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# ACTIVITY REPORT

Labour Migration governance in the Indian  
Ocean Region: Dialogue between Employers  
and policymakers



Countries represented - Comoros, Madagascar, Mauritius, Seychelles . Observers – Mayotte, Reunion

25-26 July, 2022  
Port-Louis, Mauritius

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# 1. Background

The Private sector and Employers' Organizations play an increasing role in international, and particularly labour, migration-related activities which were long considered to be the sole responsibility and exclusive domain of Member States. Employers call for concrete, real time, as well as long-term solutions to national and regional labour migration challenges and for transparency, predictability and efficiency in labour migration policies at national and/or local level. They claim that a skilled workforce, be it local or foreign, contributes to post-COVID-19 economic recovery, economic growth and regional competitiveness, and that well-regulated migration frameworks are therefore key to attract and retain the needed skills. Employers outline a multitude of challenges associated with filling skills gaps in different industries, due to the inadequate alignment of education and vocational training center curriculums with the local job market. Hence, private companies and employers' organizations are more than ever engaged and interested in a broad range of labour migration issues.

This workshop was a follow up to a series of three workshops that took place in Abidjan, Nairobi and Johannesburg aiming at raising awareness of employers on engagement possibilities and at collecting the African Employers' positions on labour migration governance. The outcome was an African Employers' declaration that IOE submitted to the first International Migration Review Forum<sup>1</sup> (IMRF), which took place at the United Nations headquarters in New York in May 2022. The IMRF reviewed progress made in the implementation of the Global Compact for Migration<sup>2</sup> (GCM) adopted by United Nations member states in 2018.

During the discussions at the workshop that was held in Johannesburg, participants from the Island States suggested to hold a similar workshop in the Indian Ocean Region. One of the major observations made was referring to the weakness of social dialogue in the Indian Ocean countries, which impedes the smooth functioning of existing tripartite mechanisms, or even bilateral discussions between employers and governments. There is no systematic collaboration on the framework for labour migration in Island States. During the meeting, governments and businesses proposed additional consultations involving Comoros, Seychelles, Madagascar and Mauritius to discuss their shared challenges and exchange good practices.

Moreover, participants alluded to the challenges that Small Island Developing States (SIDS) face due to climate change, youth unemployment, labour shortages in key economic sectors such as tourism, construction, agriculture, fisheries and the Blue Economy at large. They expressed a need to share their concerns and learn from neighbouring countries on how best to manage labour migration in the medium and long run.

The above was also stated during the SAMM Inception workshop in January 2021, where the areas of concern of Member States and social partners were enlisted; and respective roadmaps were devised per country further to country level dialogues organized last year on Labour Migration.

## 2. Objectives

The proposed workshop gave a space for discussions between the relevant representatives from Government, the Private Sector and Employers' Organisations of the region, so as to acknowledge major gaps to be bridged, instil debates and find solutions to emerging issues and concerns that need to be addressed within notably, the regional economic community of the IOC.

This workshop aimed at collecting the Indian Ocean countries (Comoros, Madagascar, Mauritius, Seychelles) Private Sector and Employers' organisations positions on labour migration governance, with

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<sup>1</sup> Link to IMRF: <https://migrationnetwork.un.org/international-migration-review-forum-2022>

<sup>2</sup> Link to the GCM: [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/73/195](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195)

the end objective of agreeing on an Employers' Declaration to be presented at the High-level Tripartite Meeting on Labour Migration Governance in the SADC region in November 2022. Mayotte and Reunion were invited as observers to enrich the discussion and share their experiences.

The outcomes of this workshop will also contribute to the ongoing review of the progress made by governments in the implementation of the GCM. Four of the 23 objectives are of interest to the private sector community and were debated upon, notably:

- GCM Objective 1: Collect and utilize accurate and disaggregated data as a basis for evidence - based policies
- GCM Objective 5: Enhance availability and flexibility of pathways for regular migration
- GCM Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
- GCM Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences.

Expected outcomes of the workshop included:

- Increased knowledge and capacity of the participants to participate in and contribute to labour migration and labour mobility-related national, regional and global consultations;
- Identification of main political and economic issues and priorities in the context of labour migration governance in the IO region, including on the role of private sector in labour migration policy formulation, thereby contributing to the protection of migrant workers;
- Preparation of positions to be shared at the High-Level Political Meeting and to feed into a Declaration on improving Labour Migration Governance in the IOC region;
- Discussions around the issue: Is there a need for a regional Labour Migration Framework specific to the IOC (Labour mobility, skills development and recognition, fair recruitment, etc.)?

