Assessment on

the impact
of COVID-19

on migrant workers in and from the IGAD region

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▶ Foreword

The International Labour Organization (ILO) in close collaboration with the IGAD Secretariat has produced this report titled Impact of COVID 19 on Migrant Workers in and from the IGAD region 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 which among other things aims to generate knowledge and evidence for improving labour migration and mobility governance in the Intergovernmental Authority on Development (IGAD) region.

The world has never faced a major epidemiological calamity of a global scale like the prevailing novel COVID-19 with rapid infections, accompanying casualties and inhibition to not only work but also mobility of persons. COVID-19 has also significantly affected the working and living conditions as well as prospects of migrant workers. This report captures major trends and findings on the impact of COVID 19 on migrant workers in and from the IGAD region, to determine how migrant workers need to be supported by states and other actors in this new context, and in preparation of possible future crises. Data for this assessment was collected between May and September 2020 remotely through online research; semi-structured interviews; and an online survey targeting migrant workers, migrant workers associations, government officials, employers' organizations, workers' organizations, private employment agencies, international organizations, non-government organizations and other relevant stakeholders.

The report provides an overview about the situation of COVID-19 in the IGAD region and identifies the major socio economic challenges faced by migrant workers in and from the IGAD region particularly in the Middle East, which is a major destination for migrant workers from the region. It also examined national and regional responses put in place by governments, regional actors such as IGAD, the EAC and the AU as well as international organizations and CSOs based on a comprehensive analytical framework structured around seven major pillars uniquely prepared for this study. At the end, the report also uncovers aspects to be considered in the implementation of the IGAD Free Movement of Persons Protocol during an international health emergency. It proposes measures to be that would boost a regional response to a possible future international health crisis and the protection of migrant workers in such a crisis. The report concludes with short, medium and long term recommended actions for the FMPT project, the IGAD MSs, the IGAD Secretariat and other partners to strengthen the protection of migrant workers.

We believe that this study will be instrumental in addressing short to medium and long term needs of migrant workers in the IGAD region and contributes to the implementation of the draft road map on the IGAD protocol on Free Movement of Persons. Understanding the challenges Migrant workers face and consequently implementing the recommendations proposed in the reports will also pave the way for increased opportunities for Regular Labour Mobility and Regional Integration.

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▶ Glossary of key terms [1]

internally displaced persons

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

migrant

This is an overarching term that refers to a person that has moved from their usual place of residence. This movement can be within her or his country or across international borders, temporarily or permanently, and be driven by different reasons. It is not a legally defined term but includes defined legal categories of people, such as migrant workers and smuggled migrants. It also includes persons whose status or movement is not defined by international law, such as international students.

migrant in an irregular situation

A person who has crossed an international border without the necessary authorization to enter or stay in that State, in terms of the law of the State and the international agreements the State is a part of.

migrant worker

A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national. [2]

mixed migration, mixed movements or mixed flows

Migration in which a number of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons. People travelling as part of mixed movements have varying needs and profiles and may include asylum-seekers, refugees, trafficked persons, unaccompanied/separated children and migrants in an irregular situation.

refugee

A person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail herself or himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable, or owing to such fear, is unwilling to return to it. [3]

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1   The definitions of these terms are from IOM, Glossary on Migration, International Migration Law No. 34 (2019), unless specified otherwise.

2   International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990, Art. 2(1).

3   Adapted from Article 1(A)(2) of the Convention Relating to the Status of Refugees, 1951.

executive summary

This assessment is a product of the Project on Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility (FMPT), which is being implemented by the ILO in collaboration with the Intergovernmental Authority on Development (IGAD). The project is a key component of the European Union Emergency Trust Fund for Africa-financed programme Towards Free Movement of Persons and Transhumance in the IGAD Region.

COVID-19 has massively affected the working and living conditions as well as prospects of migrant workers. This report captures major trends and findings on the impact of COVID-19 on migrant workers in and from the IGAD region, to determine how migrant workers need to be supported by States and other actors in this new context, and in preparation of possible future crises. Data for this assessment were collected between May and September 2020 and therefore capture trends and policy responses over this period. Due to the pandemic, all data were collected remotely through online research, semi-structured interviews, and an online survey. Key informants who contributed inputs include representatives from IGAD Member State ministries, international organizations; social partners; civil society organizations (CSOs), associations of private employment agencies, and diaspora organizations.

After presenting the methodology, the report commences in Chapter 3 with an overview of COVID-19 in the IGAD region, which describes the socio-economic repercussions of the pandemic, as well as the context in which it unfolded. Chapter 4 is a synopsis of regional responses by IGAD, the East African Community and the African Union to the pandemic; followed by Chapter 5 on the impact of COVID-19 on migration and migrant workers in and from the IGAD region. This latter chapter details the consequences of the pandemic for migrant workers, refugees and other migrants in the region and travelling from the region. It also captures the experiences of migrant workers from the IGAD region in the Middle East, which is a major labour migration destination for migrant workers from IGAD Member States. Chapter 6, titled "Analytical framework analysis of COVID-19-related responses to migrant workers in the IGAD region and Middle East countries of destination", examines the responses of governments in the IGAD region and Middle East that have affected migrant workers during the pandemic, as well as support rendered to migrant workers by other actors, such as international organizations and CSOs. This chapter is structured around an analytical framework developed for the study and built around eight thematic areas that cover key aspects of migrant worker protection. Chapter 7 delineates aspects to be considered in the implementation of

the IGAD Free Movement of Persons Protocol during an international health emergency. It proposes measures to be included in the roadmap of the IGAD Free Movement of Persons Protocol that would support and enhance a regional response to possible future international health crises, including the protection of migrant workers during such a crisis. The report concludes with short-, medium- and long-term recommended actions for the FMPT project, IGAD Member States, the IGAD Secretariat and other partners to strengthen the protection of migrant workers.

▶ COVID-19 in the IGAD region and regional responses:

On 11 March 2020, the World Health Organization declared COVID-19 a pandemic. The same month, all IGAD Member States reported positive COVID-19 cases. It was feared that the pandemic could have devastating consequences for the region, as it spread easily and the region has weak health infrastructure and faces numerous socio-economic challenges. IGAD Member States introduced varying degrees of lockdowns to curtail the spread of the virus, which involved reducing social and economic activity and closing borders. These measures resulted in economic decline, job losses, supply chain challenges, and migrants being stranded across the region. IGAD, the East African Community and the African Union adopted strategies to support their Member States to prevent the spread of the virus and to address the health and socio-economic repercussions of the pandemic – and the impacts of the pandemic on migrants was noted by these regional communities. In August, IGAD convened the Regional Experts and Ministerial Meeting on the Impact of COVID-19 on the People on the Move, through which it promoted measures to enhance the protection of people on the move, such as equal and non-discriminatory treatment regardless of migration and citizenship status (IGAD 2020g).

▶ The impact of COVID-19 on migration and migrant workers in and from the IGAD region:

Migration continued in and from the IGAD region despite border closures. Migrants who chose to move through the region's porous borders reportedly paid higher prices to smugglers who took them on more perilous journeys (Mbiyozo 2020). Repatriation activities fell sharply – IOM's Assisted Voluntary Return and Reintegration programme was suspended, which left hundreds of Somalis and Ethiopians in packed detention facilities in Yemen, where the virus could also spread (MMC 2020b). Mobility restrictions led to diminished access to asylum procedures in East Africa over the second quarter of 2020, as well as diminished access to durable solutions for refugees. Funding for refugee programmes was cut, while refugees' income opportunities declined and their needs increased.

COVID-19 restrictions and border closures reduced livelihood opportunities in the region and in countries of destination (CODs), which caused a drop in the flow of remittances to IGAD Member States. Migrant workers in and from the region faced job losses, pay cuts, economic hardship as well as discrimination due to COVID-19-related fears. Migrant workers in the informal economy were especially vulnerable to the economic consequences and health risks of the pandemic, as they often lack financial reserves and may not be able to afford PPE or to take other measures, such as staying at home and social distancing, to protect themselves from contracting the virus. Some migrant workers were able to develop alternate livelihoods, such as migrant workers in Kenya who started producing face masks. IGAD Member States started lifting COVID-19 restrictions from May 2020 and facilitating the return of their citizens. Some migrants remained stranded, partly due to the requirement to have a COVID-19 negative test certificate to cross borders, which they could not afford or because they lacked access to health facilities where the tests are performed.

Regular labour migration to the Middle East ceased and private employment agencies (PEAs) faced economic challenges, as they could no longer deploy migrant workers. Migrant workers in the Middle East experienced hardship and exploitation, including reduced wages, wage abuse, forced labour, job losses and homelessness. Returnees to the IGAD region reportedly returned home empty-handed,

and required extensive support to reintegrate into weakened labour markets. Despite the hardships faced by many, demand for labour migration opportunities remain high due to a shortfall in income opportunities in the IGAD Member States.

▶ COVID-19 responses in the IGAD region and Middle East that affected migrant workers:

COVID-19 workplace prevention measures were put in place in all IGAD Member States, but limited labour inspection capacities impeded enforcement of these measures. It is recommended that Member States strengthen labour inspection to ensure decent working conditions and adequate COVID-19 prevention measures in the workplace.

In Kenya and Uganda, legal mechanisms were introduced to protect workers against COVID-19-related discrimination and unsafe working conditions. Migrant workers in a regular situation have access to legal remedies in Member States, but it is unclear to what extent this access was sought or enforced during the pandemic. In CODs, avenues for appeal often fall short and have been operating at reduced capacity during the pandemic.

Member States lacked sufficient PPE for healthcare workers, a problem that multiple actors have worked to address, including the Somali diaspora in Finland, which donated medical supplies and PPE to health facilities in Somalia. Numerous IGAD Member States and CODs provided free of charge or partially funded COVID-19 testing and healthcare for migrant workers, including Djibouti, Ethiopia, Kenya, South Sudan, Sudan, Uganda, Bahrain, Kuwait, Qatar and Saudi Arabia.

In CODs, the kafala system, whereby migrant workers require the consent of their employers to leave or change their employer, is associated with exploitation. While steps have been taken to dismantle it, more are needed. It is recommended that IGAD Member States increase awareness raising on the labour migration system to prevent exploitation of migrant workers during and in the aftermath of the pandemic. Member States should also bolster labour migration statistics on migrant workers in CODs to strengthen migrant workers' protection during a crisis.

Migrant workers in crowded and unsanitary working and living conditions were vulnerable to contracting COVID-19, such as migrant workers in labour camps in CODs. Some efforts are ongoing to enhance the protection of migrant workers. In Qatar, for example, the ILO is training labour inspectors on identifying forced labour and human trafficking (ILO 2020d). Reportedly, more than 8,000 inspections of work and accommodation sites were conducted in Qatar during the pandemic (Al Thani 2020). On the other hand, bilateral labour agreements (BLAs) and PEAs appear to have failed to offer much protection to migrant workers in CODs. It is recommended that IGAD develops a common position for BLAs that is rights-based and that is employed to strategically work towards better working and living conditions for migrant workers in CODs. IGAD Member States should also specify and enforce the roles and responsibilities of PEAs during a crisis.

Various entities implemented awareness-raising campaigns on COVID-19 targeted at migrants in the IGAD Member States and CODs. In Somalia, the United Nations Children's Fund (UNICEF) implemented an awareness-raising media and SMS campaign on COVID-19, which also targeted Ethiopian pastoralists. [4] However, no public education and awareness-raising campaigns regarding the contributions made by migrant workers and no current initiatives on the integration of migrant workers and countering xenophobia were identified. Moreover, migrant workers in the IGAD region and migrant workers from the IGAD region in the Middle East do not have basic social security guarantees. The portability of social security benefits is also lacking. Djibouti is the only IGAD Member State that has introduced some portability of social security benefits.

Some IGAD Member States and CODs have extended migrants' and migrant workers' visas to prevent them from falling into an irregular status, or allowed them to legally remain in their countries during

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4   Interview with UNICEF Somalia.

the pandemic, including Ethiopia, Kenya, Uganda, Kuwait, Qatar and Saudi Arabia. Some CODs have also tried to connect migrant workers to employment opportunities. The United Arab Emirates (2020) launched a Virtual Labour Market (https://careers.mohre.gov.ae) where migrant workers could register and apply for jobs. Migrant workers have also received some socio-economic assistance from IGAD Member States, CODs, aid agencies, CSOs and diaspora organizations. For example, in Cairo the Sudanese Embassy provided Sudanese migrants with accommodation, food and cash. [5] It is recommended that IGAD Member States provide targeted socio-economic assistance to migrant workers during the pandemic, including migrant workers in the informal economy, who are especially impacted by the consequences of the pandemic. Moreover, IGAD Member States should promote the use of digital technologies and mobile payment platforms to reduce the cost of remittances and enhance the accessibility of safe and secure means of remitting.

In CODs, IGAD Member States' embassies have provided some information and services to migrant workers, but these services should be further bolstered. It is recommended that Member States expand the scope of consular services to cover unexpected emergencies and establish contingency measures for crises, including evacuation measures and cooperation measures among the consulates of IGAD Member States during a crisis.

Return processes varied among IGAD Member States and CODs. Uncoordinated returns, detention and deportation were reported, and the reintegration of returnees is inadequate. It is recommended that standards for return and coordination between Member States and CODs be strengthened to ensure safe, orderly and dignified returns; while reintegration support should also be shored up. Labour market information systems should also be bolstered to enhance opportunities for regular labour migration for migrant workers who face diminished income opportunities at home and to support the recovery of economies in the region from the pandemic. Immigration information and visa processing systems should be simplified and made easily accessible through the development of functional immigration web portals with up-to-date information on immigration procedures and rules and on migrant workers' rights and opportunities in Member States.

▶ Aspects to be considered in the implementation of the IGAD Free Movement of Persons Protocol during an international health emergency:

On 26 February 2020, the IGAD Member States endorsed the Protocol on Free Movement of Persons in the IGAD Region (IGAD 2020i). The Protocol's free movement regime can be suspended on the grounds of public health, and Member States should specify procedures for such a suspension, as well as measures to effectively deal with a future international health crises and the protection of migrant workers during such a crisis. The roadmap for the implementation of the Protocol could incorporate these specifications, which should include equal healthcare and socio-economic assistance for migrants and citizens alike. Moreover, it is recommended that the roles and responsibilities of Member States towards stranded migrants during a crisis should be defined and captured in the roadmap or an alternative IGAD cooperation framework.

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5   Interview with ILO Sudan.

▶ List of abbreviations and acronyms

Africa CDC	Africa Centres for Disease Control
AFTCOR	Africa Taskforce for Novel Coronavirus
ASMAK	Association of Skilled Migrant Agencies of Kenya
AVRR	Assisted Voluntary Return and Reintegration
BLA	bilateral labour agreement
COD	Country of Destination
CSO	civil society organization
EAC	East African Community
FMPT	Project on Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility
GCC	Gulf Cooperation Council
GDP	gross domestic product
GIZ	German Corporation for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit)
IDP	internally displaced person
IDWF	International Domestic Workers Federation
IGAD	Intergovernmental Authority on Development
IOM	International Organization for Migration
LMAC	Labour Migration Advisory Committee [African Union]
MENA	Middle East and North Africa
MSF	Doctors Without Borders (Médecins Sans Frontières)
PEA	private employment agency
PPE	personal protective equipment
TMEA	Trade Mark East Africa
UAERA	Uganda Association for External Recruitment Agencies United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WFP	World Food Programme
WHO	World Health Organization

chapter 1

Introduction

This assessment is a product of the Project on Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility (FMPT). The ILO is implementing the FMPT project in collaboration with the Intergovernmental Authority on Development (IGAD). The project is a key component of the European Union Emergency Trust Fund for Africa-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 FMPT project is to improve opportunities for regulated labour mobility and decent work within the IGAD Member States through the development of models of intervention within the broader context of regional integration. 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; strengthen the link between economic growth and job growth; and enhance the social and economic integration of migrants.

COVID-19 has had a dramatic impact on the world of work all over the globe, and drastically affected the working conditions, living conditions and prospects of migrant workers. The various aspects of their working lives that have been affected include: wages; working hours; leave entitlements; occupational safety and health protection; end of contract entitlements; possibility to change employers; and future work opportunities.

This report captures major trends and findings on the impact of COVID-19 on migrant workers in and from the IGAD region, with a view to gaining a better understanding of how migrant workers need to be supported by States and other actors in this new context, and in preparation for possible future crises. The report delineates key gaps to be addressed by the FMPT project, IGAD Member States, the IGAD Secretariat and other partners.

The structure of the report is as follows: after presenting the methodology in Chapter 2, the report commences with Chapter 3 on "COVID-19 in the IGAD region", which provides a snapshot of the impact of the pandemic on the region, the socio-economic context in which it unfolds and measures taken by IGAD Member States to curtail the spread of the virus. Chapter 4 provides an overview of regional responses by IGAD, the East African Community (EAC) and the African Union to the pandemic, addressing the three major regional organizations that have an impact on the IGAD region.

This is followed by Chapter 5 on the impact of COVID-19 on migration and migrant workers in and from the IGAD region. The IGAD region is characterized by mixed migration flows, in which people travel together using the same routes and means of transport, but for different reasons. These flows may include refugees, migrant workers and other categories of migrants (IOM 2019). This chapter captures key repercussions stemming from the COVID-19 pandemic experienced by migrant workers, refugees and other migrants, both in the region and among those travelling from the region. The main challenges experienced by migrant workers in the IGAD region, as well as migrant workers from the region in key Middle Eastern countries of destination (CODs) are also laid out. The Middle East is a leading labour migration destination for migrant workers from the IGAD region, and includes Member States of the Gulf Cooperation Council (GCC) [6].

Chapter 6 presents an analytical framework analysis of COVID-19-related responses to migrant workers in the IGAD region and in Middle East countries of destination. This chapter looks at IGAD Member States' and key CODs' COVID-19-related responses with regard to migrant workers, as well as pre-pandemic policies that have affected migrant workers during the pandemic. This chapter also discusses assistance provided to migrant workers by other actors, such as international organizations, civil society organizations (CSOs) and diaspora communities.

Chapter 7 of the report is titled "Aspects to be considered in the implementation of the IGAD Free Movement of Persons Protocol during an international health emergency". The COVID-19 pandemic has brought to light the vulnerabilities faced by migrant workers during an international health emergency, and showcased the implications such an emergency can have on free movement of persons regimes. This chapter proposes aspects to be included in the roadmap of the IGAD Free Movement of Persons Protocol that would enhance the protection of migrant workers and improve the region's capacity to deal with future crises that impact international migration.

The report concludes with short-, medium- and long-term recommended actions for the FMPT project, IGAD Member States, the IGAD Secretariat and other partners, which will help to address gaps in migrant worker protection that have been crystallized by the impact of the pandemic.

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6   The GCC is a regional organization, and its Member States are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.

chapter 2

Methodology

The research methodology employed for this assessment consisted of online research, interviews with key informants, and an online survey. Due to COVID-19-related travel restrictions, all data used in the development of this assessment were collected remotely. Data for this assessment were collected between May and September 2020. Therefore, this assessment captures the consequences of COVID-19 and responses to the pandemic during this brief period of time, while the repercussions of COVID-19 and the measures taken by IGAD Member States and other actors to address the pandemic continue to change over time.

