International Labour Organization

PEACE, PROSPERITY AND REGIONAL INTEGRATION

Funded by the European Union

Free Movement of Persons and Transhumance in the IGAD Region

Labour Market Assessment

SOUTH SUDAN

Country report

with focus on migrant workers from the IGAD region

First published 2021

Labour market assessment with focus on migrant workers from the IGAD region:

South Sudan country report

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

ISBN: 9789220344781 (print)

ISBN: 9789220344774 (web pdf)

This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of the ILO and do not necessarily reflect the views of the European Union.

Contents

List of figures

List of tables

Abbreviations and acronyms

COMESA	Common Market for Eastern and Southern Africa
EAC	East African Community
GDP	gross domestic product
ICLS	International Conference of Labour Statisticians
IGAD	Intergovernmental Authority on Development
IOM	International Organization for Migration
MOLPSHRD	Ministry of Labour, Public Service and Human Resource Development
MOU	memorandum of understanding
NBS	National Bureau of Statistics
NGO	non-governmental organization
TVET	Technical and Vocational Education and Training
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees

Acknowledgements

This report was commissioned by the International Labour Organization (ILO) and the Intergovernmental Authority on Development (IGAD) Secretariat and produced by MarketShare Associates, in the framework of the European Union-funded project on "Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility".

The report was authored by Richard Horne and Ina Pietschmann from MarketShare Associates. A technical review team composed of two national experts from South Sudan, and headed by Nicolas Serrière (international consultant) reviewed the report as part of the validation process. Ben Fowler (MarketShare Associates) provided quality assurance while Ranu Nath (MarketShare Associates) assisted in the finalization of the report. The authors acknowledge the contribution from Consilient Consulting, for the primary data collection.

The ILO wishes to thank the Government of South Sudan, social partners as well as the IGAD Secretariat; for their generous sharing of knowledge and information. The report benefitted from experts from other relevant organizations that were interviewed in South Sudan and who also took part in the country validation workshop.

From ILO side, a number of specialists and project staff significantly contributed to the review, validation and finalization of the report. The FMPT team in particular Coumba Diop and Ephrem Getnet provided technical guidance, comments on drafts and oversight, while Mintwab Yemane coordinated the editing, proofreading and designing of the final version. Other project team members including the National Project coordinators in Sudan (Gamal Yagoob Abdalla), Uganda (Robert Mawanda), and Kenya (Wycliffe Ouma) made valuable contributions in particular during the validation workshop. Likewise, the authors also recognize the support of Amare Negash from the ILO for coordinating the logistics of the study along with Meghan Bolden (MarketShare Associates). John Maloy provided professional editing for the report.

The ILO and the author acknowledge the contribution of the following ILO specialists from key departments and country offices (STATISTICS, MIGRANT and DWCT-Cairo): Yacouba Diallo, Jean-Marie Hakizimana, Naren Prasad, Aurelia Segatti, Luca Fedi.

This publication is financed by the European Union Emergency Trust Fund of the European Union, under the framework of the ILO–IGAD project "Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility".

Foreword

The ILO in close collaboration with the Intergovernmental Authority on Development (IGAD) Secretariat has produced this report titled ***Labour Market Assessment with a Focus on Migrant Workers from the IGAD Region: South Sudan Country Report*** as part of the project on Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility financed by the European Union. The report forms part of the knowledge-generation component of the project, and provides an evidence base for improving labour migration and mobility governance in the IGAD region.

This South Sudan country report sheds light on the overall economic, labour, employment and migration dynamics in the country. The report differs from typical labour market assessments, as it focuses on the participation of migrant workers from IGAD Member States in the labour market in South Sudan. It draws on available secondary data and primary information collected as part of the study, including through quantitative interviews, focus group discussions and key informant interviews with migrant workers, government officials, employers' organizations, workers' organizations, international organizations, non-government organizations and other relevant stakeholders.

The report examines labour force characteristics, current and future demand for skills, and job creation patterns, and identifies sectors that have high potential for job creation for nationals and migrants in an integrated regional labour market. It also looks at labour market efficiency and functionality by reviewing institutional arrangements and processes, including policies, legislation, labour market information systems and employment services, among other things. The report then identifies key challenges and opportunities related to improving labour market and labour migration governance and to supporting employment and job promotion for nationals and migrants in the IGAD region. At the end, the report proposes a number of key strategic recommendations to improve access to the labour market in South Sudan by migrant workers from IGAD Members and to improve labour migration governance in the region. We advise you consult, in addition to this South Sudan country report, the regional report covering an analysis of the IGAD labour market and its inclusiveness of migrant workers from Member States.

We believe that this series of labour market assessments focused on migrant workers will be instrumental towards the implementation of the road map of the IGAD Protocol on Free Movement of Persons. Understanding the challenges migrant workers face and implementing the recommendations proposed in these reports will also pave the way for increased opportunities for regular labour mobility and regional integration.

H.E. Dr. Workneh Gebeyehu

Executive Secretary, Inter Government Authority on Development (IGAD)

Alexio Musindo

Director, ILO Country Office for Ethiopia, Djibouti, Somalia, South Sudan, Sudan and Special Representative for AU and UNECA

Executive summary

The ILO is implementing the European Union Emergency Trust Fund-financed project entitled Free Movement of Persons and Transhumance in the Intergovernmental Authority on Development (IGAD) Region: Improving Opportunities for Regular Labour Mobility. The overall objective of the project is to improve opportunities for regulated labour mobility and decent work within the IGAD Member States through the development of models of intervention. In the long-term, the project is expected to extend decent work opportunities to current and potential migrants within the region, as well as contribute to regional integration, strengthen links between economic growth, climate change and job creation; and enhance the social and economic integration of migrants. [1]

This report is an assessment of the labour market of South Sudan with a focus on migrant workers. The report is one of a series undertaken in IGAD Member States (Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda) to understand the overall economic, labour, employment and migration dynamics in these countries. It focuses on migration-prone areas, particularly places of origin, transit and destination. This analysis falls under a knowledge-building component of the ILO project, which seeks to deepen understanding of migration and labour market dynamics in the region.

The analysis presented in this report looks at labour force characteristics, job creation patterns, and challenges and opportunities for improved labour market governance to support employment and job promotion. It considers labour market information, employment services and migrant workers, as well as labour market efficiency in the wider socio-economic context. Primary data was collected to help inform the analysis, consisting of 402 quantitative interviews with migrant workers and 40 key informant interviews with government officials, employers' organizations, workers' organizations, international organizations, non-government organizations and other relevant stakeholders; and nine focus group discussions with South Sudanese communities and migrant workers. Data collection took place between March and April 2020 in Juba, Wau and Yei. The report concludes with recommendations at the strategy, policy and intervention levels, respective to each of the social partners.

Overview of migration trends and the labour market

South Sudan is a significant country of origin for migration, with the majority of emigrants leaving for Uganda. It is also a country of destination, particularly from Sudan. Despite this, there is very limited data on the South Sudanese diaspora. According to key informant interviews, the majority of migration out of South Sudan is irregular. In 2013, the top destination countries for South Sudanese migrants were Chad, Ethiopia, Uganda, Sudan, Saudi Arabia, the United States of America, the United Arab Emirates, Australia, Kenya and Canada (World Bank 2016).

Refugees and asylum-seekers account for much of the migration flows into and out of the country. Prior to the independence referendum in 2011, around 120,000 displaced South Sudanese returned to their previous home. However, since the conflict started in December 2013, more than 4 million people have fled their homes, with 2.5 million taking refuge in neighbouring countries (Human Rights Watch 2019). Around 85 per cent of South Sudanese refugees are women and children. At the same time, the United Nations High Commissioner for Refugees (UNHCR) estimated that at the end of 2018, the country was hosting around 300,000 refugees and 2,500 asylum-seekers mostly from Sudan, as well as 136,000 returnees (UNHCR 2019; UNDESA 2019b). Apart from Sudan, most refugees come from the Central African Republic, the Democratic Republic of Congo and Ethiopia. Currently, there are an estimated 580,000 migrants in South Sudan who are not categorized as refugees (UNDESA 2019b).

Data on employment outcomes highlighted the high degree of vulnerable employment, and the scarcity of wage and salaried opportunities. The situation was particularly troubling for women, for whom it was estimated that 94 per cent were in vulnerable employment (that is, they

1 For more information see the project landing page at: https://www.ilo.org/africa/technical-cooperation/WCMS_631153/lang--en/index.htm

are own-account workers or contributing family workers). As there has been a lack of new data to draw from since 2008 and given the changes that have taken place in the country, it is likely that more recent data would show changes, particularly in the gender distribution of employment, including sectors of employment and status in employment. Nonetheless, the low education base of the labour force is a major impediment and hampers possibilities for decent and productive employment opportunities.

Migrant worker characteristics from primary data

The lack of data on migrant workers in South Sudan was addressed via primary data as part of this assignment, exposing differences by length of stay and migration status. Primary data allowed for the identification of migrant workers from IGAD Member States, their migration status and length of stay, distinguishing between those that who had been in the country for more than six months (long-term migrant workers) and less than six months (short-term migrant workers). Long-term migrant workers were further broken down into those who had official documentation (regular migration status) and those who did not (irregular migration status). The migration status was not captured for those who had been in the country for less than six months.

Most of the migrant workers interviewed were found to be employees, representing a contrast to the South Sudanese employed population. Among the employed migrant workers interviewed as part of this study, 67 per cent were employees, 19 per cent were own-account workers, 13 per cent were employers, and a negligible amount were contributing family workers. A breakdown of the sample by type of employee contract suggests that a relatively high share (36 per cent) of migrant workers were unaware of whether their contract with an employer was permanent or temporary. This can reflect a number of situations: (i) contracts could be oral rather than written, thereby resulting in uncertainty about the terms; (ii) it can also be a reflection of wider uncertainty, for instance around the migration status of the individual. It also suggests that, in addition to the 19 per cent of employed migrant workers classified own-account workers, the assessment of vulnerability in employment can be extended to the 13 per cent who were classified as employers.

The majority of migrant workers interviewed were engaged in informal employment, with more cases of formal employment among long-term migrant workers with regular migration status. Around 81 per cent of employed migrant workers interviewed were in informal employment. Secondary data suggests that this is similar to the South Sudanese employed population. Informal employment was highest among long-term migrant workers with irregular migration status (88 per cent), compared to 64 per cent among those with regular migration status. This suggests that formal work arrangements, although marginal overall, are more possible for long-term stays and with regular status. The share of migrants working in an informal enterprise (unit of production) was lower than the share working in informal employment for each of the migrant worker categories analysed, suggesting a blurring between the lines of formality and informality, whereby even economic units classified as formal (for instance because they keep a book of accounts) are likely to employ workers informally (perhaps to avoid social contributions or as a survival strategy when business is not going strong).

The profiles of the migrant workers interviewed showed polarized levels of educational attainment. The educational composition of employed migrant workers interviewed as part of this study shows a combined share of 47 per cent had a primary level of education or less. At the other extreme, 30 per cent of respondents had tertiary education, and 23 per cent had a secondary level of educational attainment. This suggests that migrant workers had considerably higher educational profiles than the domestic labour force, for which the latest available data suggested over 90 per cent had a primary or less level of education. By migration status and length of stay, there were some differences, most significantly concerning those with a tertiary level of education, with 35 per cent of those with regular migration status having a tertiary education, compared to 20 per cent of those with irregular status.

Occupational skills profiles are relatively high, especially among long-term migrant workers with regular status and short-term migrant workers. These two categories were most likely to be in high-skilled occupations (51 per cent and 55 per cent, respectively), whereas only 35 per cent

of long-term migrant workers with irregular status were engaged in high-skilled activities. No long-term migrant workers with regular status and only 4 per cent of short-term migrant workers were classified as working in low-skilled occupations. About a fifth of long-term migrant workers with irregular status (18 per cent) were classified as working in low-skilled occupations. This suggests that formal processes, such as the work permit process, are not suitable or worthwhile for low-skilled migrant workers to pursue, meaning that regular migration status is most likely to be held by medium- and higher-skilled workers.

Job creation and the private sector

South Sudan faces a shortage of decent and productive opportunities, but wider challenges hamper investment, growth and job creation. Circumstances of macroeconomic instability, a fragile security situation and the lack of many basic infrastructures and services, all contribute to an environment that is not conducive to job creation. The Government has recognized the need for economic diversification and institutional capacity development, but existing strategies have yet to translate into concrete and effective steps towards establishing a more conducive business environment. The role of migrant workers is also not yet fully recognized, and work permit processes are cumbersome and disincentivizing. There is potential to follow suit of other IGAD Member States in facilitating visas and other incentives for foreign investors and for migrant workers to be engaged in these investments.

Given the country's very low education and skills base, spurring growth in manufacturing and services will likely require significant foreign direct investment to create jobs and allow for the transfer of skills and technology. Policies that promote and facilitate higher-skilled immigration to encourage knowledge transfer would be beneficial. Investing in enhancing agricultural productivity has the greatest potential to improve the livelihoods of the great majority of the population and to address the food shortages that the country is facing, but the agricultural sector has little potential for the employment of migrant workers or for migrant workers to establish businesses to create jobs.

COVID-19 and migrant workers

In March 2020, South Sudan adopted a series of measures restricting the movement of persons, goods and services, and closed government operations and private businesses such as hotels, restaurants, bars and nightclubs, although these re-opened between July and October 2020. In addition, institutions such as places of worship, schools, colleges, universities and some public workplaces were also closed between March and April 2020. As a result, the COVID-19 pandemic has caused an unprecedented loss of jobs for migrant workers and nationals alike. However, there is little specific information about how migrant workers have fared, and the protective measures adopted by the government of South Sudan and the Ministry of Health applied equally to both migrant workers and national workers.

Recommendations for decent and productive employment and jobs promotion in South Sudan

Despite acknowledging the need for employment creation in government strategies and plans, South Sudan is still in the process of developing a comprehensive national employment policy or strategy. Such a policy or strategy is necessary to ensure consistency in a Government-wide approach to promoting decent employment and jobs creation. A national employment policy or strategy can highlight priority areas and help direct resources in a cooperative manner across government departments, securing international support and assistance in the process. It would also need to align with any labour migration policy developed to ensure that migrant workers, and their roles in the labour market, are factored in to the benefit of labour market functionality. Such a national employment policy or strategy can assign roles and responsibilities for different social partners and ensure a commitment to achieving inclusive and sustainable job-rich growth.

Strategic recommendation 1: Develop and adopt a national employment policy or strategy to mainstream employment and job creation throughout the country.

- **POLICY:** Draft a national employment policy or strategy to ensure policy development in collaboration with social partners and all relevant government departments – including those responsible for education, skills development, migration and economic policies – and in alignment with any labour migration policy that is also developed.
- **POLICY:** Use the national employment policy or strategy to highlight priority areas for achieving job-rich economic growth in a sustainable and inclusive manner, this includes development of systematic labour market data collection.
- **INTERVENTION:** Identify a centralized ministry, department or agency responsible for coordinating and monitoring the national employment policy or strategy.
- **INTERVENTION:** Encourage and facilitate cooperation by employers and workers.

Strategic recommendation 2: Enhance the collection, capacity and coordination of labour market information and analysis.

The lack of labour market information is a major impediment to evidence-based policymaking around employment and jobs, and it needs to prioritized regardless of the stage of development of a national employment policy or strategy. There have been no representative surveys in South Sudan since secession, except the 2008 Population and Housing Census, which fails to portray an accurate picture of the current labour market situation. Accordingly, it is imperative that steps are taken to ensure that labour market information is enhanced. A labour force survey was planned in 2019, but not yet undertaken. While this labour force survey will be a positive development, it should be further enhanced by an up-to-date Population and Housing Census in order to develop an up-to-date sampling frame for further surveys, particularly given the major migration and demographic shifts that have taken place in the last decade. Ensuring that the labour force survey includes a migration module should also be underscored.

A national employment policy or strategy would include targets and milestones related to the labour market in order to ensure accountability and provide direction. It is therefore necessary to clarify what information is required to ensure analytical capacity and effectively use of data. Enhanced capacity and improved coordination of labour market information and analysis is the second strategic recommendation.

- **POLICY:** Facilitate the establishment of a technical working group or committee on labour market information.
- **POLICY:** Establish the design of a labour statistics framework that consolidates subnational estimates for key labour market indicators, including information on migrant worker flows and characteristics.
- **POLICY:** Prioritize regular work force baseline surveys.
- **INTERVENTION:** Provide technical support, expert advice and support to the improvement of labour market information and analysis.
- **INTERVENTION:** Incorporate a labour migration module into the labour force survey.
- **INTERVENTION:** Implement and facilitate implementation of employers and vacancies surveys.

Strategic recommendation 3: Establish and enhance the functions and capacity of employment services.

Employment services are underdeveloped in South Sudan with minimal functions offered by the Government and through largely unregulated private recruitment agencies. The current state of both public and private employment services points to the lack of private sector development, job creation

and paid employment opportunities. As the private sector develops, however, there will be a greater need for both public and private employment services. However, certain measures can be put in place in the current environment, such as job matching services that include job boards and gathering of data. Further, regulation of private employment agencies needs to be tightened to protect both South Sudanese and international migrant workers. Accordingly, there are measures that can help make better use of employment services, in terms of their effectiveness and the information they capture, for the benefit of workers, jobseekers, employers and the Government. As such, enhancing the functions and capacity of employment services is the third of the strategic recommendations. This should be incorporated within a wider national employment and jobs strategy.

- **POLICY:** Establish public employment services in all ten states of South Sudan.
- **POLICY:** Outline the basics of employment service activities to be provided by the Government and assign roles and responsibilities.
- **POLICY:** Ratify and enforce compliance with the Employment Services Convention, 1948 (No. 88), and the Private Employment Agencies Convention, 1997 (No. 181).
- **POLICY:** Establish memorandums of understanding between workers' groups, public employment services and private employment agencies on the sharing of labour market information and sharing of information on workers' rights, including migrant workers' rights.
- **POLICY:** External stakeholders working with relevant labour market actors, such as refugees, should work closely with employment services and private employment agencies.
- **INTERVENTION:** Provide sufficient resources to employment services.
- **INTERVENTION:** Actively promote the use of public employment services, through the encouragement of employers to advertise and seek candidates through these services.

Strategic recommendation 4: Align and establish labour market governance mechanisms to better incorporate migrant workers.

The final strategic recommendation is associated with migrant workers and their implications for labour market governance. Migrant workers are present in South Sudan, although how they contribute to labour market functionality is not clearly established. This is in part, a result of the lack of information available to capture characteristics of the labour force and migrant workers, particularly those with irregular migration status and those working informally. Partly, this situation has emanated from the lack of attention given to migrant workers and their possible contributions and impacts on the labour market. This may reflect that the Government has more immediate priorities, but employment and job creation are fundamental within a wider approach to economic transformation, and the skills and resources that migrant workers bring can be leveraged to achieve value-added growth and job creation for the South Sudanese population. At the same time, the Labour Act, 2017, covers only migrant workers with work permits, but fails to cover irregular migrant workers, who likely represent to the vast majority of migrant workers in South Sudan. A labour migration policy that aligns with a national employment policy or strategy would be an opportunity to manage migration proactively by clarifying the role of migrant workers – including those with irregular status – to ensure adjustment in legislation according to relevant migration Conventions. Therefore, the fourth strategic recommendation is to align and establish labour market governance mechanisms to better incorporate migrant workers.

- **POLICY:** Revise the Labour Act to clarify the position and the rights of irregular migrant workers.
- **POLICY:** Ratify and comply with the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).
- **POLICY:** Design a labour migration policy in alignment with the development of any national employment policy or strategy.

Chapter 1

Introduction

The Intergovernmental Authority on Development (IGAD) region is characterized by a range of migratory movements driven by political, economic and environmental factors, and encompassing different categories of migrants, including economic migrants, refugees and forcibly displaced persons. To date, IGAD and its Member States have already taken numerous steps to govern and address the issue of migration in the region, including adoption of the IGAD Regional Migration Policy Framework and the Migration Action Plan and promising steps taken towards the adoption of the IGAD Protocol on Free Movement of Persons. Both the Regional Migration Policy Framework and the Migration Action Plan have identified the facilitation of labour mobility, transhumance and free movement of persons as a strategic priority. In addition, in 2013, the Summit of IGAD Heads of State and Government adopted a Minimum Integration Plan to serve as a roadmap for regional integration, in which the free movement of persons is a key pillar. To this end, IGAD Member States endorsed in February 2020 a Free Movement and Transhumance Protocol, and steps are underway to accelerate the adoption of a roadmap for implementation of the protocol.

In order to support IGAD and its Member States aspiration towards a free movement regime, the ILO is implementing the European Union Emergency Trust Fund-financed project Free Movement of Persons and Transhumance in the IGAD Region: Improving Opportunities for Regular Labour Mobility. The overall objective of the project is to improve opportunities for regulated labour mobility and decent work within IGAD Member States through the development of models of intervention, in the broader context of free movement of persons and labour mobility in the region. In the long term, the project is expected to extend decent work opportunities to current and potential migrants within the region, as well as contribute to regional integration; strengthen links between economic growth, climate change and job creation; and enhance the social and economic integration of migrants. The project has two major components: (i) knowledge-building and (ii) operational implementation. One of the main focal areas of the project is to deepen understanding of migration and labour market dynamics in the region, including the constraints and opportunities for employment creation and causes of skills shortages. As part of this knowledge generation component of the project, labour market analyses have been undertaken in IGAD Member States to understand the overall economic, labour, employment and migration dynamics in the countries, focusing on migration prone areas, particularly places of origin, transit and destination.

In this regard, the ILO has commissioned MarketShare Associates to conduct these labour market analyses in IGAD Member States: Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. These are captured in country reports and a regional synthesis report. Each report consists of an analysis of labour force characteristics, job creation patterns, and challenges and opportunities for improved labour market governance to support employment and job promotion. It considers labour market information, employment services and migrant workers, as well as labour market efficiency in the wider socio-economic context. Notably, each of these areas is focused on their relevance to employment and jobs promotion. Finally, the reports provide recommendations on each of these components, at the strategy, policy and intervention levels, respective to each of the social partners. Both primary and secondary data are used in this analysis.

Chapter 2

About the report

This chapter is structured as follows: Section 2.1. outlines the study objective and structure of the report; Section 2.2. provides an overview of definitions and concepts used in the study; Section 2.3. provides an overview of the primary data approach; Section 2.4. provides an overview of the secondary data approach; Section 2.5. addresses the stakeholder consultation concerning the finalization of the report; and Section 2.6. presents limitations of the study.

2.1. Objective and structure of the report

This labour market assessment (henceforth also referred to as "the report") aims to help deepen understanding of the labour migration and labour market structures and dynamics in the IGAD region. Against this backdrop, the report provides an analysis of South Sudan's labour market, paying particular attention to labour migration and opportunities for productive employment for migrants and nationals.

Accordingly, the report provides an analysis of labour force characteristics, an overview of job creation and private sector development, and areas for improved governance for employment and jobs creation. It draws from available secondary data and new primary data and information collected as part of the study. This primary data and information consist of quantitative information collected through a questionnaire and qualitative data from interviews and focus group discussions with key stakeholders and seeks to fill information gaps and validate secondary data findings. The structure of the main body of the report and the main source of information are as follows in table 1:

Table 1. Structure of main body of report and types of data used

Section of report	Type of data
3. Socio-economic context	
3.1. Socio-economic context	Secondary data
4. Labour force characteristics	
4.1. Labour force	Secondary data
4.2. Migrant workers	Secondary data and primary data
4.3. Skills composition	Secondary data and primary data
5. Job creation and the private sector	
5.1. Sectoral growth	Secondary data
5.2. Private sector development	Secondary data
6. Labour force characteristics	
6.1. Employment policy and legislation	Secondary data and primary data
6.2. Labour market information	Secondary data and primary data
6.3. Employment services	Secondary data and primary data
6.4. Migrant workers	Secondary data and primary data

The report concludes with recommendations and next steps at the strategy, policy and intervention level, addressed to each of the social partners, that is, the Government, employers' groups and workers' groups.

2.2. Concepts and definitions

Appendix IV provides a glossary of definitions and concepts used in the study. As detailed in this section, the labour market definitions are consistent with the 19th International Conference of Labour Statisticians (ICLS) resolution on statistics of work, employment, and labour underutilization (ILO 2013, and see box 1 below). For clarity, the definition of migrant workers as used in this study is presented below.