The workshop was organized in a hybrid format by the SAMM Project in close collaboration with the ILO's International Training Centre (ITC/ILO), IOE and ACTEMP. Seven representatives of employers' organisations and one representative of the Ministry of Labour participated in person per invited IO country. Ministry of Foreign Affairs were invited to join online.

The methodology used for this meeting in the IO region was a one-day capacity building and peer learning for employers' on selected priority thematic areas, followed by a second day featuring panel discussions between employers and governments to grasp the main concerns/challenges on labour migration at national and regional levels and identify solutions to be implemented at national level. This was an opportunity to involve representatives from government (Ministries of Labour/Employment) to engage with employers to communicate, learn and devise a specific sub-regional strategy on labour migration governance issues.



### 3. Summary of Discussions

#### DAY 1:

The workshop was divided in two parts:

#### **Day 1: 25<sup>th</sup> of July – Only Private sector and Employers’ Organizations consultations and training:**

Discussions on the first day were amongst private sector representatives and employers’ organizations representatives on labour migration governance and national migration policies affecting business. Employers assessed how best they can collaborate with their respective governments in the implementation of the GCM objectives 5, 6 and 18, as well in the context of sub-regional and regional frameworks. This will also feed in the proposed Declaration designed and to be presented at the SAMM High Level Tripartite Dialogue on Labour Migration Governance in the SADC region to be held in November 2022.



#### Objectives:

- Sharing practical experiences on procedures at national and regional level on labour migration governance in general and skills mobility in particular.
- Identifying areas in national and regional policies and frameworks that need improvement to promote safe, orderly and regular pathways for migration.
- Agreeing on common objectives and frame recommendations for discussion with government representatives on 26 July 2022.
- Agreement “in principle” obtained for the Proposed Declaration to be presented at the SAMM High Level Tripartite Dialogue on Labour Migration Governance in the SADC region scheduled to take place in November 2022.

The key outcomes along with recommendations were presented and discussed with the government representatives on day 2.

The first session of the workshop was an introduction to labour migration governance and the role of employers in IO countries. More specifically trends, characteristics and a gender responsive angle were analysed in addition to the IOE's contribution to global initiatives on migration. The Conclusions of the IOE-SADC Private Sector Forum-Business Advisory Group on Migration-ILO April 2022 Meeting were also presented for discussion.

The second session focused on fostering labour migration governance in Africa and the frameworks for skills mobility in AU, SADC, Comesa and IO countries. Under the GCM Objective 5: Enhance availability and Flexibility of pathways for regular migration; the group discussed on:

- Labour Migration Policy Frameworks and Action Plans
- Free Movement of Persons Protocols
- Temporary and Permanent Work and Residence Permits
- Labour market/vacancy tests
- Work-Study visas
- Criteria to change employers
- Points-based systems
- Quota systems

The third session addressed skills shortages, skills recognition and skills development by exploring GCM Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences. The presentation and discussions focused on:

- Recognition of Prior Learning;
- Effective Skills Matching that respond to labour market realities at all skill levels
- Skills Anticipation
- Attracting and Retaining needed skills
- Reskilling and upskilling
- Skills levy Systems

Ensuring responsible and fair recruitment was the topic of the fourth session. Through the lens of GCM 6: “ Facilitation fair and ethical recruitment and safeguard conditions that ensure decent work”, the presentations and group discussion hinged on the ILO Fair and Recruitment Initiatives and Guidelines, other pertinent international labour standards dealing with recruitment, the licencing and monitoring of Private Employment Agencies (PEAs), Bilateral Labour Migration Agreements (BLMAs) and migrant workers' employment conditions

The final session of day 1 consisted in the preparation of the proposed declaration /statement of intent by the Employers' Organizations yielding a series of common objectives and recommendations for discussion with government representatives on day 2.

## **Day II: 26<sup>th</sup> of July – Dialogue between employers and governments' representatives**

The second day brought together employers' organisations representatives, private sector and governments' representatives from the participating countries in the IO region to discuss the conclusions and recommendations arising out of the Employers' consultations of the previous day.

