and prevent the loss of critical skills; and developing measures to attract critical skills, including from other IGAD Member States, are areas that need to be enhanced.

### 6.2.1.4 Establishment and investment

#### *Overview*

The Employment Act, 2006, imposes restrictions on certain foreign employers. Section 41(8) requires an employer who is not incorporated or resident in Uganda to pay a bond equivalent to one month's wages for each employee employed, or to be employed, by that employer. Section 41(9) states that the bond will be held by the MGLSD in an interest-bearing account and will only be used for paying wages and other entitlements in the event of default by the employer. While this measure may be envisioned to protect employees, it is discriminatory and a prohibitive cost towards establishment, especially for small- and medium-sized enterprises (SMEs) (Wandera, 2012, p. 20).

The Investment Code Act (Chapter 92), 1991, discriminates between foreign and local investors. Section 10(2) prohibits a foreign investor from engaging in animal or crop production. Section 10(4) states that a business enterprise or class of business activities can only be exempted by the minister responsible for planning and economic development from this condition through a statutory instrument.

Section 10(1) states that a foreign investor requires an investment license, issued under this Code, to operate a business in Uganda. Section 12 details the appraisal of a business license application by the UIA. The capacity of the proposed business to contribute to the following objectives will be assessed:

- ▶ new earnings or savings of foreign exchange through exports;
- ▶ resource-based import substitution or service activities;
- ▶ using local materials, supplies, and services;
- ▶ employment creation;
- ▶ introducing advanced technology or upgrading Ugandan technology; and
- ▶ aiding locally or regionally balanced socio-economic development.

These can be challenging objectives for SMEs to contribute to, and can be obstacles to establishment. Moreover, a capital investment exceeding US\$100,000 is required for a foreign firm to be issued with a license, while an investment of US\$50,000 is required for a local firm (UIA, 2018).

Section 10(5) states that a foreign investor who will engage in trade only shall not need a business license, but will: (a) incorporate a company with the Registrar General; and (b) deposit US\$100,000 or its equivalent in UGX with the Bank of Uganda, which shall be used for the import of goods for the business. A certificate of remittance will be issued by the Bank (section 10(9)). This is a condition for obtaining an entry permit from the DCIC (section 10(8)), which is itself a condition for obtaining a trade license from the local authority where the business will operate (section 10(9)). This amounts to a cumbersome process, and the required deposit is substantial and may impede business development.

While the Investment Code Act also covers incentives for investors, a Ugandan investor only needs an investment of US\$50,000 to qualify for the incentives; while a foreign investor requires a capital investment of US\$500,000 or an equivalent in capital goods to qualify (section 22).

The UIA provides investment facilitation and aftercare services, including registration and licensing. A One Stop Shop at the UIA head office has been opened to provide access to a number of Government agencies at once, namely the DCIC; the Uganda National Bureau of Standards; the Ugandan Registration Services Bureau; and the Uganda Revenue Authority. According to the UIA website, the issuance of an investment license takes a maximum of two days upon submission of all the required documents, and is free. Moreover, the UIA has set up an [electronic One Stop Centre \(eBiz\)](#) to ease business registration and interaction with government agencies by performing many functions online.

Moreover, the UIA will assist foreign investors with obtaining work permits for foreign staff. First, however, they need to advertise locally for the position they would like to fill, and only if a Ugandan national is not available to fill the position are they allowed to recruit internationally. In this case the UIA will advise the Immigration Board to provide the business with the necessary permits.

### **Assessment**

Foreign investors face legal restrictions and other impediments when establishing a business in Uganda, or when bringing in foreign staff. The Investment Code Act (Chapter 92), 1991, which contains some of these limitations, is currently being revised, and this opportunity should be used to review and reduce these restrictions.

## 6.2.2 Thematic Area 2. Supporting functions for participation in the labour market, including access to information, education, training, skills recognition, and finance

### 6.2.2.1 Disseminating information to migrant workers

#### *Overview*

There is no specific system in place to disseminate information to migrant workers in Uganda on their rights and opportunities for integration into the labour market and society. Migrant workers may obtain information when they approach a government agency with a question that falls under the remit of that agency. In addition, the FUE has members that are foreign companies, to which it disseminates information on labour law and labour issues, and which may in turn share this information with their foreign staff.

Information on opportunities for safe labour migration is disseminated to potential Ugandan migrant workers. The MGLSD disseminates this information through Ugandan newspapers, radio, and television. In addition, the Government publishes a list of licensed PEAs on several ministries' websites in order to urge the public to only use the services of licensed PEAs. The list that was published on 4 April 2018 contained 94 licensed companies (Ministry of Internal Affairs, 2018). Moreover, the MGLSD runs the online EEMIS platform<sup>9</sup>, which provides a list of approved and vetted PEAs and overseas jobs that Ugandans can apply for. The types of jobs and job categories it contains include domestic work, logistics, procurement, security, and transport.

