

Regional launch of the Fair recruitment Initiative (Phase II, 2021- 2025) - Africa Region

Date: Week of 24 to 25 March 2022

Location: Hybrid (In-person in Abidjan, Cote d'Ivoire, and ZOOM)

The ILO global Fair Recruitment Initiative (Phase II, 2021-2025)

The ILO's Fair Recruitment Initiative, launched in 2014, aims to protect workers against abuse and exploitation, while meeting the needs of the labour market, and is based on the extensive experience of the ILO on labour migration, prevention of forced labour, and regulation of recruitment intermediaries, among others.

Fair Recruitment is understood as recruitment carried out within the law, in line with international labour standards and with respect for human rights, without discrimination based on gender, ethnicity, national or legal status. It should be at no cost to workers and should protect them from exploitative situations. Fair recruitment is also a tool to supporting the goal of achieving well-functioning labour markets. The protection of workers throughout the recruitment journey is even more critical in the aftermath of the COVID-19 pandemic which has affected both workers and employers.

[Phase II \(2021-2025\)](#) of the Initiative is anchored on progresses and tools developed in recent years and seeks to operationalize, institutionalize, and deepen knowledge and practices on fair recruitment and protect workers, particularly migrant workers. The Initiative supports law and practice reform which foster fair recruitment at the global and regional level, and it promotes national and cross-border recruitment practices and policies that are based on international labour standards, social dialogue and gender equality and are aligned to employment policies.

At the heart of the initiative are the [General Principles and operational guidelines for fair recruitment and the Definition of recruitment fees and related costs](#), the implementation of which guides the ILO's action in this field. Likewise, the second phase of the initiative includes the launch of a Global Knowledge Hub to develop, systematize, deepen, and exchange knowledge, experiences and practices on fair recruitment and promote communities of practice between experts and practitioners at global regional and national level.

Taking stock on achievements from the first five years of implementation of the FRI in different migration corridors, the ILO has systematized promising practices on fair recruitment, inspired by general principles and existing international standards. These practices cover areas such as: migrant workers resource centres, public employment services capacity to support migrant workers, strategies of adaptation of recruitment practices to the context of COVID-19, employment centers to facilitate labour migration, revision of legal framework governing recruitment practices, inclusion of fair recruitment consideration in the negotiations of bilateral agreements, among others.

The Fair recruitment Initiative is based on 4 main Pillars:

1. Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes
2. Improving laws, policies and enforcement to promote fair recruitment
3. Promoting fair business practices
4. Empowering and protecting workers

The Fair Recruitment Initiative fosters strong alliances with international and local partners to complement the Global Compact for Safe, Orderly and Regular Migration and the UN Sustainable Development Goals

The ILO Fair Recruitment Initiative (Phase II, 2021-2025) in Africa

Labour migration and mobility are priority issues in the region: most countries are part of migratory movements, either as countries of origin, transit, or destination. Mixed flows of refugees and asylum seekers have also increased in the region. Migrant and seasonal workers are often also particularly exposed to decent work deficits, especially as they are predominantly recruited through informal networks into precarious employment in the informal economy. It is therefore necessary to develop a strategy for Africa to leverage the benefit of such movements, to create a level playing field in the recruitment industry and to prevent human trafficking and forced labour, ensuring the protection of the rights of all workers, including migrants, reducing the risks of abusive and fraudulent recruitment (such as false job offers or recruitment fees or costs charged to workers) and taking into account the prevailing informality of employment and prevalence of seasonal labour demand across the region.

Fair recruitment for national and migrant workers is increasingly on the agenda of African governments and the social partners. The promotion of fair recruitment has become a major concern in global and African migration policy frameworks as stakeholders have increasingly recognized the evident links between unfair and irregular recruitment processes and the risks of forced labour, child labour, trafficking in persons and debt bondage.

The overall objective of the ILO's work on Fair Recruitment in Africa is to ensure that recruitment practices nationally and across borders are grounded in labour standards, developed through social dialogue, and ensure gender equality. The four pillars of the FRI will guide the priorities on fair recruitment within and from Africa. The work is also guided by the AUC First Ten-Year Implementation Plan (2014-2023) of its Agenda 20631 and ILO's 2019 Abidjan Declaration on "Advancing Social Justice: Shaping the future of work in Africa, Realizing the potential for a future of work with social justice" identifies the need for «Strengthening the efficiency of the institutions of work to ensure adequate protection of all workers through (inter alia) promoting fair and effective labour migration governance».