Semi-structured interview questionnaires were developed for the interviews, which were conducted through virtual platforms such as Zoom and Skype. Interviews were undertaken with 73 interviewees. The stakeholders interviewed included:

▶ relevant government ministries and agencies in IGAD Member States;

▶ the IGAD Secretariat;

▶ international organizations;

▶ employers' and workers' organizations;

▶ associations of private employment agencies;

▶ CSOs; and

▶ diaspora organizations.

Survey questions were disseminated to relevant ministries, private employment agencies, workers' organizations and employers' organizations in IGAD Member States to gather information on:

▶ the impact of the pandemic;

▶ COVID-19-related responses; and

▶ the repercussions of the pandemic on migrant workers in and from the IGAD region.

Seventy-seven respondents completed the online survey.

In addition, an analytical framework was developed to analyse the policy responses of IGAD Member States and key Middle Eastern CODs towards COVID-19 that have had an impact on migrant workers. The framework also highlights some of the contributions of other actors, such as international organizations, CSOs and diaspora communities, have made to enhance the protection of migrant workers.

The analytical framework is structured around eight thematic areas that cover key aspects of migrant worker protection. These eight areas are:

1.   Migrant workers enjoy safe and secure working conditions, access to healthcare and protection from exploitation.

2.   Migrant workers enjoy access to justice and the protection of the law.

3.   The integration of migrant workers is promoted and xenophobia countered.

4.   Affected migrant workers in destination countries retain access to the labour market and are given socio-economic assistance.

5.   Migrant workers have access to accurate and reliable information on their rights and opportunities, and on the pandemic and its implications.

6.   Migrant workers enjoy social security coverage and portability of social security benefits.

7.   Migrant workers return to their country of origin with the full payment of outstanding wages and benefits, and through safe and orderly migration.

8.   Returning migrant workers receive support for their socio-economic reintegration.

Each thematic area has a number of guidelines that are used to determine what type of support should be provided in that area. The analytical framework is informed by – and draws its guidelines from – ILO Conventions, Recommendations and standards, including the eight ILO fundamental Conventions and the ILO Declaration on Fundamental Principles and Rights at Work.

The analytical framework is also informed by other United Nations (UN) and international organization frameworks and recommendations, namely the:

▶ Sustainable Development Goals;

▶ UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families and UN Special Rapporteur on the Human Rights of Migrants' Joint Guidance Note on the Impacts of the COVID-19 Pandemic on the Human Rights of Migrants;

▶ UN Policy Brief on "The Impact of COVID-19 on Women"; and

▶ UN Women's Guidance Note on "Addressing the Impacts of the COVID-19 Pandemic on Women Migrant Workers".

In addition, the analytical framework is informed by regional frameworks and recommendations, namely the:

▶ IGAD Regional Migration Policy Framework;

▶ IGAD Free Movement of Persons Protocol;

▶ Migrants in Countries in Crisis' East and Southern Africa Guidelines;

▶ African Union's Agenda 2063;

▶ African Union Migration Policy Framework (2018–2030); and

▶ African Union Free Movement of Persons Protocol.

The analytical framework with all its guidelines can be found in Annex I of this report.

chapter 3

COVID-19 in the IGAD region

On 11 March 2020 the World Health Organization (WHO) declared COVID-19 a pandemic, as more than 118,000 known cases of this coronavirus were spread among more than 110 countries and territories across the world (Ducharme 2020). Africa, including the IGAD region, is particularly vulnerable to the impact of COVID-19, for which there is no cure or vaccine, as of the study period (May–September 2020). [7] COVID-19 spreads through small droplets from the mouth or nose, and can be transmitted due to proximity to another person who is infected, or by touching an object or surface that has been exposed to the virus (WHO 2020). Social distancing, wearing masks and frequent hand washing/sanitizing are some of the world's most important preventative measures against this virus. In areas where large numbers live and work in crowded, unsanitary conditions, it can easily spread. These challenges are compounded by weak health systems and the prevalence of HIV, tuberculosis, and other infectious diseases (Nordling 2020). Serious cases of COVID-19 experience intense difficulty breathing and require ventilators to assist with breathing while their bodies' immune systems battle the virus. A global shortage of ventilators has made this fight intensely difficult, as has the lack of personal protective equipment (PPE), which is vital to protect health workers, who are highly exposed to the virus. Public hospitals across 41 African countries have fewer than 2,000 working ventilators, with countries in the IGAD region facing acute shortages. Somalia's Health ministry has none and South Sudan has only four (Davidson 2020). Most experts opine that a vaccine against the virus would only become widely available by mid-2021 (BBC News 2020a).

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7   On 11 August 2020 the Russian government claimed that a vaccine had been given regulatory approval, but it is widely believed to not have been put through the necessary phase three clinical trials, which entails more substantial testing on humans (BBC News 2020a).

Africa also has some cards in its favour. It has a large youthful population, which is likely to experience less serious symptoms if they contract the virus. Poor road networks in Africa also mean that Africans travel less, which makes it harder for the virus to spread (The Economist 2020). As of the time of writing (September 2020), the IGAD region appears to be have been hit less hard than expected, but the relatively low case numbers may also point to low levels of testing. On 30 September 2020 the IGAD COVID-19 Tracker reported a total of 142,611 confirmed cases in the IGAD region, of which 64,554 were active cases.

Of equal concern is the global economic crisis that has emerged in the wake of the global health crisis. Countries across the world have been in lockdown for weeks or months, with citizens confined to their homes and economies in shutdown. Half of the world's population, more than 3.9 billion people, have at some point been asked or ordered to stay at home by their governments to prevent the spread of the virus (Sandford 2020). The IGAD Member States have put in place varying degrees of lockdowns, including reducing social and economic activity and the closing of borders, which have led to imports and exports stuck at borders, supply chain challenges, economic decline, job losses, and stranded migrants across the region.

Migrant workers are feeling the impact of this double crisis intensely. Many are losing their jobs. Many have been forced to return home at short notice, often empty handed. Some are experiencing forced quarantines that do not conform to acceptable health standards. Others are in crowded confinement in transit or detention centres that are environments in which the virus easily spreads. Many are returning home to rural areas with weak health systems, where the virus may easily spread if they are carriers and where they face little in the way of job prospects. And the families of these returnees no longer receive the remittances that they were depending on to survive. Some migrant workers who have remained in the CODs, where they often live and/or work in crowded and unsanitary conditions that expose them to the virus. Migrant workers may face discrimination in the labour market as well as exploitation, and fall victim to xenophobic attacks as they are treated as scapegoats for the virus by local media in some countries. [8]

Countries in the region and across the world have started easing lockdowns in situations where the virus has appeared to wane, or where government concerns over the economy trumped health concerns. According to the World Bank, the pandemic has brought on Arica's first recession in 25 years (Giles and Mwai 2020). Saving lives and safeguarding livelihoods is a delicate and important balance to strike, especially in Africa. The poor and marginalized have suffered the most from lockdowns. Moreover, there is the risk that economic lockdowns in Africa may kill more people than the pandemic, as they give rise to growing food insecurity. Deaths may also increase due to the disruption of health services for other major killers, such as malaria and tuberculosis (Ren 2020). As COVID-19 restrictions are lifted and economic and social life re-emerges, COVID-19 cases may again multiply, as has been the case in European countries (ECDC 2020).

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8 For more information, please see ILO, "Protecting Migrant Workers during the COVID-19 Pandemic", ILO Policy Brief, April (2020).

▶ 3.1. COVID-19 lockdowns and prevailing socio-economic challenges in IGAD Member States

Djibouti identified its first COVID-19 infection on 17 March 2020, and has the highest prevalence of COVID-19 in Africa (UNOCHA 2020a). Djibouti introduced lockdown measures on 23 March, during which non-essential workers had to stay at home and schools and non-essential businesses were closed. On 18 March commercial flights to and from Djibouti were stopped and on 23 March all borders were closed (Garda World 2020a). The transport of cargo continued, with some delays, as most shipments arrive by air (UNOCHA 2020a). In April, Djibouti experienced flash floods due to heavy rain, which damaged the homes of 110,00 people, including migrants and refugees; displaced many; and increased the risk of community transmission (United Nations 2020c; UNOCHA 2020a).

Lockdown measures started to be lifted from 17 May, when most business activities were allowed to restart, on the condition of following specific measures, such as the use of face masks and social distancing (UNOCHA 2020a). Commercial flights to and from Djibouti resumed on 17 July. Travelers arriving in Djibouti are tested for COVID-19 at ports of entry. Positive cases are treated and need to isolate, or leave Djibouti on the next flight without leaving the airport (US Embassy in Djibouti n.d.). Djibouti's real gross domestic product (GDP) in 2020 is expected to contract by 3.8 per cent due to the impact of the pandemic (UNOCHA 2020a).

Ethiopia identified its first COVID-19 infection on 13 March, and declared a state of emergency for five months on 8 April, which closed schools and universities, forbid public gatherings and gave work from home orders to most workers (UNOCHA 2020b). Ethiopia announced the closure of its land borders on 23 March for all non-essential travel to prevent the spread of COVID-19, while still permitting the transport of cargo (Garda World 2020b). The main airport has stayed open for international flights and rail services are functional. Travellers arriving in Ethiopia without evidence of negative COVID-19 test results (which cannot be older than 120 hours) need to isolate in selected quarantine sites, either at their own expense in designated hotels or in government-sponsored quarantine centres. Following quarantine, they are tested and need to self-isolate at home for another seven days (UNOCHA 2020b).

The pandemic could cause 15 million people to face food consumption gaps in Ethiopia (UNOCHA 2020b). The desert locust infestation, which commenced in 2019, is exacerbating food insecurity in northern, southern and western parts of the country (HCT 2020) Humanitarian needs and the risk of transmission are particularly acute among the internally displaced population of I.7 million people (UNOCHA 2020b). Ethiopia's 2020 GDP growth forecast pre-COVID was 6.2 per cent, and has been adjusted to 3.2 per cent due to the pandemic (Deloitte 2020a).

Kenya identified its first COVID-19 infection on 12 March 2020 (UNOCHA 2020c). Government-imposed restrictions to prevent the spread of COVID-19 have included:

▶ border closures (apart from for cargo);

▶ the suspension of international passenger flights from 25 March, with persons entering the country on repatriation flights being subject to a 14-day quarantine;

▶ prohibiting movement to and from Nairobi, Mombasa and north-eastern Mandera;

▶ an appeal for teleworking;

▶ a nighttime curfew;

▶ the banning of public gatherings;

▶ vehicle carrying capacity being limited to 50 per cent; and

▶ the closure of bars and markets (UNOCHA 2020c; Al Jazeera 2020a; WorldAware 2020).

Domestic flights resumed on 15 July and international passenger flights on 1 August; while movement restrictions to and from Nairobi, Mombasa and north-eastern Mandera were lifted on 7 July. Kenya's 47 counties have all reported COVID-19 cases, and Nairobi City and Mombasa have been hardest hit by the pandemic. As of 14 August, land borders with Somalia and the United Republic of Tanzania, which had been closed since 17 May, remained closed, except for cargo, due to high infection rates in border areas. Cargo drivers may only enter Kenya if they test negative for COVID-19 (UNOCHA 2020c).

Kenya's 2020 GDP growth forecast pre COVID was 2.7 per cent, and has been adjusted to -3 per cent due to the pandemic (Deloitte 2020a). Drought, floods, the locust invasion and the economic impact of restrictions to curtail the spread of the virus have exacerbated humanitarian needs. The urban poor, who largely live in crowed informal settlements with insufficient access to water and sanitation, as well as migrants, refugees, asylum-seekers and people living with HIV constitute some of the groups most vulnerable to contracting COVID-19. Poor and marginalized communities are most vulnerable to the health and economic impacts of the pandemic (United Nations 2020a).

Somalia identified its first COVID-19 infection on 16 March 2020. COVID-19 containment measures have included:

▶ the suspension of passenger flights on 18 March;

▶ closure of land borders with Ethiopia and Kenya;

▶ a ban on public gathering;

▶ the closure of schools;

▶ a nighttime curfew in Mogadishu; and

▶ self-quarantine for travellers (UNOCHA 2020d).

Somalia resumed domestic flights on 5 July and international passenger flights on 3 August. Passengers need to present a COVID-19-negative certificate upon entering Somalia, which should not be older than three days (Khalif 2020).

Somalia's acute humanitarian needs, as well as its weak health system, which faces a substantial shortfall in surveillance, testing and PPE, render it especially vulnerable to the pandemic (UNOCHA 2020d). Somalia has 2.6 million internally displaced persons (IDPs) who live in over 2,000 cramped sites and who lack sufficient healthcare, water and sanitation. These IDPs are highly susceptible to contracting the virus, as are the urban poor and the elderly. These challenges are compounded by a desert locust upsurge and seasonal floods that impact food security and livelihoods. Consequently, the Government of Somalia expects an 11 per cent decline in nominal GDP in 2020 (United Nations 2020b).

South Sudan identified its first COVID-19 infection on 5 April 2020 (UNOCHA 2020e). Containment measures were introduced on 13 March, and included:

▶ the closure of schools universities, restaurants, markets and bars;

▶ encouraging teleworking;

▶ limiting public transport to half its carrying capacity;

▶ prohibiting public and religious gatherings;

▶ a nighttime curfew;

▶ the closure of land borders (apart from for cargo); and

▶ the closure of the international airport on 24 March 2020 (Garda World 2020c; United States 2020).

A presidential directive introduced the easing of containment measures on 7 May with restaurants and shops reopening and flights resuming (Garda World 2020d). Arriving passengers are required to present a COVID-19-free medical certificate and to self-quarantine for 14 days (UNOCHA 2020e).

South Sudan faces the pandemic in an already fragile humanitarian context after years of conflict. About 6 million people are food insecure, 7.5 million people need humanitarian assistance, the majority of the population lacks access to health services, and basic services are very limited (UNOCHA 2020e). The shortfall in water supply and hygiene and sanitation services, as well as the challenge of preserving humanitarian supply chains, impede efforts to contain the spread of the virus, to which South Sudan's 1.6 million IDPs are especially vulnerable (IOM 2020a). Furthermore, the economy has been knocked by the significant fall in the international oil price, which is the country's economic lifeline (IMF n.d.). Consequently, South Sudan's economy could contract by up to 3.6 per cent in 2020 (AfDB 2020).

Sudan identified its first COVID-19 infection on 13 March 2020; all 18 states have been affected, and the capital, Khartoum, accounts for 70 per cent of all reported cases (UNOCHA 2020e). Lockdown measures have included:

▶ the closure of markets, restaurants and government services;

▶ the closure of Khartoum airport, land borders, as well as the borders of states in the Darfur region;

▶ prohibiting movement into and out of Khartoum; and

▶ a nighttime curfew (UNOCHA 2020e; Al Jazeera 2020b).

Khartoum State started easing restrictions on 7 July, with government agencies returning to work on 12 July and Khartoum airport starting to reopen on 20 July (UNOCHA 2020e).

Sudan's fragile health system lacks critical medical supplies and personnel, which is compounded by its economic crisis and the disruption of supply chains. Maternal clinics have closed and there is a shortfall in vital medical services. The lack of adequate water supplies and hygiene and sanitation services hinder the fight against the spread of the virus. The urban population that lives in slums, as well as the almost 2 million IDPs and 1.1 million refugees, are especially at risk of COVID-19 and have surging humanitarian needs. Income and livelihoods have been affected by the lockdown measures, and remittances have declined due to the pandemic, which have occurred in the context of rising inflation and costs of basic necessities. More than 9.6 million people in Sudan face severe hunger (UNOCHA 2020e). At the same time, Sudan has been hit by one of its worst floods on record, which by mid-September had led to more than 100 fatalities and more than half a million people being displaced (Salih 2020). Real GDP growth could contract by up to 8.9 per cent in 2020 (AfDB 2020, 1010).

Uganda identified its first COVID-19 infection on 21 March 2020, and imposed one of Africa's strictest lockdowns on 31 March 2020, which included banning public and private vehicle movements; closing all non-essential businesses, educational institutions, and borders (apart from for cargo); and suspending international passenger flights (UNOCHA 2020g; Reuters 2020; Anguyo and Storer 2020). Uganda's COVID-19-related measures have potentially been quite effective, with its first COVID-19-related fatality only recorded on 23 July (UNOCHA 2020g). On the other hand, it is impossible to know the true number of people that have succumbed to the virus, as deaths are often unrecorded in Uganda and the cause of death not identified (Akello and Hopwood 2020). While Uganda's health sector lacks the necessary human, material and financial capacities to effectively respond to the pandemic, it is regarded as a regional leader in outbreak preparedness and response (World Bank 2020).

However, the lockdown measures have come at a high economic cost, with all sectors of the economy affected (AfDB 2020, 106). Workers in the informal sector, who typically lead a hand-to-mouth existence, have paid the highest price, as many were left without any income, which their extended families depend on. African countries do not have the capacity to roll out the income support and economic stimulus packages that developed countries have unlocked in response to the pandemic (Associated Press 2020a). Uganda's 2020 GDP growth forecast pre-COVID was 5.2 per cent, and has been adjusted to 3.5 per cent due to the pandemic (Deloitte 2020a).

chapter 4

Regional responses by IGAD, the East African Community and the African Union to the pandemic

▶ 4.1. IGAD initiatives

On 30 March the IGAD Heads of State and Government convened an extraordinary summit via video conference and adopted a Regional Approach to Combating COVID-19. They, inter alia, resolved to:

▶ develop a regional response strategy to COVID-19;

▶ set up an IGAD Emergency Fund for the control and prevention of pandemic diseases; and

▶ garner support from the international community to fight COVID-19 (IGAD 2020a).

The IGAD Regional Response Strategy for the COVID-19 Pandemic that was subsequently developed aims to achieve a coordinated response to COVID-19 across the region, and to prevent its potential devastating impact on health and livelihoods (IGAD 2020b). The Strategy points out challenges that make the region vulnerable to the impact of COVID-19, including:

▶ malnutrition in many Member States;

▶ large numbers of displaced populations (the region hosts more than 8 million IDPs and 4 million refugees) and migrants who live in high-risk settings; and

▶ health systems weakened by protracted conflict, which may lead to high numbers of undetected COVID-19 cases.

The Strategy also highlights the strain that COVID-19 could place on health systems, causing other infectious diseases to be left untreated and rise, such as cholera and measles. Moreover, the socio-economic impact of the virus could undermine security in the region. The Strategy is guided by the principle that "no country is safe until every country is safe". Its strategic objectives are to:

▶ support Member States to suppress the virus and curtail its impact on health systems; bolster testing capacity;

▶ train front-line health workers on surveillance and reinforce case detection and contact management; and

▶ foster relevant information and data sharing (IGAD 2020b, 2).

Actions undertaken by IGAD to implement its Regional Response Strategy for the COVID-19 Pandemic include establishing the IGAD Emergency Fund for the control and prevention of pandemic diseases, which has received a donation from the Government of Kenya (IGAD 2020c), and launching the IGAD COVID-19 Tracker. The COVID-19 Tracker has a dedicated webpage [9] on the IGAD website and provides daily updates on confirmed cases, recovered cases and fatalities in the region, on the basis of information received from IGAD Member States' health ministries and the WHO.