Furthermore, information on the rights of migrant workers and conditions in the country of destination are disseminated to potential Ugandan migrant workers during pre-departure orientation seminars, which are given by companies and PEAs. Regulation 70(1) of the Rules and Regulations Governing the Recruitment and Employment of Ugandan Migrant Workers, 2005, obliges every licensed agency to provide every worker deployed abroad with a pre-departure orientation seminar. However, to date, mainly domestic migrant workers have benefitted from pre-departure training, and it is important that other categories of migrant workers also receive pre-departure training.

#### *Assessment*

There is no systematic dissemination of information taking place to migrant workers in Uganda on their rights and on opportunities for social and economic integration. The Government disseminates information to the Ugandan public on opportunities for safe labour migration by publishing the list of licensed PEAs and providing a list of approved and vetted PEAs and overseas jobs through the online EEMIS platform, as well as by using the media to disseminate information on opportunities for safe labour migration.

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<sup>9</sup> See: <https://eeimis.mglsd.go.ug>.



### 6.2.2.2 Education, training, skills recognition, and the harmonization of qualifications

#### *Overview*

There are a number of bodies that recognize skills and qualifications obtained abroad in Uganda.

The Uganda National Examination Board is a body corporate mandated to undertake and manage primary and secondary level examinations (Uganda National Examination Board, 2016). They also recognize primary and secondary level education obtained abroad.

The National Council for Higher Education was established by the University and Other Tertiary Institutions Act, 2001, and it regulates higher education. Its functions include to “determine the equivalence of all types of academic and professional qualifications of degrees, diplomas and certificates obtained elsewhere with those awarded by Uganda institutions of Higher Education for recognition in Uganda” (National Council for Higher Education, 2018). Migrant workers need to obtain a letter from the Council clearing their higher education qualifications, in order to obtain a work permit.

The Directorate of Industrial Training (DIT) was established by the Industrial Training Decree, Decree No. 2 of 1972, which subsequently became the Industrial Training Act of 2003. The Business, Technical, Vocational Education and Training (BTVE) Act was enacted in 2008, and established the Uganda Vocational Qualifications Framework (UVQF). The Assessment and Certification Department of the DIT accredits training institutions and companies as UVQF assessment centres in Uganda. The DIT awards certificates and diplomas for BTVE under the UVQF (DIT, 2018). Migrants can access these assessment centres to have their BTVE skills recognized.

In addition, there are professional bodies that recognize foreign qualifications, such as the Ugandan Nurses and Midwifery Examinations Board; the Ugandan Allied Health Examinations Board; and the Ugandan Business Technical Examinations Board.

In the EAC region, the Inter-University Council for East Africa (IUCEA), coordinates inter-university cooperation, and promotes the maintenance of internationally comparable education standards in the region. It became an EAC body when the EALA enacted the IUCEA Act, 2009 (IUCEA, 2013). The region faces the challenge of diverging education systems, especially between the Anglophone and Francophone countries (or previously Francophone, in the case of Rwanda). The IUCEA also works on the harmonization of curricula across the region. The IUCEA has developed a Regional Qualifications Framework for Higher Education, but it is not fully implemented, and South Sudan still needs to develop its part of the Framework.

Uganda’s Ministry of Education has memoranda of understanding (MOUs) with other countries, including Ethiopia and the Sudan, which have sections on the recognition of qualifications of students, and which serve as a basis for bilateral cooperation in this area. These MOUs have a part that indicates there will be further discussions on mutual recognition agreements (MRAs).

Moreover, a number of EAC MRAs for professional services have been developed, including for accounting, engineering, architectural, and veterinary services (Sawere, 2016). Informants

of this study suggested that the MRAs are not functioning properly, due to lack of trust. There are many educational institutions, and States find it difficult to know which ones are credible. In addition, Partner States want to protect their labour markets, which may be another factor impeding the use of MRAs.

### ***Assessment***

There are different bodies in Uganda catering to the recognition of skills and qualifications obtained abroad, and that migrant workers have access to. The harmonization of curricula and standards between Uganda and other IGAD Member States remains challenging. At the EAC level, MRAs have been developed for certain professions, as has the Regional Qualifications Framework for Higher Education. These systems do not function optimally, however. An assessment should be undertaken of what is working and not working in the harmonization and mutual recognition of qualifications in the EAC region, so that lessons can be learnt for the IGAD region, and be used to develop a sound foundation for the region in this area.