The objectives were for governments to understand the challenges employers face in accessing workers from abroad; and for employers to understand the constraints of governments in the formulation of labour migration policies that contribute to promoting safe, orderly and regular migration. The day also focused on identifying areas of collaboration between the private sector, employers' organisations and governments in view of facilitating the movement of labour. Other objectives included contribute to improve talent, labour and skills availability in the immediate-medium-long term in the labour market; as well as fostering public-private collaboration in the implementation of GCM objectives 1, 5, 6 and 18.

Day 2 consisted of 4 sessions of discussion. The first of which was a panel discussion between employers' representatives, the Private Sector and Government. The first panel of discussion involved representatives from Modec (Comores), the Ministry of Labour of Comores, Business Mauritius, the Indian Ocean Commission, the Ministry of Labour of Mauritius and Cap Business. The discussion focused on access to talent, labour and skills as key to ensuring full and productive employment within the IO countries.



The second session was also a panel discussion between employers' representatives, the Private Sector and Government. This panel of discussion involved representatives from SCCI (Seychelles), the Ministry of Labour of Seychelles, Ministry of Labour of Madagascar, Chamber of commerce (Madagascar) and Cap Business. The discussion once again focused on access to talent, labour and skills as key to ensuring full and productive employment within the IO countries.

During the third session, each country delegation (employers' organisations representatives, private sector and governments' representatives) convened to formulate country specific conclusions and recommendations on Labour Migration Governance: Access to talent, labour and skills key to ensure full and productive employment within IO Countries. The conclusions and recommendations resulting from the country discussions were presented during the fourth session of the day.





All conclusions and recommendations were consolidated in a set of 8 main recommendations agreed upon by employers' organisations representatives, private sector and governments' representatives from the participating countries in the IO region.

#### **Declaration /Main recommendations from two-day event:**

- **Social dialogue**

There is a general, need for sustainable, efficient and resourced social dialogue platforms with the help of ILO. All the social partners must be involved in labour migration governance discussions, in particular. There is a need to ensure that the holistic employment framework is strengthened in the IO Region.
- **Cap Business**

Consideration of the regional Cap Business organisation by governments for the follow-up of recommendations and reporting with the support of the ILO Fair Recruitment
- **Fair Recruitment**

Creation of a "Fair recruitment Charter of Good Conduct for Employers and the Private Sector in the IO region". Use of the regional organisation for a charter of good conduct on fair recruitment for the Employers' organisations
- **Labour Migration Policies**

Development and implementation of labour migration policies at country level, and align them with regional frameworks, to manage and regulate labour migration processes.
- **Regional observatory /Regional labour market information system**



Creation of a regional observatory or regional labour market information system contributing to skills transfer and increased employability within the IO region as well as supporting labour market needs assessments to identify the needs of each state and skills transfer.

- **Regional Free Labour Mobility Agreement**

Support the formulation and adoption of a Regional Free Labour Mobility Agreement within the Indian Ocean Region. Concluding a Regional agreement on free mobility within Indian Ocean Region

- **Including Social Partners in skills recognition mechanisms**

Improve skills recognition mechanisms in the IO region by including social partners in the process, to ensure efficiency

- **Skills shortage list**

Need for creation and/or improve dynamic skills shortage lists at the country-level based on effective labour market information systems and agreed upon through a tripartite process.