IGAD has secured €60 million from the European Union to implement the Strategy, and has also received support from the World Bank, the African Development Bank and Sweden for rolling it out (IGAD 2020c). The European Union's support programme is being implemented by the:

▶ United Nations Office for Project Services

▶ United Nations Children's Fund (UNICEF)

▶ GIZ (German Corporation for International Cooperation)

▶ International Organization for Migration (IOM) and

▶ Trade Mark East Africa (TMEA).

The beneficiaries are the IGAD Member States. The actions of the support programme comprise:

▶ support for setting up an IGAD Emergency Coordination Unit and Rapid Regional Response Team;

▶ socio-economic support and access to healthcare for vulnerable groups;

▶ the provision of medical supplies, including 3.5 million surgical masks, 24 ambulances, 8 mobile labs and 70,000 test kits;

▶ facilitating trade and essential supplies through the creation of safe trade zones and assisting the logistics sector in fulfilling hygiene and rapid inspection requirements; and

▶ supporting digital solutions to track and monitor the pandemic (European Commission 2020).

The pandemic comes at a time when the region faces a potential food security crisis, resulting from a desert locust invasion, which has a devastating impact on the planting season and agricultural production; floods which have affected 2.5 million people; and continuing conflict and insecurity (IGAD 2020e; IGAD 2020f). 28 million people in the region were food insecure before the pandemic, and this figure may rise to 50.6 million people (about 20% of the population) by the end of 2020 (IGAD 2020f). In response to these various challenges, IGAD launched the IGAD Food Security and Nutrition Response Strategy, In the Context of COVID-19, Desert Locust Invasion, and Floods, on 4 August 2020. This Strategy calls on Member States and partners to implement a series of short-term interventions to deal with this looming crisis, including humanitarian and livelihood assistance for vulnerable populations; facilitating regional trade; enhancing protection mechanisms for pastoralists; activating the IGAD Disaster Response Fund; and launching a regional emergencies operations centre (IGAD 2020f).

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9   The webpage is available at: https://igad.int/coronavirus/igad-covid-19-tracker, accessed 14 August 2020.

4.1.1. IGAD's migration-focused responses

On 26–27 August, IGAD convened a Regional Experts Meeting on the Impact of COVID-19 on the People on the Move. The meeting was held with IGAD Member States and partners, and was followed by a ministerial meeting on 2 September 2020. The resulting ministerial statement expressed a commitment to various measures to enhance the protection of people on the move, including:

Promot[ing] inclusive public health and socio-economic response and recovery strategies that integrate the protection of and assistance needs for people on the move; … Promot[ing] equal and non-discriminatory treatment of all persons in line with international human rights principles and international law, irrespective of their immigration and citizenship status or the fact of their displacement (IGAD 2020g, 2).

▶ 4.2. East African Community initiatives

On 27 February 2020, the EAC Secretariat issued an alert recommending to EAC Partner States that they enhance disease surveillance and control measures at international airports and points of entry to counter the spread of COVID-19 (Medinilla, Byiers, and Apiko 2020). In April 2020, the Secretariat issued the EAC COVID-19 Response Plan, the key interventions of which include:

▶ awareness raising on COVID-19;

▶ procuring medical supplies;

▶ bolstering COVID-19 surveillance and reporting at key border points;

▶ regional coordination to facilitate the movement of goods and services; and

▶ mitigating the impact of the pandemic on essential economic and social sectors in the region (EAC 2020a).

The EAC Administrative Guidelines to facilitate Movement of Goods and Services during the COVID-19 Pandemic were issued in April 2020 to, inter alia, ensure the continuous movement of goods and services and to bolster local production of vital goods (EAC 2020b).

An EAC Ad-hoc Regional Coordination Committee on COVID-19 Response has been set up at the EAC Secretariat. The Committee coordinates and monitors regional actions on COVID-19, and is linked to national task forces in the Partner States. Other EAC initiatives include the development of a COVID-19 Recovery Plan focused on medium-term interventions (two to three years) to facilitate the recovery of key economic and social sectors in the region, and to facilitate trade and investment (Osoro 2020).

Moreover, the EAC Partner States, as well as a two IGAD Member States that are not part of the EAC, namely Djibouti and Ethiopia, benefit from the US$20 million TMEA Safe Trade Emergency Facility, which is funded by Canada, Denmark, the European Union, Finland, the Netherlands and the United Kingdom of Great Britain and Northern Ireland. Support from the TMEA Safe Trade Emergency Facility includes measures to enhance food security and access to vital medicines, and to avert job and income losses. Moreover, it aims to facilitate trade by boosting the safety of ports, borders and critical supply chains through a number of measures, including:

▶ rapid COVID-19 tests at ports, airports, and borders;

▶ ensuring quarantine facilities and health offices are available at crucial borders;

▶ setting up joint border committees to ensure effective implementation of COVID-19 regulations; and

▶ uniform safety and hygiene protocols (TMEA 2020).

These measures are especially important to ensure economic activity, the flow of goods and maintaining supply chains, while protecting public health.

Truck drivers have been perceived as super spreaders of COVID-19 in the EAC region. During the pandemic, long queues of truck drivers piled up at borders, as EAC countries have struggled to agree on procedures to allow for the movement of trucks, and where COVID-19-positive truck drivers should be treated (East African 2020; EAC 2020c). Kenya, Rwanda, South Sudan and Uganda mapped out a plan to test and certify truck drivers for COVID-19 at points of origin before departure, while they would also be subjected to routine tests every two weeks (Africa Times 2020). The EAC Administrative Guidelines to Facilitate Movement of Goods and Services During the COVID-19 Pandemic directs Partner States to test truck drivers and crew at border points and to carry out mobile monitoring at transit and specified inland points. The Administrative Guidelines also call for the treatment of COVID-19-positive truck drivers in host Partner States, rather than deporting them to be treated in their country of origin, which risks spreading the virus further (EAC 2020b).

To prevent the spread of COVID-19 while facilitating the movement of goods, the TMEA Safe Trade Emergency Facility is supporting the development and implementation of a Regional Electronic Cargo and Drivers Tracking System that will be hosted at the EAC Secretariat. The system was launched at various border points in August 2020 (TMEA 2020; Karuhanga 2020). Mandatory COVID-19 tests will be taken by all truck drivers and crews at accredited testing facilities in each Partner State. These testing facilities will upload the test results onto the system, where it can be accessed only by authorized authorities, to know the COVID-19 status of the drivers and crew. Digital COVID-19 health certificates will be issued on the basis of standards and protocols agreed by the Partner States, to avoid the forgery that may occur with the issuing of manual certificates. Drivers and crews will also be tested upon their return, and the results shared electronically with the relevant authorities (Karuhanga 2020).

▶ 4.3. African Union initiatives

The African Union's specialized technical institution, the Africa Centres for Disease Control (Africa CDC), established the Africa Taskforce for Novel Coronavirus (AFTCOR) on 3 February 2020 to aid preparedness and response efforts. On 5 March 2020, the African Union released the Africa Joint Continental Strategy for the COVID-19 Outbreak (Medinilla, Byiers, and Apiko 2020). The objectives of the Strategy are to coordinate the efforts of Member States, African Union agencies, the WHO and partners and to further evidence-based public health practice on surveillance, prevention, diagnosis, treatment and control of COVID-19 (African Union 2020a).

The Strategy sets out the role of AFTCOR, which focuses on six technical areas:

1. surveillance, including screening at points-of-entry;

2. infection prevention and control in healthcare facilities;

3. clinical management of serious COVID-19 cases;

4. laboratory diagnosis;

5. risk communications; and

6. supply chains and stockpiling medical commodities.

AFTCOR's objectives under the Strategy are to:

▶ promote consensus on technical and policy issues;

▶ aid coordination of data collection, analysis and sharing;

▶ inform decision-makers in Member States; and

▶ pinpoint training and capacity-building needs in Member States (African Union 2020a).

AFTCOR is led by a Steering Committee chaired by the Director of Africa CDC. The Steering Committee will review the Strategy over time, as required, to meet evolving circumstances, and will oversee various working groups that will form part of AFTCOR. The working groups consist of representatives of Member States, Africa CDC and the WHO (African Union 2020a). Moreover, Africa CDC's COVID-19-related actions include daily updates [10] on COVID-19 cases, deaths and recoveries in Africa and developing various guidelines on dealing with COVID -19, all of which are available on its website.

The African Union has also established a Continental Solidarity Anti-COVID-19 Fund, which consists of voluntary contributions from Member States and partners, and focuses on purchasing medical supplies and commodities, supporting rapid responders, and providing socio-economic assistance to vulnerable persons in Africa (Medinilla, Byiers, and Apiko 2020).

4.3.1. The African Union's migration-focused responses

The African Union Commission's Department for Social Affairs has launched a Migration and Health Programme that will map out migration and health challenges in Member States and the priorities to focus on, as well as develop guiding principles for supporting the health of migrants and refugees (African Union 2020b).

The African Union's Labour Migration Advisory Committee (LMAC) issued "Statement on the Novel Coronavirus Disease COVID-19 and the Condition of African Migrant Workers" on 14 April 2020. The statement highlights the plight of thousands of vulnerable African migrant workers who are facing numerous challenges due to COVID-19. These challenges include:

1. being stranded in countries where they work due to COVID-19-related border closures;

2. crowded and unsanitary working and living conditions that put them at risk of contracting the virus;

3. losing the daily wages on which they survive;

4. lack of social security, as many work in the informal sector; and

1. not being able to send their families remittances that may serve as an essential lifeline.

The African Union LMAC called on Member States to introduce unemployment insurance plans and to extend social security to workers in the informal economy and rural sectors, as well as to include migrants in their COVID-19 responses. They have also called on Member States to ensure that labour migration agreements provide for adequate health and safety provisions for migrant workers, as well as social protection and portability of social benefits, and other human and labour rights.

Moreover, the African Union LMAC has convened four virtual conferences in which it discussed labour migration governance in the context of COVID-19, including the conditions of migrant workers in CODs, the situation of women cross-border traders, and managing the labour migration of healthcare workers. The virtual conferences were organized with the support of the African Union Commission–ILO–IOM– Economic Commission for Africa Joint Labour Migration Programme for Africa, which works to enhance labour migration governance in Africa (African Union 2020c).

The African Institute for Remittances, a specialized technical agency of the African Union, is investigating the impact of the pandemic on remittances to African countries. The World Bank predicts that remittances to Sub-Saharan Africa will decline by 23.1 per cent in 2020 due to reduced economic activity and job losses brought on by the pandemic (KNOMAD 2020).

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10   The webpage is available at: https://africacdc.org/covid-19/, accessed 15 August 2020.

chapter 5

The impact of COVID-19 on migration and migrant workers in and from the IGAD region

5.1. The consequences of the pandemic for migration flows in and from the IGAD region

5.1.1. Border closures strand thousands of migrants and render them more vulnerable

COVID-19-related border closures have resulted in tens of thousands of migrants being stranded across Africa (Mbiyozo 2020). Many of these migrants have lost their income due to the economic impact of COVID-19 containment measures and are struggling to pay their rent and cover their cost of living, while also unable to return home. A further challenge for stranded migrants is the expiry of visas and permits, which means that they may lose their regular status and face reduced access to healthcare and social support, as well as increased stigmatization and xenophobia. They may also be detained in crowded facilities where they could be susceptible to contracting COVID-19 and face deportation, or become destitute and homeless (IOM 2020b; ILO 2020e).

Moreover, mobility restrictions have made migrants more dependent on smugglers, who are seeking new paths, which are often more perilous, to avoid border surveillance. Smugglers have increased their prices, and have also been found to abandon migrants en route when their routes are blocked by border closures (Mbiyozo 2020).

5.1.2. Migration continues in and from the IGAD regiona

Migrants in the Horn of Africa generally travel on three main migration routes from the region:

▶ the eastern route, which leads to Yemen, the Middle East and further afield;

▶ the northern route, which transits Sudan to reach Libya and moves on to Europe (the Central Mediterranean route) or which leads through Egypt to Israel (Sinai route); and

▶ the southern route, which crosses Kenya and the United Republic of Tanzania to reach South Africa (IOM 2019b).

Despite COVID-19-related border closures, migration has continued on all routes from the Horn of Africa during the pandemic. IGAD Member States point out that even while their borders were shut, the porous nature of the regions' borders enabled irregular migration to take place through unofficial border crossings, which exposed border communities to contracting COVID-19. [11] People on the move were observed to be more likely to contract the virus, as was the case with cargo truck drivers transporting goods across borders (IOM 2019b). Many of South Sudan's COVID-19 cases can be traced back to cross-border trade movements (Craze and Pendle 2020). This trend has also been identified in Kenya and Uganda. [12]

Some migratory movements were observed along the northern route during the second quarter of 2020, although exact numbers are not known (MMC 2020a). There was an increase of Central Mediterranean route arrivals in Italy during this quarter compared to the same period in 2019, from 2,253 to 3,859 according to the United Nations High Commissioner for Refugees (UNHCR). Over the period April to May, 6 per cent of arrivals in Italy were Sudanese. Information on how long these Sudanese migrants, or other migrants from the Horn of Africa, were in North Africa before travelling to Italy is not known, and it is therefore not certain whether they had travelled to North Africa subsequent to the border closures in March. However, Sudan's unofficial border crossings at Karb Eltoum with Libya and Agok with South Sudan stayed open during this period. In Libya, Tunisia and Sudan, migrants faced diminished livelihood opportunities due to COVID-19 restrictions. Libya stepped up deportations of Sudanese at its south-east border during the second quarter of 2020. Over the period January to June 2020 Libya deported 2,947 people of 13 different nationalities, including Sudanese, Somalis and Ethiopians (MMC 2020a).

Regarding the southern route, the IOM (2020c) reports that many migrants have become stranded in transit and destination countries, and could not return to places of origin due to mobility restrictions. Many were also struggling to meet their basic needs, as they had lost their source of income. Moreover, migrants faced stigma and discrimination due to fears of COVID-19 transmission. The IOM assisted with the return of 27 Ethiopian male youth migrants from Zimbabwe in July 2020. They had travelled on foot from Ethiopia and crossed Kenya, the United Republic of Tanzania and Zambia to reach Zimbabwe. They planned to travel to South Africa, but became stranded in Zimbabwe when the Beitbridge border with South Africa closed (IOM 2020d). Zimbabwe serves as a transit country to reach South Africa, and since South Africa closed its borders in response to COVID-19, smugglers have been abandoning migrants in an irregular situation in Zimbabwe, as they could not facilitate their crossing into South Africa. These migrants often end up in prison when intercepted by law enforcement agencies, where conditions could make them susceptible to contracting COVID-19, as Zimbabwe lacks sufficient quarantine facilities. Others attempt to travel home through Zimbabwe's porous border (Nyathi 2020).

Flow monitoring by the IOM Displacement Tracking Matrix indicates that the majority of migratory movements from the region follow the eastern route (IOM 2019b). Migrants crossing the Gulf of Aden by boat to reach Yemen exceeded 138,000 in 2019 (IOM 2020e). More than 90 per cent of migrants who reach Yemen on this route continue their journey towards Saudi Arabia in search of work opportunities, and more than 92 per cent of migrants using this route originate from three rural regions of Ethiopia, namely Oromia, Amhara and Tigray (Rodriguez 2020). Border closures and enhanced surveillance that form part of COVID-19 containment measures have led to thousands of

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11   Presentations by IGAD Member States at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

12   Discussions with key informants.

migrants from the IGAD region stranded across the region, as well as on the eastern migration route and further afield (MMC 2020b). In spite of border closures, migrants continued to arrive in Yemen from East Africa during the pandemic, albeit in reduced numbers, which fell from 18,904 in May 2019 to 1,195 in May 2020 (Yee and Negeri 2020). A total of 3,669 refugees and migrants arrived in Yemen over the period April to June 2020, which is 87 per cent less than the 27,948 that arrived in Yemen between January and March 2020. Ethiopians continue to constitute the majority of migrants on this route, while a small increase of Somalis was noted, who made up 6 per cent of this flow between January and March 2020, which rose to 10 per cent between April and June (MMC 2020b).

Since Djibouti's border closures in March 2020, detected movements through and from Djibouti fell sharply, with virtually no detected departures by sea from Djibouti. In May the IOM recorded a 37 per cent increase in Ethiopians arriving in Somalia, which points at a change in route to reach Yemen. There has also been a sharp decline in mixed migration from Somalia (MMC 2020b).

5.1.3. Smuggling slumps and rebounds on the eastern route

Smuggling activities on the eastern route initially declined due to border closures and enhanced security patrols along Yemen and Somalia's sea borders. By June 2020 aid agencies noted an increase in smuggling activities and associated abuses on the eastern route. Smugglers in Somalia and Yemen were reportedly seeking new routes to evade authorities and checkpoints (MMC 2020b).

▶ 5.2. Challenges faced by migrants in and from the IGAD region due to the pandemic

5.2.1. Livelihood opportunities decline, journeys are cut short and remittances fall

Migrants have felt the economic repercussions of the pandemic as the closure of borders and other COVID-19 restrictions have reduced livelihood opportunities in the IGAD region, in countries on the eastern migration route, and in other CODs (MMC 2020b). Migrant workers who have retained work opportunities may also need to work harder and longer hours due to a reduction in the number of workers. In the IGAD region one example is the estimated 400,000 Ethiopian seasonal labour migrants that annually travel to Gedaref State in Sudan to work on farms from around May to October. The closure of the border has caused many of these seasonal workers to forfeit their income. As 70 per cent of workers on these farms come from Ethiopia, farmers in Sudan have planned to reduce the area to cultivate and to harvest crops by using machines. Some Ethiopians have been irregularly entering Sudan to work on these farms, as they know farmers in Sudan and are still able to organize their travel and employment. These workers are reportedly brought over the border on motorbikes. They may face longer working hours due to the decreased work force on these farms. [13]

Traders in the region were also affected by border closures. Many Kenyans working in South Sudan import and/or sell goods locally. Since the COVID-19 crisis, the import of goods is taking longer and is more expensive, while goods are also harder to sell in South Sudan because local purchasing power has declined. Consequently, the capacity of these Kenyan traders to send home remittances has declined. Another example is Ugandan business people who import food to South Sudan. They have found it harder to source food stuffs to import, while it has also taken much longer before supplies

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13 Interview with GIZ Sudan.

are received. [14] In Kenya, migrant workers working as small-scale traders of second-hand clothes lost all business as imports of these goods ceased, and they are struggling to buy food and pay rent. [15]

Reduced livelihood opportunities may cause migrants to return home or use their limited resources to survive in places of transit, rather than to continue their journey (MMC 2020b). The Directorate of Consular Affairs of the Kenyan Ministry of Foreign Affairs recorded the return of 958 migrant workers over the period 28 March to 5 June 2020:

▶ 436 from the United Arab Emirates who were low-skilled workers;

▶ 160 from Qatar who were low skilled workers;

▶ 118 from Somalia who were teachers and hoteliers;

▶ 67 from Barbados who were seafarers;

▶ 85 from China who were mostly teachers;

▶ 40 from Burundi and 34 from the United Kingdom in various occupations; and

▶ 18 from South Sudan. [16]

Ethiopia expects 200,000 to 500,000 migrants to return by the end of 2020 (MMC 2020b). Between March and 31 July 2020, the IOM recorded spontaneous returns on the eastern migration route, including at least 858 Ethiopians from Yemen to Djibouti, 88 returns from Yemen to Somalia, and 130 returns from Somalia to Ethiopia (IOM 2020b). The Ethiopian Ministry of Labour and Social Affairs informed that large numbers of Ethiopian migrant workers who were in irregular status in IGAD Member States, and who presumably worked in the informal economy, have been returning to Ethiopia through land borders because they have lost their employment. The International Rescue Committee (2020) noted an increase in refugee returns from Ethiopia to South Sudan in April, due to the perils of COVID-19 in Ethiopia and its economic ramifications, in spite of the threat of violence these returnees may face at home.