Box 1. The importance of compliance with ICLS definitions and guidelines

The ICLS is the global standard-setting body in the area of labour statistics that convenes every five years. The ICLS sets guidelines for concepts and definitions that allow for consistent measurement and use of terms for all social partners, including labour ministries and national statistics offices, employers' groups and workers' groups. In the context of this study, secondary sources of labour market statistics and primary data and information were collected and compiled. It is important to highlight that these statistics and information are consistent with ICLS standards to allow for effective policymaking in Djibouti and comparability of findings among IGAD Member States.

Source: ILO 2018b.

"Migrant worker" or "international migrant worker" refers to all persons of working age (in this case, aged 15+ is used) present in the country of measurement, who were during the specified reference period in one of the following two categories:

i. usual residents – International migrants who were in the labour force of the country of their usual residence, either in employment or in unemployment; or

ii. Not usual residents (or "non-resident foreign workers") – Persons who, during a specified reference period, were not usual residents of the country, but were present in the country and had labour attachment to the country, that is, were either in employment supplying labour to resident producer units of that country or were seeking employment in that country.

Given the primary data collection element of this study, this definition is in line with the 20th ICLS Guidelines Concerning Statistics for International Labour Migration (ILO 2018b).

2.3. Primary data collection

Under the terms of reference for this assignment, primary data collection was prescribed at 400 quantitative interviews, 40 key informant interviews and eight focus group discussions, per country. Data collection focused on migrant prone locations. These quotas were fixed, and a sampling process and fieldwork plan were devised to maximize the value of the data gathered for both for the objectives of this study and for the wider research community. The following subsections provide information of the data collection for each component. Primary data collection took place between March and April 2020.

2.3.1. Quantitative interviews

Quantitative interviews were conducted in Juba (202 interviews), Wau (138 interviews), and Yei (62 interviews). Enumerators were trained as part of the fieldwork process in each site and were briefed on the objectives of the assignment, the data collection tools and the selection process. Pilots were conducted in each location and verified by team leaders.

Interviews were conducted face-to-face with a standardized questionnaire (provided in Appendix II). The questionnaire was designed to capture the necessary information to be able to calculate variables that complied with ICLS adopted labour statistics concepts and definitions (see Section 2.2.). It should be noted that the structure of the questions is similar to a Labour Force Survey questionnaire in order to allow comparability, however the primary data collection was fundamentally different in that it was conducted as an individual assessment and not a household survey, and was focused only on a subset of variables with additional questions to capture information on migrant workers. The questionnaires contained four modules to capture information in the following areas:

- **Module 1:** Socio-economic characteristics of migrant workers
- **Module 2:** Labour force status of migrant workers
- **Module 3:** Characteristics of employed migrant workers
- **Module 4:** Nature of labour migration

The locations of Juba, Wau and Yei were proposed for quantitative data collection during the inception phase of the study and agreed upon with the ILO. Each location was selected on the basis that it was a major recipient of migrant workers.

2.3.2. Description of the sample

The questionnaire allowed for the identification of 402 migrant workers from IGAD Member States, their migration status and length of stay, distinguishing between those that were in the country for more than six months (long-term migrant workers) and less than six months (short-term migrant workers). Long-term migrant workers were broken down into those who had official documentation (regular migration status) and those who did not (irregular migration status). The migration status was not captured for those in the country for less than six months. The data is only presented by migration status, not migrant worker status.

The sample sought to capture information on migrant workers from a range of basic demographic characteristics (see Section 2.6. for sampling process and limitations). The sample consisted of 254 men and 148 women (65 and 35 per cent, respectively), and around 62 per cent were married. The median age, 32, is one of the highest among the countries studied in this series of report, and young people (below 25) only represent 10 per cent of the sample (40 respondents).

The migration status of the sample is the most transient among all the IGAD countries reviewed, with 133 respondents (33 per cent) being short-term migrant workers and 171 respondents (43 per cent) being long-term migrant workers with irregular status. Only 98 respondents (24 per cent) had regular status. In terms of educational attainment, the sample is split between two extremes: 186 respondents (46 per cent) had attained a primary level of education or less, and 120 (30 per cent) had a tertiary educational attainment. Comparing

men to women shows that women tended to have a lower level of educational attainment than men: 56 per cent of women had a primary education or less, compared to 41 per cent for men; there are also a smaller share of women (24 per cent) than men (33 per cent) with a tertiary-level education.

In terms of labour force status, 380 respondents out of 402 (95 per cent) were considered to be in employment, with just 12 respondents classified as unemployed and 10 as out of the labour force. Although a small number compared to neighbouring countries such as Sudan or Ethiopia, the fact that 10 people in the sample (2 per cent) were classified as outside of the labour force may seem surprising considering that the methodology specifically targeted migrant workers. This can be explained by the fact that a strict definition of unemployment has been used to classify respondents. According to this definition, three criteria need to be fulfilled to define a situation of unemployment: not having a job, being actively searching for a job, and being immediately available to start a job should an opportunity arise. In labour markets that are largely informal, these criteria cannot always be fully observed, and the application of this strict definition results in classifying more people as out of the labour force than if a relaxed definition were to be applied.

A total of 76 respondents (18 per cent of those classified in employment) were own-account workers or contributing family workers, and could therefore be considered as vulnerable workers. At the same time, 171 respondents (45 per cent of respondents in employment) were classified in high-skilled occupations (such as managers, professionals and technicians and associates), 170 in medium-skilled occupations (which include services and sales, skilled agriculture, and crafts and related activities) and just 34 (9 per cent) in low-skilled occupations. A greater proportion of women were engaged in medium-skilled occupations than men (51 per cent against 41 per cent, respectively), and quite a few more men (50 per cent) were engaged in high-skilled occupations compared to women (37 per cent).

Informality was widespread, with 309 out of the 380 employed migrant workers being in informal employment (81 per cent). Also, among those in employment, 167 (44 per cent) stated that they were employed in informal units. The concurrent analysis of these two measurements indicates the blending of formality and informality in the world of work, as it shows that people were likely to be employed informally in formal units.

Table 2. Description of the sample by regions and selected indicators

State or indicator	Male	Female	Total
Region	**254**	**148**	**402**
Juba	123	79	202
Wau	95	43	138
Yei	36	26	62
Age	**254**	**148**	**402**
15–24	11	29	40
25+	243	119	362
Migration status	**254**	**148**	**402**
Less than 6 months	95	38	133
Irregular status (more than 6 months)	96	75	171
Regular status (more than 6 months)	63	35	98

Educational attainment	**254**	**148**	**402**
Primary	103	83	186
Secondary	62	30	92
Tertiary	85	35	120
Not stated	4	–	4
Labour force status	**254**	**148**	**402**
Employed	242	138	380
Unemployed	6	6	12
Out of labour force	6	4	10
Status in employment	**242**	**138**	**380**
Wage employed	150	98	248
Employer	34	14	48
Own account worker	49	23	72
Contributing family member	3	1	4
No response / unclassifiable	6	2	8
Occupational skills level	**242**	**138**	**380**
Low-skilled	19	15	34
Medium-skilled	99	71	170
High-skilled	120	51	171
Not elsewhere classified	4	1	5
Informality	**n.a.**	**n.a.**	**n.a.**
Informally employed	199	110	309
Working for an informal unit	115	52	167

– = nil; n.a. = not applicable.
Source: Primary quantitative data collection

2.3.2. Key informant interviews

A total of 40 Key informant interviews were conducted in Juba (16 interviews), Wau (12 interviews), and Yei (12 interviews).

Interviews were conducted face-to-face in a semi-structured format (see Appendix III). However, interviewers were encouraged to probe outside of the semi-structured guides depending on the type of stakeholder and depending on how the interview was proceeding. A core semi-structured interview guide was focused on identifying key drivers of labour migration in the broader economic context, including economic disparities and decent and productive work deficits, formal and informal rules around labour migration governance; and the role of employment services to facilitate labour migration. Each interview lasted a maximum of one hour.

Interviews were conducted with a wide range of key labour market stakeholders at local, regional and national levels. Consultations with government officials in each locality were also used to identify respondents who could provide information. Respondents included government officials, employers and their associations across a variety of sectors, union members, community leaders, as well as non-governmental organizations (NGOs) and international organizations working in this area. Table 3 below presents an overview of the types of stakeholders interviewed, and the full list of interviewees is presented in Appendix I.

Table 3. Overview of stakeholder interviews

Type of stakeholder	No. of interviews	Examples of stakeholders interviewed
Social partners		
Government	12	Undersecretary of Labour; Party Leader – Legislative Assembly; Paramount Chief; Labour Office; Migration Office / Immigration Department; Ministry of Labour; Governor's Office; State Secretary General
Employers and employers' organizations	11	Business owners; Employers' and traders associations; Chambers of commerce (national / state level)
Workers and workers' organizations	5	Youth union; Teachers' union; Women's union
Other		
International organizations	4	International Organization for Migration (IOM)
NGOs, civil society organizations and others	8	ACROSS; Norwegian Refugee Council; Community leaders; Religious leaders; Youth leaders

2.3.4. Focus group discussions

Focus group discussions were conducted in Juba (three group discussions), Wau (three group discussions), and Yei (three group discussions).

Discussions were conducted in groups of eight to ten people, with a facilitator who used a semi-structured guide to steer conversations around specific areas. The discussions were conducted with host communities and migrant workers, in male and female split groups to prevent sociocultural norms from undermining open discussions. The discussions sought to gather perspectives around labour migration, including the perceived impact on the economy and local community. Each discussion lasted on average one hour.

2.4. Secondary data collection

2.4.1. Desk review

A comprehensive desk review of secondary information was conducted to understand the situation and trends related to labour markets and labour migration in South Sudan. The labour market analysis took into consideration information published in key planning documents as well as recent labour market analysis and research conducted. It also reviewed labour migration relevant legislation and policies as well as institutional mechanisms related to employment services. A full list of resources reviewed as part of this study is provided in the bibliography.

2.4.2. Secondary statistics

A wide range of available secondary statistics were compiled from key statistics sources to support the identification of socio-economic issues, labour market dynamics and labour migration corridors that offer decent and productive employment growth potentials. The main secondary statistics sources used are listed in table 4 below (please note this does not include primary data or reports that were not focused on statistics).

Table 4. Structure of main body of report and sources of secondary statistical data used

Section of report and type of data	Main source(s) of secondary statistics
3. Socio-economic context	
Macro-economic indicators / gross domestic product (GDP)	World Bank – *World Development Indicators, 2020.* World Bank – *South Sudan Economic Brief: April 2019.* International Monetary Fund (IMF) – *Republic of South Sudan: Article IV Consultation, 2019*
Population	United Nations Department of Economic and Social Affairs (UNDESA), Population Division – World Population Prospects: The 2019 Revision.
Urbanization	UNDESA, Population Division – World Urbanization Prospects: The 2018 Revision.
Poverty and inequality	World Bank – World Development Indicators, 2020.

Human development	United Nations Development Programme (UNDP) – *2019 Human Development Report.*
Migrant stock	UNDESA. Population Division – Trends in International Migrant Stock: The 2019 Revision IOM – *World Migration Report 2020*
Refugee stock	United Nations High Commissioner for Refugees (UNHCR) – UNHCR Population Statistics Database IOM – *World Migration Report 2020*
Remittances	World Bank – Migration and Remittances Data, 2019
4. Labour market supply	
Labour force	ILO modelled estimates, 2020
Skills composition	Guarcello, Lyon, and Rosati, "Labour Market in South Sudan", 2011. World Bank – World Development Indicators, 2020.
5. Job creation and private sector	
Economic growth and trends	World Bank, *Doing Business 2020: Economic Profile – South Sudan, 2020.* IMF, *Republic of South Sudan: Article IV Consultation, 2019.* African Development Bank, *2018 African Economic Outlook, 2018.*

2.5. Final technical revision and virtual consultation

In its finalization phase, the report underwent a technical revision exercise and was presented to a broad group of stakeholders during a virtual workshop. The technical revision addressed the fact that, due to exceptional circumstances, such as the advent of the COVID-19 pandemic, the publication date of the report was delayed, with the effect that some of the data and information informing the socio-economic and policy sections of the report had to be updated. However, this delay allowed the technical review team (composed of two national and one international experts) to include some last-minute information about country responses to the pandemic (see Section 3.5.).

The report was then further enriched with comments collected during a final consultation workshop which brought together a large group of stakeholders. In line with restrictions adopted in the wake of the COVID-19 pandemic, the workshop was held virtually. It was organized around four parallel sessions, giving participants the opportunity to intervene in structured discussions along the themes of the report.

2.6. Limitations to the study

The above sections have listed some limitations according to each methodological component to the study; however, it is necessary to clarify what this South Sudan labour market assessment is and what it is not. This report is one of a series undertaken in select IGAD Member States (Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda) to understand the overall economic, labour, employment and labour migration dynamics in these countries with a focus on migration-prone areas, particularly places of origin, transit and destination. As mentioned above, it contributes to the ILO project's efforts to deepen understanding of migrant workers and labour market dynamics in the region, including the constraints and opportunities for employment creation and causes of skills shortages.

Firstly, owing to the focus on migrant workers from the IGAD region, this report is not a standard labour market analysis. This report places emphasis on the role of migrant workers from IGAD Member States in the wider labour market and socio-economic context, and considers how migrant workers can contribute to improved decent and productive employment in South Sudan.

Secondly, South Sudan has a shortage of labour market data, with a planned labour force survey for 2019 not yet undertaken. As a result, labour force characteristics presented in chapter 4 are drawn from the ILO's modelled estimates. These estimates use a combination of data from available household surveys applied to other wider datasets, including United Nations World Population Projections. The only household datapoint is from the Population and Housing Census 2008, which was conducted before South Sudan became an independent State. The shortage of data and information on migrant workers in South Sudan is addressed through new primary data and information collected on migrant workers, providing new and unique insights into the characteristics of migrant workers in South Sudan.

Thirdly, it was initially envisioned that the quantitative interviews would be conducted with migrant workers and national workers in order to allow for comparison between the two groups by using a random sampling process. However, the required sample of 400 interviews was considered too small to have statistical significance in analysing the differences between the two groups, especially when disaggregating the data further. It should also be underscored that a representative sample was not feasible with 400 interviewees. As a result, the sample targeted migrant workers only using purposeful sampling. Enumerators with local context were able to identify individuals who were engaged in some form of work or actively looking for and available to work, and then to conduct interviews. Those who were classified as out of the labour force are still included in the dataset for analysis and comparison, where appropriate.

Finally, labour migration governance is very relevant to this analysis; however, a parallel study was also commissioned entitled An Assessment of Labour Migration and Mobility Governance in the IGAD Region: Country Report for South Sudan (ILO 2020a). With this in mind, this South Sudan labour market analysis seeks to complement, not replicate this other report. The two reports should be seen as accompanying each other. It should also be noted that in this South Sudan labour market analysis, migrant workers are considered from the perspective of the labour market and not from a migration perspective. The aforementioned ILO (2020a) report also looks at labour migration governance in the context of wider migration policy and should be consulted to get more information related to this angle.

Chapter 3

Socio-economic context

South Sudan borders Sudan, Ethiopia, Kenya, Uganda, the Democratic Republic of the Congo and the Central African Republic. Civil war and conflict have undermined South Sudan's ability to develop, and it remains among the poorest and least developed nations in the world. The vast majority of the population is dependent on subsistence agriculture and humanitarian assistance. Although South Sudan controls 75 per cent of what used to be greater Sudan's oil fields, it is landlocked and does not have its own refineries, and is therefore reliant on its neighbouring countries to transport and ship crude oil. Despite this, South Sudan's strengths are its young population, large labour force and vast natural resources, as well as recent measures by the Government of South Sudan to restore macroeconomic stability, such as a strong fiscal budget and public finance reforms (KPMG 2017).

South Sudan's population was estimated at around 11.1 million in 2019, of which more than 60 per cent was below the age of 25 (UNDESA 2019a). The country is largely rural, with only about one-fifth of the population living in urban areas (UNDESA 2018). This share is estimated to increase to about 35 per cent by 2050.

3.1. Economic and sectoral performance

World Bank estimates put South Sudan's GDP at around US$12 billion in 2015, having declined from US$18.5 billion in 2013 (World Bank 2020a). South Sudan is also one of the most oil-dependent countries worldwide, its exports consist almost exclusively of crude petroleum, which is also responsible for between 40 to 80 per cent of its GDP (World Bank 2019a). Volatility due to fluctuating oil prices and recurring bouts of conflict has also contributed to significant fluctuations in South Sudan's fiscal deficit and current account balance, as the majority of government resources are derived from oil income. The country is still in debt distress due to high extrabudgetary spending, with total debt over 40 per cent of GDP as of March 2019 (AfDB 2020). The country faces ongoing macroeconomic instability, with GDP growth ranging from negative 46 per cent in 2012 to 13 per cent in 2013.

Around 80 per cent of the population depend on low-productivity subsistence farming and livestock rearing for their livelihoods (FAO 2020; AfDB 2013). The main subsistence crops are sorghum, corn and cassava, with peanuts being the primary cash crop, and timber from the country's over 70,000 square km of forests serving as another source of exports. However, due to the dominance of the oil sector, agriculture and forestry make up only around 10 per cent of GDP (World Bank 2020a), and little more than 0.5 per cent of total exports (Atlas of Economic Complexity 2017). South Sudan has abundant fertile land, but impediments including poor transport infrastructure and low-yielding production techniques hamper productivity, access to markets and growth, resulting in the country being a net importer of food and 90 per cent of consumer products (Atlas of Economic Complexity 2017).

The industrial sector accounted for around a third of GDP in 2015 (World Bank 2020a), which is only half of the share in 2011, despite growth of the construction industry designed to mitigate the lack of basic infrastructure. In 2010, non-oil industry made up only 5 per cent of GDP, representing the lack of development of manufacturing and other non-oil industries, although this is likely to have changed since then (AfDB 2013). At the same time, the services sector is in its early stages of development, mostly made up of government workers, shops and restaurants, which capture about 20.5 per cent of total employment (KMPG 2017). Due to its natural beauty and rich wildlife, South Sudan has the potential for tourism, but this has not materialized due to insecurity – in 2018, growth in this sector was zero (World Bank 2019c).

Conflict and instability have impacted South Sudan's ability to attract foreign direct investment and develop functioning institutions, and has led to ongoing

macroeconomic volatility, as well as sanctions. After decades of civil war between Sudanese regions before independence, a political power struggle in 2013 led to yet another civil war within South Sudan proper. This conflict was mediated by a 2015 peace deal, but re-ignited in 2016, resulting ultimately in a revitalized peace agreement in 2018. It is clear that sustaining peace and stability by swiftly implementing the peace agreement must be the utmost immediate priority for the Government, if the country is to make any headway in terms of economic recovery.

South Sudan participates in trade organizations in the region. It became a member of the East African Community (EAC) in 2016, and it has been approved for membership in the Common Market for Eastern and Southern Africa (COMESA), although it has not formally been made a Member State yet. These memberships present both a challenge and an opportunity; integrating with local markets should make the inflow of goods easier and open up long-term avenues for trade and export expansion (Sauvé 2012).

3.2. Poverty, inequality and human development

The civil war has impacted South Sudan's poverty ratio dramatically – whereas it stood at 55 per cent in 2014, it had increased to 82 per cent in 2016 based on the $1.90 PPP poverty line (World Bank 2020a). Urban poverty increased from 49 per cent in 2015 to over 70 per cent in 2017 (World Bank 2019c). The Multidimensional Poverty Index which takes into account health, education and living standards next to income, categorizes 92 per cent of the population as being multidimensionally poor (based on 2010 data) (UNDP 2019). Gross national income per capita was around US$1,100 in 2015, and dropped to less than US$200 in 2017 (World Bank 2019a). With low agricultural productivity, conflict-related loss of livelihood, and farmers' vulnerability to weather shocks and pests, extreme levels of acute food insecurity persist across the country. The number of people who required humanitarian assistance in 2019 remained at 7 million, more than half of the 2019 population in South Sudan (World Bank 2019c).

Throughout the conflict, healthcare facilities had been destroyed and an estimated 3.9 million people needed healthcare in early 2019. Likewise, the education system has been disrupted, and about 2.8 million children – more than 70 per cent of school-aged children – have lost access to educational services. Less than 8 per cent of the population has access to electricity, and even less to improved sanitation (IMF 2019). Real disposable income has declined by 70 per cent since independence, and South Sudan's per capita consumption will have to grow the most of all African countries for it to reach the Sustainable Development Goal's 3 per cent poverty target by 2030 (AfDB 2018; IMF 2019). The country currently receives a net inflow of around US$1.6 billion of overseas development assistance per year, and has received a total of around US$10 billion in humanitarian assistance since 2011.

In 2018, South Sudan's Human Development Index stood at 0.41, ranking 186th out of 188 countries (UNDP 2019). If adjusted for inequality, it drops even further to 0.26 – a reflection of pervasive gender inequality across all indicators, and the fact that rents from the oil sector accrue to only a very small share of the population. In the Human Capital Index, which measures factors such as average years of schooling, stunting, and survival rates with a top score of 1, South Sudan stands at 0.3, roughly half of the worldwide average of 0.57, and far below Sub-Saharan Africa's average of 0.4, coming second-to-last only above Chad (World Bank 2018a). Less than a third of the population is literate, about half the African average, with significant gender discrepancies – the literacy rate of male adults in 2015 was 38.6 per cent, that of females, 25.4 per cent (AfDB 2018).

3.3. Migration dynamics in South Sudan

South Sudan is a significant country of origin for migration, with the majority of emigrants leaving for Uganda, and at the same time, it is a country of destination, particularly with inflows from Sudan. It is one of the countries with the highest overall number of nationals disseminated in the region, with over 4 million South Sudanese refugees abroad (Human Rights Watch 2019). At the same time, there were around 1.2 million migrants in South Sudan in 2019 (IOM 2020). With 27 per cent of its population on the move in 2019, South Sudan is also the country with the largest share of its population having migrated (IOM 2020).

There is very limited data on the South Sudanese diaspora. According to key informant interviews, the majority of migration out of South Sudan is irregular. In 2013, top destination countries for South Sudanese emigration were Chad, Ethiopia, Uganda, Sudan, Saudi Arabia, the United States of America, the United Arab Emirates, Australia, Kenya and Canada (World Bank 2016).

3.3.1. Migration outflows

The South Sudan to Uganda route is currently the third-largest migration corridor involving African countries (with Uganda hosting 1.1 million, or 43.5 per cent of South Sudanese migrants). Other notable corridors include South Sudan to Sudan (800,000 or 31 per cent) and Ethiopia (400,000 or 17 per cent) (IOM 2020). Likewise, most migrants to South Sudan are from neighbouring countries. Independent of the conflict, there are regular seasonal migration flows, for example, to seek nutrition and water for livestock or to establish ties with other communities. Many of these flows are informal and occur across country borders, such as the migration between South Sudan and Sudan by semi-nomadic pastoralists (IOM 2018a).

3.3.2. Displaced populations and refugees

Prior to the independence referendum in 2011, around 120,000 displaced South Sudanese returned to their previous home. However, since the conflict started in December 2013, more than 4 million people have fled their homes, with 2.5 million taking refuge in neighbouring countries (Human Rights Watch 2019). Around 85 per cent of South Sudanese refugees are women and children (UNHCR 2018b). At the same time, the UNHCR estimates that at the end of 2018, South Sudan was itself hosting around 300,000 refugees and 2,500 asylum-seekers, mostly from Sudan, as well as 136,000 returnees (UNHCR 2019; UNDESA 2019b). Most refugees come from Sudan, the Central African Republic, the Democratic Republic of Congo and Ethiopia, and are stationed in Upper State, Unity State Central Equatoria, Jonglei and Western Equatoria State in 21 locations (UNHCR 2020). The presence of the refugees in these states led to provision of social services and the creation of employment opportunities for the host communities and migrants emanating from the presence of the international NGOs operating in these areas. Over 200,000 people are living in six United Nations Mission in South Sudan "Protection of Civilian" sites across the country. Seven million people need humanitarian assistance, which is over half of the current population, most of whom face acute food shortages (IOM 2018; Human Rights Watch 2019).