Migrant workers have access to vocational training and educational opportunities and are allowed to join trade unions, but there are no targeted efforts to facilitate their integration into the labour market.

## **6.2.2.3 Facilitating remittances**

### ***Overview***

The draft Diaspora Policy recognizes that the income from remittances, at about US\$1 billion per year, is greater than income from any single Ugandan export. Promoting the externalization of labour to increase national income through remittances is listed as a policy objective of the draft Diaspora Policy (p. 16). In 2017 Uganda received US\$1.182 billion in remittances that were channelled through formal means, which amounted to 4.3 per cent of GDP (KNOMAD, 2018). The Government does not have measures in place to reduce the cost of remittances. It remains important, however, as transaction costs can easily amount to 12 per cent of a remitted amount equivalent to US\$200 (IOM, 2014, p. 59). While lack of access to formal financial services remains a challenge in rural areas, the increasing use of mobile money has facilitated remittances (Munyegera and Matsumota, 2016).

The UIA promotes investment opportunities for the diaspora in Uganda, and engages with them through Home is Best Summits, where they are provided with information on investment opportunities in Uganda. At present, remittances are mostly channelled towards meeting family needs in the areas of education, health, home improvements, as well as some investments in real estate. The UIA encourages the diaspora to direct remittances away from consumption spending towards productive economic investments, and has put together a compendium of investment opportunities for the diaspora, in collaboration with the DSD.

### ***Assessment***

The UIA promotes investment opportunities for the diaspora and works to direct remittances away from consumption spending towards productive economic investments. While the Government recognizes the substantial contribution that remittances make to the country's



income, there are no efforts to reduce the cost of remittances. Actions that could be taken in this area include: promoting competition among financial institutions, including money transfer operators, and limiting charges in Uganda (IOM, 2014, p. 59).

## **6.2.3 Thematic Area 3. Promoting social integration and inclusion**

### **6.2.3.1 Public education and awareness-raising campaigns on the contribution of migrants**

#### ***Overview***

The IGAD December 2017 Djibouti Declaration on Regional Refugee Education, which the Education Ministers of IGAD Member States signed up to, calls for the integration of refugees into national education policies and programmes. Uganda adopted the new national Education Response Plan in March 2018, for the period 2018 to 2021, which aims to ensure that all children and adolescents from refugee and host communities have access to quality education at all levels.

Moreover, the ongoing mid-term review of the Second National Development Plan (2015/16–2019/20) will be used to enhance the integration of refugees. The Government will use this process to integrate the refugee response into longer-term national planning, in line with the CRRF roadmap (UNHCR, 2018).

#### ***Assessment***

There are no education or public awareness-raising campaigns regarding the contribution that migrant workers are making to Uganda, or activities to specifically facilitate their integration or address xenophobia. There are activities to integrate refugees.

The contribution that migrant workers make to Uganda should be studied – as should the integration challenges they face – and awareness-raising activities and interventions to enhance their integration should be developed.

### **6.2.3.2 Family reunification, and access to employment for family members and education for children**

#### ***Overview***

According to the Uganda Citizenship and Immigration Control Regulations, 2004 (Regulation 4), a migrant worker can apply for a Dependant's Pass to regularize the stay of a family member. The pass holder is not allowed to work in Uganda, and it is valid for as long as the work permit of the migrant worker is valid. The Pass can be applied for through the Uganda e-immigration system. An approval letter will be emailed to the applicant, which should be used to apply for a visa to enter Uganda (if a visa is required). The documents that are required depends on which relative the Dependant Pass application is being made for (spouse, child, or other relative) but proof of the relationship is required, such as a marriage or birth certificate, as well as a copy of the migrant worker's immigration permit (DCIC, 2016a).

For ordinary residents, a Dependent Pass costs US\$200 for a spouse; US\$100 for a child; and US\$500 for other relatives or members of the household (DCIC, 2016a). Any employment will require a work permit application, including for EAC nationals. Migrant workers' children can access the education system, for which a Student Pass is required, and which can be applied for through the e-immigration system. A support letter from the school and an admission letter from the school need to be submitted as part of the application. These passes are free for EAC citizens, and do not entitle the pass holder to voluntary or gainful employment. For other nationals, a one-year Student Pass costs US\$100 (DCIC, 2016b).

### **Assessment**

In order for a worker to be accompanied by their spouse or child, the dependant needs to obtain a Dependant's Pass. This Pass does not allow the pass holder to engage in any form of employment. Moreover, the education system can only be accessed by migrant workers' children once they have obtained a Student Pass, which is free of charge for EAC citizens.