Over the past few years, the ILO has started engaging on Fair recruitment in several countries in Africa: in Tunisia, as one pilot country of the global FAIR Project; amendments to recruitment regulations in Ethiopia; work on self-regulatory industry code of conducts in Nigeria and Ethiopia; support toward ratification of ILO Convention 181, and piloting of the SDG 10.7.1 indicator methodology in Ghana. Capacity building of constituents on fair recruitment has been supported in Nigeria, Ethiopia, Kenya, Uganda, as well as South Africa, amongst others, and knowledge has been generated, including through the continental [Africa regional fair recruitment report: The recruitment of migrant workers to, within and from Africa](#), as well as national level knowledge building in Ethiopia, Kenya, Uganda, Sudan, Somalia, Djibouti, South Sudan, and Egypt.

At Regional and subregional level - African Union and RECs

The African Union (AU) Revised Migration Policy Framework for Africa and Plan of Action (2018–2030) offers multiple recommended strategies relevant to ensuring the fair recruitment of migrant workers, including among others: 1) create transparent (open) and accountable labour recruitment and admission systems; 2) align national laws, policies and regulations; bilateral and multilateral agreements; and voluntary codes of conduct with the ILO General Principles and Operational Guidelines for Fair Recruitment; 3) monitor and enforce compliance with recruitment regulations, including standardised contracts of employment which are free, fair, fully consented to, transparent and enforceable; 4) promote consolidation and professionalisation in the recruitment industry and 5) Explore opportunities to put special procedures in place for citizens working overseas (limiting recruitment fees, licensing requirements, contracts registration and approval mechanism; payment of wages and banning deductions from wages for certain expenses, frequent labour inspections and introducing fines for employers who violate labour requirements...).

The 2014 African Union Commission's Ouagadougou + 10 Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development in Africa, under Key Priority Area 5: on labour Migration and Regional Economic Integration, refers to several strategies that Member States in Africa can adopt

¹ The Implementation Plan refers to the goal of achieving "a prosperous Africa based on inclusive growth and sustainable development" through strategies such as implementing frameworks on labour migration governance, promoting policies leading to more responsible labour migration flows including adequate protection of the rights of migrant workers and their families, and reviewing bilateral labour agreements.

to promote fair recruitment including developing legal frameworks for fair recruitment in line with national and international standards, including through bilateral and multilateral agreements.

Under the umbrella of the Alliance 8.7, several countries in the region have developed national action plans to eradicate child and forced labour, and human trafficking. Cameroun, Cote d'Ivoire, Democratic Republic of Congo, Ethiopia, Ghana, Madagascar, Malawi, Mauritania, Morocco, Nigeria, Tunisia, and Uganda are amongst the Pathfinder Countries making progress towards meeting target 8.7 of the SDGs. Key events have been held in Cote d'Ivoire ([Global Meeting of the Action Group on Supply Chains](#), in May 2019), which recognised the need to accelerate action in specific sectors such as mining, fishing and the garment industry. Amongst the priority areas of concern, the consultations identified data and research, fair recruitment, and the need to enhance collaboration at the lower tiers of supply chains.

A Ten Year Action Plan to Eradicate Child Labour, Forced Labour, Human Trafficking and Modern Slavery was also developed by [African Union Commission](#) in March 2019. [The 2020-2030 Action Plan](#) seeks to contribute to and support the acceleration of progress towards the achievement of the Agenda 2063 – SDG 8.7 target, and refers to the need to enhance recruitment related policies, legislation, enforcement, and public awareness, as well as to design and implement measures to address the root causes of debt bondage, which include access to finance, land tenure issues, exorbitant fees and unfair practices by unregulated manpower, recruitment and brokerage services; and to Implement measures protecting workers against human rights abuses in the recruitment process, including by all categories of labour recruiters and other enterprises, employers and private employment agencies.