3.3.3. Migration in South Sudan

Migration into and within South Sudan is also largely irregular. Due to its porous borders and the perception of opportunities – mainly due to the extensive humanitarian aid system – have made the country a destination for a significant number of migrant workers (Marchand, Reinold and Dias e Silva 2017). Insights from key informant interviews suggest that most migrants enter the country on regular tourist visas, and then find work once inside. South Sudan is also a transit

country for migrants bound towards Europe and Southern Africa, many with the help of smuggling networks.

The irregular and undocumented nature of both inward and outward migration presents substantial risks for migrants to fall victim to human trafficking (IOM 2018). South Sudan neither meets minimum protection standards nor seems to be working towards achieving them. The recruitment of child soldiers by government and opposition forces is known, and the fact that the majority of refugees and internally displace persons are women and children means they are particularly vulnerable to being kidnapped and trafficked for labour and sexual exploitation. In addition, migrants from neighbouring countries are lured into servitude through promises of decent work by South Sudanese and foreign business owners, as well as by organized trafficking networks (US Department of State 2018).

Before the conflict broke out in 2013, South Sudan hosted up to 1.2 million migrant workers from neighbouring countries; however, many of them have returned or were evacuated following unrest. Likewise, South Sudanese that have emigrated have cited security concerns as their main reason for not returning (Marchand, Reinold, and Dias e Silva 2017). Further confusion was added by a government order in 2014 that expelled foreign workers, only to be reversed again shortly afterwards (KPMG 2017). Currently, there are an estimated 580,000 migrants in South Sudan that are not categorized as refugees (UNDESA 2019b).

"We have seen so far greatest level of migrant workers coming to South Sudan from our neighbours like Uganda, Kenya and Ethiopians and Somalis. This movement of labour migrants started in 2007 and it has greatly increased, between 2013–2016 most labour migrants left the country because of the conflict, but some are now coming back as the peace holds. Most of those coming do small business and some do bigger business and other chose to work with NGOs and [the] private sector." – Key informant

3.3.4. Remittances

Inflowing remittances have grown from around US$2 million in 2014 to US$211 million in 2019, equivalent to about 6.7 per cent of GDP; while outflowing remittances were approximately US$66 million in 2018 (World Bank 2019b). Remittance inflows peaked in 2015 and 2016 at around US$1.1 billion but have since declined again. This indicates that South Sudanese emigrants contribute enormously to the economic and social development of the country through physical and structural assets, such as building residential houses, buying plots, establishing businesses and supporting relatives in paying school fees and for other social activities.

3.4. COVID-19 and migrant workers

3.4.1. Assessment of vulnerability of the country

The COVID-19 pandemic has significantly affected the economy of South Sudan, which mainly depends on oil revenues. This has partly emanated from restriction of the movement of persons, goods and services as well as from the closure of government operations and of private businesses such as hotels, restaurants, bars and nightclubs since March 2020, although these re-opened between July and October 2020. In addition, institutions such as places of worship, schools, colleges, universities and some public workplaces were also closed between March and April 2020. As a result, the pandemic has caused an unprecedented loss of jobs for migrant workers and nationals alike.

In addition, migrant workers are faced with volatile market prices due to inflation as the South Sudanese pound continues to lose its value, thus reducing access to foreign currency (African Development Bank 2018). Migrant workers are exposed to low-paying wages that has reduced their purchasing power for basic commodities in South Sudan and in their countries of origin.

As such, this section provides a brief explanation of:

- where migrant workers are primarily employed or operating;
- an assessment of their vulnerability;
- any documented information around discrimination amid the pandemic; and
- specific responses to COVID-19 pandemic in South Sudan.

In South Sudan, migrant workers are mainly employed in the private sector and in international and national NGOs. The private sector industries that employ migrants include security, transportation, telecommunications, logistics and procurement, energy, hotels and tourism, education and training, and health and safety, and this includes small- and medium-sized businesses. Further, migrant workers are employed by international and national NGOs such as the United Nations Mission for South Sudan, the IOM, and the UNHCR.

3.4.2. The impact of COVID-19 on migrant workers

Although migrant workers are making considerable contributions in South Sudan as investors, employers, private business owners, and skilled and unskilled workers, there is little information on how they have fared during the COVID-19 pandemic. However, their vulnerability, like that of nationals, is likely to likely stem from poor health infrastructure, including facilities with inadequate medical supplies and insufficient personnel resources.

Information regarding xenophobic discrimination against migrant workers because of their origins and COVID-19 status is very scant, and even cases in which migrant workers have died from COVID-19 complications have been kept confidential with limited information provided to the public. Though one notable exception was the story of two United Nations workers who tested positive between March and April 2020. In addition, no data are available to suggest that migrant workers have been laid-off or had their wages reduced because of to their origin or because they have tested positive for COVID-19. The lack of any such information might indicate that migrant workers are being treated equally with the national workers, although also no data to validate this claim.

3.4.3. Migrant-specific responses

The Government of South Sudan and the Ministry of Health have elaborated general guidelines that have applied equally to both migrant workers and national workers. Therefore, no special attention was given to migrant workers regarding testing and treatment except COVID-19 certificates being provided to every person travelling within and out of the country. In addition, information concerning extension of visas and social dialogue in regard to migrant workers during the COVID-19 pandemic is not readily available at the moment.

Chapter 4

Labour force characteristics

This chapter provides an analysis of labour force characteristics in South Sudan and is structured as follows: Section 4.1. outlines the overall labour force including the state of employment by sector and status; Section 4.2. provides a snapshot of the labour market characteristics of migrant workers, as derived from primary data collected as part of this study as well as secondary data; Section 4.3. examines the skills composition of the South Sudan labour market including migrant workers in South Sudan; and Section 4.4. summarizes the findings of the chapter in relation to labour force characteristics in South Sudan.

South Sudan has a shortage of labour market information. While a labour force survey was due to be undertaken in 2019, it has not yet commenced. Instead, the only representative data is from the 2008 Population and Housing Census (see Section 6.4.). This data is outdated by more than a decade and is representative only of a period pre-secession, and therefore does not take into account all of the changes and upheaval that have taken place since. The only options available, therefore, are to use data from the 2008 Population and Housing Census as presented in the ILOSTAT database's Country Profiles, or to use ILO modelled estimates, which also make use of the datapoints from the 2008 Census. In terms of compliance with ICLS standards, both the data in ILOSTAT Country Profiles and the ILO modelled estimates are based on 13th ICLS definitions, the difference being that the ILOSTAT Country Profiles present data that is more than ten years old. In order to ensure comparability with the data used in the migrant worker section of this report (Section 4.2.) and other reports in this series of labour market analyses in the IGAD region, we therefore are using the ILO modelled estimates for the labour force characteristics data, which considers the population aged 15-plus.

A second consideration is that the ILO modelled estimates extrapolate data over time to present a time series. It uses population estimates and macroeconomic data to make adjustments over time; however, population estimates and the macroeconomic data are neither reliable nor available in South Sudan. In this respect, South Sudan represents a unique case, as the secondary data used for benchmarking in the ILO modelled estimates do not take into account aspects such as the civil war and major migration trends. Therefore, it is considered inappropriate to use extrapolated data, and instead the datapoints used in the ILO modelled estimates are from 2008. No comparison is presented over time, absolute numbers are used sparingly (as opposed to percentage distribution) and the figures should be considered in the context of the changes that have taken place over the last decade.

▶ 4.1. Labour force

An estimated 3.6 million working age people (ages 15-plus) were estimated to be in the labour force in 2008, representing a labour force participation rate of 73.6 per cent. The rate was higher for men at 76.6 per cent, compared to women at 70.6 per cent. Further, rural areas exhibited a higher labour force participation rate than urban areas at 78.6 per cent and 63 per cent, respectively. The majority of those in the labour force were employed, with only a marginal amount classified as unemployed. This is typical of low-income economies that lack social protection mechanisms to allow people to afford to be unemployed. Instead, many of these workers will not have been in decent and productive work, and instead were more likely to be in working poverty and vulnerable forms of employment.

Accordingly, the unemployment rate was estimated at 12.2 per cent, slightly higher for women (13.2 per cent) than men (11.2 per cent). The unemployment rate in rural areas was also lower than in urban areas, at 8.1 per cent versus 22.8 per cent, respectively. The youth (ages 15–24) unemployment rate was estimated at 18.5 per cent, compared to 9.3 per cent for adults (ages 25-plus). An analysis by Guarcello, Lyon and Rosati (2011) using the 2008 Population and Housing Census also suggested that if one were to use a "relaxed

unemployment rate"[2], namely one that does not adhere strictly to the ICLS criteria of actively seeking work and being available to work, unemployment may be as much as 50 per cent higher.

It is difficult to ascertain what impact the events that have taken place since 2008 may have had on the labour force participation rate and unemployment. However, it is possible to assume that gender dynamics will have altered. For instance, the share of women working versus men would be expected to change, as a result of men being more likely to be engaged in the civil war and women being more likely to be widows. In such circumstances, it may be that women would take over employment activities in the absence of men, resulting in higher labour force participation rates and lower unemployment rates for women.

4.1.1. Status in employment

As detailed above, most people in the labour force are engaged in some form of productive activity. The employment-to-population ratio is estimated at 64.6 per cent. The ratio was higher for men (69 per cent) than women (61.3 per cent). The ratio was also higher in rural areas at 72.3 per cent, compared with 48.7 per cent in urban areas – a difference that is characteristic of an economy where the majority reside in rural areas and are engaged in subsistence agriculture. In such circumstances it is common to have high shares in own-account work, and there is also more likely to be a greater incidence of contributing family workers, as household members are engaged in the household's subsistence farming activities.

Accordingly, own-account work accounted for 44.8 per cent of all employment in 2008. The share was lower in rural areas at 42.6 per cent, compared to 51.5 per cent in urban areas. A further 36.7 per cent were in contributing family work, which in this case was higher in rural areas at 42.5 per cent, versus 18.9 per cent in urban areas. This means that 81.2 per cent of the employed population were either in own-account work or contributing family work in 2008. Such workers are classified as being in vulnerable employment by the ILO; that is, they are less likely to have the same job security, regular income and decent work conditions as their paid employee counterparts. The share of workers in vulnerable employment was higher in rural areas at 85.1 per cent, compared to 70.6 per cent in urban areas.

The high share of those in vulnerable employment, especially in rural areas, reflects the lack of paid employment opportunities available. Only 15.1 per cent of the employed population were engaged in wage and salaried employment in 2008 – 12 per cent in rural areas and 24.8 per cent in urban areas – attesting to the relatively higher availability of paid employment opportunities in cities and towns. The remaining share, 3.4 per cent, were classified as employers.

Across different employment statuses and within the vulnerable population, significant gender gaps persist. While women were less likely than men to be in own-account work (32 per cent versus 56.6 per cent, respectively), the high share of women in contributing family work (56.6 per cent, compared to 18.5 per cent of men) resulted in a greater share of women being in vulnerable employment overall. Nearly nine in 10 employed women (88.6 per cent) were classified as being in vulnerable employment, compared to 75.1 per cent of men. It is possible that these dynamics have shifted since 2008, with more women working as own-account workers instead of contributing family workers. However, women's high overall share in vulnerable employment is likely to remain similar.

4.1.2.Employment by sector

Around 56 per cent of the employed population were estimated to be working in agriculture in 2008, with the share being higher in rural areas (67.8 per cent). Agricultural employment is considered to be largely low-level subsistence farming, and it is likely that if one were to take into account workers' second jobs, the share of the employed population engaged in agriculture

2 A "relaxed unemployment rate" represents the sum of unemployed workers and discouraged workers expressed as a percentage of the expanded labour force. The expanded labour force, in turn, comprises discouraged workers and the labour force.

in some capacity would be significantly higher. Women were also far more likely to be engaged in agricultural activities, with the sector accounting for 73.7 per cent of all women's employment, compared to 40.3 per cent of employment for men.

Men accounted for the majority (72 per cent) of employment in the industry sector. In all, 24 per cent of employed men worked in the industry sector. A very low share of employed women were in the industry sector, at 10.1 per cent. Despite the importance of the oil industry for the economy, the capital-intensive nature of the sector means that it is a relatively small contributor to employment. Only 4.8 per cent of all employment was in mining and quarrying, in which men accounted for 81 per cent of workers. Around 7.5 per cent of employed men were engaged in construction, accounting for 97 per cent of the jobs in this sector. Women were, however, more likely to be in manufacturing than in other industrial sectors, and accounted for around 45 per cent of manufacturing jobs.

Men accounted for the majority (70.6 per cent) of service sector employment. In all, 35.7 per cent of employed men worked in the services sector. Only 16.2 per cent of employed women were engaged in the services sector. While men accounted for the majority of different service sector jobs – including more than 80 per cent of employment in financial and insurance activities, real estate, business and administration, and public administration and defence – women were slightly more likely to be in education and human health and social work, as well as accommodation and food services. Even so, women still accounted for less than 40 per cent of employment in each of these fields.

▶ 4.2. Migrant workers

There is a shortage of information on international migrant workers in South Sudan. As detailed in Section 6.2., the only data that exists on migrant workers is work permit data collected by the Government. This is therefore limited to formal and typically higher-skilled migrant workers. Key informant interviews suggest that the vast majority of migrant workers in the country are informal and therefore unlikely to be captured in the database of work permits issued. For instance, interviews conducted by the ILO (2020a) suggested that there may be as many as 800,000 irregular migrants in the country in 2018 – far more than the 4,000 work permits issued.

"We cannot clearly tell the trends of labour migration as most people enter with a visitor's visa and after three months you get them working after securing work permits. So, there is no clear or comprehensive data categorization due to the visa policy in the country. But mostly there are so many people who come to work in South Sudan because of the opportunities, not because South Sudanese are not qualified. South Sudan remains the country of destination in all aspects for most of the people coming from the IGAD countries." – Key informant

According to findings from primary data collected as part of this study, most migrant workers arrived after the Comprehensive Peace Agreement in 2005, and there is a mix of long-term migrants – many of them Sudanese – who have been around for five years or longer, and more casual workers who only stay a few months, for example, when construction projects are undertaken in the dry season. Mixed migration flows are also common. In the quantitative data collected as part of this study, the vast majority (95 per cent) of migrant workers interviewed stated that their main reasons to come to South Sudan were labour market-related, rather than conflict- or family-related. These include around 70 per cent of respondents who migrated to seek opportunities and around 20 per cent who came to South Sudan because they were either promised a job or came to start a job that had already been arranged.

"[Drivers of migration are] favourable business opportunities, [the] hospitality of South Sudanese people, economic difficulties in the countries of origin. They [migrant workers] also come when they hear about peace in South Sudan. South Sudan has an open-door policy towards our neighbours because we have historical linkages." – Key Informant

4.2.1. Characteristics of migrant workers from the sample

Primary data collected as part of this study allowed for the identification of the migration status and length of stay of migrant workers. Namely, those that had been in the country for more than six months (long-term migrant workers) and whether they had official documentation (regular migration status) or not (irregular migration status). Migration status was not captured for short-term migrant workers who had been in the country for less than six months at the time of the interview. In addition, all data collected and processed as part of this report should be treated as a sampling characteristic rather than a reflection of the composition of the whole of the migrant worker population in South Sudan.

Salient characteristics of the migrant workers in the sample are represented in figure 1 below. This graph is designed to put a spotlight on the main characteristics of the sample in review. Some of the labour market indicators are expressed out the total employed (380 respondents), such as status in employment, occupational skill level, and formal or informal employment. The remaining indicators – age, migration status and educational attainment – are expressed out of the whole sample (402 respondents).

The graph shows that there is a balance between the three migration statuses probed. The largest proportion of respondents (43 per cent) were long-term migrant workers with irregular status, followed by short-term migrant workers (33 per cent) and long-term migrant workers with regular status (24 per cent). However, it is interesting to look at the combined share of long-term migrant workers with irregular status and short-term migrant workers, as this depicts a situation of transience and irregularity. The large proportion of long-term workers with irregular migration status suggests that the effects of South Sudan's recently joining the EAC are not yet being felt, and further research would be needed to ascertain the reason as to why this is the case. Questions to answer pertain to whether EAC provisions concerning free movement of persons have been effectively integrated into national laws; whether they are being effectively implemented or complied with; and also, whether the concerned population is aware of these provisions and the rights they confer.

The sample in this study was rather old compared to the samples in other IGAD countries, with a median age of 32 and more than 90 per cent of respondents being above 25 years old. Their level of education was low overall, as 47 per cent of the sample had a primary level of education or less, and those with secondary and tertiary levels of education making up 23 per cent and 30 per cent of the sample, respectively.

By status of employment, most respondents were classified as being in wage employment (67 per cent) and were largely engaged

in highly skilled occupations (managers, professionals and technicians and associates) or medium-skilled occupations (services and sales, skilled agriculture and crafts and related activities). However, the level of informality was high (81 per cent), which would tend to indicate that even those classified as employers or own-account workers (the combined share of the two is a substantial 32 per cent) are engaged in informal activity.

▶ **Figure 1.** Selected characteristics of the migrant workers sampled

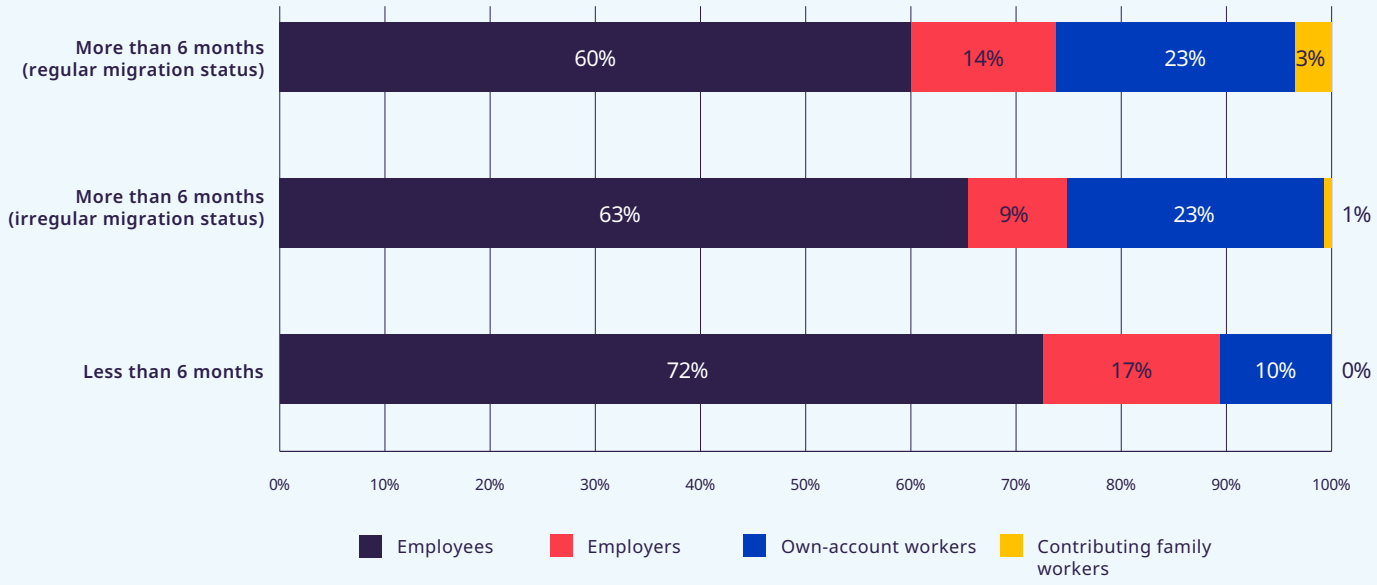
OAW = own-account worker. Note: The sample group for occupational skills level, status in employment, and informality only includes employed respondents (n=380). All respondents (n=402) are considered for education attainment, migration status, and age. Source: Primary quantitative data collection.

Of the employed migrant workers interviewed as part of this study, 67 per cent were salaried employees, 19 per cent were own-account workers, 13 per cent were employers, and a negligible amount were contributing family workers.

Status in employment

However, comparisons by migration status and length of stay do shed some further light on their relationship with status in employment. Figure 2 shows that while "employee" status is common across the three categories, it is highest among short-term migrant workers, at 72 per cent. Among long-term migrant workers, regardless of their migration status, the share of own-account workers was higher than among shorter term migrant workers, at 23 per cent against 10 per cent, and the share of employers was marginally higher among the longer-term migrants with regular migration status, at 14 per cent, compared to 9 per cent for those with irregular migration status.

Figure 2. Status in employment, by migration status and length of stay (n=380)



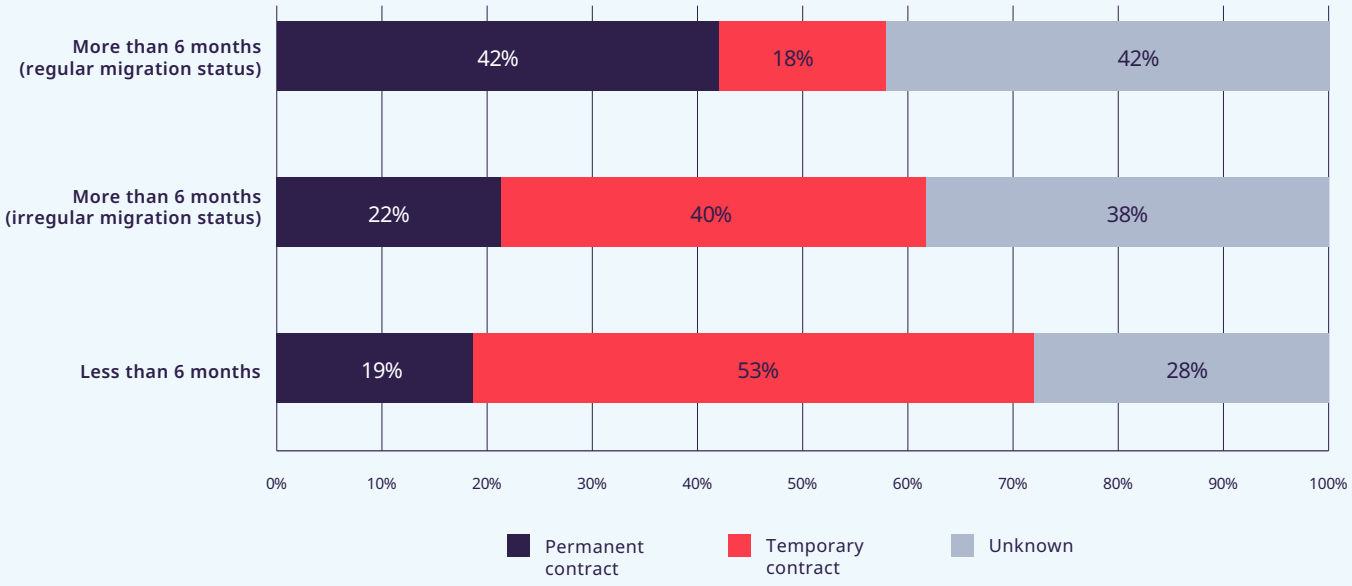
Source: Primary quantitative data collection.

Migrant workers with regular status are more likely to have permanent contracts

A relatively high share (36 per cent) of migrant workers from the sample were unaware of whether their contract with an employer was permanent or temporary. This uncertainty can reflect a number of possible situations. Contracts could be oral rather than written, thereby resulting in uncertainty about the terms. It can also be a reflection of wider uncertainty, for instance around the migration status of the individual. However, the data suggests that length of stay and regularity of status are positively associated with contract tenure, as 42 per cent of long-term migrant workers with regular migration status had permanent contracts, compared to just 22 per cent of those with irregular migration status.

Among the respondents who were aware of their type of contract, short-term migrant workers were most likely to have temporary contracts, at 53 per cent. This is compared to long-term migrant workers with irregular migration status (40 per cent) and those with regular migration status (16 per cent).