## **6.3 Pillar III. Enhancing the protection of migrant workers and their families**

### **6.3.1 Thematic Area 1. Protection of migrant workers' human rights**

#### **6.3.1.1 Protecting the rights of migrants**

##### **Overview**

Human rights are enshrined in Uganda's Constitution of 1995, and also apply to migrant workers in Uganda. Migrants' rights are enforced by courts of law, including the Industrial Court of Uganda, the Uganda Human Rights Commission Tribunal, and the Tribunal of the Equal Opportunities Commission. Labour disputes are dealt with under the Labour Disputes (Arbitration and Settlement) Act No. 8 of 2006, which established the Industrial Court. The Industrial Court hears cases that were not resolved by the Directorate of Labour. The Uganda Human Rights Commission addresses alleged violations of migrants' rights, regardless of whether the migrants are in a regular or irregular status. All complaints are handled as violations related to labour rights and dealt with by the Directorate of Complaints, Investigations and Legal Services of the Human Rights Commission. In 2013/14, the Commission received five complaints from Indian and Pakistani migrant workers regarding non-payment of wages and confiscation of passports. The Commission mediated and facilitated the outstanding payment and recovery of travel documents. The most recent information that could be obtained indicated that no cases have reached the actual Tribunal for adjudication (Government of Uganda, 2015a, p. 7).

Migrants receive information on available remedies once they seek assistance, but there are no advocacy programmes specifically to inform migrant workers of their rights and possible remedies in case of violation of their rights (Government of Uganda, 2015a, p. 7).

The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), recommended in April 2018 that the Government should strengthen its efforts to ensure that migrant workers and members of their families, including those in an irregular situation, have equal opportunities as nationals to file complaints and receive effective redress in the courts, including labour courts, in the case of the violation of their rights under the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990. Migrant workers should also be better informed of the judicial and remedial options available to them, in the event that their rights under the Convention are violated (CMW, 2018).

### **Assessment**

In principle national laws on human rights apply to migrant workers, and the Uganda Human Rights Commission Tribunal is responsible for enforcing these rights. In addition, regular labour migrants have access to Ugandan courts, including the Industrial Court of Uganda and the Tribunal of the Equal Opportunities Commission.

While migrant workers may be informed of the remedies available to them when they seek assistance from the legal system, there are no activities dedicated to proactively informing them of their rights and the mechanisms available to protect their rights. The Government should actively inform migrant workers of their rights and obligations, and the remedies available to them in the case of violation of their rights. They should also strengthen their efforts to ensure that migrant workers have equal access to courts as nationals to enforce their rights.

#### **6.3.1.2 Protecting migrants from forced labour and exploitation**

##### **Overview**

Uganda's Constitution, 1995, outlaws slavery and servitude in article 25(1), and forced labour in article 25(2). The Employment Act, 2006, also prohibits forced labour (section 5). Moreover, Uganda has signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000, but has not acceded to it. The Prevention of Trafficking in Persons Act, 2009, aims to implement the basic principles of the Protocol. It prohibits trafficking in persons, and provides for the prevention and prosecution of trafficking and the protection of victims. Other instruments that have been developed to address trafficking include:

- ▶ a national action plan to combat trafficking in persons and a national awareness strategy on the prevention of trafficking (Benda, 2014);
- ▶ victim identification and assistance guidelines for adult and child trafficking victims; and
- ▶ an anti-trafficking training curriculum for the immigration department (US Department of State, 2017).

Moreover, regulating PEAs and signing BLAS with destination countries are some of the measures the Government has put in place to prevent the trafficking of Ugandan migrant workers abroad.

The US Department of State's *TIP Report 2017* recognized the strong anti-trafficking law enforcement efforts of the Government. The 2009 Prevention of Trafficking in Persons Act criminalizes all forms of trafficking, including forced labour. Moreover, Ugandan law allows foreign trafficking victims to stay in Uganda while the investigation of their case is ongoing, and to apply for residence and work permits. In 2016, 14 trafficking investigations; the prosecution of 32 defendants in 20 cases; and the convictions of 16 traffickers under the Prevention of Trafficking in Persons Act were recorded. It was the first year that the Government sought the criminal prosecution of two PEAs under the Act (US Department of State, 2017). In 2017 the Government reported 145 trafficking investigations; the prosecution of 52 defendants in 50 cases; and the convictions of 24 traffickers under the Prevention of Trafficking in Persons Act, 2009 (US Department of State, 2018).

### **Assessment**

Uganda is implementing legislation and policies to protect migrant workers from forced labour and trafficking, including the Prevention of Trafficking in Persons Act, 2009. It should accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crimes.

