
*ENHANCE EAC'S CAPACITY AND KNOWLEDGE
BASE TO ADVANCE THE REGIONAL
COORDINATION AND PROTECTION FRAMEWORK
AS PER COMMON MARKET PROTOCOL TO
IMPROVE MIGRANT WORKERS ACCESS TO SOCIAL
PROTECTION*

Social security is a basic human right enshrined in major international instruments, such as the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966), and the International Convention on the Protection of the Rights of All Migrant Workers and Their Families (1990) as well as various ILO Conventions and Recommendations. However, due to their particular circumstances, especially the length of their periods of employment and residence, their status as non-nationals, as well as their particular immigrant status, migrant workers are often prevented from obtaining coverage from contributory and non-contributory social protection schemes.

Establishing and strengthening a social protection floor in migrants' countries of origin can facilitate the return and reintegration of migrants, while respecting their human right to social security and a life in dignity.

Protecting the rights of migrant workers to social protection is important, not only for ensuring equality of treatment with respect to social security for migrant workers, but also for extending social protection coverage to currently unprotected migrants. In addition to supporting the conclusion and effective implementation of proper coordination mechanisms, there is a need

to explore measures that could be taken either by adapting domestic legislation and/or multilateral or bilateral agreements to extend social protection coverage to specific groups of the population, including to those who have some contributory capacity, such as domestic migrant workers, self-employed migrant workers, agricultural migrant workers and other types of migrant workers in atypical forms of employment.

OBJECTIVE

The overall objective of the action is to extend decent work and social protection to migrant workers and their families, by strengthening the Regional Economic Communities' capacities to provide, as well as drive the implementation of regional frameworks on the extension of social protection to migrant workers and their families.

REVITALIZING REGIONAL PROCESSES

Although regional social security conventions exist in Africa, there is a real need for revitalizing regional processes and enforcing agreements. The preparation and implementation of multilateral social security agreements will require strengthening the capacity of social security policy makers and administrators in ECOWAS, SADC and the EAC, in order to guarantee that the agreed provisions and mechanisms fully match the priority and social context of the migrant workers and their families. The AUC and the ILO have chosen to focus on doing so in these three RECS – ECOWAS, SADC and the EAC - as it answers to a demand formulated by the named RECs to provide support to implement and strengthen achievements and build on ongoing work. This demonstrates strong regional political commitment to extending social protection to migrant workers and their families, which provides guaranties for a greater project impact. These portability initiatives, which this project will build on, are already well advanced in these three regions. The involvement of the AUC will also help to advance work on social protection beyond the RECs, and forge a continent wide initiative.

Building on previous cooperation with the EAC Secretariat in the coordination of social protection systems, this action will assess the remaining challenges to coordinating social protection systems in the sub-region that would pave the way to making portability of social security rights feasible. Based on these findings, it will engage with tripartite constituents to develop a roadmap and key steps to advance the process of harmonizing social protection schemes.

EAC's capacity and knowledge base enhanced to advance the regional coordination and protection framework as per Common Market Protocol to improve migrant workers access to social protection.

Building on the achievements of previous projects, this project will pursue the following activities: (1) Conduct a baseline desk review of social protection laws and policies challenges and opportunities, and suggest required steps for supporting the finalisation of a multilateral social protection instrument; (2) Facilitate regional dialogue and consultations to agree on a roadmap; (3) Conduct a feasibility study, including on actuarial and financial issues, assessing the implications of concluding a multilateral social protection instrument; and (4) Provide technical, legal and actuarial advisory services to a selected number of EAC Partner States.

Improved capacity of the AUC, RECs and regional social partners to effectively coordinate and contribute to regional and sub-regional social protection programmes for migrant worker in both the formal and informal economy through: (1) Support of the AUC to promote south-south cooperation, create a community of practices, and support intra-RECs technical cooperation, including through a high-level international conference; (2) Building the capacity of the AUC, selected RECs and regional and sub-regional social partners; and (3) Initiating the systematic collection and analysis of statistical information, amongst others, to inform policy making and support AU member states monitor progress made towards the achievement of relevant SDG target.

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