▶ **Figure 3.** Type of employee contract, by migration status and length of stay (n=380)

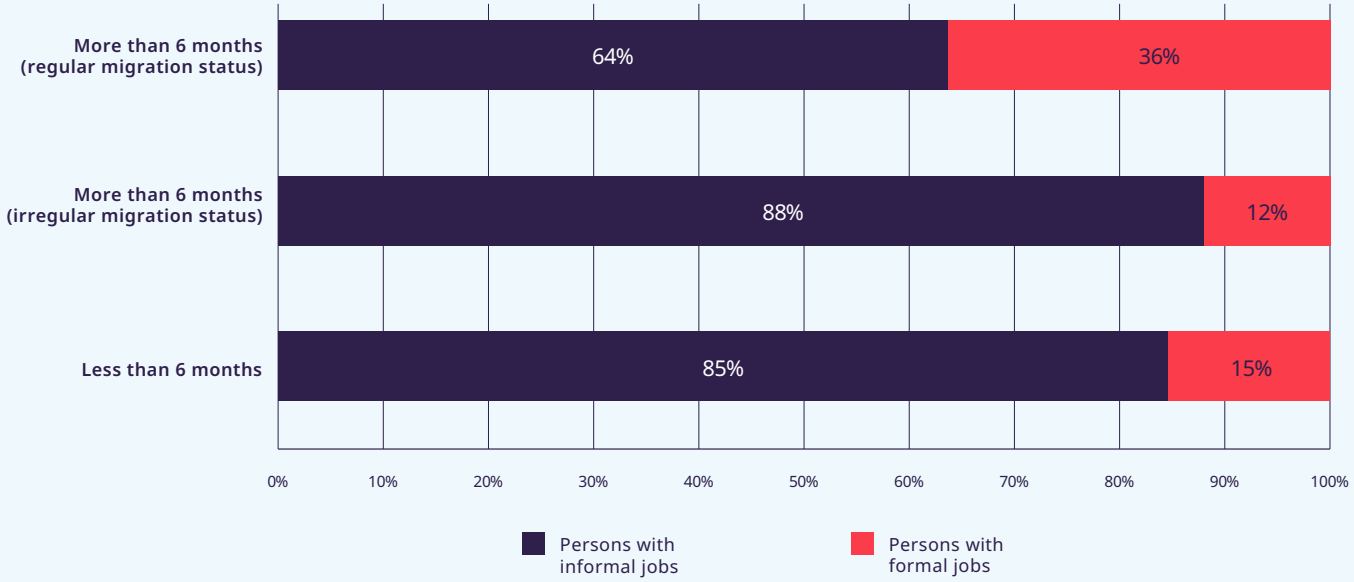


Source: Primary quantitative data collection.

Informality

Around 81 per cent of employed migrant workers interviewed were in informal employment. The share of informal employment was almost equal between long-term migrant workers with irregular status and short-term migrant workers (88 and 85 per cent, respectively, figure 4). Only long-term migrant workers with regular status had a lower share of informal employment, at 64 per cent. This suggests that there is some correlation between migration status and formal employment opportunity.

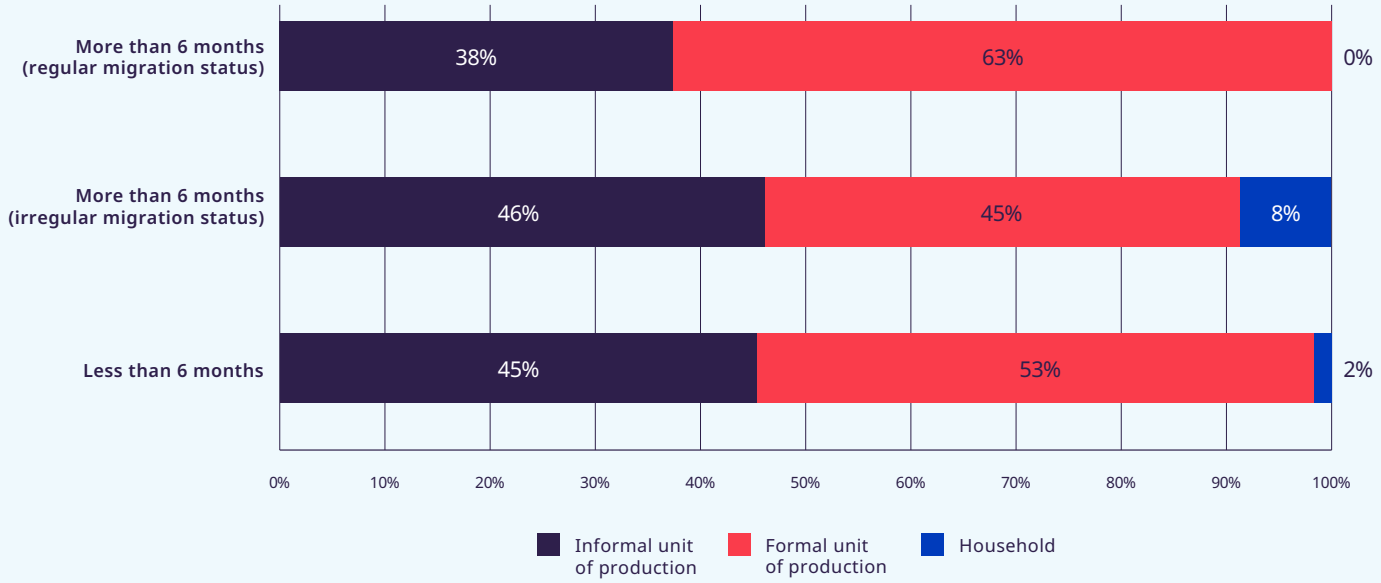
Figure 4. Informal employment, by migration status and length of stay (n=380)



Source: Primary quantitative data collection.

The situation is relatively similar when it comes to employment in informal units. Long-term migrant workers with regular status were more likely to work for formal units (63 per cent) than those with irregular status or short-term migrant workers (45 and 53 per cent, respectively). The share of migrant workers employed in informal units was, however, comparable across those three types of migration statuses. A concurrent analysis of the data showed in figures 4 and 5 underlines the blurring that exists between formality and informality, as it shows that workers were likely to be informally employed in formal units. This is the case in all countries covered in this study, which raises questions pertaining to, for instance, compliance to legislation or the effectiveness of labour inspection, as much as it does to drivers of informality, both at the individual and economic unit levels.

▶ **Figure 5.** Employment in informal enterprises (unit of production), by migration status and length of stay



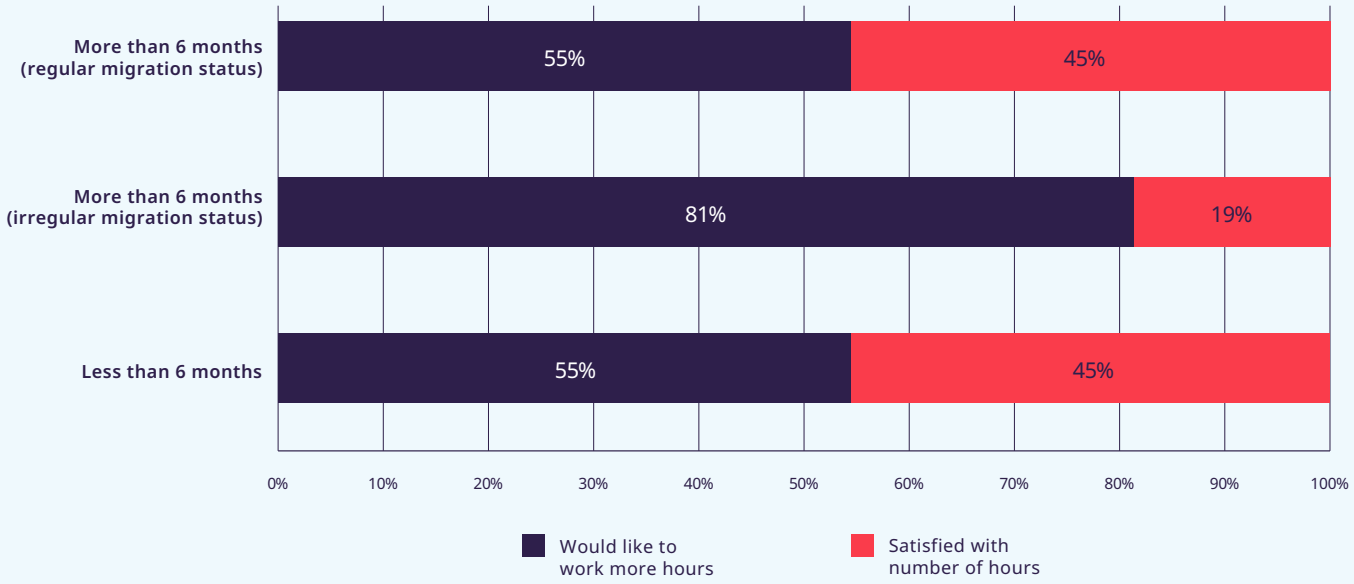
Source: Primary quantitative data collection.

Time-related underemployment

Data about time-related underemployment by migration status presents a striking picture (figure 6). Those people most likely to be underemployed were long-term migrant workers with irregular status, as 81 per cent stated that they would like to work more hours. Long-term migrant workers with regular status and short-term migrant workers stated in equal shares (55 per cent) that they were satisfied with the number of hours they worked. The findings largely correspond to average earnings, with those with irregular migration status earning less on average than those with regular status.

These indications of underemployment point to the lack of decent and productive opportunities available to migrant workers in South Sudan. However, despite the degree of time-related underemployment reported, the share of workers who were looking for another job was considerably lower, at 36 per cent overall. This suggests that alternative jobs may be less feasible than working more hours, and possibly reflects the lack of alternatives for migrant workers to change jobs in the country.

Figure 6. Time-related underemployment, by migration status and length of stay



Source: Primary quantitative data collection.

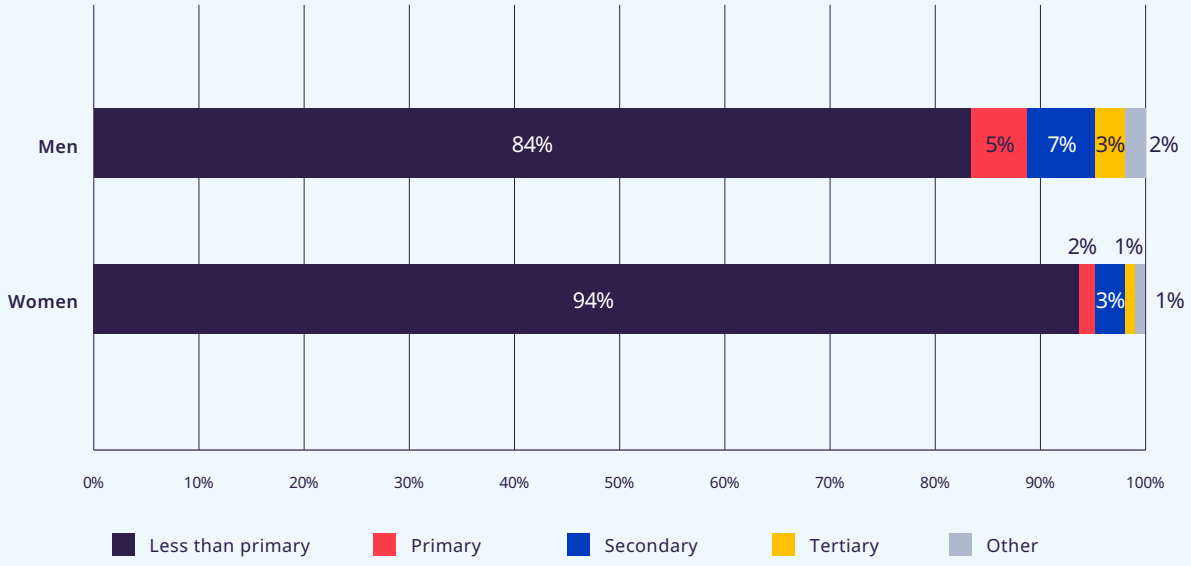
4.3. Education and skills

This section provides an overview of the skill and education composition of the labour force. It looks at the education and skill composition as per the 2008 Population and Housing Census and presents findings on the skills composition of migrant workers, as per the primary quantitative data collected and key informant interview findings. It also highlights some implementation issues around the provision of technical and vocational skills training as drawn from key informant interview findings.

4.3.1. Educational attainment of the labour force in South Sudan

The only available data that capture information on the educational composition the labour force of South Sudan are from the 2008 Sudan Population and Housing Census. These data are severely out of date, not least because they represent the situation before independence, and these limitations need to be recognized. Almost nine out of ten (89 per cent) of the labour force (ages 15–64) had less than a primary level of education, with only 3.6 per cent having attained a primary education, 4.6 per cent a secondary education, and 1.6 per cent a post-secondary education. There were significant differences by sex, with 94 per cent of women in the labour force having less than a primary level of education, compared to 84 per cent of men (figure 7).

Figure 7. Educational attainment of the South Sudan labour force (ages 15–64), by sex



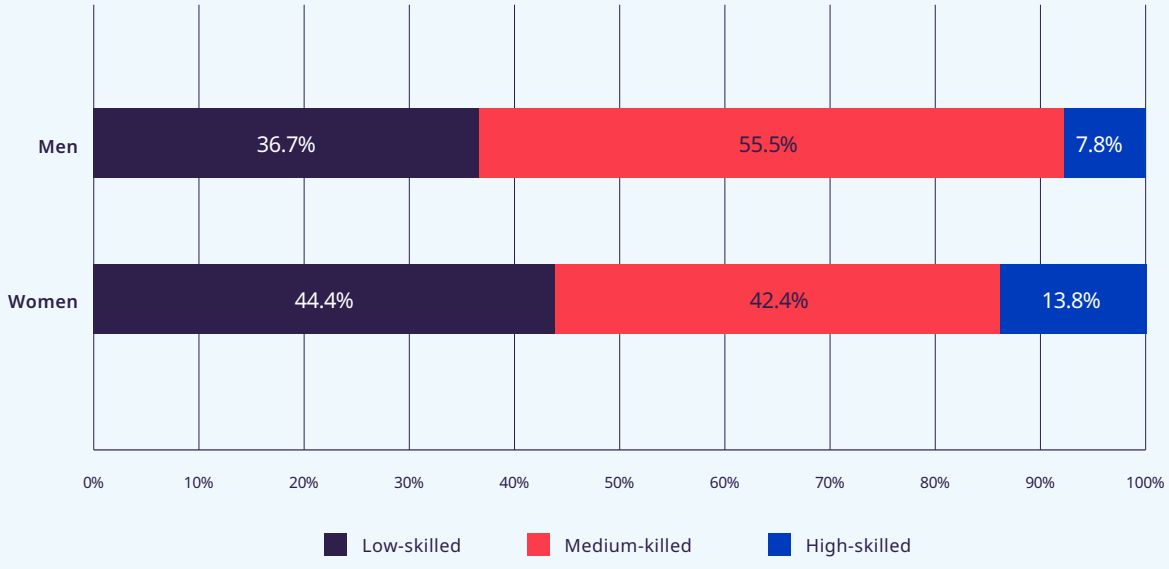
Source: Guarcello, Lyon, and Rosati 2011, using 2008 Population and Housing Census.

Employment prospects improved with every level of education achieved – of those without qualification, 68.5 per cent were working; a share that increased to 85.6 per cent for South Sudanese with a post-secondary education (Guarcello, Lyon, and Rosati 2011). More educated South Sudanese were also more likely to be employers and salaried employees, whereas the share of unpaid and vulnerable workers increases as one climbs down the education ladder.

4.3.2. Occupational skill level of the labour force

Despite the high share of the labour force with less than a primary level of education, a large share of the population (49 per cent) were in medium-skilled occupations, such as services and sales, skilled agriculture, and crafts and related activities, according to ILO modelled estimates for 2008. A further 40 per cent were in low-skilled occupations (elementary occupations) and 10 per cent were in high-skilled occupations, namely managers, professionals, technicians and associates. By sex, there were some marked differences. For instance, a greater share of women were engaged in low-skilled work (44 per cent compared to 37 per cent of men), but women were also more likely to be in higher-skilled work (13.2 per cent compared to 7.8 per cent of men). The majority of men worked in medium-skilled jobs (figure 8). This distribution can often be explained by the following combination of factors: (i) women are less present in the labour market, and (ii) that those who are in the labour market find employment in the public sector, where the demand for elevated skill sets is higher.

Figure 8. Occupational skill levels in South Sudan's employed population, by sex

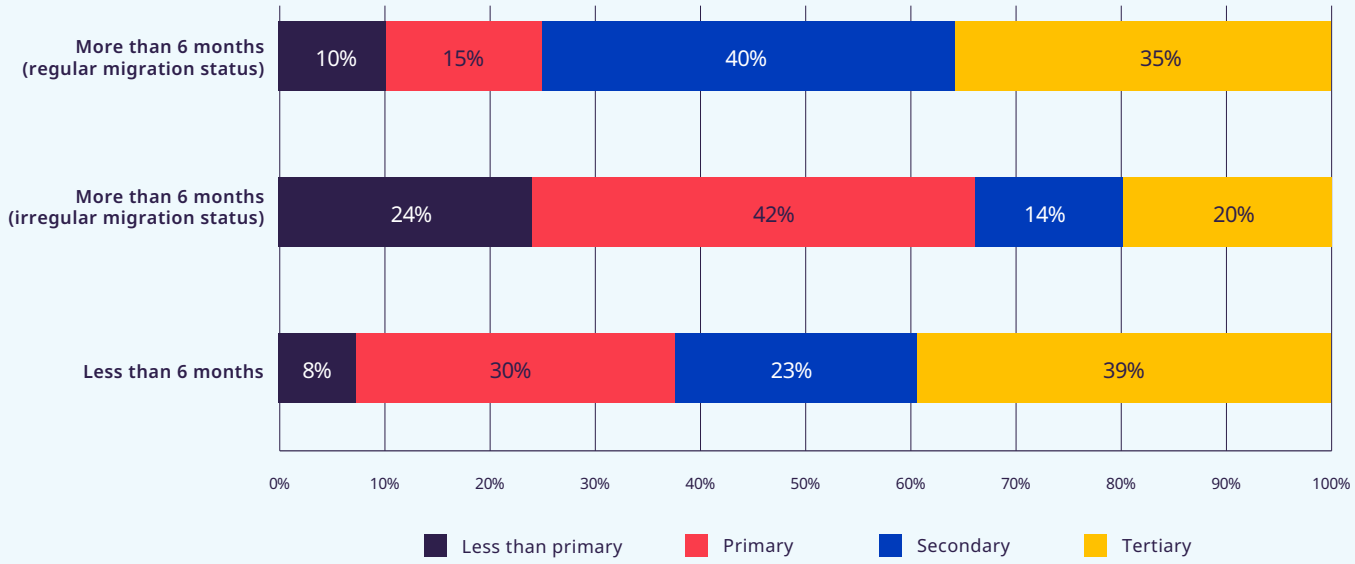


Source: ILO modelled estimates, 2008 estimates

4.3.3. Educational attainment of migrant workers from the sample

The educational composition of the sample for this assessment showed significant differences according to migration status (figure 9). Those with highest educational attainment were long-term migrant workers with regular status and short-term migrant workers, 35 per cent and 39 per cent of whom, respectively, had attained a tertiary level of education. Only 20 per cent of long-term migrant workers with irregular status had obtained such a level of education. Forty per cent of those with regular status had attained a secondary level of education, against 23 per cent for short-term migrant workers and 14 per cent for long-term migrant workers with irregular status. Long-term migrant workers with irregular had the lowest level of education overall, with 66 per cent having at most attained a primary level of education.

▶ **Figure 9.** Migrant workers' educational attainment, by migration status and length of stay (n=402)



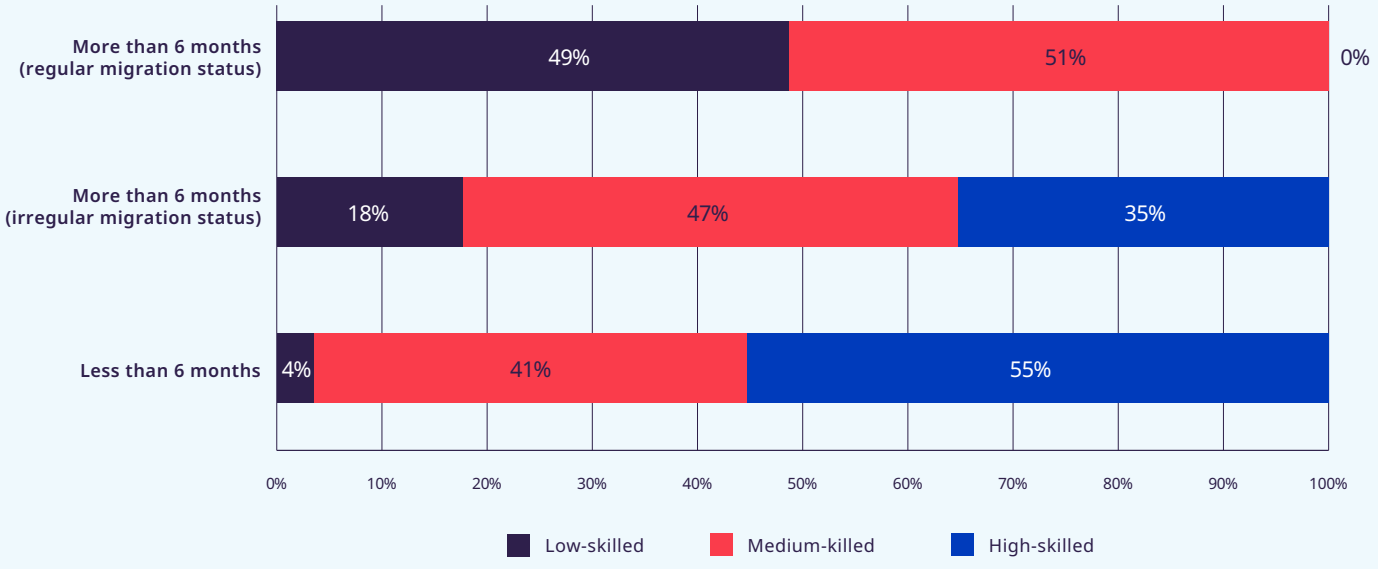
Source: Primary quantitative data collection.

4.3.4. Occupational skill composition of migrant workers from the sample

Although occupational skill composition and educational attainment are not directly comparable (the former is expressed out of all those in employment (380 respondents), and the latter out of the total sample (402 respondents), data about the occupational skill composition of the migrant workers in the sample depict a similar situation to that of educational attainment. As figure 10 shows, the two categories of migrant workers most likely to be in high-skilled occupations were long-term migrant workers with regular status and short-term migrant workers (51 per cent and 55 per cent, respectively), while only 35 per cent of long-term migrant workers with irregular status were engaged in high-skilled activities.

No long-term migrant workers with regular status and only 4 per cent of short-term migrant workers were classified as working in low-skilled occupations. About a fifth of long-term migrant workers with irregular status (18 per cent) were classified as working in low-skilled occupations. This suggests that formal processes, such as the work permit process, are not suitable or worthwhile for low-skilled migrant workers to pursue, meaning that regular migration status is most likely to be held by medium- and higher-skilled workers.

Figure 10. Migrant workers occupational skill composition (employees only), by migration status and length of stay (n=380)



Source: Primary quantitative data collection.

4.3.5. Occupations held by migrant workers, according to key informants

According to key informant interviews, the most visible groups of migrants are Ugandans, Sudanese, Kenyan, Eritreans, Somalis and Ethiopian. Ugandans are more often short-term and casual workers active as mechanics, market and food traders, restaurant workers and peddlers (Sansculotte-Greenidge 2015). Many Sudanese who lived in South Sudan have stayed after independence and work as shopkeepers and traders of clothes and food. According to key informant interviews, Ethiopians have a strong presence in the hospitality sector, as do Eritreans. Somalis work mainly in building and warehouse materials. Low-skilled labour in the service and construction sectors is often performed by migrant workers from neighbouring countries. Kenyans dominate higher-skilled occupations such as the banking, NGO work, auditing, and other companies. Hotel work, NGO work, construction, retail and wholesale, water supply, teaching and sex work were the sectors and occupations most commonly associated with migrant workers by the key informants.

There are gendered work patterns according to the key informant interviews, with men predominantly working in construction, hardware and trading, while women work as waitresses and in saloons. While the majority of key informants confirmed the presence of both sexes, several highlighted that migrants are predominantly male – often supporting their families back home.