Recommendations to enhance anti-trafficking efforts include increasing victim assistance services; enhancing collaboration with destination country governments and PEAs to facilitate the release and repatriation of Ugandan migrant workers who have been exploited abroad; and investigating and prosecuting PEAs who recruit Ugandans on the basis of false promises and exploit them in forced labour and prostitution abroad (US Department of State, 2017).

## **6.3.2 Thematic Area 2. Social security and social protection**

### **6.3.2.1 National labour laws and social protection laws apply to migrant workers:**

#### **Overview**

The Constitution states in Article 21(1) that "all persons are equal before and under the law in all spheres and have the right, without any distinction, to enjoy equal protection of the law". Section 6 of the Employment Act, 2006, addresses discrimination in employment and states in section 6(2) that migrant workers and members of their families who are lawfully in Uganda should enjoy equality of opportunity, which shall be promoted and guaranteed by the minister responsible for labour, labour officers and the Industrial Court. Section 6(3) prohibits discrimination in employment on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, HIV status, or disability, "which has the effect of nullifying or impairing the treatment of a person in employment or occupation, or of preventing an employee from obtaining any benefit under a contract of service". Sections 6(6) and 6(7) seek to ensure equal pay for men and women for work of equal value. Rights and duties in employment are covered in Part 6, and include various conditions of work, such as one day of weekly rest, a maximum of 48 working hours per week, and maternity leave

(60 working days on full wages for women and four working days for men after the delivery of their child).

The Occupation, Safety and Health Act, No. 9, 2006, offers protection to all persons who may be affected by activities carried out in a workplace. The Workers' Compensation Act, No. 5 of 2000 covers the procedure and requirements that need to be met by employers and workers when accidents occur in the course of employment, and established the Medical Arbitration Board, which assess the incapacities of injured workers in disputed cases.

### **Assessment**

Regular labour migrants from IGAD Member States are covered by Ugandan national labour law, and in terms of the law should not be discriminated against with regard to conditions of work and remuneration, forming trade unions, and collective bargaining. However, enforcement of the law needs to be strengthened. The CMW recommended in April 2018 that the Government should strengthen its efforts to ensure that migrant workers and members of their families, including those in an irregular situation, have equal opportunities as nationals to file complaints and receive effective redress in the courts.

## **6.3.2.2 Social Security coverage and portability**

### **Overview**

The National Social Security Fund (NSSF) Act, 1985, established the NSSF and defines in Chapter 222 an “eligible employee” as any person who has an employment contract and is working in a company with a minimum of five employees (Government of Uganda, 2015a, p. 9). Regular migrant workers with employment contracts can therefore participate in the scheme, but self-employed migrants may not have access to it. The NSSF Amendment Bill is tabled to Parliament in August 2019, and is expected retain the NSSF as the sole recipient of mandatory contributions by workers, but also to extend it to the informal sector (*The Independent*, 2018).

The 2013 draft Diaspora Policy recognizes that Uganda lacks arrangements for the portability of social security benefits, and that this negatively impacts the diaspora. To date, no mechanisms have been put in place to enable portability. At present, the portability of social security is still not possible among the EAC Partner States. A draft Social Security Portability Bill, which would ensure that social security benefits earned in the public and private sector are portable, was first presented to the EALA through the Committee of the General Purpose at EAC Headquarters in May 2015. The bill is yet to be adopted, but interest remains among tripartite stakeholders – on 23–24 March 2018, the EATUC and the EAEO, with support from the Solidarity Centre, organized a workshop to review the progress of the Bill (EATUC, 2018). Participants included the East African Civil Society Forum, the East Africa Local Government Association, the East African Health Platform, and the EALA (EATUC, 2018). Moreover, the EAC and the ILO signed an MOU on 10 May 2018, which is a follow up to the MOU signed in 2001. The revised MOU enables the ILO to support the EAC with the development of a framework for the harmonization of the EAC Partner States' policies on social security in line with the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) (EAC, 2018).

## ***Assessment***

Migrant workers with an employment contract who work in an establishment of at least five employees can participate in the NSSF, but the self-employed cannot and benefits are not currently portable. Uganda has not concluded any bilateral, regional, or multilateral agreements to provide social security coverage and benefits, or to ensure the portability of such benefits. To date, the portability of social security is still not possible among the EAC Partner States, though a draft Social Security Portability Bill to make it possible has been under discussion since 2015.

