



International  
Labour  
Organization



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# THE SOUTHERN AFRICAN

MIGRATION MANAGEMENT  
PROJECT

Labour migration policy  
development: template  
& thematic 

The template below presents a structure of a labour migration policy that can be adapted to the national context (Table A) taking into consideration if the country is largely a country of origin, transit or destination of migrant workers. It is followed by an overview of topics that should in general be covered by a labour migration policy (Table B).

## A. Labour Migration Policy Template

<b>PART 1</b>	This section may include a foreword by the Minister of the leading Ministry to give political weight to the policy, an executive summary, as well as a broad introduction to the national context of the policy.
1.1 Introduction	
1.2 National context	<ul style="list-style-type: none"> <li>• History of labour migration to/from the country</li> <li>• Economic situation</li> <li>• Demography</li> <li>• Key industries</li> <li>• Employment/labour market</li> <li>• Socio-cultural situation</li> <li>• Political factors</li> </ul>
1.3 Labour migration context	<ul style="list-style-type: none"> <li>• Labour migration trends and outcomes</li> <li>• Rationale for a national labour migration policy</li> <li>• Existing labour migration policy</li> <li>• Legislative and policy frameworks:               <ul style="list-style-type: none"> <li>o National (alignment to national development plans, coherence with related policies e.g. employment, skills, training, education etc.</li> <li>o Regional (continental, regional frameworks and policy processes)</li> <li>o International (UN treaties, protocols, ILO conventions, recommendations and protocols, reporting mechanisms)</li> </ul> </li> </ul>
1.4 Vision	Section to identify the guiding paradigm of the policy keeping in mind a rights-based, gender-sensitive and evidence driven approach.
1.5 Mission	
1.6 Impact	
1.7 Outcomes and Outputs	<ul style="list-style-type: none"> <li>• Governance/Administration (Labour Migration Unit)</li> <li>• Protection/Empowerment/ Equality of opportunities and treatment</li> <li>• Data for policy monitoring and evaluation</li> <li>• Development</li> <li>• Others according to national context</li> </ul>
1.8 Monitoring, evaluation and review	
<b>PART 2</b>	This section would include a more detailed narrative of the situation, key challenges, and proposed policy response for each of the outcomes and outputs identified in 1.7 above (also see Table B below).
2.1 Outcome 1	

<sup>1</sup> Practical Guide on Developing Labour Migration Policies, ILO

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**PART 3****3.1 Outcome 2**

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**PART 4****4.1 Outcome 3**

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**PART 5****5.1 Institutional framework for policy implementation****5.2 Coordination mechanism****5.3 Social partner/stakeholder consultation mechanism****5.4 Resource mobilisation**

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**PART 6****Action Plan: Outcomes, outputs, activities, resourcing, timeframe and responsibilities**

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**PART 7****Monitoring and evaluation framework**

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**Annexes**

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This section would include a more detailed narrative of the situation, key challenges, and proposed policy response for each of the outcomes and outputs identified in 1.7 above (also see Table B below).

## B. Labour Migration Policy Topics

### GENDER-SENSITIVE AND EVIDENCE-BASED GOVERNANCE

- Policy considerations during 5 migration stages (pre-departure, transit, entry, in destination, return)
- Institutional framework for policy implementation involving the Ministry of Labour and Labour Market Institutions
- Coordination and consultation with Employers and Workers' Organisations;
- Taking into consideration gender concerns
- International cooperation
- Coherence with other policies (e.g. employment, education and development policies)

### LABOUR PROTECTION OF MIGRANT WORKERS

- Legislative and regulatory frameworks
- Ratification and effective implementation of main international standards related to the protection of migrant workers (1990 UN Convention, C. 97. C. 143) and related standards (C. 181. C. 189, C. 19, C. 118. C. 157)
- ILO Fundamental Conventions
- Formulation and effective implementation of Bilateral Labour Migration Agreements (BLMAs)
- Work permits and working conditions (working time, wages, leave entitlements, occupational safety and health protection)
- Access to justice and redress mechanisms

### FAIR RECRUITMENT OF MIGRANT WORKERS

- Policy framework supporting Public Employment Services and Private Employment Agencies mandate regarding labour migration, particularly fair recruitment and placement of migrant workers
- Permanent or temporary migration schemes



## LABOUR MIGRATION STATISTICS

- Regular data collection and labour migration modules
- Administrative information
- Labour market needs assessments, information systems and indicators

## RECOGNITION OF SKILLS OF MIGRANT WORKERS

- National system to facilitate the recognition and verification of migrant workers' skills and qualifications; involvement of social partners and education and training institutions?
- Role of (regional) qualification frameworks

## SOCIAL PROTECTION COVERAGE AND PORTABILITY OF SOCIAL SECURITY BENEFITS

- Unilateral, bilateral or multilateral social security provisions to ensure coverage and portability of benefits for migrant workers
- Bilateral social security agreements (e.g. R. 167 as a model agreement)

## MIGRATION IN AN IRREGULAR SITUATION, FORCED LABOUR, TRAFFICKING IN PERSONS, CHILD LABOUR AND SMUGGLING OF MIGRANTS