The civil war has severely disrupted South Sudan's education system: one in three schools has been damaged, destroyed or closed, and the proportion of children out of school is the highest in the world (72 per cent of primary schoolers, or 2.2 million children) (USAID 2019). Of the share of government expenditures that have gone to education (between 1 to 4 per cent of GDP) (World Bank 2020a), most resources have been invested in primary education, while technical and vocational education and training (TVET), universities and other higher education institutions have been neglected. Literacy rates are the lowest in Africa, and gender disparities in access to education are high. While the overall adult literacy rate is estimated to have risen to 32 per cent between 2010 and 2015, fewer women (25.4 per cent) are literate than men (38.6 per cent). Girls can expect an average of 3.8 years of schooling, whereas boys can expect 6.3 years of schooling.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) (2018), TVET services have seen mixed success. While this type of skills development is viewed very positively, post-training employment rates remain low, and linkages with the private sector are non-existent. The lack of opportunities for decent work is developing a sense of despair in many young people, leading them to turn towards starting their own businesses out of necessity, where they face another set of barriers (see chapter 5). The awareness for South Sudan's gap in terms of education was high among the key informants interviewed for this study – many pointed out the disadvantages that national workers faced compared to migrant workers in terms of qualifications.

4.4. Conclusions

The labour force characteristics presented in this chapter, while dated, highlight the high degree of vulnerable employment and the lack of wage and salaried opportunities. The situation was particularly troubling for women, for which it was estimated that 94 per cent were in vulnerable employment (that is, working as own-account workers or contributing family workers). As there is a lack of data since 2008 to draw from and given the changes that have taken place in the country since, it is likely that more recent data would show changes, particularly in the gender distribution of employment, including sectors of employment and status in employment. Nonetheless, the low education base of the labour force is a major impediment and hampers possibilities for decent and productive employment opportunities.

With regard to migrant workers, the primary data collected on this sample of workers from the IGAD region showed that they faced a number of issues linked to job quality and status. As most of these migrant workers from IGAD Member States were employed informally, and most had a low level of educational attainment, they were likely to be vulnerable at work, meaning that tenure of employment is not guaranteed or that they lacked access to social benefits (pension or health insurance) and to appropriate working conditions (in terms of hours worked and compensation, for example). Nonetheless, considering that substantial shares of the sample were own-account workers or employers, and were engaged in mid- to high-skilled occupations, there may be opportunities for knowledge transfers from IGAD migrant workers to the national labour force in South Sudan. Such transfers could be harnessed more proactively through a labour migration policy and effective migration management.

There is, therefore, a need for targeted policies that address the supply, demand and efficiency challenges of the labour market. Priorities include investment in education and the skills base of the labour force, improvement of labour market information to guide policymaking, and recognition of the role of migrant workers and development of a labour migration policy that aligns with a national employment policy.

Chapter 5

Job creation and the private sector

Despite initiatives to diversify the economy, South Sudan's economic performance and governing capacity remain heavily reliant on the oil sector, while the overwhelming share of employment is in low-productivity agriculture. The Government has professed its encouragement of private sector development (IFC n.d.) and there have been a number of national development strategies in 2011, 2013 and 2018, but the business environment is still weak. Despite the goals set in these strategies and the introduction of some regulatory frameworks, many meaningful steps to facilitate investment and job creation have yet to be taken. The Government has recognized that growth and stability require a shift away from oil dependency and greater investment in sectors that hold employment and skills-building potential, but it is not yet clear how this transformation will be achieved.

While job creation and the composition of labour demand is most accurately gauged by vacancies or employer surveys and information collected by public employment services and labour ministries, such information is not readily available for South Sudan. It is therefore necessary to use proxies, such as the state of the business environment and the conduciveness for job creation, as well as forecasts and external analyses to gauge the possible expansion of sectors and their potential for job creation. The roles and the implications of migrant workers in this are drawn largely from primary data collected as part of this study.

This chapter is structured as follows: Section 5.1. outlines what sectors are likely to see expansion in the medium term; Section 5.2. presents an overview of the private sector and the business environment in the country and the capacity for creating jobs; Section 5.3. concludes.

5.1. Sectoral growth initiatives and prospects

5.1.1. Growth strategies in South Sudan

Sectoral growth forecasts can help identify where job creation may occur in the medium to long term. South Sudan's key growth challenges – apart from achieving sustainable peace – are economic diversification away from oil and increasing economic productivity in existing sectors. South Sudan has significant potential to expand into non-oil sectors such as agriculture, fisheries, mining and construction, however, there are a range of multifaceted issues South Sudan faces on its way to economic recovery. Thus, most of the existing strategy documents such as the 2018–2021 South Sudan National Development Strategy (SSNDS) focus strongly on establishing basic foundations for economic activity, such as peace and security and institutional capacity, but go into little detail on specific focal sectors that would be targeted for growth (Government of South Sudan 2018).

In 2011, the Government published the first comprehensive South Sudan Development Plan. While some of the goals – such as specific legislation – have by now been achieved, many of the development gaps described therein are still relevant. As economic priorities, the Development Plan sets out to use South Sudan's oil wealth to drive rural economic development and highlights the need to diversify to create employment opportunities, in particular for ex-combatants. The Government's Vision 2040 proclaims that "South Sudan will have a diversified economy driven by agriculture, industry, mining, tourism, and services", stipulating that the Government has to lead by investing in agriculture (Government of South Sudan 2011). Key objectives are promoting public–private partnerships; industrialization; agricultural productivity; the mining, tourism, and livestock industries; and infrastructure construction, as well as attracting investment and striving for full employment. While the Vison 2040 document gives an indication of what the Government views as potential key industries, none of these goals have been operationalized, and no further detail is provided on how those

sectors are to be promoted. Similarly, the SSNDS includes clusters on governance, economic development and social services, but although it lays out diversification as a high-level goal, it does not sufficiently clarify the priority sectors for investment and does not include strategic targets for employment, productivity or skills development (Government of South Sudan 2018).

The 2013 Infrastructure Action Plan sketches out the most ambitious and sector-specific growth strategy for economic diversification so far. It estimates that the non-oil GDP growth rate will need to be about 8–9 per cent a year for at least a decade, and investment rates at about 35 per cent of GDP, in order to create productive opportunities for the growing and underemployed workforce. The Plan estimated an investment need of US$24.6 billion in the non-oil economy over the 2011–2020 period, and with the outbreak of civil war and the accompanying destruction of further infrastructure, this number has likely only increased (AfDB 2013).

The Government of South Sudan (2019) has highlighted the country's mineral and oil wealth as opportunities for investment, in particular developing local refining and storage capacity, exploiting a higher share of oil reserves, and building further pipelines to neighbouring countries. The Investment Promotion Act of 2009 provides investors with guarantees such as:

- non-discrimination;
- safety from expropriation by the government unless there is an "overriding public interest", in which case the investor would be compensated; protection of intellectual property;
- access to public information such as laws and court decisions;
- repatriation of capital gains; and
- dispute resolution.

The Investment Promotion Act and the Land Act of 2009 also contain conditions to enable investors to access private, public and community lands. The Companies Act of 2012 details the regulations for establishing a company in South Sudan. It also stipulates the requirements for foreign investors, but makes no references or allowances for migrant workers to be engaged in projects financed by these investors.

Enforcement of the legal framework has proved to be a challenge, however, with reports of unfair practices such as expropriation without compensation, inconsistent taxation policies, harassment by security services, extortion attempts, and a lack of fairness in court disputes (US Department of State 2019). Corruption is endemic, and existing legal provisions pertaining to responsible business practices are not being enforced. This is particularly problematic in the dominant extractive sectors, where disregard for environmental impacts and the livelihoods and health of communities are key concerns – and indeed, there are reports of severe health and environmental degradation in South Sudan (Mednick 2020). While an Anti-Corruption Committee exists, it lacks the resources, independence and political capital to make much change (US Department of State 2019).

Encouragingly, the SSNDS acknowledges many of these concerns very explicitly: corruption, staff capacity, arms proliferation and insufficient implementation of the rule of law are key issues under its "Governance Cluster", while the lack of data, legal frameworks, policy strategy and infrastructure are highlighted in the "Economic Cluster" (Government of South Sudan 2018). The Strategy also underlines the Government's understanding that the economy needs to diversify in order to stabilize, as well as the challenges and high levels of investment this transformation will entail. The SSNDS lays out a results framework with three-year-targets and priority actions, such as improving roads, mobile phone penetration, irrigation and water, as well as reducing the oil revenue share of GDP. However, many of these indicators remain to be communicated, and it is unclear if the "means of verification" have actually been conducted. Thus, implementation remains to be monitored.

5.1.2. Industry

South Sudan's development agendas have recognized the huge investment need in infrastructure and energy sectors, which are vital to spur growth across the economy. Of its approximately 10,000 km of roads, only 2 per cent are currently paved. The Infrastructure Action Plan concentrates on capacity building, technical support and rehabilitation of existing infrastructure assets. The top priority is development of

road infrastructure (US$6.3 billion), followed by US$2.3 billion investment in the energy sector, and another US$1.9 billion for water and sanitation (AfDB 2013). A little over half of this investment is set to come from the Government, a fifth from the private sector, and the rest from the donor community. As industries with potential, the Infrastructure Action Plan suggests non-petroleum mineral resources and construction, but given the underdevelopment of these sectors in South Sudan, the Plan also highlights the need for targeted local content policies to bolster domestic business and job creation. Considering that manufacturing and construction are labour-intensive and low-skill industries, and building infrastructure is key to enhancing the efficiency of economic activity overall, these should be core priority sectors that act as a lever for growth while also providing opportunities for the South Sudanese labour market. There is also potential for migrant workers, particularly those who have been engaged in these sectors elsewhere and can therefore bring knowledge and oversight.

With the lowest per capita energy consumption in Sub-Saharan Africa, power generation and transmission infrastructure should be sectors with massive growth potential, and South Sudan is geographically well positioned to develop solar power and hydro power through the Nile. The Infrastructure Action Plan suggests an investment programme for electric power and rural energy of around US$2.5 billion, US$870 million of which should come from private capital, although financing remains a challenge. There are also a number of major regional cross-border projects planned, including the connection of South Sudan and Ethiopia to Kenya's northern coast at Lamu, which is expected to be East Africa's biggest infrastructure project, at an estimated cost of $26 billion (Ahmed 2017). Beyond physical infrastructure, South Sudan will also need to improve related processes such as customs procedures and cross-border trade logistics, which are currently slow and costly. South Sudan has not yet established any free trade zones. In 2013, the construction of the Juba Specialized Economic Zone was announced, but development of this intended industrial area has stalled (US Department of State 2019). Infrastructural improvements are likely to see potential for trade and access to markets, both for South Sudanese and for migrants from the IGAD region.

5.1.3. Agriculture

Around 80 per cent of the population lives in rural areas (UNDESA 2018), and more than 60 per cent of agricultural employment is provided by women, but the agricultural sector in South Sudan faces productivity challenges. Key among them are that much of the country's fertile land is not cultivated, farmers rely on traditional techniques and methods as well as low-quality seeds and inputs, and their profit margins are small given transportation costs (UNESCO 2018). In spite of half of the country being considered prime agricultural land, only about 4 per cent of this area is cultivated and only 1 per cent of cultivated area is irrigated (AfDB 2013). Although South Sudan's development strategy will still be driven by oil revenue in the near future, the 2011 Development Plan highlighted agriculture's potential to reduce poverty and increase demand from other sectors, such as services, agrobusiness, trade, tourism, transport and communication (Government of South Sudan 2011). The Development Plan also emphasized the limited opportunities for employment creation in the oil industry, and the need to shift towards diversified and sustainable development with the "natural resource" sector at its centre. Thus, in recent years, the Government has begun to take initiative to transform the agricultural sector. The Infrastructure Action Plan contains an agricultural transformation scheme with a total investment of US$4.6 billion and suggested a strategy that is driven by:

- foreign direct investors who will undertake the development of modern large-scale farms with the capacity to scale up, as well as to train the small-scale farmers;
- the establishment of sustainable irrigation systems;
- taking a market systems approach to value chain development;
- enhancing market access, for example, by improving roads and market information; and
- providing extension services as well as microfinance facilities.

Any employment creation strategy focused on agriculture also needs to take into account that because most agriculture is focused on subsistence with very low labour productivity,

there is little use for productivity-enhancing technologies. Thus, changing skills towards a more commercial orientation – together with lowering production costs and increasing cultivated lands – will be key to boost this sector and its productive potential. This should include offering incentives to farm unused fertile lands, reducing taxes, offering training and extension services, commercializing small livestock, and subsidizing quality inputs (UNESCO 2018).

> ***"They [the Government] should embark on creating and developing sectors like agriculture so that we can also have something to offer to other countries but not people coming with their goods and services." – Key informant***

In 2017, the Transitional National Legislative Assembly approved the Comprehensive Agriculture Master Plan and the Irrigation Development Master Plan to guide agricultural development for 25 years, and which detail a long list of projects and interventions. In 2018, further plans were announced to support:

- research,
- access to financing,
- infrastructure development,
- review of land policies
- enhancing public–private sector partnership,
- formation of farmers unions,
- reviving cooperatives across the country, and
- to roll out nationwide farmer-education initiative (Xinhua 2018).

In 2019, the Government signed a US$150 million deal with the Food and Agriculture Organization to support the modernization of the livestock and fisheries sector (Xinhua 2019). The Government also recognized the negative ramifications of climate change on the country's food security and has developed national climate adaptation and disaster risk management policies, although their implementation remains difficult due to capacity shortcomings.

At the national level, primary responsibility for agriculture, forestry and fisheries rests with two ministries: the Ministry of Agriculture and Forestry, and the Ministry of Animal Resources and Fisheries. In addition, the Ministry of Cooperatives and Rural Development and the Ministry of Water Resources and Irrigation play important roles for specific aspects of agricultural development.

5.1.4. Services

As described above, South Sudan's services sector is in early stages with little growth. The Infrastructure Action Plan suggests developing domestic transport services, the communication sector and eco-tourism, and also to decrease the currently dominant role of government services. While some investments have been made in mobile networks and improving the road networks, the conflict stalled or undermined much of this progress. Although not strictly a service industry, humanitarian and development aid is a major source of jobs in South Sudan, particularly for skilled migrant workers. Key informant interviews have highlighted that as the NGO sector is dominated by foreigners, opportunities offered to nationals are rare and often are more poorly paid. Moreover, NGOs face a broad variety of bureaucratic hurdles, often undermining the effective delivery of aid, and provide a negative showcase to private investors, who could view their experience as a deterrent (US Department of State 2019).

5.1.5. Finance

The financial sector is showing signs of recovery. After private sector credit sustained negative real growth rates between -30 to -60 per cent for almost three years, it reached a moderate 13.5 per cent growth in late 2018, almost half of which was due to domestic trade and restaurants, with another 15 per cent due to foreign trade and real estate (World Bank 2019). Conflict and insecurity have hampered the development of the banking sector. Four-fifths of commercial banks are foreign-owned; the system is inefficient and mostly cash-based; and commercial banks are undercapitalized and have scaled down private sector lending, most of which with

short repayment timelines (World Bank 2019; IMF 2019; AfDB 2018). The spread of 12.5 per cent between lending and deposit interest rates reflects limited competition between financial institutions (UNECA 2018). The Government has recently started licensing local mobile money providers, which should reduce the cost of financial transactions and improve financial inclusion, although mobile phone coverage will need to be expanded simultaneously. Furthermore, the Bank of South Sudan has adopted a new banking resolution framework that established minimum capital requirements, which should hopefully strengthen the sector (IMF 2019). Other actions, such as the Government's confiscation of commercial banks' reserves on deposit in 2015, however, have been less trust-inspiring (US Department of State 2019).

Other studies have used consumer surveys to understand the demand for certain trades, which could be leveraged for job development and TVET training strategies. For example, UNESCO (2018) record high demand for beauticians, leather workers, livestock managers, mobile charging services, tailors, welding and metal workers, and soap and beauty items as well as books/stationary fabricators. Evidence collected by the ILO (2020a) suggests that most sectors face a shortfall of qualified and committed workers – partly caused by hyper-inflation and partly by low salaries – and some professions such as doctors, nurses and teachers seem to be particularly needed.

The bureaucratic and financial burdens put on migrant workers are a disincentive for foreign investment in South Sudan, and are in their current design are directly opposed to a knowledge transfer strategy that would leverage high-skilled foreign workers to train their South Sudanese colleagues (US Department of State 2019). In addition, the Labour Act (2017) stipulates that 80 per cent of staff at all levels of management must be South Sudanese nationals, and that foreigners can only be employed if the necessary qualifications and skills cannot be found locally.

▶ 5.2. Private sector and business environment

The private sector is characterized by small- and medium-sized enterprises, around four-fifths of which focus on wholesale and retail trade and another fifth on accommodation and food services (AfDB 2013; NBS 2010). A Business Registry was created in 2006 and reported around 11,000 registered businesses by 2010; it is unclear if these data have been updated. Three-quarters of these businesses employed less than three people, and 90 per cent less than five. More than a third were located in Juba, and only 1 per cent exported abroad (NBS 2010).

Companies face various supply-side constraints, including difficulties in accessing finance, expensive energy, and low foreign direct investment due to weak foreign investor confidence. The country's public debt situation and weak socio-economic infrastructure hamper external borrowing and the development of public–private partnerships, notably for investment projects (AfDB 2018). Bureaucratic hurdles – such as multiple layers of taxation, labour harassment, recruitment interference, airport obstructions and duplicate registration and permit issues by different levels of authority – undermine the creation of formal employment opportunities through foreign investors (US Department of State 2019).

▶ 5.2.1. Laws, rules and legislations

The private sector is governed by a mix of laws inherited from Sudan, from the pre-independence semiautonomous Government of Southern Sudan, and since 2011, from the Government of South Sudan. Some of these laws have been published, but information is not widely accessible, and there is no public consultation process. Several key pieces of legislation on customs, imports and exports, leasing and mortgaging, procurement, and labour have not yet been approved (US Department of State 2019).

The Government has established the South Sudan Investment Authority, which gives

out investment certificates, as well as a One-Stop Shop Investment Centre in 2012, which handles applications for tax exemptions. The Investment Authority is supposed to ascertain whether a proposed investment benefits South Sudan through job creation and transfer of skills and technology. However, both the Authority and the Centre are poorly resourced – neither maintains an active web site or physical offices, and there is no business registration website either. The ministries that handle company registration include the Ministry of Trade and Industry, Ministry of Finance, and Ministry of Justice. In practice, an investor must visit every single agency individually in order to register a company, which can take months. Other steps to facilitate investment were South Sudan's joining the African Trade and Insurance Agency in 2018; the establishment of a private sector Chamber of Commerce; as well as the establishment of investment and public–private-partnership conferences.

Government expenditure accounts for a very high share of GDP – almost consistently over 30 per cent, with a peak of 45 per cent in 2016, and an estimated 35 per cent in 2020 – resulting in an increased debt burden (IMF 2016). External debt rose sharply from just 4.2 per cent of GDP in the 2013–14 fiscal year to 38.7 per cent in 2016–17. However, this does not seem to have resulted in growth in private capital. Gross private sector capital formation hovered around US$750–880 million from 2011 to 2015, representing about 5.7 per cent of GDP in 2015 (World Bank 2020), and sectors with potential for public–private partnerships (like construction or infrastructure) remain underdeveloped.

5.2.2. Doing business in South Sudan

South Sudan repeatedly ranks among the worst performing countries in terms of the World Bank's Doing Business Indicators, ranked between 185th to 187th out of 190 countries over the past five years. This severely affects the country's ability to attract capital and stimulate growth. South Sudan's worst performing indicators in 2020 were getting electricity (187th), protecting minority investors (185th), getting credit (181st), and trading across borders (180th) (World Bank 2020a). The score for electricity is zero – due to the inadequate supply and high cost of electricity, about 70 per cent of businesses use their own generators, which is costly and inefficient. Minority investors, such as shareholders, have almost no rights, and corporate transparency is non-existent.

Very limited legal rights for getting credit exist, but there is no available credit information or registry. Formal trading across borders is costly and time-intensive – document and border compliance for exports cost 340 hours and almost US$1,000, and for imports about 540 hours and US$1,100. It seems like South Sudan's attempts at regional integration, such as joining the EAC and the COMESA Regional Customs Transit Guarantee carnet scheme – which in theory should facilitate the cross-border movement of goods – have had little effect so far. In other World Bank Doing Business Indicators, such as registering property (177th), starting a business (172nd), dealing with construction permits (171st), and resolving insolvency (168th), South Sudan fares only slightly better. For example, the cost of starting a business is currently 77 per cent of someone's income per capita, and registering property is hampered by unclear land ownership.

The only indicators with a decent ranking are paying taxes (74th) and enforcing contracts (84th), although both still require a significant amount of time (210 hours and 228 days, respectively). In 2010, 89 per cent of businesses surveyed by the National Bureau of Statistics (NBS) paid taxes, [3] but when it comes to contract disputes, government and military officials are immune from prosecution, while dispute parties are sometimes arrested without due process or formal charges until they pay money. The absence of a unified legal system and of dedicated commercial courts means there are few official channels for businesses to resolve conflicts. This encourages "forum shopping" as well as informal mediation, with frequent interference of the executive in judiciary matters (US Department of State 2019). Lack of transparency is a major issue across all factors impacting the ease of doing business. Crucial information – including laws and regulations – is often not publicly accessible, registration processes are complicated, and institutional

3 The survey only covered businesses in the ten state capitals, so this number is likely inflated, as rural labour and informal own-account businesses are likely not included.

responsibilities unclear, and the oil industry – despite being the driver of the economy and foreign direct investment – is entirely opaque, in that no information is made public or even shared with the Bank of South Sudan, and no public auditing has taken place despite legal stipulations to do so (US Department of State 2019). The same applies to South Sudan's public finances, accounting practices, and enforcement of existing laws.

As described above, South Sudan's formal financial system is small and undeveloped, and accessing credit remains a major constraint for businesses. Due to the lack of reliable information on accounts and the lack of laws protecting lenders, as well as currency shortages, unclear land ownership, and the absence of a credit reference bureau, it is very difficult to obtain a loan. In 2017, only 9 per cent of South Sudanese owned a bank account, with significant gender and wealth gaps (World Bank 2018).

Most entrepreneurship is relegated to small- and medium-sized businesses, many of which are informal. Access to opportunity and economic rents, as well as local entrepreneurs' overall ability to operate a business, are largely dependent on them being able to tap into – or gain loyalty from – a public–private network of power elites, often through monetary contributions (Twinstra and Hilhorst 2017).

Under these conditions, any future economic growth is likely to remain highly unequitable. There have been first steps towards improving the conditions for entrepreneurship through greater financial inclusion, but too many barriers remain, including the high energy costs and lengthy registration processes.

On the other hand, the majority of key informants interviewed for this study emphasized business and job opportunities as the main reason for labour migration, and point to South Sudan's ample natural resources, recent peace agreement, lack of domestic production of commodities, and status as a "young" country in need of investment as promising avenues for business. Although this evidence is anecdotal, it hints at the potential for private sector development under conditions of lasting peace and at the potential of a foreign direct investment strategy that focuses on the transfer of technology and know-how.

> ***"South Sudan is blessed with a lot of resources, and that's why there are so many opportunities in this country. People come from different countries to do business despite the political and security situation." – Key informant***

▶ 5.3. Conclusions

South Sudan faces a shortage of decent and productive opportunities, but job creation may not have had the attention it deserves in circumstances of macroeconomic instability, a fragile security situation and the lack of many basic infrastructures and services, all of which hamper investment. The Government has recognized the need for economic diversification and institutional capacity development, but existing strategies have yet to translate into concrete and effective steps towards establishing a more conducive business environment. The role of migrant workers is also not yet fully developed, and there is potential to follow the path of other IGAD Member States in facilitating visas and other incentives for foreign investors and migrant workers to be engaged in these investments.

Given the country's very low education and skills base, spurring growth in manufacturing and services will likely require significant foreign direct investment to create jobs and allow for the transfer of skills and technology. Policies that promote and facilitate higher-skilled immigration to encourage knowledge transfer would be beneficial. Investing in enhancing agricultural productivity has the greatest potential to both improve the livelihoods of the great majority of the population and address the food shortages that the country is facing, but agriculture has little potential for the employment of migrant workers or for migrant workers to establish businesses to create jobs.

Chapter 6

Improved governance for employment and job promotion

Effective and appropriate labour market governance is imperative to the good functioning of labour markets (see box 2). The effectiveness of labour market governance rests largely on the availability of regular, up-to-date and comprehensive labour market statistics and information. Migrant workers are also a crucial consideration in labour market governance, but they also occupy a space that is covered by labour migration governance. This chapter provides a critical assessment of select labour market governance mechanisms (employment policy, labour market information, employment services and migrant workers) related to employment and job promotion, and how each can contribute to improved productive opportunities.