At the sub-regional level,² for most regional economic communities, provisions on recruitment – where these exist – are contained in free movement protocols or labour migration agreements. In West Africa, the Economic Community of West African States (ECOWAS) Common Approach on Migration, the ECOWAS Regional Migration Policy, and the ECOWAS General Convention of Social Security all cite fair recruitment. However, the ECOWAS Protocol on the Free Movement of Persons, Residence and Establishment is silent on recruitment.

Article 3 of the Protocol on Freedom of Movement and Rights of Establishment of Nationals of Members States of the Economic Community of Central African States (ECCAS) established the right of freedom of movement for workers – subject to national legislation – but is silent on recruitment practices or costs.

² Fair recruitment references in REC frameworks is provided in the Africa fair recruitment report - page 29 ([wcms_806628.pdf \(ilo.org\)](#)) - At a subregional level, eight regional economic communities are active players in Africa's political economy. These are the: Arab Maghreb Union; the Economic Community of West African States (ECOWAS); the East African Community (EAC); the Intergovernmental Authority on Development (IGAD); the Southern African Development Community (SADC); the Common Market for Eastern and Southern Africa (COMESA), the Economic Community of Central African States (ECCAS) and the Community of Sahel-Saharan States (CENSAD).

The Southern African Development Community (SADC) adopted the Labour Migration Policy Framework in 2014 and thereafter the associated 2016–2019 Action plan. The former includes: a recognition of the need for “[h]armonisation of legislations & policies on recruitment & conditions of employment of SADC migrant workers & third country nationals towards a minimum floor of rights”; efforts to improve data collection and to regulate informal and illegal brokers, agencies, and work.

The Common Market for Eastern and Southern Africa (COMESA) Protocol on the Free Movement of Persons, Labour, Services, Right of Establishment and Residence (adopted in 2001) does not specifically mention recruitment but does envisage the progressive achievement of free movement.

Finally, the Protocol on the Establishment of the East African Community (EAC) Common Market, which entered into force on 1 July 2010, contains provisions recognizing the free movement of workers (Art. 10). It further “provides for entitlement of workers in regard to application for employment, free movement in Partner States, conclude contracts of employment, and enjoy rights and freedoms of association”.

Social partners

Social partners have also a role to play to promote fair business practices and protect workers’ rights. At the global level, ILO forged alliances with the International Organization of Employers (IOE), to promote the business case³ for fair recruitment; as well as with the International Trade Union Confederation (ITUC) for the establishment of the [global Recruitment Advisor](#) and initiatives to promote and protect workers’ rights through representation in social dialogue, policy advocacy, service provision and outreach to workers.

Launch of the ILO Fair Recruitment Initiative (Phase II, 2021-2025) in Africa

The ILO Regional Office for Africa in collaboration with the African Union Commission, the International Trade Union Confederation (ITUC) and the International Organization of Employers (IOE) are partnering to launch the FRI initiative in Africa in March 2022.

The regional launch of Phase II of the ILO Fair Recruitment Initiative (2021-2025) is an opportunity to expand the implementation of successful fair recruitment approaches to other countries in Africa. It is also an opportunity to advance with a common approach of the region, towards the achievement of Sustainable Development Goal number 8, which seeks to achieve inclusive and sustainable economic growth with decent work for all, target 8.7 on the eradication of forced labour, as well as goal 10, and, indicator 10.7.1 on worker paid recruitment costs. Similarly, this will contribute to Objective 6 of the Global Compact for Safe, Orderly and Regular Migration Objective on facilitating fair and ethical recruitment and safeguarding conditions that ensure decent work. By pursuing this

³ The International Organization for Migration (IOM), together with the International Organisation of Employers (IOE) and a coalition of stakeholders committed to ethical recruitment, developed a certification system known as the International Recruitment Integrity System ([IRIS](#)).

objective, Member States commit to review existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse to guarantee decent work and maximize the socioeconomic contributions of migrants in both their countries of origin and destination.

Objective

The main objective of the event is to officially launch the ILO Fair Recruitment Initiative (2021-2025) in Africa and garner support for its implementation in the region.