### **6.3.3 Thematic Area 3. Labour inspection for migrant workplaces**

#### ***Overview***

Section 10 of the Employment Act, 2006, empowers a labour officer to engage in labour inspection, which includes conditions of work. The Directorate of Labour in the MGLSD is responsible for supervising labour rights, industrial relations, and occupational safety and health (OSH) standards. The Directorate's Department of Labour, Industrial Relations and Productivity undertakes routine and spot check labour inspections to ensure compliance with the law, including of migrants' workplaces (Government of Uganda, 2015a, p. 14). The 2011 National Employment Policy tasks labour officers with arbitrating between workers and employers on undesirable working conditions, which is time consuming and leaves insufficient time for inspection activities, especially at the district level. The labour inspection of general working conditions is decentralized. The Employment Act, 2006, requires labour officers to be appointed in all 111 districts of Uganda, but budgetary constraints have led to a shortfall (ILO, n.d.). The Directorate's OSH Department undertakes OSH inspections in line with the OSH Act, 2006. OSH inspections are centralized and entail visits from Kampala to the districts, with few in reality being carried out. Insufficient coordination between labour officers and OSH officers is a further challenge (ILO, n.d.). The Government recognizes that it has insufficient capacity and resources to perform the required checks and to undertake related training (Government of Uganda, 2015a, p. 14).

#### ***Assessment***

Regular migrant workers are covered by national labour laws and the provisions of the Employment Act, 2006, which provides for labour inspection. Labour inspection capacities and resources require reinforcement to ensure adequate inspection of migrant workers' workplaces. Coordination between labour officers, who undertake general labour inspections, and MGLSD staff, who undertake OSH inspections, needs to be strengthened.

### 6.3.4 Thematic Area 4. Facilitating reception and returns

#### *Overview*

Pre-departure training is provided to Ugandan domestic migrant workers by companies that have been authorized by the MGLSD to provide the training. PEAs pay for the training, and the MGLSD plans for the training to be expanded to other sectors so that all migrant workers who migrate for work through PEAs will receive it.

Uganda has no return and reintegration strategy. The MGLSD has assisted stranded Ugandan migrant workers to return to Uganda, with support from the IOM. Lack of rescue shelters in countries of destination in the Middle East is a problem. Currently, Ugandan migrant workers tend to be cramped into a room of the embassy before they are returned to Uganda. Upon their return, they may receive some support from NGOs or IOs. The IOM has supported the return and reintegration of more than 330 Ugandan migrants since 2011 (IOM, 2017). The draft national migration policy calls for the development of “a comprehensive policy framework for the management of repatriation of returning Ugandans”.

#### *Assessment*

Migrant workers arriving in Uganda do not receive on-arrival training from the Government. They may receive training and information from their employer. On-arrival training or information should be provided to incoming migrant workers on their rights, obligations, and access to services, such as finance, education, and medical facilities.

Ugandan domestic migrant workers who migrate regularly through PEAs or the EEU need to receive pre-departure orientation in order to be cleared by the EEU for travel. In future this should apply to migrant workers in other sectors as well.

Uganda does not have a return and reintegration policy or strategy. There is the need to develop a clear policy framework for reintegration that identifies needs and gaps, and facilitates coordination between service providers and stakeholders.



## 7. Recommendations

### Pillar I. Strengthening labour migration governance

#### Thematic Area 1. Capacity to collect and analyse labour migration data

- ▶ The Government of Uganda should develop a strategy for data collection, analysis, and sharing, which would inform labour migration policy development.  
The implementation of this strategy should be a collaborative effort of the various government agencies that collect and analyse relevant data. It should detail the capacities that need to be built to enhance data collection and analysis to inform labour migration policy development, as well as the data sharing and information coordination mechanisms that need to be put in place to implement the strategy.
- ▶ The Government should fully develop an LMIS and an official skills inventory, which is required for the formulation of evidence based labour migration policy.  
The completion of the manpower survey and the development of the Human Resource Plan should aid the development of the LMIS and skills inventory.
- ▶ The Government and the other IGAD Member States should put in place routine sharing of data and analysis on labour supply, demand, and skills shortages.

#### Thematic Area 2. Coordination on labour migration

- ▶ The Government should integrate the full cycle of labour migration issues into the NCM, inter-ministerial consultations on migration and labour issues, and tripartite consultation, including: migration and development; return and reintegration; the protection of migrant workers in Uganda; addressing brain drain; and identifying critical skills and attracting migrant labour to those sectors in Uganda.
- ▶ The National Counter Human Trafficking Taskforce should include in its discussions the protection of migrant workers in Uganda, as well the protection of Ugandan migrant workers in labour migration flows to regions other than the Middle East.
- ▶ The IGAD Secretariat and IGAD Member States should establish tripartite consultation at the IGAD level. It is recommended that the EATUC and EAEO best practice of bringing together national workers' and employers' organizations at the regional level be replicated in the IGAD region. The Horn of Africa Confederation of Trade Unions was recently formed and should establish a partnership with IGAD. A regional employers' organization should also be formed, and these organizations should be engaged with at the IGAD level through tripartite consultation.  
Tripartite consultation at the IGAD level through regional workers' and employers' organizations could highlight impediments to the free movement of persons in the IGAD region and contribute to devising workable solutions.
- ▶ The relevant regional economic communities and the AU should institute the sharing of labour market information and profiles of good practices on labour migration in existing forums, such as the IGAD RCP, COMESA RCP, EAC meetings, AU meetings, and meetings of the JLMP.