▶ Box 2. Labour market governance

Labour market governance refers to both employment governance and labour governance. The former is focused on pro-employment management and strategy and how to create decent and productive jobs; while the latter is focused more on the relationship between employers and employees, encompassing workers' rights, social protection, occupational safety and health. The traditional approach is to focus on:

i. human capital development, including skills development and improved capacity of the workforce, and/or

ii. private sector development, including business environment reforms and other policies designed to facilitate business growth.

These two approaches can be considered as supply-side and demand-side, respectively. Labour market governance is imperative to the success of each of these approaches and helps to find the appropriate balance.

This chapter is structured as follows: Section 6.1. provides an overview on South Sudan's employment policy; Section 6.2. provides a critical assessment of labour market information; Section 6.3. presents an overview of the effectiveness of employment services with regard to job-matching; Section 6.4. looks at migrant workers in a labour market governance context and in relation to employment and job creation; and Section 6.5. concludes.

▶ 6.1. Employment policy and legislation

The Constitution of South Sudan enshrines the commitment to "dedicating public resources and focusing attention on the provision of gainful employment for the people" (art. 35). This goal is re-affirmed subsequent strategy documents such as Vision 2040, where full employment is part of building a "prosperous, productive, and innovative nation", as are opportunities for equitable growth and income distribution (Government of South Sudan 2011, 18). Creating employment is a minor part of the SSNDS, but features prominently in the 2011 South Sudan Development Plan, where expanding employment and livelihood opportunities especially for youth and vulnerable populations is highlighted as a key development challenge. Most of the priority areas described to tackle this issue, however, are not specifically employment policies, but broader economic development measures such as improving roads, access to extension and financial services, and the regulatory

environment for the private sector. While the Development Plan includes the facilitation of legal labour mobility as a lever for growth and security, there are no migration-related goals in the SSNDS.

The lack of an explicit employment policy or strategy is a significant shortfall for the country's employment objectives. South Sudan has not ratified Employment Policy Convention, 1964 (No. 122). The 2019 General Survey on Certain Instruments Related to the Strategic Objective of Employment report to be published by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) will provide an opportunity to assess the degree to which South Sudan fulfils components of Convention No. 122 and other employment-related conventions, and also provide an opportunity to document responses by the Government around the challenges it faces and the development of a national employment policy.

A Labour Act was adopted in December 2017, building on the previous Act from 2011. It includes several international labour standards and covers a comprehensive list of areas such as fundamental rights at work, labour institutions, dispute and arbitration mechanisms, organization of employment agencies, wages, working and termination conditions, collective bargaining, as well as health and safety at work. The Labour Act of 2017 applies to any employer or employee within South Sudan independent of their nationality, with some specific rules for foreign nationals. In addition, the Non--Governmental Organizations Bill of 2015 includes requirements to give employment priority to South Sudanese nationals (art. 18) and to hire a maximum of 20 per cent foreign nationals (see also Section 6.4.). The Civil Service Act of 2011 further regulates employment in the public sector.

The Workers Trade Union Act of 2013 regulates trade unions, and the Labour Act (art. 20) provides for further provisions around collective bargaining, such as the establishment of Labour Advisory Councils at the national and state levels, consisting of representatives from relevant government institutions, employers' associations, workers' trade unions, and an independent expert. Despite the existence of two active trade union federations and a women's union, it is not clear to what extent collective bargaining takes place, and during the conflict, civil action was suppressed (Eperit n.d.). Although migrant workers are legally permitted to join unions, there is little evidence of them doing so (ILO 2020a).

South Sudan has ratified seven of eight ILO fundamental Conventions (table 5). Despite this, compliance has not always been the case. For example, despite the ratification of the Forced Labour Convention, 1930 (No. 29), the CEACR has noted that forced labour and human trafficking remain grave concerns (ILO 2019a), and despite ratification of the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182), the CEACR noted there is still evidence of children engaged in labour and the recruitment of child soldiers (ILO 2019b; 2019c). Similarly, although there are provisions in the Labour and Workers Act and the Trade Unions Act regarding the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Labour Court system that would allow for legal redress in cases of discrimination has not been established. Other key Conventions that govern employment policy, labour migration, statistics, and consultation processes have not been ratified.

Table 5. South Sudan's ratification of ILO Conventions

Fundamental Conventions	Status
Forced Labour Convention, 1930 (No. 29)	In force (2012)
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Not ratified
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	In force (2012)
Equal Remuneration Convention, 1951 (No. 100)	In force (2012)

Abolition of Forced Labour Convention, 1957 (No. 105)	In force (2012)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	In force (2012)
Minimum Age Convention, 1973 (No. 138)	In force (2012)
Worst Forms of Child Labour Convention, 1999 (No. 182)	In force (2012)
Other relevant Conventions	**Status**
Migration for Employment Convention (Revised), 1949 (No. 97)	Not ratified
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	Not ratified
Employment Policy Convention, 1964 (No. 122)	Not ratified
Private Employment Agencies Convention, 1997 (No. 181)	Not ratified

Source: ILO n.d.-b.

South Sudan's eventual implementation of the EAC treaty and the recent passage of the IGAD Protocol on the Free Movement of Persons (IGAD 2020) as well as the National Comprehensive Migration Policy of 2019 should encourage further adoption of labour standards and a gradual harmonization within the IGAD region. According to key informant interviews, the lack of equal standards between countries and of trustworthy recruitment systems is a central point of contention, as many South Sudanese feel that they are not given the same opportunities in neighbouring countries, and that free mobility would disadvantage them without a more robust system of migration governance.

"The trade agreement between all the IGAD and East Africa countries is good but not fully implemented. South Sudanese cannot work in some of these countries, but their people work here freely." – Key informant

Beyond remaining gaps in the regulatory frameworks, insufficient institutional capacity for monitoring and enforcement of existing labour regulations further undermines South Sudan's compliance with international standards. Findings from key informant interviews and secondary sources suggest that even where laws, institutional mechanisms and responsible government bodies exist, implementation remains the biggest challenge – corruption renders regulation ineffective, and the coordination between agencies as well as national and sub-national authorities is weak. The poorly functioning system of governance was the most-cited challenge to effective labour mobility among key informant interviews. The ILO (2020a) has repeatedly flagged the lack of effective mechanisms for identifying and handling violations of workplace standards.

"Some of these challenges stem from poor system[s] within the institutional management responsible for issues on labour migration. Some people working in the system are not competent, and you will find that they even don't understand how to govern labour migration, and everything will be a mess. [There is a] lack of coordination between state and national government. – Key informant

6.2. Labour market information

A subset of labour market governance, labour market information provides the foundation for effective and evidence-based labour market governance and labour migration and mobility governance. Systematic labour market information and analysis refers to institutional mechanisms that collect and compile data and information relevant to the labour market; act as a repository for such information; provide analytical capacities and tools; and facilitate institutional arrangements and networks. [4]

However, the Government of South Sudan does not currently have such systems in place. It is not collecting and analysing labour market or labour migration data. According to key informants, despite the establishment of statistical units in some ministries, most information published by the National Bureau of Statistics (NBS) pre-dates the country's independence, such as the Population and Housing Census from 2008. Institutional and human capacity for data collection is low. The first National Labour Force Survey was planned in 2019 but has yet to take place. Likewise, a labour market information system has not been developed, although according to interviews conducted by the ILO (2020a) this is part of the mandate of the Ministry of Labour, Public Service and Human Resource Development (MOLPSHRD).

As a result, the 2008 Population and Housing Census is the only data source available to gauge labour supply information. The Census was able to capture information on migrants and therefore migrant workers. Questions were based on the recipients' usual residency status, which was considered as "the place of usual residence is where a person lives and sleeps at least 6 out of the last 12 months or intends to live 6 out of the next 12 months" (Government of Sudan 2008). For all those who were not residents in the country, country codes were assigned. However, such data are likely to not be an accurate portrayal of the current migrant worker situation. A more up-to-date Population Census should be a high priority, not least for acquiring an up-to-date picture of the population and number of migrants, but also to allow for an up-to-date sampling frame for any household surveys (including labour force surveys) to be conducted.

Similarly, information on migrant workers is limited to administrative data collected through immigration procedures and the issuing of work permits. Considering that irregular migrant workers vastly outnumber those who come with regular work permits, these data do not provide an accurate picture of labour migration flows, nor do they capture outgoing migration and the South Sudanese diaspora. Key informants pointed out that most migrants come on a visitor visa and then seek jobs once in-country, making it even harder to track them accurately. Even the little data that get collected are not analysed or integrated into policymaking, nor are they shared with other countries in the region.

> ***"We experience overwhelming numbers of migrants coming to this country despite the fact that they are not actually considered migrants, as most come as visitors and get jobs here. In general, the trends are not so clear, as we face challenges with issues of accurate data, which has been the case despite the joint coordination meetings we do have with different sectors, such as the Ministry of Interior, Justice, the Relief and Rehabilitation Commission, and National Security." – Key informant***

In terms of data on labour demand, there is a significant shortfall of information. The last Business Registry was conducted in 2006, pre-secession, and it is not clear if the data have been updated. An up-to-date Establishment Census would be an invaluable source for private sector development policymaking, including to lay the foundations for more comprehensive assessments of labour and

4 Adapted from ILO n.d.-b.

skill demand. Such information could then feed into both a national employment policy and labour migration policy. Apart from the lack of an evidence base for policymaking, an Establishment Census would also allow for labour market information to be made public and facilitate job matching and the effectiveness of employment services.

"There is a high need to build labour market information management system. There is a need to have a high taskforce to be led by the Ministry of Labour and National Bureau of Statistics; [a] database and register for all domestic employees; regular labour skill assessments; regulation and implementation of the Labour Act 2017." – Key informant

6.3. Employment services

Public employment services in South Sudan are currently very limited, and licensed private employment agencies do not yet exist. In 2009, the MOLPSHRD in partnership with ILO setup three public employment services in Central Equatoria State, Jongelei State and Unity State with the purpose of regulating employment and the performance of the labour market. However, the crisis of 2013 blocked the plan of establishing these public employment services in the then ten states in South Sudan and halted the operation of the three established employment services. The MOLPSHRD do not yet have the necessary institutional capacity, regulations and monitoring mechanisms in place to allow private employment agencies to deploy South Sudanese migrant workers for work abroad. No pre-departure training is currently provided, or required in the Labour Act, 2017. Neither is the overall recruitment process well organized or transparent – most recruitment is conducted through informal channels and networks, which presents an obstacle to efficient job matching in the labour market for both domestic and migrant workers (UNESCO 2018).

The Labour Act, 2017, contains legal provisions to govern employment services to a limited degree, as several key functions are missing or have not been operationalized. The few relevant stipulations in the Act suggest public employment service provision is not a priority, nor are overseas employment management, labour market information or job matching. As there is no central data collection on the labour market, and public employment services are rudimentary and limited to a handful of occupations. Local employment service provision is largely left to private employment agencies, whose licensing has not been operationalized, so there are currently none that operate officially. Thus, the overall employment service infrastructure in South Sudan is limited. The Government of South Sudan has ratified neither the ILO Employment Service Convention, 1948 (No 88), nor the Private Agencies Convention, 1997 (No 181).

The only available public job matching service is an employment exchange scheme for unemployed people, who need to register in order to be considered. The job matching service recommends registered jobseekers to employers, and under the Labour Act (article 36(7)), certain occupations are reserved for nationals only – such as vending, driving, hawking, office support and manual labour. Employers that seek workers in these occupations need to register their vacancy with the MOLPSHRD and may only hire a person of their own choice if the employment exchange cannot provide them with a suitable nominee within two weeks. The Government has limited capacity to disseminate publicly available vacancy information or bulletins, but their platforms include: national television, local FM radio stations, and public boards. The Government does not provide a database of private employment agencies on reputable job web sites.

It is difficult to ascertain the number of private employment agencies operating in South Sudan. The Labour Act, 2017, provides some conditions for their licensing, but this framework has not been implemented; although several agencies have applied for certification, according to key informant

interviews. At the same time, the Act provides very little legal guidance on overseas employment management – a single article only requires South Sudanese migrant workers to register with the Office of the Labour Commissioner (art. 41). The Act also does not include any stipulations for private employment agencies specific to sending workers abroad, such as requiring them to provide adequate preparation and to have procedures in place to ensure migrant workers' safety abroad, or prohibiting placement fees. This puts migrant workers at risk of exploitation.

> ***"Everybody has right to be employed whether female or male provided he/she is capable of doing the job well. Employment should be on merit and should be according to the labour office regulation. Jobs should be advertised, you apply and if you are shortlisted, there should be written and oral interview. In addition to that is the [applicant's] qualifications should meet the position." – Key informant***

Migrant workers

For a comprehensive overview of labour migration and mobility governance in South Sudan, detailed information is provided in the parallel study An Assessment of Labour Migration and Mobility Governance in the IGAD Region: Country Report for South Sudan (ILO 2020a). Certain key findings from this report are highlighted in this section.

6.4.1. Labour market functionality

South Sudan currently does not have a labour migration policy, nor does it have a strategy to close skills gaps through attracting foreign talent. Instead, the procedures and rules governing labour mobility are spread across various laws and regulations that are not always in clear alignment. That noted, the National Aliens Committee/National Consultative Mechanism on Migration has created guidelines to draft a national migration policy with IOM support, and the policy, which was developed in 2018 despite the lack of data to inform this process, is due to be adopted soon, although it is not yet publicly available (ILO 2020a).

Several key informants interviewed for this study also stated that the laws and policies around labour migration were unclear to them, and many struggled to identify any legal framework. There are bilateral agreements in place with Sudan and Uganda that facilitate the labour mobility, as well as multilateral agreements that South Sudan is gradually adopting, such as the EAC treaty and a mobility policy currently under development by IGAD. However, many key informants pointed out that those policies were not consistently implemented and often remained on paper, and although the majority had a positive view on enhanced labour mobility, many worried about the lack of competitiveness of South Sudanese workers as well as potential unfair treatment abroad. Several cautioned that South Sudan should invest in building the skills of its labour force first, and expressed concern that a free movement policy would put other IGAD countries at an advantage.

The process for the issuing of work permits for foreign workers can be challenging for workers to negotiate and costs can vary through the use of middle-men (also see Section 5.2.). The bureaucratic and financial burdens put on foreign workers are a huge disincentive for foreign investment in South Sudan, and are, in their current design, directly opposed to a knowledge transfer strategy that would leverage high-skilled foreign workers to train their South Sudanese colleagues (US Department of State 2019). For example, information on the work permit process is not available online and can only be acquired upon direct request from the MOLPSHRD. Once the ministry provides the information on the process, many of the stated requirements to obtain a work permit are without explanation on how to fulfil them. Moreover, while the MOLPSHRD requires

an employment contract to provide a work permit, the Labour Act states that a work permit is required to receive an employment contract (GMSS n.d.; Government of South Sudan 2017). Thus, in practice, work permits can only be obtained in-country by visiting different agencies and soliciting the necessary information. Besides the time investment this requires, work permits cost between US$500 for unskilled workers up to US$2,000 for managers in 2019, although the exact costs change frequently. Moreover, under current regulations, work permits are only valid for up to one year, but are often only issued for three months (US Department of State 2019).

The Labour Act, 2017, stipulates that 80 per cent of staff at all levels of management must be South Sudanese nationals, and that foreigners can only be employed if the necessary qualifications and skills cannot be found locally (art. 46). In addition, local authorities have sometimes demanded that NGOs employ people from specific areas or ethnic groups, without a legal basis for such demands (US Department of State 2019). As described above, the Labour Act, 2017, reserves certain occupations for nationals. The key informant interviews presented a sense of urgency in giving priority to South Sudanese citizens in recruitment, and several voiced their agreement that foreign businesses need to benefit and hire nationals. However, these policies should be accompanied by a targeted skills building and skills transfer strategy, which is not currently the case.

There have been some efforts at addressing capacity shortages by partnering with donors and regional bodies, such as a joint programme with IGAD to bring professionals from Ethiopia, Kenya and Uganda to South Sudan for capacity building and skills transfer in areas such as health, child protection, aviation, agriculture, auditing and management (UNECA 2018). These programmes have been successful in training a few thousand South Sudanese civil servants. In addition, the Investment Promotion Act, 2009, mandates that the Investment Authority assess whether a foreign investment will create employment for South Sudanese, and bring technology or skills transfers as well as tax revenue. However, these initiatives are not embedded in a comprehensive labour migration strategy.

"[Benefits of labour migration include:] Excellent trading exchange and business opportunities, hard currency and other goods and services that will come as result of labour migration, learning from each other." – Key informant

Among the key informants, support for a demand-based skilled immigration and capacity-building policy was substantial, and the majority emphasized skills transfer as the key benefit of labour migration. Without such a broader strategy, the 80:20 South Sudanese to foreign nationals quota can come across as arbitrary, and the effectiveness of the employment exchange programme would be unclear. Given the absence of a national labour force survey, it is also unclear how the MOLPSHRD assesses whether a position could be filled by a South Sudanese when reviewing work permit applications. South Sudan urgently needs baseline data on skill demands and supply, an education system that responds to skills gaps in the long term, and a labour migration policy that encourages skilled immigration and knowledge transfer. The establishment of a functioning TVET system and the alignment of educational certification across the IGAD region, would allow migrants to have their skills recognized more easily.

"Since 2005, technical work in NGOs and the private sector are mostly dominated by migrants, thus they play a very important role in the economy. Some migrants came to invest, and thus, they create a lot of business and employment opportunities. There are some with certain skills, and they empower the locals. In every company there must be a South Sudanese local, thus this creates a lot of opportunities for the locals and helps the economy in general." – Focus group discussant

The procedures for refugees seeking to work in South Sudan are very similar to those of regular work migrants. The Refugee Act, 2012, and the Refugee Status Eligibility Regulations entitle refugees to seek employment, for which they need both a refugee card from the UNHCR and to complete the same paperwork and fees as migrant workers to receive a work permit. However, few refugees have been issued with work permits according to the MOLPSHRD, and the refugees who do work seem to do so mainly informally (ILO 2020a). This also means that most working refugees likely do not have access to workers' rights and avenues for redress in cases of discrimination. As with migrant workers and the labour force as a whole, there is little awareness and data on the skills, businesses and other contributions that refugees bring to South Sudan, nor are there many efforts directed at supporting their social and economic integration.

As highlighted in the previous section, there is little government attention directed towards South Sudanese migrant workers, despite the substantial outgoing migration flows. This pattern was reflected among the key informants interviewed for this study – contrary to the data, no key informant explicitly considered South Sudan a country of origin but focused solely on its role as a country of destination. Although most of the outward movement is likely due to security concerns rather than organized work migration, developing a comprehensive strategy on diaspora engagement and stemming brain drain could be key for South Sudan.

Some projects supported by international organizations have made headway in this direction, such as the 2013 IOM project Enhancing South Sudan's Human Resources for Health through Strengthened Engagement of Health Professionals in the Diaspora. According to the ILO (2020a), a South Sudan Diaspora Engagement Strategy was subsequently developed, which also focused on the health sector. The IOM continues its work with the Government of South Sudan on diaspora engagement and management of remittances, but there are currently very little data on South Sudanese migrant workers and circular migration flows. Much of this movement remains irregular, and information on their skills composition is largely anecdotal. Key informants have also highlighted the need to align labour migration frameworks with other IGAD countries, to ensure that South Sudanese abroad enjoy the same equal treatment and opportunities as foreigners in South Sudan.

Labour migration governance should in theory be able to support the management of labour market demand and supply mismatches by facilitating the closing of skills gaps with qualified foreign workers. As described above, the lack of general labour market information or a domestic skills baseline, as well as the current absence of targeted labour migration and skills transfer strategies make this endeavour difficult in South Sudan. While some data are collected on the qualifications of formal migrants through the permit system, information on the skills composition of irregular migrants – both foreigners in South Sudan and South Sudanese going abroad – is missing. As they constitute the majority of migrant workers in and out of South Sudan, this data would be vital for meaningful labour migration management. Greater information sharing and harmonization of standards, qualifications and accreditation across IGAD Member States would also facilitate labour migration management on a regional level.

6.4.2. Equal treatment of migrant workers

For migrant workers to integrate into society and contribute to their full potential to the South Sudanese economy, and in order to combat the danger of human trafficking, it is important that migrant workers enjoy the same rights and protections from discrimination and exploitation as South Sudanese in the labour market. The Labour Act of 2017 covers all employers and employees within South Sudan independent of their nationality, which means that regular migrant workers have the same rights as South Sudanese nationals. Several mechanisms are in place that regulate formal migration, visas, responsible authorities and the rights of refugees. The Nationality Act of 2011 delineates pathways to citizenship that allow migrants to retain their original nationality. Through the 80:20 quota, foreign workers are discriminated against in terms of opportunity, although most key informants interviewed for this study point out that in their view, foreigners are treated and paid favourably. Due to the informal working conditions of many migrant workers, it is unclear whether they are able to access avenues for dispute settlement in practice.

▶ Box 3. Equality of opportunity and treatment for migrant workers with nationals

Article 6(1) of the ILO Migration for Employment Convention (Revised), 1949 (No. 97), provides that each Member for which this Convention is in force undertakes to apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favourable than that which it applies to its own nationals in respect of: remuneration, membership of trade unions and rights to collective bargaining, accommodation, social security, employment taxes and legal proceedings related to matters referred to in this Convention.

Article 10 of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), (Part II on Equality of Opportunity and Treatment) provides that: "Each Member for which the Convention is in force undertakes to declare and pursue a national policy designed to promote and to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, of social security, of trade union and cultural rights and of individual and collective freedoms for persons who as migrant workers or as members of their families are lawfully within its territory."

Source: ILO Conventions Nos 97 and 143.

The Labour Act does not include any language specifically directed at providing legal protection to migrant workers, although it stipulates that their employment contracts need to comply with the overall provisions of the Act, therefore granting them the same rights as South Sudanese employees. Nevertheless, with the complications around obtaining work permits and the informal nature of much of the labour market in general, the vast majority of migrant workers are likely to be irregular and working informally as well, which places them outside the scope of the Labour Act.

There are no further policies that protect migrant workers, and the various bilateral and multilateral trade agreements that exist, for example, with Sudan and Uganda, do not include labour protection regulations. South Sudan has also not yet ratified several ILO Conventions that are specific to migrants' rights, such as Conventions Nos 97 and 143, nor the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990. The IOM intends to support the Government in developing a national legal framework, but experience to date has shown that even where provisions exist, implementation and enforcement remain an issue. The Labour Court, the country's key mechanism for employees to seek adjudication in cases of mistreatment, has not been established. The Human Rights Commission has so far refused to address complaints filed by migrants and passed them on to the ministries of Labour and Justice (ILO 2020a). Moreover, South Sudan has not taken significant measures to address the high risk of human trafficking, and should develop appropriate anti-trafficking legislation, as well as accede to the relevant UN Protocols. Such views were also held by key informants, who were fairly unanimous in their affirmation that migrants should enjoy the same human rights and fair treatment as anyone else, and that regulation to that purpose was important and necessary.

Important legislation to protect South Sudanese migrant workers abroad are also missing. The Labour Act, 2017, provides that written consent is needed for an employer to deploy an employee abroad or farther than 100 km from their usual workplace, and entitles the employee to additional leave days as well as repatriation of the worker and his family when the employment is terminated.

However, the majority of South Sudanese migrant workers are likely not salaried employees sent abroad, but rather migrate on their own or through unlicensed private employment agencies. Thus, South Sudan needs clearer regulation of such agencies and needs to implement their licensing, as well as to make sure that bilateral and regional labour mobility agreements do not remain on paper only, but are actually implemented and contain paragraphs on mechanisms for seeking justice in cases of labour exploitation and discrimination.

"Strict rules should be put in place to guarantee the rights of migrants wherever they are, to ensure that their lives, property, and businesses are protected. They should stay happily." – Key informant

Half of the key informants and focus group participants, however, complained that migrant workers were treated better than their South Sudanese counterparts, in that they could access greater opportunities in companies and NGOs; got jobs through connections and mistrusted local workers; and received higher salaries paid in hard (foreign) currency whereas nationals were paid in the South Sudanese pound. Some also protested that South Sudanese were treated unfairly in other IGAD countries. While we do not have quantitative data to back up these perceptions, the very low human capital levels in South Sudan make it likely that key leadership roles in larger companies and NGOs would be filled by foreigners. On the other hand, the key informants' overall very positive view of the capacity-building potential of skilled and demand-based immigration demonstrates that a targeted labour migration policy – together with regional alignment of rights and standards - could dispel much of this resentment.