## 4. Annex

### AGENDA

Monday, 25 July 2022

DAY 1 – LABOUR MIGRATION GOVERNANCE, THE PRIVATE SECTOR AND EMPLOYERS' ORGANISATIONS		
8:30-9:00 (MUT)	Arrival and Registration of Participants	SAMM Admin and Finance
9:00-9:30	Opening	<p><b>Gloria Moreno Fontes</b>, Chief Technical Advisor for SAMM project</p> <p><b>Stéphanie Winet</b>, Head of Stakeholder Engagement, IOE,</p> <p><b>Moderator : Maria Machailo Molebatsi</b>, ILO ACTEMP</p>
9:30-10:30	<p><b>Session 1: Introduction to Labour migration governance and the role of Employers in IOC</b></p> <ul style="list-style-type: none"> <li>Trends, characteristics and a gender-responsive angle</li> <li>IOE's contribution to global initiatives on migration</li> <li>Conclusions of the IOE-SADC Private Sector Forum-Business Advisory Group on Migration-ILO April 2022 Meeting</li> </ul> <p>Q&amp;A with participants</p>	<p><b>Dr Kris Valaydon</b>, ILO SAMM Consultant (10 min)</p> <p><b>Stéphanie Winet</b>, Head of Stakeholder Engagement, IOE (10 min)</p> <p><b>Facilitator: Mr Theo Sparreboom</b>, Labour Migration Specialist at Pretoria (5 min)</p>
10:30-11:00	Tea Break	
11:00-12:00	<p><b>Session 2: Fostering Labour Migration Governance in Africa: frameworks for skills mobility in AU, SADC, COMESA, and IOC</b></p> <p><i>GCM Objective 5: Enhance availability and flexibility of pathways for regular migration</i></p> <ul style="list-style-type: none"> <li>Labour Migration Policy Frameworks and Action Plans</li> <li>Free Movement of Persons Protocols</li> <li>Temporary and Permanent Work and Residence Permits</li> <li>Labour market/vacancy tests</li> <li>Work-Study visas</li> <li>Criteria to change employers</li> <li>Points-based systems</li> <li>Quota systems</li> </ul> <p>Q&amp;A</p>	<p><b>Mr Theo Sparreboom</b>, Labour Migration Specialist at Pretoria (5 min)</p> <p><b>Mr Amadou Sako</b>, Regional Advisor for Africa, IOE (5 min maximum)</p> <p><b>Facilitator : Ms Maria Machailo-Molebatsi</b> (ILO, ACTEMP)</p>
12:00-13:00	Lunch Break	
13:00-14:00	<p><b>Session 3: Addressing Skills Shortages, Skills Recognition and Skills Development</b></p> <p><i>GCM Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences</i></p> <ul style="list-style-type: none"> <li>Recognition of Prior Learning;</li> <li>Effective Skills Matching that respond to labour market realities at all skill levels</li> <li>Skills Anticipation</li> <li>Attracting and Retaining needed skills</li> <li>Reskilling and upskilling</li> <li>Skills levy Systems</li> </ul> <p>Q&amp;A</p>	<p><b>Skills Recognition and Skills Development</b> Anthony Gewer, Skills Specialist, ILO SAMM Project (10 min)</p> <p><b>Comments: Mr Oliver Bastienne</b> CSSI) (5 min)</p> <p><b>Facilitator : Amadou Sako</b> (IOE)</p>

14:00-14:30	Tea Break	
14:30-15:30	<p><b>Session 4: Ensuring responsible and fair recruitment</b></p> <p><i>GCM Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work</i></p> <ul style="list-style-type: none"> <li>• ILO Fair and Recruitment Initiatives and Guidelines</li> <li>• Pertinent international labour standards dealing with recruitment</li> <li>• Licencing and Monitoring of Private Employment Agencies (PEAs)</li> <li>• Bilateral Labour Migration Agreements (BLMAs)</li> <li>• Migrant workers' Employment Conditions</li> </ul> <p>Discussions among participations – peer-learning (45 min)</p>	<p><b>Mr. Jesse Mertens</b>, Labour Migration and Data Specialist, ILO (10 min)</p> <p><b>Comments:</b> <b>Mrs Joséphine Andriamamonjarison</b>, Employer from Madagascar</p> <p><b>Facilitators :</b> <b>Mrs Miriam Boudraa</b>, Labour Migration Specialist, ITCILO</p>
15.30-16.30	<b>Preparation proposed declaration / statement of Intent by the Employers' organisations</b>	<b>Facilitators :</b> <b>Mr Amadou Sako</b> , IOE and <b>Mrs Maria Machailo-Molebatsi</b> , ILO ACTEMP
16:30-16:40	<p><b>Conclusions and Closing of Day 1</b></p> <ul style="list-style-type: none"> <li>• Validation of proposed Declaration/Statement of Intent</li> </ul>	<b>Facilitator:</b> <b>Mr Amadou Sako</b> IOE and Mrs Maria Machailo – Molebatsi, ILO ACTEMP