### Thematic Area 3. Capacity to formulate and implement policy

- ▶ The Government should facilitate policy coherence through the CNDPF process and consider the development of a labour migration policy.

The CNDPF consists of numerous development planning instruments. In order to achieve labour migration policy objectives, it will be important to prioritize a realistic number of targeted interventions in the medium-term. The concrete steps required to implement these interventions should be mapped out, as well as the roles and responsibilities of different ministries, the necessary reinforcement of their capacities to meet them, and the required inter-ministerial coordination mechanisms.

The anticipated Human Resource Plan should be used to aid policy coherence between different sectors to work towards the goal of filling skills gaps through migrant labour.

- ▶ The Government should expand analyses of the contribution of labour migration and migrant workers to Uganda beyond remittances, and utilize such analyses for policy development, with a view to foster the development impact of migration.
- ▶ The Government should set up a unit for incoming migrant workers in the MGLSD, or appoint focal points dedicated to migrant worker concerns in different ministries, departments, and agencies.

This should aid the protection and integration of migrant workers in Uganda, as well as enhance their contribution to the development of Uganda.

- ▶ The Government should sign up to the ILO Migration for Employment Convention (Revised), 1949 (No. 97).
- ▶ As a signatory to the ILO Migrants Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Government of Uganda should submit its report in response to the CEACR's comments of 2013, which relates to aspects of the Employment Act, 2006.
- ▶ As a signatory to the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Government of Uganda should act on the recommendations that was provided by the CMW in April 2018, to enhance its implementation of the Convention.

### Thematic Area 4. Regulating recruitment agency practices

- ▶ Uganda should ratify the ILO Private Employment Agencies Convention, 1997 (No. 181).
- ▶ The Government of Uganda should amend the legal framework so that charges for recruitment and placement are not borne by migrant workers.

## **Pillar II: Advancing opportunities for regulated labour migration and decent work**

### Thematic Area 1. Labour mobility schemes to support labour market needs

- ▶ The Government should reduce work permit costs.
- ▶ The Government should issue work permits in the name of the employee, or provide migrant workers with a clear and fair mechanism to switch employers.

- ▶ The Government should enhance consultation with employers' organizations on the practical opportunities and challenges they confront in the recruitment of migrant workers, with a view to craft policies and procedures that nurture labour migration.
- ▶ The Government should identify and fill skill gaps by attracting migrant workers, including by opening up more work categories to EAC Partner State citizens, and by attracting migrant workers from IGAD Member States.
- ▶ The Government should identify critical skills, and develop measures to address and prevent the loss of critical skills, including through tripartite consultation.
- ▶ The DSD should complete the development of the diaspora database, and use it to identify skills held by members of the diaspora that would be useful to deploy in Uganda, potentially in the form of diaspora members providing training. On this basis, a programme for diaspora deployment should be developed. To garner support for the programme, it could be launched at the Home is Best Summit, as well as at diaspora investment conventions abroad.
- ▶ The ongoing review of the Investment Code Act (Chapter 92), 1991, should be used to review and reduce the restrictions on foreign investors from IGAD Member States, in order for the Act to be more aligned to the proposed draft IGAD Free Movement of Persons Protocol.

## **Thematic Area 2. Supporting functions for participation in the labour market, including access to information, training, and finance**

- ▶ Workers' organizations and NGOs should disseminate information to migrant workers from Uganda and in Uganda on their rights, the mechanisms in place to defend their rights, and opportunities for social and economic integration.
- ▶ The IGAD Secretariat should commission a study on what is working and not working in the harmonization and mutual recognition of qualifications in the EAC region, so that lessons can be learnt for IGAD and used to develop a sound foundation for the region.
- ▶ The Government should reduce the cost of remittances by promoting competition among financial institutions, including money transfer operators, and by limiting charges in Uganda (IOM, 2014, p. 59).

## **Thematic Area 3. Promoting social integration and inclusion**

- ▶ The Government should study the contribution that migrant workers make to Uganda, as well as the integration challenges they face, and develop public awareness-raising activities on migrant workers' contribution as well as interventions to support their integration.