6.5. Conclusions

Despite acknowledging the need for employment creation in government strategies and plans, for instance in the 2011 South Sudan Development Plan, South Sudan is still in the process of developing a comprehensive national employment policy or strategy. Such a policy or strategy is necessary in order to ensure consistency in a government-wide approach to promoting decent employment opportunities and jobs creation. A national employment policy or strategy can help outline priority areas and the roles for different social partners, and therefore display a commitment to achieving inclusive and sustainable job-rich growth. At the same time, gaps exist in the regulatory framework with regard to ensuring compliance with international labour standards, and there is insufficient institutional capacity for monitoring and enforcement of existing labour regulations, which further undermines compliance.

The lack of labour market information is a major impediment to evidence-based policymaking around employment and jobs. There have been no representative surveys in South Sudan since secession, except the 2008 Population and Housing Census, which fails to portray an accurate picture of the current labour market situation. Accordingly, it is imperative that steps are taken to ensure that labour market information is enhanced. A labour force survey was planned in 2019 but has not yet been undertaken. While survey will be a positive development, it should be enhanced by an up-to-date Population and Housing Census to enable the development of an up-to-date sampling frame for additional surveys, particularly given the major migration and demographic shifts in the last decades. Ensuring that the labour force survey includes a migration module should also be underscored.

Employment services are underdeveloped in South Sudan. There are some functions offered by the Government, though they are minimal in scope. Private employment agencies exist without legal licence, and go largely unregulated. In some regards, the current state of both public and private employment services points to the poor private sector development for job creation and paid employment opportunities. As the private sector develops, however, there will be a greater need for both public and private employment services. However, certain measures can be put in place in the current environment, such as job matching services that include job boards and gathering of data. Further, regulation of private employment agencies needs to be tightened to protect both South Sudanese and international migrant workers.

Migrant workers are undeniably present in South Sudan, though their contribution to labour market functionality is not clear. This, in part, reflects the lack of capacity to capture information on migrant workers, particularly those with irregular migration status and those working in the informal sector; this is coupled with a lack of attention given to migrant workers and their contributions and impacts on the labour market. This lack of attention may reflect more immediate priorities; however, employment and job creation are fundamental within a wider approach to economic transformation, and migrant workers can be used to achieve value-added growth and job creation for the South Sudanese population if managed well. At the same time, the Labour Act, 2017, covers migrant workers with work permits, but fails to cover the vast majority of irregular migrant workers. A labour migration policy that aligns with any national employment policy or strategy would be an opportunity to clarify the role of migrant workers, including irregular migrant workers, and to ensure that legislation is also adjusted in accordance with relevant migration Conventions.

Chapter 7

Conclusions and recommendations

This report has presented a labour market study with a focus on labour migration from and to IGAD Member States, or more specifically on migrant workers from IGAD Member States in a labour market context. On the basis of analysis and findings, key recommendations were proposed at the strategy, policy and intervention levels. Each level of recommendation has been broken down according to the responsibility of different social partners, namely: government, employers' and workers' groups, and other key stakeholders.

The report has shown that the economy of South Sudan is at a nascent stage of development. A heavy reliance on oil is just one of the factors that hinder investment and structural transformation. As a result, much of the labour force is engaged in low-productivity activities, particularly in agriculture. The turmoil of secession and civil war in recent years has driven an assortment of migration movements, including outbound and inbound refugee and asylum flows, economic inbound and outbound migration, and intermittent return of South Sudanese migrants. These trends have had, and will have, significant implications for the composition of the labour force and the development of the country. However, such impacts are largely unknown due to the lack of systematic data collection.

Strategic recommendation 1: Develop and adopt a national employment policy or strategy to mainstream employment and job creation throughout the country.

Despite acknowledging the need for employment creation in government strategies and plans, South Sudan is yet to fully develop a national employment policy or strategy. Such a policy or strategy is necessary to ensure consistency in a government-wide approach to promoting decent employment and jobs creation. A national employment policy or strategy can highlight priority areas and help direct resources in a cooperative manner across government departments and secure international support and assistance. It should align with any labour migration policy that is developed to ensure that migrant workers and their roles in the labour market are factored in, to the benefit of labour market functionality. Such a national employment policy or strategy can assign roles and responsibilities for different social partners and ensure a commitment to achieving inclusive and sustainable job-rich growth. Therefore, development of a national employment policy or strategy is the first strategic recommendation:

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Draft a national employment policy or strategy to ensure policy development in collaboration with social partners and all relevant government departments – including those responsible for education, skills development, migration and economic policies – and in alignment with any labour migration policy.	Inputs from all social partners and external stakeholders (particularly those working with migrants, such as ILO, UNHCR) are necessary to ensure that government investments towards employment and job creation are targeted to the areas with the greatest potential returns in job creation and employment, from the perspective of employers and workers, and to maximize the benefits of migrant workers in the labour market.	Government in a tripartite-plus setting

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Use the national employment policy or strategy to highlight priority areas for achieving job-rich economic growth in a sustainable and inclusive manner, this includes development of systematic labour market data collection.	The Government is responsible for financing, implementing, and monitoring the national employment policy and ensuring compliance with ratified labour standards. Early establishment of targets ensures accountability and allocates responsibility to different parties.	Government
INTERVENTION: Identify a centralized ministry, department or agency responsible for coordinating and monitoring the national employment policy or strategy.	Ensure clarity on entities responsible for implementing components of the strategy, and progress in implementing the strategy and achieving targeted outcomes that are clear to all stakeholders.	Government
INTERVENTION: Encourage and facilitate cooperation by employers and workers.	All social partners have a responsibility in cooperating and implementing components of labour market governance, for instance, labour inspections require cooperation of government, employers, and workers.	All social partners

Strategic recommendation 2: Enhance the collection, capacity and coordination of labour market information and analysis.

The lack of labour market information is a major impediment to evidence-based policymaking around employment and jobs, and it needs to be prioritized regardless of the stage of development of a national employment policy or strategy. This lack of information emanates from the lack of representative surveys in South Sudan since secession, except the 2008 Population and Housing Census, which fails to portray an accurate picture of the current labour market situation. Accordingly, it is imperative that steps are taken to ensure enhancement of labour market information. Although a labour force survey was planned in 2019, it has not yet been undertaken. While this labour force survey will be a positive development, it should be enhanced by an up-to-date Population and Housing Census in order to develop an up-to-date sampling frame for further surveys, particularly given the major migration and demographic shifts in the last decade. Ensuring that the labour force survey includes a migration module should be underscored.

A national employment policy or strategy would include targets and milestones related to the labour market in order to ensure accountability and provide direction. It is therefore necessary to clarify what information is required to ensure analytical capacity and effective use of data. Accordingly, enhanced capacity and improved coordination of labour market information and analysis is the second strategic recommendation.

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Facilitate the establishment of a technical working group or committee on labour market information	Such a group will bring together key labour market stakeholders on a regular basis and establish institutional roles and responsibilities. This is necessary to prevent competition for resources and overlapping responsibilities in different components of data collection and analysis. It is also necessary to shape a labour statistics framework to address all the data needs in a comprehensive manner.	Government
POLICY: Establish the design of a labour statistics framework that consolidates subnational estimates for key labour market indicators, including information on migrant worker flows and characteristics.	To allow consolidation of sub-national estimates for key labour market indicators, including information on migrant worker flows and characteristics. The design of a framework provides transparency and foresight into data needs for policymaking.	Government (led by NBS)
POLICY: Prioritize regular work force baseline surveys	Regular work force surveys will provide invaluable information on the labour market and greater understanding of migrant workers and their characteristics. It also helps in accurate representative data collection by providing the basis of sample frames for the labour work force and baseline survey.	Government (led by NBS)
INTERVENTION: Provide sufficient resources for labour inspections of migrant worker workplaces and ensure cooperation with inspections.	This helps ensure compliance with international standards and international best practice, supported by IOM and ILO for improvement of labour market information and analysis.	Other stakeholders
INTERVENTION: Incorporate a labour migration module into the labour force survey.	This will allow the identification of migrant workers' countries of origin and generate comprehensive sets of statistics and information.	Government
INTERVENTION: Implement and facilitate implementation of employers and vacancies surveys.	Needed to help gauge labour market demand, and to support and assist in the sharing of labour market information with a technical working group or committee on labour market information.	Employers' groups

Strategic recommendation 3: Establish and enhance the capacity of the employment services in South Sudan.

Employment services are underdeveloped in South Sudan with minimal functions offered by the Government and through largely unregulated private recruitment agencies. The current state of both public and private employment services points to the lack of private sector development, job creation and paid employment opportunities. As the private sector develops, however, there will be a greater need for both public and private employment services. However, certain measures can be put in place in the current environment, such as job matching services that include job boards and gathering of data. Further, regulation of private employment agencies needs to be tightened to protect both South Sudanese and international migrant workers. Accordingly, there are measures that can help make better use of employment services, in terms of their effectiveness and the information they capture, for the benefit of workers, jobseekers, employers and the Government. As such, enhancing the functions and capacity of employment services is the third of the strategic recommendations. This should be incorporated within a wider national employment and jobs strategy.

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Established public employment services in all ten states of South Sudan.	The public service employment services will be responsible for overseeing and coordinating the employment activities at the state level.	MOLPSHRD and ILO
POLICY: Outline the basic employment service activities to be provided by the Government and assign roles and responsibilities.	This will provide understanding of what is expected in terms of basic employment services and their potential benefits. It will also provide an opportunity to outline responsibilities of different Government departments, employers' groups and workers' groups.	All social partners, led by Government
POLICY: Ratify and enforce compliance with the Employment Services Convention, 1948 (No. 88), and the Private Employment Agencies Convention, 1997 (No. 181).	This will help align rights and policies for employment agencies with international best practices and ILO Recommendations. Through dialogue, social partners have a responsibility to draw on international best practice as well as to highlight sectoral priority areas to ensure their inclusion and reflection in labour market governance and to ensure that policies are perceived by all social partners as efficient, equitable and fair, including for migrant workers.	Government in a tripartite setting

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Establish memoranda of understanding between workers' groups, public employment services, and private employment agencies on labour market information and sharing of information on workers' rights, including the rights of migrant workers.	Private employment agencies have access to information that can help inform employment policymaking and labour migration policymaking. Therefore, it can be beneficial to facilitate knowledge sharing. But also, it is necessary to provide channels to ensure that migrant workers and potential migrant workers are fully informed of their rights and obligations as they look for work and start new work. Employment services can provide such information.	All social partners, led by Government
POLICY: External stakeholders working with labour market actors, such as refugees, should work closely with public employment services and private employment agencies.	This will facilitate knowledge transfer, international best practice and other information from those working closely with such topics in Government and outside Government, including other social partners.	Other stakeholders
INTERVENTION: Provide sufficient resources to public employment services.	This will ensure and allow capacity building of staff in order to improve access to employment services.	Government
INTERVENTION: Actively promote the use of public employment services, through the encouragement of employers to advertise and seek candidates through these services.	Greater promotion of public employment services would build confidence and understanding of the services available. It would also improve job matching if companies advertise through the public services and if more jobseekers are encouraged to use these services.	Workers' and employers' groups

Strategic recommendation 4: Align and establish labour market governance mechanisms to better incorporate migrant workers.

The final strategic recommendation is associated with migrant workers and their implications for labour market governance. Migrant workers are present in South Sudan, although how they contribute to labour market functionality is not clearly established. This is in part, a result of the lack of information available to capture characteristics of the labour force and migrant workers, particularly those with irregular migration status and those working informally. Partly, this situation has emanated from the lack of attention given to migrant workers and their possible contributions and impacts on the labour market. This may reflect that the Government has more immediate priorities, but employment and job creation are fundamental within a wider approach to economic transformation, and

the skills and resources that migrant workers bring can be leveraged to achieve value-added growth and job creation for the South Sudanese population. At the same time, the Labour Act, 2017, covers only migrant workers with work permits, but fails to cover irregular migrant workers, who likely represent to the vast majority of migrant workers in South Sudan. A labour migration policy that aligns with a national employment policy or strategy would be an opportunity to manage migration proactively by clarifying the role of migrant workers – including those with irregular status – to ensure adjustment in legislation according to relevant migration Conventions. Therefore, the fourth strategic recommendation is to align and establish labour market governance mechanisms to better incorporate migrant workers.

Recommended action	Anticipated benefit	Relevant bodies
POLICY: Revise the Labour Act to clarify the position and the rights of irregular migrant workers	This should allow for more rights for migrant workers, including around the strictness of work permits and more explicit provisions for equal treatment of migrant workers. Labour market governance components on migrant workers need to be developed in a tripartite-plus setting, with inputs from other relevant stakeholders, including the UNHCR and IOM.	All social partners and other stakeholders (tripartite-plus setting)
POLICY: Ratify and comply with the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).	This will help align rights and policies for employment agencies with international best practices and ILO Recommendations. Through dialogue, social partners have a responsibility to draw on international best practice as well as to highlight sectoral priority areas to ensure their inclusion and reflection in labour market governance and to ensure that policies are perceived by all social partners as efficient, equitable and fair, including for migrant workers.	All social partners and other stakeholders (tripartite-plus setting)
POLICY: Design a labour migration policy in alignment with the development of any national employment policy or strategy	As the collection of data on the labour market and migrant workers is expanded, it is necessary that both a national employment policy or strategy and a labour migration policy are developed in such a way that they are aligned and consistent in their objectives and stance towards migrant workers.	All social partners and other stakeholders

Bibliography

- AfDB (African Development Bank). 2013. *South Sudan: An Infrastructure Action Plan - A Program for Sustained Strong Economic Growth*.
- ———. 2018. *African Economic Outlook 2018*.
- ———. 2020. *African Economic Outlook 2020 – Developing Africa's Workforce for the Future*.
- Ahmed, Osman S. 2017. "Enhancing the Development of the Private Sector for Inclusive Growth and Job Creation in the IGAD", Horn Economic and Social Policy Institute Working Paper No. 02/17.
- *Atlas of Economic Complexity*. 2017. "What Did South Sudan Export in 2017?", available at: https://atlas.cid.harvard.edu/explore?country=202&product=undefined&year=2017&productClass=HS&target=Product& partner=undefined&startYear=undefined
- CIA (US Central Intelligence Agency). n.d. "The World Factbook - South Sudan", available at: https://www.cia.gov/library/publications/the-world-factbook/geos/print_od.html.
- Dumo, Denis. 2019. "South Sudan Lawmakers Quit Budget Presentation over Unpaid Public Salaries." *Reuters*, 20 June 2019.
- Eissa, Nada. 2013. "Analysis of South Sudan's Labour Bill", International Growth Centre South Sudan Policy Note Series No. 8.
- Eperit, David Lomuria. n.d. "South Sudan – Trade Unions", Media Landscapes. Available at: https://medialandscapes.org/country/south-sudan/organisations/trade-unions.
- FAO (Food and Agriculture Organization). 2016. *Country Programming Framework for South Sudan (2016–2017)*.
- GMSS (Global Mission Support Services). n.d. "Work Permit for Foreigners", available at: https://southsudan.gmss.ltd/product/work-permit-for-foreigners/.
- Government of South Sudan. 2011. *South Sudan Vision 2040: Towards Freedom, Equality, Justice, Peace and Prosperity for All*.
- ———. 2018. *South Sudan National Development Strategy: Consolidate Peace and Stabilize the Economy*.
- ———. 2019. "Business and Industry", available at: www.goss-online.org/Business-and-Industry.html.
- Government of Sudan. 2008. *Fifth Population and Housing Census: Census Enumerator's Manual and Long Questionnaire*.
- Guarcello, L., S. Lyon, and F.C Rosati. 2011. "Labour Market in South Sudan", Understanding Children's Work Programme Country Report.
- Human Rights Watch. 2019. "World Report 2019: South Sudan - Events of 2018", available at: https://www.hrw.org/world-report/2019/country-chapters/south-sudan.
- IFC (International Finance Corporation). n.d. "South Sudan Calls for Bigger Private Sector Role", available at: https://www.ifc.org/wps/wcm/connect/news_ext_content/ifc_external_corporate_site/news+and+events/news/south_sudan_calls_for_bigger_private-sector-role.
- IGAD (Intergovernmental Authority on Development). 2020. "Protocol on Free Movement of Persons Endorsed at Ministerial Meeting", press release, 26 February 2020.
- ILO. 2019a. "Direct Request (CEACR) – Forced Labour Convention, 1930 (No. 29) – South Sudan", ILO NORMLEX database. Available at: https://www.ilo.org/normlex.
- ———. 2019b. "Direct Request (CEACR) – Minimum Age Convention, 1973 (No. 138) – South Sudan", ILO NORMLEX database. Available at: https://www.ilo.org/normlex.
- ———. 2019c. "Direct Request (CEACR) – Worst Forms of Child Labour Convention, 1999 (No. 182) – South Sudan", ILO NORMLEX database. Available at: https://www.ilo.org/normlex.
- ———. 2020a. *An Assessment of Labour Migration and Mobility Governance in the IGAD region: Country Report for South Sudan*.
- ———. n.d.-a "Ratifications for South Sudan", ILO NORMLEX database. Available at: https://www.ilo.org/normlex. Accessed 01 April 2020.
- ———. n.d.-b "DW4SD Resource Platform: Thematic Area 14 – Labour Market Information Systems", available at: https://www.ilo.org/global/topics/dw4sd/themes/lm-info-systems/lang--en/index.htm.
- IMF (International Monetary Fund). 2016. "Regional Economic Outlook: Sub-Saharan Africa", available at: http://data.imf.org/?sk=5778F645-51FB-4F37-A775-B8FECD6BC69B&sId=1393552803658.
- ———. 2019. *Republic of South Sudan: 2019 Article IV Consultation*, IMF Country Report No. 19/153.
- IOM (International Organization for Migration). 2018. *2018–2019 Migration Crisis Operational Framework*.
- ———. 2019. "South Sudan's First Migration Policy Takes Another Step Forward", press release, 27 February 2019.
- ———. 2020. *World Migration Report*.
- KPMG. 2017. "South Sudan Economic Snapshot H2, 2017".
- Marchand, Katrin, Julia Reinold, and Raphael Dias e Silva. 2017. *Study on Migration Routes in the East and Horn of Africa*. Maastricht Graduate School of Governance.
- Mednick, Sam. 2020. "South Sudan Ignores Reports on Oil Pollution, Birth Defects." *Associated Press*, 13 February.
- National Bureau of Statistics. 2010. *South Sudan Business Survey 2010*.
- Sansculotte-Greenidge, Kwesi. 2015. "To and from the Horn of Africa: The Case of Intra-Regional Migration in South Sudan." *Horn of Africa Bulletin* 26 (4): 15–21.
- Sauvé, Pierre. 2012. "South Sudan's EAC Accession – Framing the Issues", International Growth Centre Policy Brief No. 52001.
- Twijnstra, Rens, and Dorothea Hilhorst. 2017. "Blind Spots: Domestic Entrepreneurship and Private-Sector Development in South Sudan." In *People, Aid and Institutions in Socio-economic Recovery*, edited by Dorothea Hilhorst, Bart Wejis, and Gemma van der Haar. 119–137. New York: Routledge.
- UNDESA, Population Division. 2018. World Urbanization Prospects: The 2018 Revision database. Available at: https://population.un.org/wup/.
- ———. 2019a. "South Sudan – Demographic Profiles: Line Charts", World Population Prospects 2019 database. Available at: https://population.un.org/wpp/.
- ———. 2019b. "International Migrant Stock 2019: Country Profile – South Sudan", available at: https://www.un.org/en/development/desa/population/migration/data/estimates2/countryprofiles.asp.

- UNDP (United Nations Development Programme). 2019. "South Sudan", Briefing Note for Countries on the 2019 Human Development Report.
- UNECA (United Nations Economic Commission for Africa). 2018. *Country Profile 2017: South Sudan*.
- UNESCO (United Nations Educational, Scientific and Cultural Organization). 2018. *Labour Market Assessment and Review, and Assessment of Technical and Vocational Education and Training (TVET), Vocational Training (VT) and Skills Development in Select Locations: South Sudan*.
- UNHCR (United Nations High Commissioner for Refugees). 2018. "South Sudan Situation: Responding to the needs of displaced South Sudanese and refugees", Supplementary Appeal, January – December.
- ———. 2019. "Population Figures: UNHCR Data on Displacement", UNHCR Population Statistics Database. Available at: http://popstats.unhcr.org/en/overview.
- USAID (United States Agency for International Development). n.d. "South Sudan – Education", available at: https://www.usaid.gov/south-sudan/education.
- US Department of State. 2018. "South Sudan." In *2018 Trafficking in Persons Report*.
- ———. 2019. "South Sudan", 2019 Investment Climate Statement, available at: https://www.state.gov/reports/2019-investment-climate-statements/south-sudan/.
- World Bank. 2016. *Migration and Remittances Factbook 2016*, Third Edition.
- ———. 2018a. "Human Capital Index, 2018: South Sudan", available at: https://www.worldbank.org/en/publication/human-capital#firstLink21647.
- ———. 2018b. *The Global Findex Database 2017: Measuring Financial Inclusion and the Fintech Revolution*.
- ———. 2019a: "South Sudan Overview", available at: https://www.worldbank.org/en/country/southsudan/overview#1.
- ———. 2019b. "Annual Remittances Data (updated as of Oct. 2019", Migration and Remittances Data database. Available at: https://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data.
- ———2019c. *South Sudan Economic Brief: April 2019*.
- ———. 2020a. "World Development Indicators in South Sudan", World Development Indicators database. Available at: https://databank.worldbank.org/reports.aspx?source=2&country=SSD.
- ———. 2020b. *Doing Business 2020: Economy Profile – South Sudan*.
- *Xinhua*. 2018. "South Sudan Launches Ambitious AGRICULTURE Reform Agenda." 1 February.
- ———. 2019. "South Sudan, FAO Sign 150 mln USD Agreement to Support Agriculture." 9 May.

Appendix I. List of key informants

No.	Position and/or organization	Location
1	Ministry of Labour, Public Service and Human Resource Development	Juba
2	South Sudan Legislative Assembly	Juba
3	Labour Office, Central Equatoria State	Juba
4	Migration Office	Juba
5	Office – Chamber of Commerce	Juba
6	Member – Chamber of Commerce	Juba
7	Secretary General, Central Equatoria State	Juba
8	Rapid and Response Fund Officer – IOM	Juba
9	Monitoring Officer – IOM	Juba
10	IOM Migration Management Unit	Juba
11	Paramount chief	Juba
12	Religious leader	Juba
13	Business owner	Juba
14	Business owner	Juba
15	Teachers training union	Juba
16	Workers' Trade Union	Juba
17	Directorate of Migration and Passport, Wau State	Wau
18	Wau Municipality Communications Department	Wau
19	Wau Chamber of Commerce	Wau
20	Community leader	Wau
21	Community leader	Wau
22	Staff – IOM	Wau
23	Norwegian Refugee Council	Wau
24	Employers' association	Wau
25	Youth union	Wau
26	Association of traders	Wau
27	Business owner	Wau
28	Business owner	Wau
29	Paramount chief	Yei
30	Ministry of Labour, Yei River State	Yei

31	Governor	Yei
32	Immigration Department, Yei River State	Yei
33	Community leader/chief	Yei
34	Community leader/youth	Yei
35	Religious leader	Yei
36	Yei County Women's Union	Yei
37	Yei Agricultural Producers Union	Yei
38	ACROSS	Yei
39	Business owner	Yei
40	Business owner	Yei

Appendix II. Quantitative interview questionnaire

The following questionnaire is consistent with the 19th ICLS resolution on statistics of work, employment and labour underutilization and the 20th ICLS statistical guideline on labour migration. It seeks to capture the nature of labour migration between IGAD countries, and collects information on the characteristics of migrant workers and their labour force status.