These trends are likely to lead to a reduction in remittances, which will impact families and economies in countries of origin during this pandemic-induced economic crisis. [17] The Central Organization of Trade Unions, Kenya, highlighted that Kenyan families' ability to pay for healthcare, education and food has already been affected by reductions in remittances. Families are also psychologically affected by their breadwinners being stranded abroad, and not knowing whether they are safe and well, or when they will return. [18] Key informants in Somalia also highlighted the impact of a reduction in remittances on households in Somalia.

Moreover, the employment of migrant workers, as with national workers, has been affected by COVID-19 restrictions that limit the ability of businesses to operate and generate income. Key informants also point out that migrant workers are often the first ones to lose their jobs as economies contract. Migrant workers who have retained their jobs have also faced pay cuts and had to take unpaid leave.

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14   Interview with the Kenyan Diaspora Organization in South Sudan.

15   Interview with the Central Organization of Trade Unions, Kenya.

16   Information provided by the Ministry of Labour and Social Protection, Kenya.

17   Interviews with various key informants.

18   Interview with the Central Organization of Trade Unions, Kenya.

5.2.2. Migrant workers in the informal economy are especially vulnerable to the pandemic

Migrant workers in a regular status in the IGAD region are mostly highly skilled (ILO 2020c). They tend to have more job security, more savings to rely on, and the tools to work remotely and protect themselves from contracting COVID-19. In Ethiopia, for example, regular migrant workers generally continued to receive their salaries during the pandemic, and also had the capacity to do teleworking, which protected them from contracting the virus. [19] Moreover, highly skilled migrant workers have in numerous cases been repatriated to their home countries, as has been the case for Europeans, Egyptians and Turkish nationals who worked in mining and oil in Sudan or aid workers in Djibouti and Somalia.

Labour markets in the IGAD region are largely informal and lack contingency measures for when disaster strikes. Most workers lead a hand-to-mouth existence and do not have savings to fall back on when job opportunities dry up. As they need to work to cover their basic needs, they cannot stay home to protect themselves from contracting the virus. This is also the case for the majority of migrant workers, who work in the informal economy. [20] Moreover, migrant workers who work in the informal economy may not be able to afford PPE (such as masks) to use while they practice their profession, such as informal trading. Some migrant workers in the informal economy also struggled to make a living due to COVID-19 transmission fears. For example, the Confederation of Ethiopian Trade Unions reports that in Ethiopia, which did not have a severe lockdown, migrants working as small traders, such as tea sellers, were allowed to continue working. However, they lost business as people were afraid to buy their products, due to COVID-19 transmission fears.

5.2.3. Some migrant workers in the IGAD region develop alternate livelihoods

In some cases, migrant workers have managed to adopt alternate livelihoods. Congolese in Kenya who used to earn a living as musicians and dancers lost their employment due to COVID-19 restrictions and started working as hairdressers and hawkers. [21] Some migrant workers in the informal economy have also noted the income generating opportunities that have emerged as a result of the pandemic, and have, for example, turned to making face masks in Kenya. [22] The pandemic has created a demand for the production of PPE, which was noted by numerous key informants.

5.2.4. Some migrants have returned, while others remain stranded

Although IGAD Member States started lifting COVID-19 restrictions from May 2020, by the end of the second quarter Ethiopia's land borders remained closed, and thousands of migrants remained stranded in Djibouti, Somalia, Yemen and Saudi Arabia (MMC 2020b; IOM 2020f). This includes more than 1,000 Ethiopians stranded in Djibouti, especially in its coastal areas. When Djibouti announced its border closures, Ethiopians in Djibouti rushed back to Ethiopia without following quarantine and COVID-19 testing procedures, which caused Ethiopian authorities to enforce border controls, as they lacked sufficient quarantine facilities and feared the spread of the virus. Consequently, Ethiopians were stranded in Djibouti (MMC 2020b). While many Ethiopians have been stranded in Somalia for extended periods, some have also managed to re-enter Ethiopia (MMC 2020b). On 26 August 2020 a Somali Government official indicated that 400 Ethiopian migrants who were planning on travelling to Yemen remain stranded in Bossaso, and were being hosted by the Ethiopian community in the city. [23]

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19   Interview with GIZ Djibouti.

20   Discussions with various key informants.

21   Interview with Trace Kenya.

22   Interview with GIZ Kenya.

23   Presentation by Somalia at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

In the IGAD region, Ethiopians have also been stranded in Kenya and Sudan. [24] Djiboutians are known to migrate less than the nationals of other IGAD Member States and their population also amounts to less than 1 million (ILO 2020a). Few Djiboutians were reported to be stranded in the region – eight were reportedly stranded in Somaliland, and their return was facilitated by the Djibouti Ministry of Interior, who placed them in quarantine. [25]

IGAD Member States indicate that since flights have resumed some stranded migrants in and from the region have been able to return home. [26] On 1 August, the IOM facilitated the return of 12 Somalis from Iran in coordination with the Somali Ministry of Foreign Affairs and the Office of the Special Envoy on Migrants' and Children's Rights. They had been stranded for several months – some had been students who could no longer go to their university due to COVID-19 restrictions, while others were migrants in an irregular situation trying to reach Europe, who were intercepted and detained by authorities (IOM 2020b). At the end of June, the Government of Sudan started facilitating the return of around 15,000 stranded Sudanese in more than 22 countries – most of them in the Middle East, North Africa and Asia and requiring urgent assistance. In July, 297 stranded Sudanese were returned from India on two flights organized by the IOM (IOM 2020k).

A Ugandan official from the Ministry of Gender, Labour and Social Development remarked that while some Ugandans have returned to Uganda, others remain stranded in the region, including in Kenya, South Sudan and the United Republic of Tanzania, and that the total numbers are not known. Many of these migrants have lost their employment and are consequently experiencing hardship. He also indicated that while some Ugandans have been repatriated from Middle Eastern CODs, others remained stranded, including 3,000 Ugandans in Saudi Arabia. [27]

IGAD Member States pointed out that one of the reasons migrants continue to be stranded since the opening of borders is the requirement to have a COVID-19 negative test certificate in order to cross borders. Not all migrants can afford testing or have access to testing facilities. Some are in an irregular status which prevents them from accessing testing facilities. [28] Consequently, Uganda has waived the requirement for Ugandan migrants who are being repatriated to have a COVID-19 test. [29]

5.2.5. Migrants face stigma and discrimination due to COVID-19-related fears

Many migrants experienced stigma and discrimination due to COVID-19-related fears and the perception that migrants spread the virus. Escalating occurrences of discrimination were reported by migrants on all migration routes from East Africa, which led to their dwindling access to essential services, such as healthcare (MMC 2020b).

Fear of COVID-19 reportedly caused the Houthis militia group, which controls parts of northern Yemen, to force thousands of migrants, mostly Ethiopians, out of their territory and into the desert, where they were left without food and water. Others were pushed to the border with Saudi Arabia, where they were fired at by Saudi border guards and then detained in deplorable conditions without adequate sanitation and food, while also being beaten. In May to June 2020 around 1,500 migrants were reportedly also arrested by northern Yemeni authorities and moved to southern Yemen. Thousands of migrants found themselves stranded in Aden, where about 4,000 were living on the street and struggling to survive. By the end of the second quarter of 2020, at least 14,500 East Africans were trapped in Yemen due to COVID-19 border closures and exposed to xenophobia, arrest

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24 Interview with ILO Ethiopia.

25 Interview with IOM Djibouti.

26 Presentations by IGAD Member States at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

27 Presentation by Ugandan Ministry of Gender, Labour and Social Development official at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

28 Presentations by IGAD Member States at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

29 Presentations by Ministry of Internal Affairs, Uganda, at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

and detention. They face COVID-19-related stigma and discrimination from local communities, are often refused medical care, and their movement is restricted by checkpoints around key cities (Yee and Negeri 2020).

5.2.6. Repatriation activities decreased in the short term

COVID-19 led to greatly reduced repatriation activities. The IOM's Assisted Voluntary Return and Reintegration (AVRR) programme was suspended, as was voluntary repatriation for Somali refugees from Kenya. The suspension of AVRR from Yemen left hundreds of Somalis and Ethiopians in packed detention facilities, where the virus could also spread (MMC 2020b).

5.2.7. Support for asylum-seekers and refugees shrinks, while their needs increase

Access to asylum procedures diminished in East Africa over the second quarter of 2020, as have durable solutions for refugees since the start of the pandemic (MMC 2020b). [30] The UNHCR has highlighted escalating incidences of sexual and gender-based violence, child abandonment, mental health and psycho-social needs, as well as attempted suicides, among its populations of concern in the IGAD region. Moreover, COVID-19 restrictions had hampered the humanitarian community's capacity to respond to exacerbated humanitarian needs across the region. In addition, the protection of people on the move cannot be monitored as movement in the region continues through unofficial border crossing points. Returns are also taking place through unofficial border crossing points and thus the number of returns is not known. [31]

On 26 August 2020 the World Food Programme (WFP) warned that it had already reduced food or cash transfers by up to 30 per cent for more than 2.7 million refugees in Djibouti, Ethiopia, Kenya and Uganda due to a shortfall in funding brought on by the impact of COVID-19, and that it may need to reduce support further if funding gaps persist. This will lead to severe hunger and malnutrition among these refugees, weaken their immune systems and make them more vulnerable to COVID-19. Refugees often live in crowded conditions with insufficient shelter, insufficient health services and a lack of clean water and sanitation, which make them particularly susceptible to the spread of the virus. COVID-19 containment measures and the economic impact of the pandemic have deprived refugees of the limited income opportunities they had, and their need for support has therefore increased. The WFP cautioned that slashing support further could cause refugees to move within host communities or across borders as they search for means to meet their basic needs, which could have implications for spreading the virus further (WFP 2020).

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30   In addition to the source already cited, this issue was cited during a UNHCR presentation at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

31   UNHCR presentation at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

▶ 5.3. The consequences of the pandemic for labour migration to the Middle East

5.3.1. Regular labour migration ceases and private employment agencies lose business

Due to the pandemic and the closure of borders private employment agencies (PEAs) lost all their business and could no longer deploy migrant workers. The Ugandan Association for External Recruitment Agencies (UAERA) remarked that, in Uganda, PEA offices are closed and they are facing financial difficulty, as they still need to pay rent and are unable to service loans. Around 2,000 prospective Ugandan migrant workers whose deployment had been paid for could not be deployed.

The UAERA informed that Ugandan migrant workers who were on their way to CODs and had reached Dubai and Cairo when borders were still open, were turned back at the start of the pandemic. Further, according to the UAERA, 500 migrant workers that had not completed their probation period by the time the pandemic struck were returned to Uganda.

The Association of Skilled Migrant Agencies of Kenya (ASMAK) indicated that numerous Kenyan migrant workers are waiting to be deployed – their employment offers were put on hold when the COVID-19 crisis hit, but were not cancelled. They include technicians, such as welders and carpenters, who will be deployed to Qatar and labourers who will be deployed to the US military base in Qatar. Prospective migrant workers who were not deployed are experiencing hardship in Kenya, as they are without jobs and struggling to meet their daily needs and support their families. [32]

5.3.2. Migrant workers in the Middle East experience hardship and exploitation

Middle Eastern countries are key destinations for migrant workers from the IGAD region, especially for nationals of Ethiopia, Kenya, Uganda, Somalia and Sudan. Since the start of the pandemic, migrant workers from the IGAD region residing in these CODs, in both regular and irregular situations, have reported:

▶ reduced wages or the non-payment of salaries;

▶ reduced working hours due to the economic impact of COVID-19

▶ loss of employment, including arbitrary dismissal; and

▶ being destitute and living on the street. [33]

Domestic migrant workers also faced greatly increased workloads, due to all family members remaining at home during lockdowns. Migrant workers have also been isolated by lockdowns, as they have been confined to their homes. The lockdowns also fell during Ramadan, which further increased the workload of domestic migrant workers. Some have also become carers of COVID-19-positive cases who are members of the families they work for. [34]

Lebanon has been battling an economic meltdown, which was compounded by the impact of COVID-19. Lebanese employers stopped paying their live-in migrant domestic staff or reduced their salaries, and reports of abuse increased during the lockdown (Khodr 2020; HRW 2020a). Domestic work by migrants in Lebanon, as in numerous Gulf States, is governed by the kafala system and excluded

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32 Interview with ASMAK.

33 Interviews with key informants, including ASMAK, UAERA and ILO Ethiopia.

34 Interviews with various key informants.

from Lebanese labour law. Under the kafala system, these migrant workers' legal residency depends on their contract with their employer. If they lose their employment, even after suffering abuse at the hands of their employers, they fall into an irregular situation and can face detention or deportation (Amnesty International 2020a). Since May, hundreds of migrant workers have been left destitute outside embassies and consulates, frequently penniless and without their possessions or passports (HRW 2020a). Lebanon has an estimated 250,000 migrant workers, around 150,000 of whom are Ethiopians with Kenyans also constitute a large share. Both nationalities primarily work as migrant domestic workers in Lebanon, and both have been heavily affected by the economic crisis in the country (MMC 2020b; Al Jazeera 2020c; interviews with key informants).

The Central Organization of Trade Unions, Kenya, highlighted that Kenyan migrant workers in the Middle East are now more vulnerable to exploitation, such as forced labour and unpaid wages, as they cannot return home and are at the mercy of their employers. Some migrant workers are working without contracts, as their contracts have expired; while others are not getting paid but are being given food and a place to sleep. Kenyan migrant workers in Saudi Arabia, Kuwait and Lebanon are facing some of the worst conditions, with non-payment of wages and excessive working hours being most widely reported by workers in these countries.

In Saudi Arabia and Kuwait, Ethiopian migrants reportedly faced challenges getting paid, even before the pandemic. [35] Other forms of exploitation that existed before the pandemic continue to be reported, but have not necessarily increased, such as domestic migrant workers receiving inadequate food; being taken to other houses to work extra hours; and being subject to abuse. [36] In Cairo, Sudanese migrant workers have resorted to living on the street after losing their jobs and accommodation. [37]

The UAERA reported that in the United Arab Emirates and Qatar numerous Ugandan cleaners have lost their jobs. Migrant workers working on building sites and as taxi drivers also lost their employment. Some migrant workers reportedly left their employers due to increased workloads or not getting paid. Other Ugandan migrant workers whose contracts expired during the pandemic were compelled to sign new contracts that offer them less protection. Normally, Ugandan migrant workers whose contracts are facilitated by PEAs sign four-party contracts. These contracts require that, in addition to the employer and the migrant worker, the PEA in Uganda that facilitated the deployment of the migrant worker and the PEA in the country of destination that found the employment opportunity must sign the contract. The UAERA indicated that it advised migrant workers against signing new contracts that would only be between them and their employer, as these contracts could potentially result in migrant workers being more vulnerable to exploitation. [38]

Somali migrant workers travel abroad without the assistance of PEAs, and Somalia does not have any active bilateral labour agreements (BLAs). According to a representative from Somalia's Ministry of Foreign Affairs, irregular labour migration takes place to Saudi Arabia and the United Arab Emirates. Somali business persons in Qatar used to facilitate the labour migration of Somalis to the United Arab Emirates, but that has stopped since the pandemic broke out. Some Somalis have obtained Ethiopian passports, which they used to travel to Saudi Arabia. The pandemic has led to job losses for Somali migrant workers in CODs, and they have faced hardship, as there is no social safety net or social security to support them (or other migrants) in these countries. Somali migrant workers have also been deported from Saudi Arabia in poor conditions. Somalia's Ministry of Foreign Affairs estimates that there are more than 150,000 undocumented Somali migrant workers in Saudi Arabia who have overstayed their visas, and they will be arrested when they try to leave Saudi Arabia. The Federal Government of Somalia has been trying to facilitate their return home. [39]

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35 Interview with ILO Ethiopia.

36 Interview with ASMAK.

37 Interview with ILO Sudan.

38 Interview with the UAERA.

39 Interview with the Ministry of Foreign Affairs, Somalia.

5.3.3. Migrant workers who migrated without the use of private employment agencies may be more vulnerable

According to ASMAK, many Kenyan migrant workers travel to the United Arab Emirates without the assistance of PEAs. They are especially vulnerable to the economic impact of the pandemic, as they often have no one to turn to for help. These migrant workers travel to the United Arab Emirates on visitors' visas and upon arrival try to find work in hotels or as security guards. Some obtain work permits, while others fall into an irregular situation when their visitors' visas expire. Since the start of the COVID-19 crisis, many of these migrant workers in the United Arab Emirates have become destitute, as they have lost their jobs and have no food or place to stay. They have reportedly faced exploitation, as they are desperate to survive.

Bahrain also hosts Kenyan migrant workers who have been deployed there without the assistance of PEAs, as Kenya does not have a BLA with Bahrain. Kenyan migrant workers who have lost their employment and became stranded in Bahrain have asked the Kenyan Government for assistance to return home.

5.3.4. Returnees come home empty-handed

Discussions with key informants suggest that many returnees are returning to their countries of origin without resources. According to the NGO WISE (Organization for Women in Self-Employment) numerous Ethiopian returnees arrive in Ethiopia empty-handed, and this has been especially true since the start of the pandemic. Some employers in the Gulf have kept these migrant workers' salaries, as they had not completed their contracts and the employers only pay them annually. Many were also in an irregular status abroad and vulnerable to exploitation. They may have arrived irregularly in the COD, or become irregular when they left their employer, if their legal status was tied to their employment contract. Some migrant workers are convinced by brokers in CODs to leave their employer for another to obtain better wages, while others may leave their employment because they are dissatisfied with their working conditions. [40] ASMAK stated that this is also the case for Kenyan migrant workers in Saudi Arabia.

5.3.5. Returnees require extensive support to reintegrate into weakened labour markets

A Ugandan official from the Ministry of Gender, Labour and Social Development noted that returns pose challenges to Uganda, as migrants are returning to an economy in distress that cannot offer them many opportunities and remittances have notably declined. [41] WISE emphasized that Ethiopian returnees will require extensive support to reintegrate. They often require psychosocial support due to the experiences they have been exposed to abroad, and they may also face hostility from local communities who perceive them as having failed if they return impoverished. Some returnees are also testing positive for COVID-19 and require medical support. Their reintegration into the labour market will be especially challenging, as the economy is weighed down by the pandemic. This view was voiced by numerous key informants. Moreover, many returnees borrowed money to migrate, and because of their early return they cannot pay their loans and interest is piling up, placing them in further difficulties. [42]

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40 Interview with WISE.