## **Pillar III. Enhancing the protection of migrant workers and their families**

### **Thematic Area 1. Protection of migrant workers' human rights**

- ▶ The Government should actively inform migrant workers of their rights and obligations, and the remedies available to them in the case of violation of their rights. They should also

bolster their efforts to ensure that migrant workers have equal access to the courts as nationals to enforce their rights.

- ▶ Uganda should accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, of the United Nations Convention Against Transnational Organized Crimes.
- ▶ The Government should investigate and address the protection needs of Ugandan migrant workers in other countries and regions of destination outside of the Middle East.
- ▶ The Government, in partnership with IOs and NGOs, should strengthen the identification and referral of trafficked persons, including of irregular migrant workers in Uganda, and enhance victim care.
- ▶ The Government of Uganda should strengthen collaboration with destination country governments and PEAs to facilitate the release and repatriation of Ugandan migrant workers who have been exploited abroad, and investigate and prosecute PEAs that recruit Ugandans on the basis of false promises and exploit them in forced labour and prostitution abroad (US Department of State, 2017).

## **Thematic Area 2. Social security and social protection**

- ▶ The Government of Uganda should conclude bilateral and multilateral agreements, developed through tripartite social dialogue, to ensure the portability of the social security benefits of Ugandan migrant workers and migrant workers in Uganda, including through finalizing the draft Social Security Portability Bill of the EAC CMP. These agreements should also facilitate the portability of benefits earned through the NSSF. In addition, the NSSF should be extended to the self- employed.

## **Thematic Area 3. Labour inspection for migrant workplaces**

- ▶ The Government should strengthen labour inspection capacities and resources to ensure adequate inspection of migrant workers' workplaces.
- ▶ The Government should enhance coordination between labour officers, who undertake general labour inspections, and MGLSD staff, who undertake OSH inspections.

## **Thematic Area 4. Facilitating reception and return**

- ▶ The Government should provide on-arrival information to migrant workers in Uganda on their rights and obligations, the protection mechanisms available to them, as well as opportunities for social and economic integration.
- ▶ The Government should develop a clear policy framework for reintegration that identifies needs and gaps, and facilitates coordination between services providers and stakeholders.

## Appendix I – List of key informants

### Bank of Uganda

Tumubweinee Twinemanzi, Executive Director, Supervision

### Economic and Policy Research Centre

Martin Munu, Research Analyst, Trade and Regional Integration Department

Mildred Barungi, Research Fellow, Sectoral Department

### EU Delegation

Sabrina Bazzanella, Governance Advisor, Democracy and Human Rights

### Federation of Uganda Employers

Shaffic Manafa, Head of Membership Development, Marketing and Communication

### International Organisation for Migration

Sarah Farah, Project Manager

Jesca Angida, Government Liaison/ Senior Programme Assistant

### Ministry of Education and Sports

Mukasa Gordon, Senior Education Planner, Education Planning and Policy Analysis Department, Monitoring and Evaluation Unit

Ogwang Ivan, Economist, Education Planning and Policy Analysis Department, Monitoring and Evaluation Unit

Timothy Ssejjoba, Deputy Project Coordinator, AfDB Education V Project, Support to Higher Education Science and Technology

### Ministry of Foreign Affairs

Benon Kayemba, Counsellor, Department of Regional Peace and Security (Africa)

Michael Abooki Karugaba, Counsellor

### Ministry of Gender, Labour and Social Development

Martin Wandera, Director of Labour, Employment and Occupational Safety and Health

Lawrence Egulu, Commissioner for Employment Services

### Ministry of Internal Affairs

Kahwa Kato Robert, Principal Immigration Officer

## **National Organisation of Trade Unions**

Christopher Werikhe, Secretary General

Baligasima Yazidi, Programmes Officer

Turyahebwa Anthony, Director of Research

## **National Planning Authority**

Norah Wandera, Head Human Resource Planning and Development

Sebukeera Hennery, Senior Planner, Human Resource Planning and Development

Okitoi Paul, Head Economic and Strategic Planning

## **Uganda Association of External Recruitment Agencies**

Enid Nambuya, Executive Director

## **Uganda Bureau of Statistics**

Vincent Ssenono, Principal Statistician

## **Uganda Investment Authority**

Prossie Kikabi, Senior Investment Executive, Investment Facilitation Division

## **United Nations High Commissioner for Refugees**

Kenneth Anyanzo, Senior CBI Officer

Collins Otee, Protection Associate

Gerald Emoyo, Assistant Livelihoods Officer

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Free Movement of Persons and Transhumance  
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for Regular Labour Mobility