This includes specifically:

1. Disseminating information about the FRI's pillars, approach, promising tools and recruitment practices
2. Promoting knowledge exchange and creation of a networks of experts and professionals committed to promoting fair recruitment practises in the region.
3. Discuss the formulation of a FRI Regional strategy for Africa to promote fair recruitment, to be pioneered by AUC, building on existing subregional strategies.

At the end of the official launch of the FRI II in Africa:

1. Participants would increase their **knowledge** of the FRI II four pillars, and familiarise with the knowledge hub including tools and practices that it proposes
2. There will be increased **political will** by participating Member States and constituents to implement the Fair recruitment Initiative and promote greater investment in and attention to fair recruitment practices in the region, through the **political pledge** for more action and in support of accelerated implementation of related regional, sub-regional, and national action plans,
3. The priorities for a regional **strategy on Fair recruitment** defined and the road map towards formulation of such strategy agreed upon.
4. The event will stimulate a renewed **regional partnership** to extend protection of migrant workers, promotion of decent work conditions, and efficient functioning of labour markets through the promotion of fair recruitment practices

Target audience

The regional launch of the FRI -II Africa targets key actors from selected countries in Africa including Governments (Ministries of Labour and / or Ministry of Foreign Affairs, Institute or Directorate of Migration), Employers' and Worker's Organizations, as well representatives from Regional Economic Communities, and development partners. Invitations will be sent out to ILO's constituents and key stakeholders, with a limited number invited to participate in-person in Abidjan, Cote D'Ivoire. Virtual participation to the event will also be widely advertised and interested parties will be able to register to connect and participate to the exchanges in particular Civil Society Organizations, Migrant Workers associations, academia, the media, international organizations.

The official launch of the FRI II Africa will take place in Abidjan, Cote d'Ivoire. It will be a hybrid event of two days, with tripartite delegations from six countries invited to participate in Abidjan, Cote D'Ivoire, while the remaining tripartite delegations (26) will be invited to connect virtually. Invitations will be sent to tripartite delegations from the following countries:

Tunisia, Morocco, Nigeria, Ghana, Cote D'Ivoire, Burkina Faso, Lesotho, South Africa, Ethiopia, Kenya, Uganda, Madagascar, Malawi, Cameroun, Seychelles, Togo, Namibia, Niger, Mali, Zambia, Zimbabwe, Djibouti, South Sudan, Sudan, Somalia, Tanzania & Sierra Leone and Rwanda.

Tripartite delegations from Tunisia, Kenya, Nigeria, Ethiopia, Uganda, Cote d'Ivoire and Madagascar will attend the event in Abidjan, Cote d'Ivoire. High level representatives (Ministers, Social partners organisations, Development partners) will be invited as distinguished guests.

Agenda outline

The launch will begin with a high-level Experts exchanges on DAY 1 combining technical presentations, debate and technical participatory dialogue and discussion on relevant promising practices in the region and the link with the ILO Fair Recruitment Initiative. Day 2 will be the official launch of the FRI at Ministerial level and will be an opportunity for voluntary pledge by African countries and social partners to act and promote fair recruitment processes and practises in the continent and to pave the way for an Africa regional strategy on fair recruitment.

The Virtual meeting will be an occasion for countries to get more information on how they can support Fair recruitment processes and practices through the FRI II and to share their country, experiences as well. This will be an opportunity for stakeholders to pledge for fair recruitment practices in Africa (a template will be made available, and support provided to disseminate the pledge).



Tentative Agenda

Day 1. Experts' meeting – 24th March

Opening remarks by ILO, AUC, IOE and ITUC

Presentation of the **Fair Recruitment Initiative**: Phase II, 2021-2025

Promising Practices shared from the Africa Region, prospects and opportunities

Group discussions: towards a fair recruitment **strategy in Africa**: Priorities and opportunities

Conclusion and closing remarks

Day 2: Official Launch of the FRI – 25th March

Opening remarks and pledges by participants

High-Level **panel** by ILO, AUC, IOE, ITUC, Government of Cote d'Ivoire: Fair Recruitment as a pillar of inclusive recovery across Africa

Official launch of the FRI II: Statements by Ministers and High-level representative from social partners

Presentation of the FRI Knowledge hub

Road map of the regional strategy for Fair recruitment in Africa – moderated by AUC

Closing remarks: Pledges by participants

[ZOOM Link](#)