41 Presentation by Somalia at the IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020.

42 Interview with Verité.

▶ 5.4. The future trajectory of labour migration from the IGAD region to the Middle East

Despite concerns over exploitation and the repercussions of the pandemic, labour migration opportunities remain sought after. ASMAK reports that most Kenyan migrant workers want to remain in CODs, due to the few working opportunities at home. WISE stated that most Ethiopian returnees want to remigrate and feel shame for having returned, as their families have sold assets such as cows and property to fund their journey. Many key informants also affirmed the desire of migrant workers to remain in CODs or to remigrate, due to a lack of income opportunities at home.

Labour migration is expected to increase when borders open, so long as there are sufficient work opportunities in CODs. CODs have been economically affected by the pandemic and, in many cases, by the fall in the price of oil, which is a key contributor to their economies. The UAERA and ASMAK expect PEAs to recommence deploying migrant workers once CODs re-open their borders. Both organizations predict an increase in persons wishing to migrate for work through PEAs in future, due to the lack of jobs in countries of origin. ASMAK expects deployment to become more expensive, as there will be new requirements to be followed, such as COVID-19 tests to be taken by prospective migrant workers. Verité, a CSO, foresees the vulnerabilities of migrant workers increasing and their desperation leading to greater exploitation. It expects more migrant workers to travel on tourist visas when borders open. Verité and numerous key informants expressed that they expect a race to the bottom in terms of labour conditions and wages in CODs once labour migration restarts.

chapter 6

Analytical framework analysis of COVID-19-related responses to migrant workers in the IGAD region and Middle Eastern countries of destination

This chapter presents an analysis of COVID-19-related responses relevant to migrant workers in the IGAD region and Middle Eastern CODs as viewed through the lens of the analytical framework developed for this report. As noted in Chapter 2 above, the analytical framework is structured around eight thematic areas that cover key aspects of migrant worker protection. These eight areas are:

1. Migrant workers enjoy safe and secure working conditions, access to healthcare and protection from exploitation.

2. Migrant workers enjoy access to justice and the protection of the law.

3. The integration of migrant workers is promoted and xenophobia countered.

4. Affected migrant workers in destination countries retain access to the labour market and are given socio-economic assistance.

5. Migrant workers have access to accurate and reliable information on their rights and opportunities, and on the pandemic and its implications.

6. Migrant workers enjoy social security coverage and portability of social security benefits.

7. Migrant workers return to their country of origin with the full payment of outstanding wages and benefits, and through safe and orderly migration.

8. Returning migrant workers receive support for their socio-economic reintegration.

Each of these eight thematic areas are addressed below, and the full analytical framework with all its guidelines can be found in Annex I.

6.1. Migrant workers enjoy safe and secure working conditions, access to healthcare and protection from exploitation

6.1.1. COVID-19 workplace prevention measures have been introduced in IGAD Member States, but enforcement falls short

Ethiopia's Ministry of Labour and Social Affairs issued the COVID-19 Workplace Response Protocol in March 2020, which, inter alia, instructs employers to provide COVID-19 safety information to workers in a language or medium they understand; provide water and sanitation facilities, as well as protective masks for the workplace and training on how to use them; and to conduct meetings through virtual communication means as far as possible. Djibouti issued a national decree on measures to protect against the spread of COVID, such as teleworking, social distancing and regular handwashing [43], as well as a decree on the partial opening of businesses once COVID-19 restrictions were eased [44]. The decree contains general rules, such as mask wearing to be followed by all, and specific rules for different types of businesses, such as the regular disinfection of vehicles used for transport. South Sudan's Ministry of Labour issued Circular No. 1/2020 to employers in NGOs and the private sector, which, inter alia, advised social distancing in the workplace; called on them not to terminate the contracts of employees due to the pandemic; and to provide non-essential staff with paid leave that should not be subtracted from annual leave. The Sudanese Ministry of Labour and Social Development's COVID-19 prevention guidelines include guidelines on returning to work, which among other things, instruct employers to provide adequate natural ventilation at the workplace and to provide PPE, such as face masks and single-use gloves, to employees. However, the lack of adequately resourced labour inspection across the region remains a challenge, and therefore, so does the enforcement of COVID-19 prevention measures in the workplace.

6.1.2. Various actors step in to provide safer working conditions for healthcare workers in IGAD

Most IGAD Member States experienced a shortfall of PPE for healthcare workers. Numerous actors have stepped in to fill these gaps, including aid agencies, the private sector and the diaspora. Some examples include:

▶ By mid-July 2020, UNICEF had provided South Sudan with supplies worth US$5 million to help contain the spread of the virus, which included PPE for frontline health workers and water, sanitation and hygiene products for health facilities (UNICEF 2020).

▶ In June 2020, Nestlé donated PPE worth 346,857 Ethiopian birr to the Ethiopian Ministry of Health to be used to protect healthcare workers and physicians in two COVID-19 treatment centres in Ethiopia (Nestlé 2020).

▶ The Somalia Diaspora in Finland donated medical supplies to fight COVID-19 in Somalia, including PPE for health facilities. The shipment of these supplies was facilitated with the support of the IOM.

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43 Interview with the Ministry of Labour and Social Affairs, Djibouti.

44 Décret N° 2020-080/PR/PM portant levée partielle des mesures exceptionnelles de prévention contre la propagation du COVID-19 (Decree Concerning the Partial Lifting of Exceptional Preventative Measures Against the Spread of COVID-19).

Moreover, Kenya is providing COVID-19 risk allowances of 5,000–20,000 Kenyan shillings to workers in the medical sector, ranging from doctors to cleaning staff (Kajilwa,2020). This would presumably also apply to regular migrant workers in the medical sector, as they have the same rights as Kenyan workers under Kenyan labour law (ILO 2020b).

6.1.3. COVID-19 testing and healthcare are free of charge for migrant workers in some IGAD Member States and many key countries of destination

In some IGAD Member States COVID-19 testing and healthcare is free or partially funded for migrant workers. Djibouti's Ministry of Labour and Social Affairs indicated that in Djibouti City all migrants have access to free COVID-19 testing and healthcare, and that this is also the case in the quarantine centre that has been set up in the southern part of the country. In Ethiopia, communities that experience outbreaks would be tested for free. Migrant workers who cannot finance their own healthcare receive free COVID-19 treatment in government hospitals and quarantine centres. [45] In Kenya and Uganda, migrants can receive free COVID-19 testing through mass testing campaigns that these governments implement in certain areas, and also benefit from free government quarantine centres, if they don't have the means to self-quarantine. [46] In Sudan and South Sudan, migrants also have access to free COVID-19 testing and healthcare, although capacities are limited. [47]

Regarding CODs, Saudi Arabia stands out as an example of good practice as it provides free COVID-19 healthcare for citizens and migrants alike, regardless of their migration status (Saudi Gazette 2020). The Lebanese Government has promised free COVID-19 testing for all. While migrant workers in an irregular situation are also covered under this pledge, problems have arisen for those who are unable to provide any identity documentation in hospitals (ILO 2020i). Qatar provides free COVID-19 testing and treatment for migrant workers, as well as quarantine services (Cafiero, Sudetic and Marchl 2020; ILO and ISSA 2020). Kuwait provides free healthcare during the pandemic for citizens and residents alike (Ashour 2020). Bahrain has offered mass screening, free testing and treatment for migrant workers (Heidi News 2020). Oman announced free COVID-19 testing and treatment for everyone, including foreigners in April (Raj 2020). The ILO and the International Social Security Association, however, point out that migrants in an irregular situation may not seek medical care out of fear of deportation. They may also not be able to access medical care if they need to pay for services (ILO and ISSA 2020).

6.1.4. IGAD Member States have laws and policies to protect migrant workers from forced labour and exploitation, but implementation should be bolstered

In terms of protecting migrant workers from forced labour and exploitation, all IGAD Member States forbid forced labour, as stipulated in their constitutions and/or labour laws, and for some, in their anti-trafficking laws. Djibouti, Ethiopia, Kenya, Sudan and Uganda have anti-trafficking laws in place that should, in principle, help to protect migrant workers in these countries from exploitation and trafficking, while South Sudan and Somalia are yet to develop such laws (ILO 2020c). However, the enforcement of these laws should be further strengthened.

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45 Interview with the Ministry of Labour and Social Affairs, Ethiopia.

46 Interview with GIZ Uganda.

47 The Sudan's presentation at IGAD Regional Expert Meeting on the Impact of COVID-19 on the People on the Move, 26 August 2020, and interview with the IGAD Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism.

6.1.5. The kafala system renders migrant workers vulnerable to exploitation, but some steps are being taken to dismantle it

While CODs have made amendments to the kafala system in recent years, Gulf States, Jordan and Lebanon still regulate the employment of migrant workers through some version of the kafala system, which renders migrant workers vulnerable to exploitation and abuse. Migrant workers require the consent of their employers in order to leave or change their employer (Karaspan 2020).

In September 2020, the Lebanese Government took steps to dismantle aspects of the kafala system by introducing a new standard unified employment contract for domestic migrant workers in the country, which, inter alia, stipulates that they should not pay recruitment fees or related costs and forbids employers from withholding wages or confiscating passports and personal documents. The standard contract also enables both parties to the contract to terminate it with one month's notice or without notice in the event of violations to the contract (ILO 2020j).

Qatar introduced new labour laws in August 2020 that effectively did away with the kafala system, and would allow migrant workers to switch jobs before their contract ended and without requiring permission from their current employers (Associated Press 2020b). The adoption of Law No. 18 of 2020 also clarifies the conditions for termination of employment and changing jobs. A worker who has worked for an employer for up to two years needs to provide at least one month's written notice to their employer. Two months written notice is required if the worker has worked for the employer for more than two years. The Law also introduced a non-discriminatory minimum monthly wage of 1,000 Qatari riyals (US$275) for workers, which would take six months to come into effect after it is published in the country's official gazette. In addition, workers would need to be provided with housing and food allowances, if these costs are not paid by employers. This change will help to ensure decent living standards for migrant workers (ILO 2020k). Amnesty International (2020b) has pointed out, however, that employers could still file criminal charges against employees who left their jobs without permission, and that this aspect still needs to be removed from the legal framework to protect migrant workers' rights.

6.1.6. Migrant workers, including migrant domestic workers, many of whom work and live in crowded and unsanitary conditions, are particularly vulnerable to COVID-19 in countries of destination

Most COVID-19 cases in the Gulf are among migrants (Karaspan 2020). In considering this statistic, however, one must take into account the high proportion of migrant workers compared to the population of nationals in these countries. Migrants constitute the majority of the population in Bahrain and Kuwait, and nearly 90 per cent of the population in Qatar and the United Arab Emirates (Asi 2020). In the United Arab Emirates and Qatar more than 90 per cent of private sector workers are migrants, and more than 80 per cent of private sector workers in Saudi Arabia and Kuwait are migrants (Karaspan 2020). However, many migrant workers in the Gulf States also live in crowded accommodation, without access to sufficient clean water, sanitation and the possibility to practice social distancing to protect themselves from contracting COVID-19. Consequently, migrant workers in the GCC States became some of the most vulnerable communities during the pandemic (Asi 2020).

Qatar shut down the Doha Industrial zone, which was one of the main clusters of its COVID-19 outbreak, and forbade migrant workers from leaving it, rendering them vulnerable to contracting the virus. Migrant workers who are accommodated in labour camps are at great risk of contracting COVID-19, as they live in crowded and often unsanitary conditions that are conducive to the spread of the virus (Cafiero, Sudetic and Marchl 2020).

While live-out domestic work is not legally recognized in most Gulf States, there are a few exceptions, such as cleaning company workers, flexi-permit holders in Bahrain, and Tadbeer centre workers in the United Arab Emirates. Most other live-out domestic workers are therefore in an irregular status and do not have access to healthcare. As they work in different households and interact with many people, they are especially vulnerable to contracting COVID-19 (Migrant Rights 2020).

Migrant domestic workers in a regular status were often isolated in the homes of their employers, with very little contact with the outside world (Migrant Rights 2020). In Lebanon, for example, live-in migrant domestic workers have faced increased mobility restrictions during the pandemic, as they have been instructed to remain inside their employer's residence, which may mean that they no longer have one day off work per week. This also limits their communication with family and friends, which further jeopardizes their mental health (ILO 2020i). Domestic migrant workers' health risks due to being exposed to chemical cleaners during their long working hours in their employers' homes, and the increased use of chemical cleaners due to the pandemic, have also been raised as a concern (Migrant Rights 2020).

6.1.7. Some efforts to enhance the protection of migrant workers in countries of destination may assist them in the time of COVID-19

To counter exploitation, Saudi Arabia has continued to operationalize a National Referral Mechanism to identify and assist Victims of Trafficking. [48] In Kuwait, the IOM has been identifying potential victims of trafficking and other vulnerable migrants and facilitating support for them, which includes direct assistance, referrals for protection services, and assisted voluntary return and reintegration, and in doing so have collaborated with CSO partners, such as Social Work Society. [49] In Qatar, the ILO is training the labour inspectors of the Ministry of Administrative Development, Labour and Social Affairs on identifying forced labour and human trafficking, providing protection to protect victims, and supporting the prosecution of perpetrators (ILO 2020d). Reportedly more than 8,000 inspections of work and accommodation sites have been conducted since the start of the pandemic in Qatar (Al Thani 2020).

The Bahrain Ministry of Labour and Social Development has issued instructions for the private sector, including for labour camps, to prevent the spread of COVID-19. An administrative circular states that a reduced number of workers should be accommodated per room and that workers should be at least 3 metres away from each other in a room. It calls for an increase of toilet and sanitation facilities in labour camps. In addition, employers should provide an isolation facility for workers who contract COVID-19. Labour inspectors would also continue their inspections in labour camps (ILO 2020e). The Government also moved more than 8,000 migrant workers from labour camps to other buildings to reduce overcrowding in accommodation sites (O'Brien 2020). Other Gulf States have also issued workplace measures to contain the spread of COVID-19, such as the Saudi Arabia Ministry of Human Resources and Social Development's work from home instructions that were issued to the private sector on 18 March 2020, in which it instructed companies to only allow a maximum of 40 per cent of their staff in their offices and branches (L&E Global 2020).

6.1.8. Private employment agencies appear to have done little to protect migrant workers in countries of destination

The regulation of PEAs are further measures employed to protect migrant workers, in this case those from the IGAD region who are mostly working in the Middle East. All IGAD Member States have a type of licensing system in place for PEAs to regulate their work and promote the protection of migrant workers whose deployment abroad they facilitate (ILO 2020c). However, numerous discussions with key informants suggest that PEAs have done little to assist migrant workers who have suffered hardship or exploitation in CODs during the COVID-19 pandemic.

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48 Information provided by IOM MENA Office.

49 Information provided by IOM MENA Office.

6.1.9. Bilateral labour agreements do not appear to have aided the protection of migrant workers

Discussions with key informants suggest that BLAs have not significantly supported the protection of migrant workers during the pandemic. Key informants point out the following factors that have contributed to this:

▶ BLAs may contain more favourable terms for CODs and lack sufficiently robust enforcement mechanisms.

▶ Technical committees that should monitor the implementation of BLAs may not be trained to identify forced labour, neither are labour attachés. [50] It is also not clear to which extent technical committees have been meeting (virtually) during the pandemic to monitor the implementation of BLAs.

▶ Wages are often not specified in BLAs. [51]

The conditions brought on by the pandemic are also not foreseen in BLAs, such as migrant workers being confined to the place where they live and work. [52] Emergency repatriation may also not be included in the text of BLAs. Some key informants suggested that BLAs at least provide some framework for cooperation and help to streamline labour migration and the role of PEAs, but it is clear that they need to be bolstered and better enforced to aid the protection of migrant workers. One key informant claimed that BLAs have not appeared to be of help to Ethiopian migrant workers, stating that Ethiopia has a BLA with Saudi Arabia and does not have one with Kuwait, yet Ethiopian workers have suffered abuse in both countries.

▶ 6.2. Migrant workers enjoy access to justice and the protection of the law

6.2.1. Regular migrant workers have access to legal remedies in IGAD Member States, but whether access has been sought or enforced during the pandemic is unclear

Across the IGAD region national labour laws and social protection laws apply to national workers and migrant workers in a regular situation alike, with the exception of laws that govern sectors that are reserved for nationals, such as public service employment (ILO 2020c). This includes access to legal redress and dispute settlement mechanisms, such as labour courts. In Ethiopia, for example, migrant workers can appeal to their local Bureau of Labour and Social Affairs if they experience problems in the workplace due to the pandemic. [53]

In addition, all IGAD Member States have laws and mechanisms in place for the protection and enforcement of human rights, which in principle also apply to migrants (ILO 2020c). GIZ, in the framework of the Better Migration Management Programme, is working with the National Human Rights Commissions of some Member States to strengthen their awareness of migrants' rights and the protection of these rights. In Djibouti, GIZ is supporting the National Human Rights Commission

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50 Interview with Verité.

51 Interview with ILO Lebanon.

52 Interview with ILO Fairway Programme.

53 Interview with the Ministry of Labour and Social Affairs, Ethiopia.

to launch a complaints mechanism for human rights violations in Djibouti City and other regions of the country.

It is not clear to what extent migrant workers have sought legal redress in Member States during the pandemic, and to which extent protection of migrant workers has been enforced. In addition, migrant workers in an irregular status often do not have access to legal remedies due to the fact that they are not covered by national labour laws or out of fear of coming forward and facing detention or deportation.

6.2.2. Some IGAD Member States have legal mechanisms to protect workers against COVID-19-related discrimination and unsafe working conditions

Kenya's Occupational Safety and Health Post-COVID-19 Return to Work Advisory, which was issued on 29 June 2020, forbids dismissal and discrimination against employees who are suspected of having or confirmed to have contracted COVID-19, or against employees who make a complaint about work-related health risks. Employees are instructed to report cases of discrimination to the Director of Occupational Safety and Health Services in accordance with section 8(1) of the Occupational Safety and Health Act, 2007, and the Work Injury Benefits Act, 2007. The Kenyan Ministry of Labour and Social Protection informed that the Government had introduced a toll-free line (0800211168) and email address (complaints@labour.go.ke) to enhance reporting and resolution of employment- and labour-related complaints. [54]

Uganda's Occupational Safety and Health Act, 2006, obliges employers to provide a safe working environment for employees, which also applies to COVID-19 protective measures in the workplace, such as adequate sanitation and work from home measures where possible (ENS Africa 2020). Workers are entitled to claim compensation if this obligation is not respected (Kiwanda and Mpanga 2020).

6.2.3. Avenues for appeal often fall short in the Gulf States, though some complaint mechanisms have been recently introduced

While migrant workers in the Gulf States often have employment contracts, appeal mechanisms are not considered to be sufficiently robust, and migrant workers are not empowered with the tools and know-how to seek redress. Impediments include costs, the time it takes to settle cases, language barriers and lack of information among migrant workers. These appeal mechanisms have also reportedly been operating at reduced capacity during the pandemic, and are sometimes reduced to online platforms (Heidi News 2020). In Lebanon, the economic crisis and the impact of the Beirut blast [55] have led to labour complaints – including unpaid wages – that existing mechanisms do not have the capacity to respond to (ILO 2020f). Migrant workers can also lodge complaints through labour attachés and consulates in CODs. But IGAD Member States do not have labour attachés in all CODs, nor are they necessarily trained on labour exploitation or have the necessary tools to provide the required protection to migrant workers.