Module 1 - Socio-economic characteristics of labour migrants

OBJECTIVES AND SCOPE Covers basic demographics on sex, age, marital status, education level, field of study and current educational attainment of migrant workers
IMPLEMENTATION NOTES The module should be asked to pre-selected migrant workers regardless of labour force status. The module should be asked to migrant workers 15 years old and over.
A01 Full Name
A02 Marital Status 1=Single 2=Married 3=Divorced 4=Widowed
A03 Sex 1 Male 2 Female
A04 How old are you currently? (Record age in completed years or estimated years)
A05 What is your highest level of educational attainment (finalized education level) 1=No formal education 2= Primary education 3=Lower secondary education (O-level) 4= Upper secondary education (A- level) 5= Post-secondary (TVET and TVET college) 6= Tertiary education (University) 7= Other (Specify)
A06 Did you study in a public institution? Yes/No
A07 Did you learn any specialized trade or profession? Yes/No
A08 What type of trade or profession did you learn? Specify (e.g. Driver, electrician, doctors, teacher) ..... ISCO CODE

Module 2 - Labour force status

OBJECTIVES AND SCOPE
Determines the labour force status of migrants according to the 19th ICLS standards on work, employment and underutilization

IMPLEMENTATION NOTES
The module should be asked to pre-selected labour migrants regardless of labour force status.
The module should be asked to labour migrants 15 years old and over.

B01. During the reference week, did you do any work for wage, salary, commission, tips or any other pay, even if only for one hour?
1=Yes >> B10
2=No

B02. During the reference week, did you run or do any kind of business, farming or other activity to generate income, even if only for one hour?
1=Yes>>>B04
2=No

B03. During the reference week, did you work without pay in a business owned by a household member, even if only for one hour?
1=Yes
2=No>>>B06

B04. Was this work in agriculture or fishing?
1=Yes
2=No >>B10

B05. In general, are the products obtained from this activity for sale or for family use?

1=Only for sale >>>>>>>>>>>>>>>>>>>>>>>>>>> B10
2=Mainly for sale >>> >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>B10
3=Mainly for family use
4=Only for family use

B06. During the reference week, did you have a paid job or a business from which you were temporarily absent and for which you expect to return?
1=Yes
2=No >> B17

B07. What was the main reason you were absent from work during the reference week?
1=Sick leave due to own illness or injury >>>>>>>>>>>>B10
2=Public holidays, vacation or annual leave >>>>>>>>>>>>B10
3=Maternity or paternity leave as specified by legislation >>>>>>>>>>>>B10
4=Parental leave
5=Educational leave
6=Care for others and other personal absences
7=Seasonal work >>>>>>>>>>>>B17
8=Strikes or lockouts
9=Reduction in economic activity (e.g. temporary lay-off, slack work)
10=Disorganization or suspension of work (e.g. due to bad weather, mechanical, electrical or communication breakdown, problems with information and communication technology, shortage of raw materials or fuels)
11=Other, specify ______

B08. When will you return to work (same job/activity)? Include the time that you have been absent up to now.
1=Within 3 months or less >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>B10
2= After 3 months
3= Not sure to return to work (Interviewer not to read)

B09. Do you continue receiving an income from your job during your absence?
Yes >>B10
No >> B17

B10. Did you have any business or performed any secondary activity for at least one hour during the reference week?
Yes
No

B11. How many hours do you usually work per week?
1=Main job _____ hours
2=Secondary job(s) _____ hours

B12. During the reference week, how many hours did you actually work?

	M	T	W	T	F	S	S	Total
1. Main job								
2. Secondary job(s)								

B13. INTERVIEWER. How many hours did the person work during the reference week at all jobs combined?
1=Less than 35 hours
2= 35 hours or more

B14. During the last 4 weeks, did you look for additional or other work?
1=Yes
2=No

B15. Would you want to work more hours per week than actually worked, provided the extra hours are paid?
1=Yes
2=No >> Module 3

B16. If an opportunity for additional work became available, could you start working more hours within the next two weeks?

1=Yes >>> Module 3
2=No >>> Module 3

B17. During the last 4 weeks, did you look for any kind of paid job or try to start any kind of business?

1=Yes >> B19
2=No

B18. Have you already found a job or arranged to start a business in the future?

1=Yes >> B23
2=No >>> >>>B21

B19. What did you do in the last 4 weeks to find a job or start a business? [Mark all that apply]
1=Arranging for financial resources, applying for permits, licenses
2=Looking for land, premises, machinery, supplies, farming inputs
3=Seeking the assistance of friends, relatives or other types of intermediaries
4=Registering with or contacting public or private employment services
5=Applying to employers directly, checking at worksites, farms, factory gates, markets or other assembly places
6=Placing or answering newspaper or online job advertisements
7=Placing or updating resumes on professional or social networking sites online
8=Other, specify ______
9=No method >>> >>>B23

B20. For how long have you been without work and trying to find a paid job or start a business?
1=Less than 1 month
2=1 month to less than 3 months
3=3 months to less than 6 months
4=6 months to less than 12 months
5= years or more

B21. Would you want to work if a job or business opportunity became available?
1=Yes
2=No

B22. What is the main reason you did not try to find a paid job or start a business in the last 4 weeks?

1=Own illness
2=Disability
3=Studies
4=Pregnancy
5=Presence of small children
6=Refusal by family
7=Past failure to find suitable job
8=Lack of experience, qualification or jobs matching skills
9=Lack of jobs in the area
10=Considered too young or too old by prospective employers
11=Lack of infrastructure (assets, roads, transportation, employment services)
12=Other sources of income (pension, rent)
13= Estrangement
14=Other, specify _______

B23. If a job or business opportunity were available, could you have started work during the reference week or within the next two weeks?
1=Yes
2=No

B24. What is the mean reason why you are not available to start working in the next two weeks?
1=In studies, training
2=Maternity leave, child care
3=Injury, illness
4=Family member(s) consider that you should stay at home
5=Other, specify ______

Module 3 - Characteristics of employed labour migrants

OBJECTIVE AND SCOPE To capture the nature of employment of labour migrants Captures the sector of employment, status of employment, occupation, informal employment and informal/formal sector employment.
IMPLEMENTATION NOTES Aligned with the latest 19th ICLS guidelines concerning employment Should be asked to all labour migrants 15 years old and older that could be identified as employed in Module 2.
C01. What is the name of your place of work? 1= Domestic worker in private household 2= Without name 3= Name: .....
C02. What are the main goods or services produced at your place of work or its main function? Examples: selling fish, teaching children to read and write, caring for the sick, livestock farming *ISIC CODE*
C03a In the main job / business that you had last week, what kind of work do you usually do? Examples: policeman, primary school teacher, registered nurse, domestic worker, truck driver)
C03b What are your main tasks and duties? ISCO *ISIC CODE*
C04. In this job, are you: Working for someone for pay 1=Employee 2=Paid apprentice/Intern Working as an 3=Employer (with regular employees) >>>>>>>>>>>>>>>>>>>>>>>>>> C10 4=Own account worker (without regular employees) >>>>>>>>>>>>>>>>>>>>>>>>> C10 5=Helping without pay in household/family business >>>>>>>>>>>>>>>>>>>>>>>>> C10 6=Other (please specify) >>>>>>>>>>>>>>>>>>>>>>>>>> C10
C05. Have you been employed on the basis of: 1=Written contract 2=Oral agreement
C06. Is your contract or agreement a: 1= Permanent arrangement 2= Temporary arrangement
C07. Does your employer pay contributions for social security on his/her behalf (e.g. pension fund, etc.)? 1=Yes 2=No 3= Do not know
C08. Do you benefit from paid annual leave or /payment compensation for leave not taken? 1=Yes 2=No 3= Do not know

C09. Do you benefit from paid sick leave in case of illness or injury? 1=Yes 2=No 3= Do not know
C10. Was your main activity carried out in...? (READ) 1= Government (federal, state, local) 2= State owned enterprise 3=Private business or farm 4= International org., foreign embassy 5=Others
C11. Is the enterprise/business where you work? (READ) 1= An incorporated company 2= An independent, personal family business 3= Do not know
C12. Is the enterprise/business where you worked registered with (relevant authority)? 1=Yes 2=In the process of being registered 3=No 4=Do not know
C13. Does the business keep a book of accounts (assets and expenditures)? 1=Yes 2=No 3= Do not know
C14. How many persons, including the owner, work at your place of work? 1= 1 persons 2= 1-4 persons 3= 5-9 persons 4= 10-19 persons 5= 20-49 persons 6= 50+
C15. In what type of place do you usually work? 1=At home 2=Structure attached to the home 3= At the client/employer's home 4= At an office, shop factory, or other fixed place of work 5= Fixed stall in market/mobile 6= Land, forest, sea, ... 7=Without fixed location/mobile 8= Construction site 9= Other (specify)
C16. How long have you worked for this employer/in this business? 1= Less than 6 months 2= 6 months to less than 1 year 3= 1 year to less than 3 years 4= 3 years to less than 5 years 5= 5 years or more
C17. What is the net daily/weekly/monthly earnings of (NAME) from his/her business or activity? (Please round up and specify currency unit) C16a=Daily C16b= Weekly C16c= Monthly

Module 4– Nature of labour migration

OBJECTIVE AND SCOPE
To capture international migration status
Captures basic essential characteristics needed to identify the foreign-born and foreign populations in the country of destination. This includes: country of birth, date of last arrival to country of current residence, reason for move, and country of citizenship.
It allows distinction between recent and long-term international migrants.
The module covers also transit migration, short-term -, circular, and irregular migration.
The module does not cover internal migration and returnees.

IMPLEMENTATION NOTES
Aligned with the latest 20th ICLS guidelines concerning international labour migration
Aligned with the recommendations included in the Handbook on Measuring International Migration through Population Censuses (UN 2017).
The module should be asked to labour migrants 15 years old and over.

D01 In which country were you born? (please specify)

NAME OF COUNTRY *CODE OF COUNTRY*

D02 What is the country of your citizenship/nationality (please specify)? If you have dual citizenship please name both countries
D02a=Country 1.....
D02b=country 2.....

D03 What is your current resident status in this country?

1=Non-usual resident[5] (short-term business) (e.g. frontier workers, seasonal workers, other short-term migrant workers, volunteer workers and nomads)
a=Yes b=No
2=Usual residents[6] but have no official documentation of residence a=Yes b=No
3=Usual resident a=Yes b=No

D04 In what month and year did you [did NAME] leave your country of birth?

Interviewer: Use 2 digits for the month and 4 digits for the year; Record 00 if the month is unknown

D04a= Month: MM
D04b=Year: YYYY

D05 In which month and year did (you/NAME) most recently arrive to live in [COUNTRY]?
_____ _____

MONTH YEAR

97=DONT KNOW 9997=DON'T KNOW

5 Less than 6-monhts

6 More than 6-months

D06 How long have you been living in this [COUNTRY]...? 1=Three months or less 2=Three to 12 months 3=One year to less than 5 years 4=Five years to less than 10 years 5=Ten years or more
D07 What was the main reason for you to leave your home country? 1= In search for an opportunity to make money 2= In search of establishing a business 3= Promised a job 4= To take up a new job 5= Job transfer 6= Study/Training 7= Marriage 8= Family moved/ to live with a relative/dependent 9= Health reasons 10= Natural disaster/ environment 11= Conflict 12= Others (specify)
D08 Have you ever lived in another country than this one continuously for 3 months or more? 1 = Yes, in another country 2= No, except my birth place >>>>>>>>>>>>>>>>>>D12 3= No >>>>>>>>>>>>>>>>>>D12
D09 In which country did you live before moving here?
D10 What was the main reason for you to move here? 1= In search of job for pay 2= In search of establishing a business 3= Promised a job 4= To take up a new job 5= Job transfer 6= Study/Training 7= Marriage 8= Family moved/ to live with a relative/ dependent 9= Health reasons 10= Natural disaster/ environment 11= Conflict 12= Others (specify)
D11 Have you ever travelled outside of this country even if only for a short period? 1= Yes 2= No
D12 In the past 12 months, how many times did you travel abroad? 1= Every day 2= Every week 3= Few times a month 4= Once every month 5= Few times a year 6= Only travelled once/ once a year

D13 When travelling abroad, how long do you usually stay there? 1= One week or less 2= More than 1 week but less than 1 month 3= 1 month to less than 3 months 4= 3 months to less than 6 months 5= 6 months to less than 12 months 6= 12 months or more
D14 What is the usual reason for your frequent travel? 1= Job search 2= For business 3= To visit family and friends 4= Other
D14 Did you [did NAME] pay any fees to a recruitment agency, employment service, employer, relatives, friends, or any other person in your country to obtain a job here in this country? 1=No >>>>>>>>>>>>>>>>>>D18 2= Yes
D15 To whom did you [did NAME] pay any fees? 1= Recruitment agency (private agency) 2= Employment service (public agency) 3= Employer 4= Relatives or friends 5= Other (specify)
D16 How much did you [did NAME] pay? (Please round up and specify currency unit)
D17 From where did you [did NAME] get the money to pay for the fee? 1= Personal savings 2= Loan from family/ relatives 3= Loan from government agency 4= Loan from charity institutions/ NGOs 5= Contracted a personal loan 6= Loan by a recruitment agency 7= Other (Specify)
D18 Did you [has NAME] send any money or goods from here to your home country during the last month? 1= Yes, cash only 2= Yes, goods only 3= Yes, both cash and goods 4= No >>>>>>>>>>>>>>>>>>>>>>>> End interview
D19 What is the total value of any money or equivalent value of goods you sent to your home country during the last month? (Please round up and specify currency unit)

Appendix III. Key informant semi-structured interview template

The following key informant interview guide was provided to field researchers conducting interviews with government officials, non-governmental organizations and relevant stakeholders from international organizations (such as the IOM) and others, for capturing information specifically around the legal framework for labour migration, perspectives towards migrant labour rights from a policy perspective, and other information.

INFORMATION TO BE CAPTURED ▶ **Perspectives on labour migration trends** ▶ **Legal framework and structural arrangements** ▶ **Perspectives on labour migration management** ▶ **Perspectives around rights of migrant workers**
A01 Full Name and position in organization
A02 Please briefly outline the characteristics and trends of labour migration as well as the positive and negative impacts of labour migration in your country. Is your country a country of destination, origin or both?
A03 What is the most common type of labour migration in your country (in and outbound). For example, circular migration, seasonal migration, long-term, qualified workers or low skilled workers migration? [field researcher to explain the difference as needed]
A04 What do you think are the main driving forces of labour migration? (past, present and future)
A05 Does your country have bilateral or regional labour migration agreements/schemes? Please briefly outline its content and purpose.
A06 What are the priorities of the national policy concerning labour migration in your country?
A07 What is the main legal framework for labour migration management (governance) in your country. If possible, please also present the background to the existing legislation in terms of labour needs, employment/job creation, and political/historical linkages to other countries
A08 Are migrant workers and the general population treated any differently in your country?
A09 Do you think it is necessary to have provisions or a system in place to allow migrant workers to have equivalent or equal treatment to workers from the general population? If so, how would you ensure equal treatment of migrant workers?
A10 Are there international agreements (or other forms of cooperation) on rights of labour migrants has your country concluded with other IGAD countries?
A11 What are the roles of the national employment services (or equivalent bodies) and private recruitment agencies (if existent) in the process of migrant employment?
A12 What are the challenges in your current local content laws that would require adjustments to promote labour mobility?
END OF INTERVIEW:

▶ Appendix IV. Glossary of terms

Bilateral labour agreements refer to agreements between two entities which create legally binding rights and obligations governed by international law and are usually more specific and action-oriented, non-binding memoranda of understanding which set out a broad framework of cooperation to address common concerns, as well as other arrangements, including between specific government ministries or agencies in destination and origin countries. [7]

Domestic worker refers to a person engaged in domestic work within an employment relationship. A person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker. [8]

Employment by education refers to those in employment by level of educational attainment, which is classified according to International Standard Classification of Education (ISCED) levels, namely: less than primary education (ISCED level 0); primary education (ISCED level 1); secondary education (ISCED levels 2 and 3); and tertiary education (ISCED levels 5 to 8). [9]

Employment by occupation refers to employed persons classified according to the International Standard Classification of Occupations (ISCO).

Employment by sector refers to employed persons classified according to the International Standard Industry Classification (ISIC), Revision 3.

Employment by skill level refers to employed persons classified according to low (skill level 1), medium (skill level 2) and high (skill levels 3 and 4) skill levels that correspond to ISCO guidelines.

Employment in the informal economy refers to those employed in the informal sector and those in informal employment (that is, it also includes informal employment outside of the informal sector).

Employment in the informal sector (informal enterprises): According to the international standards adopted by the 15th ICLS, the informal sector consists of units engaged in the production of goods or services with the primary objective of generating employment and incomes to the persons concerned. The informal sector is a subset of unincorporated enterprises not constituted as separate legal entities independently of their owners. They are owned by individual household members or several members of the same or different households. Typically, they are operating at a low level of organization, on a small scale and with little or no division between labour and capital as factors of production. [10]

Forced labour refers to all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. [11]

Informal employment: The concept of informal employment refers to jobs as observation units. In the case of own-account workers and employers, the informal employment status of the job is determined by the informal sector nature of the enterprise. Thus, own-account workers (without hired workers) operating an informal enterprise are classified as in informal employment. Similarly, employers (with hired workers) operating an informal enterprise are classified as in informal employment. All contributing family workers are classified as having informal employment, irrespective of whether they work in formal or informal sector enterprises. [12]

7 ILO, Addressing Governance Challenges in a Changing Labour Migration Landscape, ILC.106/IV (2017), para. 68.

8 ILO Domestic Workers Convention, 2011 (No. 189), Article 1(b–c).

9 UNESCO Institute for Statistics, International Classification of Education 2011, 2012.

10 ILO, Women and Men in the Informal Economy: A Statistical Picture, 2018, box 2.

11 ILO Forced Labour Convention, 1930 (No. 29), Article 2(1).

12 ILO, Women and Men in the Informal Economy: A Statistical Picture, 2018, box 2.

Irregular migrant worker refers to a migrant worker considered to be in an irregular situation or non-documented situation if they are unauthorized to enter, to stay and to engage in a remunerated activity in the State of employment pursuant to the law of that State and to international agreement to which that State is a party. [13]

Labour force refers to the current supply of labour for the production of goods and services in exchange for pay or profit.

Labour mobility refers to temporary or short-term movements of persons for employment-related purposes, particularly in the context of the free movement of workers in regional economic communities. [14]

Labour underutilization refers to mismatches between labour supply and demand, which translate into an unmet need for employment among the population. Measures of labour underutilization include, but may not be restricted to, time-related unemployment, unemployment and the potential labour force.

Less than primary education: Less than primary education (ISCED-A level 0) refers to a broad level of educational attainment covering no participation in education, some participation in early childhood education and/or some participation in primary education.

Migrant worker or international migrant worker refers to all persons of working age (in this case, those aged 15+) present in the country of measurement, who were during the specified reference period in one of the following two categories:

i. Usual residents: International migrants who were in the labour force of the country of their usual residence, either in employment or in unemployment; or

ii. Not usual residents (or "non-resident foreign workers"): Persons who, during a specified reference period, were not usual residents of the country but were present in the country and had labour attachment to the country, that is, were either in employment supplying labour to resident producer units of that country or were seeking employment in that country.

Given the primary data collection element of this study, the definition is in line with the 20th ICLS Guidelines Concerning Statistics for International Labour Migration.

Mixed migration lacks a standard definition however the principal characteristics of mixed migration flows include the multiplicity of factors driving such movements and the differentiated needs and motivations of the persons involved. Many migration streams include people who are on the move for different reasons but share the same routes or modes of travel. They may include refugees, asylum-seekers, forcibly displaced persons, smuggled persons, economic migrants, victims of human trafficking and stranded migrants. People may also move between these categories during the course of their migration. Increasing recognition of these complex migration dynamics has led to the rise of the notion of "mixed migration". [15]

Permanent migrant refers to a person who enters with the right of permanent residence or with a visa or permit which is indefinitely renewable. Permanent immigrants would generally include marriage immigrants, family members of permanent residents, refugees, certain labour migrants, etc. [16]

Persons in employment are defined as all those of working age who, during a short reference period, were engaged in any activity to produce goods or provide services for pay or profit.

Persons in time-related underemployment are defined as all persons in employment who, during a short reference period, wanted to work additional hours, whose working time in all jobs was less than a specified hours threshold, and who were available to work additional hours given an opportunity for more work.

Persons in unemployment are defined as all those of working age who were not in employment, carried out activities to seek employment during a specified recent period, and were currently available to take up employment given a job opportunity.

13 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Article 5.

14 ILO, Addressing Governance Challenges in a Changing Labour Migration Landscape, ILC.106/IV (2017), para. 6, footnote 8.

15 ILO, "Media-Friendly Glossary on Migration: Middle East Edition".

16 ILO, "Media-Friendly Glossary on Migration: Middle East Edition".

Persons outside the labour force are those of working age who were neither in employment nor in unemployment in the short reference period.

Potential labour force refers to persons not in employment who express an interest in this form of work but for whom existing conditions limit their active job search and/or their availability.

Primary education: Primary education (ISCED level 1) provides learning and educational activities typically designed to provide students with fundamental skills in reading, writing and mathematics (that is, literacy and numeracy) and establish a solid foundation for learning and understanding core areas of knowledge and personal development, preparing learners for lower secondary education. It focuses on learning at a basic level of complexity with little, if any, specialization.

Private employment agencies refer to any private individual or enterprise (that is, independent of the public authorities) which provides one or more of the following labour market services: (i) services for matching offers of and applications for employment; (ii) services consisting of employing workers with a view to making them available to a third party; or (iii) other services relating to jobseeking. [17]

Public employment services are usually the primary government institution responsible for implementing a variety of active labour market programmes including the provision of career guidance and labour exchange services. The basic mandate of Public Employment Services is to facilitate the adjustment of firms and workers to changing labour market conditions. [18]

Recruitment agencies are used for the purpose of this report synonymously with the term "labour recruiter", and refer to both public employment services and to private employment agencies and all other intermediaries or subagents that offer labour recruitment and placement services. Labour recruiters can take many forms, whether for profit or non-profit, or operating within or outside legal and regulatory frameworks. [19]

Refugee refers to someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. A person is an asylum-seeker until they are determined to be a refugee in accordance with national and international law. [20]

Seasonal worker refers to a migrant worker whose work by its character is dependent on seasonal conditions and is performed only during certain part of the year. [21]

Secondary education: Secondary education (ISCED levels 2 and 3) provides learning and educational activities building on primary education and preparing for labour market entry, post-secondary non-tertiary education, and tertiary education. Broadly speaking, secondary education aims at learning at an intermediate level of complexity. ISCED distinguishes between lower and upper secondary education.

Smuggling of migrants is defined as the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident. [22]

Status in employment refers to employed persons classified according to the International Standard Classification of Employment (ISCE)-93 as either an employee, employer, own-account worker, contributing family worker or member of producer's cooperative or employee, depending on the characteristics of the job.

17 Adapted from Private Employment Agencies Convention, 1997 (No. 181), Article 1.

18 ILO, "Public Employment Services".

19 ILO General Principles and Operational Guidelines for Fair Recruitment.

20 UN Convention Relating to the Status of Refugees, 1951; see also ILO, Background Paper and Draft ILO Guiding Principles for Discussion at the ILO Tripartite Technical Meeting on the Access of Refugees and Other Forcible Displaced Persons to the Labour Market, TMARLM/2016 (2016).

21 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Article 2(1)

22 Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organised Crime, Article 3(a).

Temporary migrant refers to a person of foreign nationality who enters a country with a visa or who receives a permit which is either not renewable or only renewable on a limited basis. Temporary immigrants are seasonal workers, international students, service providers, persons on international exchange, etc. [23]

Tertiary education: Tertiary education (ISCED levels 5 to 8) builds on secondary education, providing learning activities in specialized fields of education. It aims at learning at a high level of complexity and specialization. Tertiary education includes what is commonly understood as academic education but also includes advanced vocational or professional education.

Trafficking in persons is defined as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.[24]

23 OAS and OECD, International Migration in the Americas: Third Report of the Continuous Reporting System on International Migration in the Americas (SICREMI), 2015, 3; ILO, Addressing Governance Challenges in a Changing Labour Migration Landscape, ILC.106/IV (2017), para. 21

24 Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, Article 3(a)

Free Movement of Persons and Transhumance in the IGAD Region

International Labour Organization

IGAD
PEACE, PROSPERITY AND REGIONAL INTEGRATION

Funded by the European Union

ilo.org
International Labour Organization
@ILO
ILOTV