According to the Qatar Government's Communications Office, Qatar launched a complaints service at the beginning of the pandemic to ensure that employers respect pandemic-specific measures that have been introduced by the Government. Migrant workers can call a number to lodge complaints against employers who do not meet these obligations. As of 19 May, 88 per cent of complaints that had been received were resolved, while 12 per cent remained under review. The new obligations of employers include the provision of salaries, food and housing to all workers, including those who cannot work due to COVID-19. Employers and employees need to consent to salary changes and to taking unpaid leave (Al Thani 2020).

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54 Information provided by the Ministry of Labour and Social Protection, Kenya.

55 Lebanon was hit by a major disaster on 4 August 2020 when 2,750 tonnes of ammonium nitrate detonated in Beirut's port, killing at least 200 people, immediately displacing 300,000, and causing catastrophic damage, estimated to be up to US$15 billion (BBC News 2020b).

6.3. The integration of migrant workers is promoted and xenophobia countered

6.3.1 No campaigns or initiatives aimed at integration of migrant workers or countering xenophobia were identified.

While xenophobia and discrimination against migrants were reported in Member States and key countries of destination due to COVID-19-related fears, no initiatives aimed at countering these views towards migrant workers were identified. Actors in the Bahrain Government did, however, call on its citizens not to be xenophobic towards migrant workers and not to blame them for the spread of COVID-19 (Grewal 2020). Various agencies, such as the IOM, UNICEF and the WHO, implemented awareness-raising activities on the prevention, nature and treatment of COVID-19 in IGAD Member States and CODs that may have helped to address discrimination against migrants.

Djibouti's Ministry of Labour and Social Affairs indicated that they plan to develop initiatives to integrate migrant workers. They are planning to undertake a survey to identify migrants in an irregular situation in Djibouti, capture their information in a database, and provide them with an identification document and training, with a view to integrating them into society. They are also planning to develop a fund to finance entrepreneurship, including by migrants.

6.4. Affected migrant workers in countries of destination retain access to the labour market and are given socio-economic assistance

6.4.1. Some IGAD Member States and countries of destination have extended migrants' and migrant workers' visas during the pandemic

As migrants were stranded in numerous countries due to COVID-19-related border closures, various countries extended existing visas to avoid these migrants falling into an irregular status. On 8 April 2020, Kenya announced the launch of an online portal for foreigners in Kenya who wished to extend their visitors' visas or residence permits and passes (Garda World 2020e). Moreover, Kenya's Ministry of Labour and Social Protection signalled that regular migrant workers who lose their employment due to the pandemic would not fall into an irregular situation and their work and residence permits would remain valid for the time period specified on those documents (ILO 2020c). Migrant workers in Kenya and Uganda who lose their jobs are allowed to look for other employment. [56] Uganda extended the stay of foreigners whose visas expired during the lockdown for as long as the lockdown would last (Further Africa 2020). Ethiopia has also extended the expired visas of migrants until they are able to return to their home country. [57]

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56 Information provided by the Ministry of Labour and Social Protection, Kenya, and the Ministry of Internal Affairs, Uganda.

57 Interview with GIZ Djibouti.

Bahrain removed fees for the issue and renewal of work permits from 1 April for three months, and lowered fees for flexi work permits. Migrants in an irregular situation were granted amnesty until 31 December 2020, and they would not face fines when regularizing their residency status or leaving the country (ILO 2020e). Saudi Arabia has extended expired residence permits and visitors' visas of foreigners who were in Saudi Arabia when its borders were closed (Deloitte 2020b). Kuwait offered amnesty to migrants whose visas expired (Deutsche Welle 2020). The amnesty for migrants in an irregular situation was adopted to facilitate their repatriation, and exempts them from the payment of penalties and the prohibition of re-entering the country in the future. Lebanon is accepting work permit extension applications. Oman allows the extension of residence visas though the Royal Oman Police website (Deloitte 2020b). Due to border closures, Qatar allowed foreigners to remain in the country without extending their visas or paying any fees. They would be granted a grace period to leave the country when borders open. From 22 April 2020, visas could be renewed through the Ministry of Interior's website or Metrash2, which is a mobile phone application (Deloitte 2020b). The United Arab Emirates has indicated that the cancellation of the residence visas of terminated employees can be deferred (Clyde &Co 2020).

6.4.2. Countries of destination implement some measures to support migrants, but are also excluding them from some forms of support

The Kuwait Government provided meals and shelter to migrants. [58] The Bahrain Government provided free hot meals to migrant workers in government-mandated home quarantine (Alabsi 2020). In Riyad, the Saudi Government provided domestic migrant workers who lost their employment with a guest house to stay in temporarily. [59] Qatar is obliging employers to provide food and housing to migrant workers whose contracts end – free of charge – until they can be repatriated to their home country (Al Thani 2020). The United Arab Emirates instructed employers in the retail, service and hospitality industries to continue providing accommodation to employees whose contracts had been terminated, until their visas were cancelled (Clyde & Co 2020).

Qatar and Bahrain are allowing migrant workers to switch employers if they find alternative employment. [60] Bahrain has launched a free talent portal, which is a publicly accessibly database, to connect all jobseekers and employers that have been affected by COVID-19. [61] The United Arab Emirates (2020) has launched a Virtual Labour Market (https://careers.mohre.gov.ae) to support migrant workers in the United Arab Emirates who have been affected by COVID-19, where they can register and apply for jobs.

The Qatar Development Bank launched the US$825 million National Guarantee Programme, which grants guarantees to local banks to grant interest-free loans to private companies to support wage payments and rents that could also benefit migrant workers (ILO 2020e). The Qatar Government introduced a six-month moratorium on utilities and rent payments for certain industries, and stated that it would ensure the continuation of the salaries of migrant workers (Cafiero, Sudetic and Marchl 2020). All workers who are quarantined or receiving COVID-19 treatment must be given their basic salary and allowances, irrespective of their sick leave entitlements or lack thereof (KPMG 2020).

However, the Qatar Ministry of Finance also instructed state-funded government agencies to reduce the monthly cost of migrant workers' employment by 30 per cent from 1 June, by reducing their salaries or making them redundant with a two-month notice period (Foxman 2020). The United Arab Emirates amended its law to enable companies to infringe upon the work contracts of migrant workers, lower salaries and put pressure on workers to take unpaid leave. The Bahraini and Saudi governments indicated that they would be topping up the deficit in their nationals' wages, but excluded migrant workers from this support (Deutsche Welle 2020).

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58   Interview ILO Ethiopia.

59   Interview ILO Ethiopia.

60   Interview with ILO Headquarters and ILO Lebanon.

61   Information provided by IOM MENA Office.

6.4.3. Aid agencies, embassies, CSOs and diaspora communities offer much-needed support to migrant workers

In Bahrain, community organizations distributed food and essential non-food items, while CSOs provided accommodation, and in some cases, repatriation support to migrant workers. In Kuwait, CSOs (often in coordination with community volunteers and representatives) identified and assisted vulnerable migrant workers with food, medical kits and pocket money and facilitated the issuance of travel documents. [62] In Beirut, abused Ethiopian migrant workers have been given shelter at the Ethiopian Embassy. [63] Moreover, the ILO through its Employment Intensive Infrastructure Programme is creating employment, including for migrant workers, through the reconstruction of buildings that were damaged by the Beirut blast (ILO 2020f). In Lebanon in April 2020, Doctors Without Borders (Médecins Sans Frontières, or MSF) launched an emergency medical helpline for migrants, which provides social, mental and medical assessments and refers patients to MSF or partner clinics when needed. MSF is collaborating with the Anti-Racism Movement, a local Lebanese organization, to provide social and legal assistance to patients (MSF 2020). Other Lebanese CSOs, including community-based organizations, have also been providing relief support, such as food, shelter, legal aid and cash assistance to cover the costs of rent, COVID-19 testing and flight tickets.

In Jeddah, Saudi Arabia, the Ethiopian Consulate coordinated food assistance by the Ethiopian community, as well as medical supplies for the ill and elderly, and milk and diapers for mothers with babies. These initiatives also benefitted from support from the Saudi food bank and the ILO. [64] Ethiopian consulates in Saudi Arabia and the United Arab Emirates have been providing shelter to destitute Ethiopian migrants. In Dubai, where there is a significant Ethiopian community, the Ethiopian Consulate and the Ethiopian diaspora community collaborated to provide food to Ethiopian migrant workers. [65] In Jordan, the IOM and the Embassy of Switzerland launched a three-month project to provide 1,700 migrant workers in different governorates across the country with essential food and non-food items for up to three months, in coordination with the Jordanian authorities and local NGO Tamkeen for Legal Aid and Human Rights (MENAFN 2020). In Kuwait, the Sandigan Kuwait Domestic Workers' Association, which is affiliated to the International Domestic Workers Federation (IDWF) has been assisting more than 1,000 migrant workers through the provision of PPE and food, as well as helping them obtain the legal documents needed for repatriation. In Cairo, the Sudanese Embassy has been providing Sudanese migrants with accommodation, food and cash. [66] Kenyan authorities have indicated that their assistance to Kenyan migrant workers in CODs included accommodation, food, counselling and providing information on their welfare to their families. [67]

6.4.4. Migrant workers in IGAD Member States receive some support, but no targeted assistance

IGAD Member States have not implemented measures to specifically support migrant workers, but migrant workers in the region do benefit from certain measures that support nationals, or measures that support vulnerable migrants. In Djibouti, the Minister of Interior is leading support for stranded migrants, who are mostly Ethiopians, by providing food, cash transfers and medical assistance. [68] Djibouti suspended the payment of electricity bills in June, which migrant workers also benefitted from [69]. Migrant workers will also benefit from the Djibouti Government's 30 per cent support to salaries of businesses that have been acting lawfully, such as paying all their taxes. [70]

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62   Information provided by IOM MENA Office.

63   Interview with ILO Lebanon.

64   Information provided by IOM MENA Office.

65   Interview with ILO Ethiopia.

66   Interview with ILO Sudan.

67   Information provided by the Ministry of Labour and Social Protection, Kenya.

68   Interview with the Ministry of Labour and Social Affairs, Djibouti.

69   Interview with GIZ Djibouti.

70   Interview with the Ministry of Labour and Social Affairs, Djibouti.

In Ethiopia, the Government has indicated that workers cannot be dismissed during the pandemic, which would also apply to regular migrant workers that are covered by Ethiopian labour law. The Government has also set up food banks in certain areas that people in need can benefit from, including migrants if they live in those areas. These food banks have been stocked with long-life food, so that if areas need to be locked down to prevent the virus from spreading, the communities living there will have food. [71] The Ethiopian Government had also implemented door-to-door food distribution schemes that migrants could benefit from. In addition, it has introduced tax cuts that regular migrant workers can also benefit from. [72] In Kenya, the Government reduced the value added tax from 16 to 14 per cent, and exempted those earning below 24,0000 Kenyan shillings from paying income tax, which are measures that migrant workers would also benefit from. [73]

The Ministry of Gender, Labour and Social Development in Uganda explained that regular migrant workers enjoy the same benefits as national migrant workers, but as there have been no initiatives to directly support national workers, there have also been none to support regular migrant workers. Government initiatives have been geared towards facilitating low-cost credit and tax deferrals for businesses, which migrant workers could potentially benefit from.

The IOM's Migration Response Centres have been providing support to migrants in IGAD Member States during the pandemic. The IOM maintains seven such centres in Djibouti, Ethiopia, Somalia, Somaliland and Puntland, which were set up to provide basic assistance to migrants in an irregular status, who are often destitute. During the pandemic, the centres' services have included basic health check-ups and screening, and referrals for shelter and medical assistance (IOM 2020g). Examples of diaspora support to migrants include the Somali association in Kenya supporting Somalis in need. [74] While in Sudan the Ethiopian Association has coordinated food assistance for more than 2,300 Ethiopian migrants and also accommodated vulnerable migrants and victims of trafficking in their safe house.

▶ 6.5. Migrant workers have access to accurate and reliable information on their rights and opportunities, and on the pandemic and its implications

6.5.1. Awareness-raising campaigns on COVID-19 targeted at migrants are implemented in IGAD Member States and countries of destination

In Djibouti, the National Human Rights Commission created posters that educate everyone on COVID-19 precautionary measures through pictures. [75] In Kenya, trade unions – such as the IDWF and the Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers – are raising awareness among workers, including among some migrant domestic workers, on how to protect themselves from contracting COVID-19. [76]

In Sudan, the IOM had reached 1,235 migrants with COVID-19 awareness SMS messages by mid-June 2020 through its Migrant Resource and Response Centre in Khartoum (IOM 2020j). In Somalia, UNICEF is implementing a media awareness-raising campaign on COVID-19, including radio, television and

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71   Interview with GIZ Djibouti.

72   Interview with the Ministry of Labour and Social Affairs, Ethiopia.

73   Interview with the Central Organization of Trade Unions, Kenya.

74   Interview with Trace Kenya.

75   Interview with GIZ Djibouti.

76   Interview with the Central Organization of Trade Unions, Kenya.

social media, as well as using phone messaging and loud speaker announcements at marketplaces, which are also reaching migrant workers. UNICEF are also specifically targeting pastoralists, some of whom are Ethiopians, through SMS campaigns and community engagement activities to raise awareness on COVID-19. [77]

In Qatar, the Ministry of Administrative Development, Labour and Social Affairs, in collaboration with the ILO, Migrant-Rights.org and the IDWF, have developed SMS messages for migrant domestic workers and their employers on COVID-19 precautionary measures. These messages have been developed in 12 languages, including English, Arabic and Swahili. Employers are informed of how to support the health and welfare of domestic workers in their homes during the lockdown. Domestic workers are also informed of how to send money home and how to stay in touch with their families. In addition, both workers and employers are reminded of their legal rights and responsibilities (ILO 2020h). Bahrain's Government disseminated more than 900,000 multilingual public health awareness pamphlets to reach the various segments of the population in Bahrain (Alabsi 2020).

6.5.2. Embassies have provided some information and services to migrant workers, which should be further bolstered

According to the Ugandan Ministry of Foreign Affairs, missions continue to provide consular services to citizens in CODs, including issuing travel documents and organizing their repatriation. Kenya's Ministry of Labour and Social Protection informed that while they assist Kenyan migrant workers and organize their repatriation, most migrant workers are not registered at embassies and they typically contact the embassy through Kenyan associations. The Secretariat of Sudanese Workers Abroad informed that Sudanese embassies provide consular services and legal support to migrants. Discussion with key informants also suggest that numerous migrant workers have been left destitute and without adequate information on where to seek help.

▶ 6.6. Migrant workers enjoy social security coverage and the portability of social security benefits

6.6.1. Migrant workers in and from the IGAD region do not have basic social security guarantees

The FMPT project's Background Report: Regional Guidelines for a Rights-Based Approach to Bilateral Labour Agreements points out the following two challenges faced by migrant workers from the IGAD Region: (i) no or little health protection, health insurance coverage or health-related rights; and (ii) a lack of access to social security benefits. While various initiatives have been implemented by a range of actors to support migrant workers, as indicated in this report, they do not enjoy basic income security and social protection is limited (ILO, forthcoming).

6.6.2. Portability of social security benefits is lacking

Djibouti is the only IGAD Member State that has introduced some portability of social security benefits – the pensions of employed migrant workers are in principle portable, though the mechanisms are not clear and the system nascent (ILO 2020c). The EAC Partner States, which include Kenya and

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77 Interview with UNICEF Somalia.

Uganda, are yet to introduce the portability of social security benefits and have been discussing a draft Social Security Portability Bill since 2015. [78] Kenya's Ministry of Labour and Social Protection informed that it is working on a Labour Migration Policy and Labour Migration Management Bill, and plans to incorporate the portability of social security in these instruments.

Most migrant workers from the IGAD region are low-skilled workers and do not appear to benefit from the portability of social security benefits from CODs. While BLAs or memoranda of understanding on labour migration could contain provisions that provide for the portability of social security benefits, these documents are generally not in the public domain. Kenya's Ministry of Labour and Social Protection confirmed that the portability of social security benefits is not covered in its BLAs. The ILO (forthcoming) Background Report: Regional Guidelines for a rights-based approach to Bilateral Labour Agreements points out that migrant workers from the IGAD region face challenges in CODs regarding social security, including having little access to social security benefits and contributions, as well as restricted portability of benefits among those who do have any access.

▶ 6.7. Migrant workers return to their country of origin with the full payment of outstanding wages and benefits, and through safe and orderly migration

6.7.1. Migrant workers face wage abuse in countries of destination

Large numbers of Ethiopian migrant workers have been returning to Ethiopia since the start of the pandemic, and discussions with key informants indicate that they have often returned empty-handed. Discussions with key informants in other IGAD Member States also highlight non-payment of wages as a common challenge faced by migrant workers in CODs during the pandemic. Human Rights Watch point out that wage abuse, is a problem in Gulf countries where different versions of the kafala system exist. This has worsened in certain countries, such as Qatar, since the start of the pandemic. Employers have used the pandemic as an excuse to withhold wages or avoid paying wages to workers who are detained and forcibly repatriated (HRW 2020b). Qatar has taken steps that help to address this abuse – it has introduced an electronic wage protection system that enables the Government to monitor that wages are paid to workers on time (Al Thani 2020).

6.7.2. Return processes have varied among IGAD Member States and countries of destination

Djibouti established a quarantine centre for migrants in the Ali Sabieh region, which accommodates more than 200 migrants and is managed by the National Office for Assistance to Refugees and Disaster Victims (IGAD 2020h). This centre mainly accommodates Ethiopian migrants who were stranded in Djibouti due to border closures. Most of these migrants were travelling on the eastern migration route and are not migrant workers in Djibouti. This centre for stranded migrants is unique in the region. [79] The centre is supported by IOM and other partners, and Djibouti's Ministry of Health provides COVID-19 tests for migrants at the centre (IOM 2020h). Migrants also receive free medical treatment at the centre. [80] As of 25 September, 8,700 Ethiopians had been returned to

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78   Interview with the East African Trade Union Confederation.

79   Interview with IOM Djibouti.

80   Interview with IOM Djibouti.

Ethiopia from Djibouti, some of whom had been stranded in Djibouti due to border closures, while others had returned from Yemen after failing to reach Saudi Arabia (IOM 2020h). Discussions with key informants suggest that some of these returns have been deportations, and that there were tensions between Djibouti and Ethiopia regarding these returns, as Ethiopia indicated that it was not ready to receive many returnees at once due to the lack of adequate quarantine facilities and fears of COVID-19 spreading. Some of the returnees were also migrant domestic workers in Djibouti who had lost their employment, and whom Djibouti deported by dropping them off at the Ethiopian border. [81]

Detention and uncoordinated returns were key concerns raised by the IOM at the IGAD Regional Experts Meeting on the Impact of COVID-19 on People on the Move on 26–27 August 2020. The IOM pointed out the limited coordination and collaboration between IGAD Member States and called on them to ensure that migrants' human right to return to their country of origin is fulfilled through enhanced coordination as well as infection prevention and control measures at pre-departure and arrival points, including quarantine where needed, to enable voluntary returns under safe and dignified conditions (IGAD 2020h).

CODs in the Middle East have provided returnees with varying degrees of assistance. Under its amnesty to migrants in an irregular situation, Kuwait has provided free flights for returning migrants and set up temporary accommodation centres where migrants could stay until they are returned home. [82] For some time, certain countries, such as Kenya and Uganda, have indicated that their borders are closed, and they are not able to receive their returnees. [83] Ethiopia has been more open to receiving its citizens, though it indicated that it could only receive 200–300 at a time, as returnees need to be quarantined upon arrival to prevent the spread of COVID-19. The Ethiopian Government, with the support of partners, funds and runs these quarantine centres. Moreover, Ethiopia has been funding the return flights of its citizens from Lebanon. [84]

Saudi Arabia has paid for the return flights of some Ethiopian returnees. [85] In addition, thousands of Ethiopian migrants have been deported from Saudi Arabia. Many have been kept in very poor, crowded and unsanitary conditions in detention centres prior to their return, and some have reported being beaten (Wuilbercq 2020). Some Ethiopian migrants have been detained for weeks or months before being deported. [86] In mid-September 2020, an estimated 14,000 Ethiopians were still in detention transit centres in Saudi Arabia. The Ethiopian Government indicated that they would be repatriating 2,000 Ethiopians between September and mid-October, but did not have sufficient resources to repatriate all of them at once. The United Nations (UN) has called for the suspension of forced returns from Saudi Arabia (Wuilbercq 2020; IOM 2020i). Somalis have also been deported from Saudi Arabia, but there is less known about the numbers involved. [87]

Ethiopia's Ministry of Labour and Social Affairs indicated that there have also been deportations from Lebanon, Kuwait and the United Arab Emirates, mostly migrants in an irregular status from prisons and shelters in these countries. They arrive in Ethiopia empty-handed and without COVID-19 negative tests, and need to be quarantined upon arrival. [88]

In Uganda and Kenya, returnees are also provided with government-funded quarantine if they are unable to afford hotel quarantine options. While these governments have been engaged in organizing the return of their citizens, return flights had to be paid by returnees. In certain cases, employers paid for the return flight of Ugandan returnees. The UAERA explained that the flights of Ugandan migrant workers who had completed their two-year contract would be paid by their employers.

81   Interview with GIZ Djibouti.

82   Interview with the ILO Fairway Programme.

83   Interview with ILO Headquarters and the ILO Fairway Programme.

84   Interview with ILO Ethiopia.

85   Interview with ILO Ethiopia.

86   Interview with ILO Ethiopia,

87   Interview with the IOM Regional Data Hub.

88   Interview with the Ministry of Labour and Social Affairs, Ethiopia.

In the case of Sudan, business persons in Sudan hired buses to return stranded Sudanese from Egypt.
[89] The Government of Sudan, with the support of an employers' federation, have been repatriating
Sudanese from Egypt and Saudi Arabia. [90] An employers' organization in Sudan has been funding
quarantine facilities for returnees in Sudan and the provision of food at these facilities. [91] The South
Sudan Government has not had the capacity to support their nationals with return travel, but has
assisted with the necessary documentation. [92] Somalia is in a similar situation and has issued "go
home letters" for its nationals who wish to return home. This letter is issued to Somalis who do not
have travel documents to return home, or who overstayed their visas. Use of a "go home letter"
normally means that the migrant will not be able to return to the country that they are returning
from. [93] The Government of Somalia also provides transport for returnees who arrive in Mogadishu
to their place of origin. [94]

▶ 6.8. Returning migrant workers receive socio-economic support

6.8.1. Reintegration support for returning migrants is insufficient in all IGAD Member States

The little support that is being provided to returning migrants falls greatly short of what is needed
to address their needs. They are returning to countries whose labour markets have been hit hard by
the economic impact of the pandemic. Some of them are traumatized by their experiences abroad,
returning empty-handed, facing debt that they took on to finance their journey, and returning to
families who are both no longer sustained by their remittances and impoverished by reduced income
opportunities.

In Uganda, CSOs are offering some shelter to returnees and providing them with basic skills training
and psychosocial support. [95] In Kenya, some support has been provided to returnees by CSOs, such as
TRACE Kenya, which has provided psychosocial support to returnees. In addition, the ILO is intending
to set up a migrant support centre in Kenya in cooperation with the National Employment Authority
in Kenya, as well as an additional centre in Uganda in cooperation with the Federation of Ugandan
Employers. Activities are expected to include legal services and psychosocial support. The ILO is
also working on the development of a phone application, through which returning migrants can
create a profile with their skills and be connected with employers through the Federation of Kenyan
Employers. The Kenyan Government is also working on the formulation of a return and reintegration
programme, which was planned prior to the pandemic, but for which the need has greatly increased
as a result of the pandemic. The Kenyan Government are considering providing skills development to
returnees to enable them to access the local job market, as well as seek opportunities abroad. They
are also considering to provide returnees with support to start a business. [96]

Sudan's Ministry of Labour and Social Development plans to cooperate with the Gulf countries to
determine how many Sudanese migrants wish to return and what their skills are, with a view to
capturing this information in a returnee database and connecting returnees with work opportunities.

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89 Interview with IOM Sudan.

90 Interview with GIZ Sudan.

91 Interview with ILO Sudan.

92 Interview with the IGAD Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism.

93 Interview with the Ministry of Foreign Affairs, Somalia.

94 Interview with the Ministry of Education, Culture and Higher Education, Somalia.

95 Interview with GIZ Uganda.

96 Interview with the Ministry of Labour and Social Protection, Kenya.

They are, however, concerned about high unemployment in Sudan and the lack of work opportunities for returnees. [97]

In Somalia, the IOM offers reintegration support in the form of in-kind support or cash grants to start a business, job placement, and technical and vocational education and training. Returnees first undertake a vulnerability assessment, which covers their health, family and psychosocial needs. The assessment also looks at their business plan to determine the type of support most appropriate for them. The IOM has also been undertaking a socio-economic assessment to gain a better understanding of how vulnerabilities and reintegration needs have changed as a result of the impact of COVID-19-related restrictions, with a view to fine tuning support to meet current needs. Female-headed households are one of the vulnerable categories of returnees that are being assisted. [98]

In Ethiopia, returnees benefit from free government quarantine upon return, and are provided with transport to their place of origin by the Government, [99] while WISE and the IOM provide orientation sessions to returnees. [100] The ILO will also be supporting these return and reintegration processes. Ethiopia highlighted as a major challenge the large number of returnees at the IGAD Regional Experts Meeting on the Impact of COVID-19 on People on the Move, which took place at the end of August 2020. They estimate they need US$89 million to support these returnees (IGAD 2020h). The ILO points out that Ethiopian returnees will require humanitarian assistance and development support, and that it will be an enormous challenge to integrate them successfully into the local labour market. Micro-finance support may not make sense as new businesses may struggle to launch in the current economic environment. Moreover, many returnees first need to have their psychosocial needs addressed, before focusing on the development of livelihood opportunities. [101] The Ethiopian Ministry of Labour and Social Affairs expects many returnees to choose to remigrate, due to a lack of local income opportunities at home. [102]

6.8.2. The role of social partners in recovery measures should be further strengthened

In Kenya and Uganda, where tripartite structures are better established, there is closer social partner engagement with the governments with regard to advising them on recovery measures. In Uganda, for example, the Federation of Uganda Employers and the National Organization of Trade Unions advise the COVID-19 Task Force under the Office of the Prime Minister on employment and labour matters. They present common positions to the Task Force together with the Ministry of Gender, Labour and Social Development as part of the tripartite structures.

In Kenya, the Central Organization of Trade Unions is engaging with the Government through tripartite structures, and discussions on recovery measures include whether COVID-19 should be classified as an occupational disease for purposes of compensation and what forms the compensation should take, as well as which social protection measures need to be introduced in response to COVID-19.

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97   Interview with the Ministry of Labour and Social Development, Sudan.

98   Interview with IOM Somalia.

99   Interview with ILO Ethiopia.

100 Interview with WISE.

101 Interview with ILO Ethiopia.

102 Interview with the Ministry of Labour and Social Affairs, Ethiopia.

chapter 7

Aspects to be considered in the implementation of the IGAD Free Movement of Persons Protocol during an international health emergency

On 26 February 2020, IGAD Member States endorsed the Protocol on Free Movement of Persons in the IGAD Region (IGAD 2020i). The COVID-19 pandemic has shed light on the various socio-economic repercussions that an international health crisis can have for the region, as well as for migration in and from the region. The Protocol states that it can be suspended on the grounds of public health. It is important that the IGAD Member States plan how to effectively deal with a future international health crises, as well as which procedures should be followed for the possible suspension of its free movement regime, once the regime is implemented. The roadmap for the implementation of the Protocol is currently being finalized and could incorporate the necessary specifications. Research for this assessment and discussions with key informants highlighted the following aspects that should be considered for incorporation into the roadmap.

The roadmap could contain a model for cooperation during an international health emergency, and cover the following aspects:

▶ How such an emergency is declared.

▶ Contingency planning and stock piling for an emergency, and the development of a regional emergency fund that is activated once a health emergency is declared. It will need to determine how the emergency fund will be fundraised for and managed, and which objectives it will support.

▶ Which steps are to be taken to develop a regional response to an emergency, and which elements should be covered in a regional response? Such elements might include:

- standardizing testing and treatment protocols for communicable diseases;
- common and effective border management procedures for the movement of goods and persons;
- regularly exchanging information on the evolving emergency among Member States; and
- cooperation between Member States' embassies in CODs outside the IGAD region to assist migrant workers from the IGAD region and to exchange information between Member States on the situations and needs of migrant workers.

▶ Steps that need to be followed to suspend the Protocol, if deemed necessary by the Member States, as well as procedures for essential movement between Member States if the Protocol is suspended.

▶ How Member States could cooperate on healthcare, such as:

- the timely exchange of information, data, research and knowhow;
- the provision of telemedicine and the exchange of medical personnel; and
- regional health awareness-raising campaigns, tools and training.

▶ Standards for the treatment of migrant workers and stranded migrants, such as:

- the provision of the same healthcare and socio-economic assistance for migrants as nationals;
- awareness raising on the health emergency; and
- awareness raising on the contributions of migrant workers in order to counter discrimination against migrants.

▶ Documenting and sharing lessons learned on addressing an international health emergency, both between IGAD Member States and between IGAD and other regional economic communities.

chapter 8

▶ 1. Provide targeted socio-economic assistance to migrant workers during the pandemic, including migrant workers in the informal economy who are especially impacted by the consequences of the pandemic.

IGAD Member States need to include migrant workers in responses that they develop to the COVID-19 pandemic. While some Member States have assisted migrant workers through the extension of visas or free COVID-19 testing or treatment, their needs should be more comprehensively identified and addressed in policy responses. Moreover, Member States need to give more focus to the informal economy in government policies. Numerous key informants pointed out the vulnerability of migrant workers in the informal economy during the pandemic and the fact that the impact of the pandemic has caused the formal economy to shrink and the informal economy to grow. Migrant workers in the informal economy often survive on daily wages or run businesses with no reserve for when disaster strikes. In certain Member States oral contracts are legally allowed, which also leaves workers vulnerable to exploitation.

▶ In the short to medium term, Member States should specify conditions for the inclusion of migrant workers in the category of "vulnerable groups" in order for them to benefit from social protection schemes.

▶ In the short term, the ILO should support Member States in identifying the needs of migrant workers that have arisen due to the COVID-19 pandemic, and assist Member States in developing policy responses to address these needs, the implementation of which may need to be supported by the ILO and other partners. This support should include assisting IGAD Member States in developing and implementing mechanisms to bolster the resilience of migrant workers in the informal economy and to assist migrant workers to secure employment in the formal economy, such as through:

- financial literacy training;
- credit lending services that are shared by a community (similar to the model of the Grameen Bank);
- employment matching platforms;
- the provision of contracts with clear terms of engagement; and
- awareness raising on the national legal framework and how to register businesses.

▶ In the medium term, Member States should develop labour migration and/or migration policies that include measures for public health emergencies and other crises.

▶ 2. Delineate roles and responsibilities for the protection of stranded migrant workers and other migrants.

Migrants have been stranded across the IGAD region and in CODs as a result of the pandemic. Many stranded migrant workers have faced hardship and struggled to meet their basic needs as they lost their livelihoods, and it was not sufficiently clear who is responsible for them. There is a need to define roles and responsibilities towards stranded migrant workers and other migrants during a crisis.

▶ In the short term, the IGAD Secretariat and Member States, with the support of the FMPT Project, should convene a consultation meeting to map out the challenges that have been experienced regarding stranded migrant workers and other stranded migrants during the pandemic, and initiate the development of common solutions to address these challenges. Roles and responsibilities regarding stranded migrants and migrant workers during a crisis should be specified, as well as health protocols, such as standardizing testing and treatment for communicable diseases and that migrants from the region should be entitled to the same healthcare and socio-economic assistance as nationals. These solutions could be captured in the roadmap of the IGAD Free Movement of Persons Protocol or through a cooperation framework dedicated to this topic. In the medium to long term, these solutions should be reflected in national migration policies and legislation, and include common protection standards for migrants, as well as monitoring and enforcement mechanisms.

▶ In the short to medium term, Member States should expand the scope of consular services to cover unexpected emergencies, and establish contingency measures for crises, including evacuation measures and cooperation measures between the consulates of IGAD Member States. Free of charge repatriation services should be provided to stranded migrant workers.

▶ 3. Strengthen standards for return and coordination between Member States and with CODs to ensure safe, orderly and dignified returns.

Return processes during the pandemic have not been sufficiently orderly and dignified, and migrant workers have not been adequately informed of the process and the options available to them. Migrant workers should be informed of return and reintegration processes and opportunities – as well as how these processes will work during a crisis – in their pre-departure training and they should be kept abreast of any changes while they are in CODs.

▶ In the medium term, Member States, with the support of the IOM and other partners, should develop regional standards and mechanisms for orderly and coordinated returns that uphold the rights of migrants.

▶ In the medium to long term, Member States, with the support of the ILO, IOM and other partners, should ensure that conditions for return and the responsibilities of countries of origin, countries of destination, employers, PEAs, and other actors involved in the return process are specified in BLAs. In addition, the implementation of these conditions should be monitored, including by the technical committees that monitor the implementation of BLAs, labour attachés and embassies. Not all Member States have embassies in all CODs or labour

attachés in all CODs, and therefore Member States should also support each other with this monitoring in CODs. Moreover, information on conditions of return should be exchanged between Member States on a regular basis, such as at IGAD Regional Consultative Process meetings, in order to determine whether conditions are improving and moving towards common standards, and in order to speak with a stronger political voice with CODs when trying to ensure that these conditions are met.

▶ In the medium to long term, Member States should develop mechanisms to ensure that migrant workers are kept informed of the situation during a crisis (such as a pandemic), the return process, and where and how they can seek assistance.

▶ **4. Set a common position for BLAs that is rights-based and works strategically towards better working and living conditions for migrant workers in CODs, including during a crisis.**

BLAs have not offered sufficient protection for migrant workers during the pandemic, and in general, exploitation continues in CODs, despite the existence of BLAs. There is the need for IGAD Member States to speak with a stronger political voice by developing a common position for BLAs that are in accordance with international human rights and labour standards, and to collectively enhance the monitoring and enforcement of BLAs and of the working and living conditions of migrant workers in CODs.

▶ In the short term, the FMPT project and the IGAD Secretariat should investigate the incentives that drive CODs in the Middle East to improve the working and living conditions of migrant workers, with a view to work towards better working and living conditions for migrant workers from the IGAD region, including during a crisis. To this effect, the FMPT project should commission a study that analyses the changes that have been introduced in key CODs that have improved the living and working conditions of migrant workers (be it wages, working time, leave entitlements, occupational safety and health protection, end of contract entitlements, possibility to change employers, etc.) and what has driven these changes. The study should also outline which key changes need to be made to further improve the conditions of migrant workers from the IGAD region in these CODs and which steps can be taken to push for such changes.

▶ In the short to medium term, IGAD Member States, with the support of the ILO and the IGAD Secretariat, should develop a common position for BLAs to enhance the protection of migrant workers and prevent a race to the bottom in working conditions and wages, which may occur if the demand for labour migration opportunities surge and there are employment opportunities for migrant workers in CODs. Wages should be specified in BLAs, be the same for all nationalities, and be the same as in the employment contracts that migrant workers receive. Health benefits, return processes and measures to be implemented during an emergency should also be specified in BLAs.

▶ In the medium to long term, Member States, with the support of the ILO and other partners, should strengthen monitoring and enforcement mechanisms of BLAs and of protection mechanisms for migrant workers. This should include specifying the roles and responsibilities of diplomatic missions and labour attachés regarding migrant workers, and female labour attachés should be deployed to enhance the protection of women migrant workers. Moreover, consular services should be shared among IGAD Member States where it is not possible for a Member State to have missions in all CODs. Labour attachés and technical committees that monitor the implementation of BLAs should be trained on combatting forced labour and ensuring the protection of migrant workers. Safe houses and robust complaint mechanisms should be provided to migrant workers in CODs. Migrant workers should be informed of their rights, opportunities and means to seek support and legal redress. In addition, mechanisms to ensure the protection of migrant workers in times of crisis, including epidemics, pandemics, and natural and human-made disasters should also be specified in BLAs.

▶ 5. Specify and enforce the roles and responsibilities of PEAs during a crisis.

PEAs appeared to provide little assistance to migrant workers in CODs during the pandemic. The close relationship in certain IGAD Member States between governments and PEAs were pointed out by key informants as an impediment to ensuring that PEAs meet their obligations towards migrant workers.

▶ In the short term, the ILO and the IGAD Secretariat should organize a regional meeting between PEAs, labour ministries, social partners and CSOs to exchange information on the roles and responsibilities of PEAs during a crisis and the challenges they faced in living up to these roles and responsibilities during the pandemic, as well as the aspects of the labour migration system that would need to be adjusted as a result. Aspects to be adjusted include the separation of interests between governments and PEAs – government officials should not be allowed to own or financially benefit from the services of PEAs. The provision of predeparture training by PEAs should also be discussed, as a conflict of interest may arise.

▶ In the medium to long term, Member States with the support of partners should strengthen cooperation among Member States, PEAs and CODs along all phases of the labour migration cycle, including recruitment, deployment, return and reintegration, to fine tune and enforce roles and responsibilities and to enhance the protection of migrant workers. To this end, PEAs, social partners and CSOs that support migrant workers should also be consulted when BLAs are negotiated. And Member States should vet PEAs in CODs that are collaborated with for the deployment of migrant workers.

▶ 6. Labour migration statistics on migrant workers in CODs need to be bolstered to strengthen protection of migrant workers during a crisis.

Labour migration statistics on the number, wages and working conditions of migrant workers from the IGAD region in the Middle East are not sufficiently robust. For this report, a variety of actors provided varying figures on the number of migrant workers from the IGAD region in the CODs and fragmented information on their conditions and the challenges they face as a result of the pandemic and related restrictions. It is important to start building more robust data-capturing systems regarding migrant workers who migrate through regular pathways and (to the extent possible) of migrant workers in an irregular status, and to put in place more effective mechanisms to monitor their conditions over time.

▶ In the medium to long term, Member States, with the support of ILO and other partners, should build databases that capture information on migrant workers, including numbers, age, gender, COD, sector of employment, skills and working conditions.

▶ Member States, with the support of the IGAD Secretariat and partners, should regularly exchange information on the conditions of and challenges faced by migrant workers in CODs to gain a more comprehensive picture of their situation and to build common positions and mechanisms to advocate for their protection.

▶ 7. Shore up reintegration support.

There is very little reintegration support available to returning migrant workers from the IGAD region, who are facing contracted labour markets and returning to families whose remittances have evaporated, whose job opportunities have decreased and whose capacity to meet their basic needs has declined. Some migrant workers have also been traumatized by their experiences and may experience stigma and discrimination upon their return, as they may be judged in their home communities as having failed, as having brought financial ruin, and/or as having been morally compromised. Thus, reintegration support will need to be sensitive to their needs, provide them with psychosocial support, and include awareness raising within their communities in order to enable their successful reintegration and prevent irregular, exploitative remigration. Options for their reintegration into the labour market will need to be carefully examined, as it may not be an opportune time for microfinance support or for starting a business.

▶ In the short to medium term, Member States with the support of the ILO and other partners, should develop comprehensive reintegration programmes for returnees that:

- are based on assessment of returnees' individual needs and circumstances;
- prioritize returnees' psychosocial needs;
- offer realistic options for their reintegration into the labour market; and
- raise awareness within the communities they are reintegrating into.

Innovative approaches, such as community conversations and community stabilization initiatives, that engage the community in coming up with solutions to prevent irregular migration and to counter stigma and discrimination should be explored. Support should also be provided to migrant workers who have been recruited for jobs but could not be deployed due to the pandemic, and are facing debt and socio-economic challenges as a result.

▶ Member States should take stock of good practices and lessons learned on reintegration, and exchange this information to build a regional body of knowledge in this area.

▶ 8. Enhance immigration information and visa processing systems to promote fair, safe, orderly and regular labour migration and mobility, as well as the development gains that labour migration and mobility hold.

While some IGAD Member States have developed immigration web portals, it remains difficult to gain a comprehensive picture of immigration procedures and rules and of migrant workers' rights and opportunities in Member States. Since the COVID-19 pandemic and the various travel and other restrictions that have been introduced and changed over time, it is even more important to have functional websites where rules regarding entry and other immigration processes are specified. The rights and opportunities of migrant workers that are relevant to the COVID-19 pandemic – such as access to free COVID-19 testing and treatment, government support for businesses and tax cuts – should also be specified. This information should be captured in immigration web portals and other means, and made easily accessible to prospective migrant workers, employers, business persons and investors to boost migration and development and to strengthen the protection of migrants' rights in Member States.

▶ In the short term, all Member States should develop online immigration web portals that provide updated information on:

- different types of visa;
- the rules and regulations governing entry, residence, work, establishment and the extension of visas, including how these have temporarily changed due to the pandemic;
- the rights and duties of migrant workers; and
- migrant workers' access to services, such as education, health, social security, and finance, including their rights and opportunities that relate to the pandemic, such as access to healthcare.

▶ 9. Increase awareness raising on the labour migration system to prevent exploitation of migrant workers during and in the aftermath of the pandemic.

As livelihood opportunities in the IGAD region decline due to the economic repercussions of the pandemic, IGAD nationals may be increasingly desperate to migrate abroad for work and be vulnerable to exploitation. Migrant workers are partly exploited because of lack of information on how the labour migration system works, including which fees they should and should not pay; what their labour rights and responsibilities are; and how to seek support if they are exploited.

▶ In the short term, Member States should strengthen national awareness raising of the legal framework governing the labour migration cycle and the protection mechanisms available to migrant workers. This includes:

- the role and responsibilities of PEAs and other stakeholders involved in the migration cycle, such as employer and government institutions;
- the fees that should and should not be paid by migrant workers;
- common deceptions that lead to the exploitation of migrant workers; and
- helplines, labour attachés and CSOs in CODs that migrant workers can appeal to for assistance.

▶ 10. Strengthen labour inspection in IGAD Member States to ensure decent working conditions and adequate COVID-19 prevention measures in the workplace.

While all IGAD Member States issued COVID-19 prevention measures for the workplace, labour inspection falls short in all Member States and there is the need for adequate monitoring and enforcement to ensure that workers have safe and secure working conditions. For labour inspection to be sustained over the long term, it needs to be adequately budgeted for in national budgets, so that the system does not falter when donor funds dry up.

▶ In the short to medium term, the ILO should enhance labour inspection capacities in the Member States with a view to ensuring that COVID-19 prevention measures are sufficiently implemented, and support Member States with identifying long-term sources of funding for labour inspection to ensure that it is adequately supported through national budgets. One possible source of funding to consider could be ploughing the funds generated from licensing PEAs into labour inspection, including the inspection of PEAs, which is important for ensuring that migrant workers from the IGAD region enjoy adequate protection in CODs.

▶ 11. Promote the use of digital technologies for the sending of remittances

The IGAD region has been hit hard economically by the pandemic, and the need for remittances to support socio-economic development in the region, as well as nutrition, health and education needs have increased due to the pandemic. In order to reduce the cost of remittances and to enhance their impact, IGAD Member States should foster the use of digital technologies for remitting. Kenya is more advanced in this regard: Money can be sent directly with M-Pesa from accounts in certain countries, such as the United Kingdom, to accounts in Kenya, and their experiences should be learned from.

▶ In the medium to long term, Member States should promote the use of digital technologies and mobile payment platforms, including by incorporating them into their regulatory frameworks and allowing mobile money for international transfers. This should help to reduce the cost of remittances; enhance the accessibility of safe and secure means of remitting; and aid migrants in building a credit history through which they can access other financial services, such as loans.

▶ 12. Strengthen labour market information systems (LMISs) to bolster opportunities for regular labour migration for migrant workers who face diminished income opportunities at home and to support the recovery of economies in the region from the pandemic

In order to promote regular labour migration and decent work opportunities for migrant workers, including through the implementation of the IGAD Free Movement of Persons Protocol once it is in force, it is vital for IGAD Member States to bolster their LMISs. Member States need to develop comprehensive LMISs that indicate which skills they have and which skills they are lacking. This data should serve as an evidence base for developing opportunities for regular labour migration between Member States and with other countries.

▶ In the medium to long term, the ILO should support Member States to bolster their LMISs, which should serve as an evidence base for creating more and better regular labour migration opportunities for migrant workers from the IGAD region and for attracting the necessary skills to bolster the economic recovery of Member States.

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annexes

▶ Annex I. Analytical framework

Analytical framework to analyse the policy responses of IGAD Member States and key countries of destination for IGAD migrant workers

▶ Thematic area 1:Migrant workers enjoy safe and secure working conditions, access to healthcare, and protection from exploitation

Guidelines

SUSTAINABLE DEVELOPMENT GOAL 8

Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Target 8.8. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

ILO OCCUPATIONAL SAFETY AND HEALTH CONVENTION, 1981 (NO. 155)

Article 16.

1. Employers shall be required to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health.

TRANSITION FROM THE INFORMAL TO THE FORMAL ECONOMY RECOMMENDATION, 2015 (NO. 204)

II. Guiding Principles

(f) the fulfilment of decent work for all through respect for the fundamental principles and rights at work, in law and practice;

(i) the need to pay special attention to those who are especially vulnerable to the most serious decent work deficits in the informal economy, including but not limited to women, young people, migrants, older people, indigenous and tribal peoples, persons living with HIV or affected by HIV or AIDS, persons with disabilities, domestic workers and subsistence farmers;

ILO EMPLOYMENT AND DECENT WORK FOR PEACE AND RESILIENCE RECOMMENDATION, 2017 (NO. 205)

9. Crisis response in the immediate aftermath of a conflict or disaster should include, as appropriate:

d) safe and decent working conditions, including the provision of personal protective equipment and medical assistance for all workers, including those engaged in rescue and rehabilitation activities;

IGAD REGIONAL MIGRATION POLICY FRAMEWORK

12.1 Migration and Health

I. Facilitate migrants' access to health care services by granting them uninhibited access to national healthcare systems and programmes that remove cultural and/or linguistic barriers that could prevent migrants from seeking and/or obtaining care, especially in relation to dual protection from unintended pregnancies, STI's, Tuberculosis and HIV/ AIDS infection.

AFRICAN UNION MIGRATION POLICY FRAMEWORK (2018–2030)

9.3 Human Rights of Migrants

ix) Provide all migrants access to basic health care, including reproductive health, anti-retrovirals for HIV, medication for non-chronic diseases and other services.

ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

2(b) the elimination of all forms of forced or compulsory labour;

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: Migrant workers enjoy access to justice and the protection of the law**

Guidelines

ILO GENERAL PRINCIPLES AND OPERATIONAL GUIDELINES FOR FAIR RECRUITMENT

2. Governments should protect workers against human rights abuses in the recruitment process by employers, labour recruiters and other enterprises.

5. Governments should take steps to ensure that workers have access to grievance and other dispute resolution mechanisms, to address alleged abuses and fraudulent practices in recruitment, without fear of retaliatory measures including blacklisting, detention or deportation, irrespective of their presence or legal status in the State, and to appropriate and effective remedies where abuses have occurred.

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.

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.

DRAFT IGAD PROTOCOL ON THE FREE MOVEMENT OF PERSONS[103]

Article 3. General Principles

3. A citizen of another Member State entering, employed, established or residing in a Member State in accordance with the provisions of this Protocol, shall enjoy the protection of the law of the host Member State guided by the fundamental principles and rights at work, equal treatment with regard to working conditions. Such protection under the law shall be gender-responsive and child-sensitive in particular with regard to rights to education, health and other services.

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103 Adopted by the IGAD Committee of Ambassadors and Ministries of Labour and Interior at the final meeting on the IGAD Protocol on the Free Movement of Persons, 28 February 2020.

AFRICAN UNION MIGRATION POLICY FRAMEWORK (2018–2030)

1. Migration governance

i) Comply with international standards and law and secure migrants' rights

▶ Respect, protect and meet the rights of all persons, regardless of their migration status, nationality, gender, race or ethnic origin, including through countering xenophobia, racism and discrimination, securing their access to protection, and criminalizing and prosecuting smugglers and traffickers.

▶ **Thematic area 3: The integration of migrant workers is promoted and xenophobia countered**

Guidelines

JOINT GUIDANCE NOTE ON THE IMPACTS OF THE COVID-19 PANDEMIC ON THE HUMAN RIGHTS OF MIGRANTS, 26 MAY 2020, UN COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES AND UN SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS OF MIGRANTS

5. Implement measures for the labour integration of migrant workers trained in health related sectors to assist in the fight against COVID-19, including by facilitating the necessary procedures for their professional activity and for the homologation and validation of professional degrees of migrants.

15. Pro-actively prevent discrimination and scapegoating of individuals or groups of migrants.

AFRICAN UNION MIGRATION POLICY FRAMEWORK (2018–2030)

9.4 Principles of Non-Discrimination

iii. Promote the integration of migrants into host societies, including through public information and education campaigns, in order to prevent xenophobia, foster mutual cultural acceptance and ensure that the rights of migrants are respected and protected.

IGAD REGIONAL MIGRATION POLICY FRAMEWORK

4.1 National Labour Migration Policies, Structures and Legislation

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.

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.

EMPLOYMENT AND DECENT WORK FOR PEACE AND RESILIENCE RECOMMENDATION, 2017 (NO. 205)

Guiding Principles

(f) the need to combat discrimination, prejudice and hatred on the basis of race, colour, sex, religion, political opinion, national extraction, social origin, disability, age or sexual orientation or any other grounds;

▶ **Thematic area 4: Affected migrant workers in destination countries retain access to the labour market and are given socio-economic assistance**

Guidelines

DRAFT IGAD PROTOCOL ON THE FREE MOVEMENT OF PERSONS

Article 16. Movement of Persons Affected by Disasters

2. Member States shall take measures to facilitate the extension of stay or the exercise of other rights by citizens of other Member States who are affected by disaster in accordance with the provisions of this Protocol when return to their state of origin is not possible or reasonable.

ILO MULTILATERAL FRAMEWORK ON LABOUR MIGRATION

9.4 adopting measures to ensure that migrant workers lawfully within the country enjoy equal treatment with nationals regarding employment and training opportunities after a reasonable period of employment, and, upon loss of their employment, are allowed sufficient time to find other work in accordance with Convention No. 143 and its Recommendation No. 151;

EMPLOYMENT AND DECENT WORK FOR PEACE AND RESILIENCE RECOMMENDATION, 2017 (NO. 205)

9. Crisis response in the immediate aftermath of a conflict or disaster should include, as appropriate:

(b) an urgent response to satisfy basic needs and provide services, including social protection, support to livelihoods, immediate employment measures and income-generation opportunities for population groups and individuals who have been made particularly vulnerable by the crisis;

▶ **Thematic area 5: Migrant workers have access to accurate and reliable information on their rights and opportunities, and on the pandemic and its implications**

Guidelines

MIGRANTS IN COUNTRIES IN CRISIS, GUIDELINES AND EFFECTIVE PRACTICES REGIONAL CONSULTATION EAST AND SOUTHERN AFRICA

5. Information to and communication with migrants

i. Establish mechanisms to ensure regular two-way communication with migrants to convey information about security alerts and receive information on their condition and needs by using various communication means.

ii. Provide information to migrants and cross border populations prior to travel (and upon arrival) on impending (and ongoing) crises.

ILO MULTILATERAL FRAMEWORK ON LABOUR MIGRATION

8.2. Information should be provided to migrant workers on their human rights and obligations and assisting them with defending their rights.

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

▶ Thematic area 6: Migrant workers enjoy social security coverage and the portability of social security benefits

Guidelines

ILO SOCIAL PROTECTION FLOORS RECOMMENDATION, 2012 (NO. 202)

4. Members should, in accordance with national circumstances, establish as quickly as possible and maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level.

MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1975 (NO. 143)

Article 9.

1. Without prejudice to measures designed to control movements of migrants for employment by ensuring that migrant workers enter national territory and are admitted to employment in conformity with the relevant laws and regulations, the migrant worker shall, in cases in which these laws and regulations have not been respected and in which his position cannot be regularised, enjoy equality of treatment for himself and his family in respect of rights arising out of past employment as regards remuneration, social security and other benefits.

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 PROTOCOL ON THE FREE MOVEMENT OF PERSONS

Part IV. Free movement of workers

Article 9. Right to Work

3. Member States shall, through bilateral, or IGAD arrangements, facilitate the portability of social security benefits to citizens of another Member State residing or established in the host Member State.

AFRICAN UNION FREE MOVEMENT OF PERSONS PROTOCOL

Article 19. Portability of social security benefits

State parties shall, through bilateral, regional or continental arrangements, facilitate the portability of social security benefits to nationals of another Member State residing or established in the host Member State.

▶ Thematic area 7: Migrant workers return to their country of origin with the full payment of outstanding wages and benefits and through safe and orderly migration

Guidelines

ILO MULTILATERAL FRAMEWORK ON LABOUR MIGRATION

9.5. adopting measures to ensure that all migrant workers who leave the country of employment are entitled to any outstanding remuneration and benefits which may be due in respect of employment and as applicable are given a reasonable period of time to remain in the country to seek a remedy for unpaid wages;

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.

SUSTAINABLE DEVELOPMENT GOAL 10

Reduce inequality within and among countries

Target 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

ILO MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1975 (NO. 143)

Article 9.

3. In case of expulsion of the worker or his family, the cost shall not be borne by them.

IGAD REGIONAL MIGRATION POLICY FRAMEWORK

3.3.3. Rights of Migrants

ii. Ensure that migrants who are detained by public authorities are treated humanely and fairly regardless of their immigration status, and are afforded all applicable legal protection, including, where appropriate, competent counselling and interpreter services; easy access to their consulates; and protection against arbitrary detention in accordance with the norms of international law.

AFRICAN UNION FREE MOVEMENT OF PERSONS PROTOCOL

Article 20. Mass expulsion

1. The mass expulsion of non-nationals shall be prohibited.

2. Mass expulsion shall be that which is aimed at national, racial, ethnic or religious groups.

▶ **Thematic area 8: Returning migrant workers receive support for their socio-economic integration**

Guidelines

AFRICAN UNION AGENDA 2063

72. We hereby adopt Agenda 2063, as a collective vision and roadmap for the next fifty years and therefore commit to speed-up actions to:

a. Eradicate poverty in the coming decades, through enhanced investment in the productive capacities (skills and assets) of our people, improving incomes, creating jobs and providing basic necessities of life.

EMPLOYMENT AND DECENT WORK FOR PEACE AND RESILIENCE RECOMMENDATION, 2017 (NO. 205)

Strategic Approaches

8. Members should adopt a phased multi-track approach implementing coherent and comprehensive strategies for promoting peace, preventing crises, enabling recovery and building resilience that include:

(a) stabilizing livelihoods and income through immediate social protection and employment measures;

(b) promoting local economic recovery for employment and decent work opportunities and socio-economic reintegration;

(d) ensuring consultation and encouraging active participation of employers' and workers' organizations in planning, implementing and monitoring measures for recovery and resilience, taking into account, as appropriate, the views of the relevant civil society organizations;

(f) providing guidance and support to employers to enable them to take effective measures to identify, prevent, mitigate and account for how they address the risks of adverse impacts on human and labour rights in their operations, or in products, services or operations to which they may be directly linked;

(g) applying a gender perspective in all crisis prevention and response design, implementation, monitoring and evaluation activities;

UN WOMEN GUIDANCE NOTE, ADDRESSING THE IMPACTS OF THE COVID-19 PANDEMIC ON MIGRANT WORKERS

▶ Returning female migrant workers are provided with income generating opportunities, such as through public works programmes.

UN POLICY BRIEF, THE IMPACT OF COVID-19 ON WOMEN

▶ Ensure women's equal representation in all COVID-19 response planning and decision-making.

▶ Integrate a gender assessment in all country assessments to understand the impact of COVID-19 on women and girls, including economic impact, and how to address it effectively.

▶ Target women and girls in all efforts to address the socio-economic impact of COVID-19, such as fiscal stimulus packages and social assistance programmes (e.g. cash transfers; access to credit, loans and grants; financing for women entrepreneurs and mechanisms to promote women's self-employment) to achieve greater equality, opportunities, and social protection.

▶ Disbursement procedures need to take into account women and girls' care obligations and possible informal status in their employment to make benefits accessible to them.

▶ Women in the informal economy need to be supported to access cash transfers or unemployment compensation, especially those who don't have access to banking.

▶ Use women's networks and civil society organizations, including microfinance and savings groups, to communicate on benefits.

▶ Ensure that women have access to health care, including reproductive health care; maternal health care and gender-based violence related services.

▶ Annex II. List of key informants

Government of Djibouti

Iltireh Osman, Ministry of Labour

Government of Ethiopia

Brhanu Abera, Director General, Overseas Employment, Ministry of Labour and Social Affairs

Meselech Assefa Damtew, Director, Private Employment, Agencies Licensing and Monitoring Directorate, Ministry of Labour and Social Affairs

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