DAY 2: BILATERAL DIALOGUE BETWEEN PRIVATE SECTOR/EMPLOYERS' ORGANISATIONS AND GOVERNMENTS		
9:00-09:30 (MUT)	<b>Introduction – scene-setting</b> <ul style="list-style-type: none"> <li>Recap of Day 1- Key take-aways and main concerns</li> </ul> <p>Q&amp;A and Discussions</p>	<ul style="list-style-type: none"> <li><b>Mrs. Lindiwe Sephomolo</b> Chair, IOE Policy Working Group on Migration</li> <li><b>Mrs Joséphine Andriamamonjison</b> , Chair Cap Business</li> <li><b>Ms Maria Machailo-Molebatsi</b> ILO/ACTEMP</li> </ul>
9:30-11:00	<b>Labour Migration Governance: Access to talent, labour and skills - key to ensure full and productive employment within IOC</b> <b>Panel 1.</b> Discussion between employers' representatives, the Private Sector and Government: <ul style="list-style-type: none"> <li>Comoros (Modec)</li> <li>Comoros (Min of Labour)</li> <li>Mauritius (Business Mauritius)</li> <li>Mauritius (Min of Labour)</li> <li>IOC</li> <li>Cap Business</li> </ul> <p>Q&amp;A</p>	Representatives of <b>Ministries of Labour and Employers' Organisations</b>
11:00-11:30	Tea Break	
11:30-13:00	<b>Labour Migration Governance: Access to talent, labour and skills - key to ensure full and productive employment within IOC</b> <b>Panel 2.</b> Discussion between employers' representatives, the Private Sector and Government: <ul style="list-style-type: none"> <li>Seychelles (SCCI)</li> <li>Seychelles (Gov)</li> <li>Madagascar (Gov)</li> <li>Madagascar (Employers)</li> <li>Cap Business</li> </ul> <p>Q&amp;A</p>	Representatives of <b>Ministries of Labour and Employers' Organisations</b>
13:00-14:00	Lunch	
14:00-15:30	<b>Formulation of Conclusions and Recommendations on Labour Migration Governance: Access to talent, labour and skills - key to ensure full and productive employment within IOC(cont.)</b>  Objective : agreeing (if possible) on key area of intervention	Discussion between of <b>Ministries of Labour and Employers' Organisations and private sector (in break-out rooms)</b>  Employers presenting their recommendations to their respective Government
15:30-16:00	<b>Labour Migration Governance: Access to talent, labour and skills - key to ensure full and productive employment within IOC : Key recommendation based on group discussion</b>  Country delegations presenting their recommendations /	Representatives of <b>Ministries of Labour and Employers' Organisations</b>
16:00-16:15	<b>Closing session and Tea Break</b>	IOC Secretariat IOE Policy Working Group on Migration ILO Representative

## List of Questions:

*Questions directed at the Employers' Organisations during the meeting.*

*The Employers met to discuss the content of a joint declaration on labour migration governance. Employers have discussed challenges linked to the lack of migration channels to bring in labour, lack of work permits needed for formal work, legal uncertainty about recruitment regulations, lack of recognition of diplomas and skills between countries, among other topics. They have also discussed potential solutions that could be implemented at national level.*

*1st question to representative of Cap Business: What are the top 3 challenges that employers have identified in their discussion yesterday in accessing and recruiting foreign labour?*

*Question 2: representative of IOC: You heard this regional private sector viewpoint. What measures is IOC putting in place to respond to the challenges posed by employers?*

*Follow up question: What is according to you the key challenges in the region with regards to labour migration statistics?*

*Question 3: Question for Business Mauritius: We know that Mauritius is country attracting many migrant workers from the Island states, but also from other African and Asian countries. What is for you, as an Employers Organisation your key concern to get the skills and talent needed? Can you let us know a bit more what are the challenges faced by Mauritians businesses with regards to access to talent, labour and skills?*

*Follow up question: What is the one priority solution that could be implemented to address that challenge?*

**Question 4 : Question for Mauritius GOV**

*Does your government have systems in place which respond to the skills needs through mobility or labour market integration programmes, responding thereby to your employers' organisation concern?*

**Question 5: Question for Comoros Gov :**

**What is the way forward for the Government of Comoros on enhancing migration pathways to compete for the best talent in the global/continental/regional market?**

**Question 6: Question for Comoros Business :**

*What would you suggest to the government presents here, to help with private stakeholder engagement, ensuring thereby that migration policies respond to employers' needs ensuring as well to not deprive employers from the talent , labour and skills needed ?*

**Representatives of Ministries of Labour and Employers' Organisations**

**Question 1 for Madagascar Gov : Madagascar is very engaged in the protection of migrant workers' rights throughout the migration cycle. What is needed to ensure that Fair Recruitment is a reality for every migrant worker? In that sense, how do you see the collaboration with the Private Sector?**

Question 2 for Madagascar Employers :

*We just discussed with the representative of the Gov of Madagascar about what is needed to ensure fair recruitment, what is your perspective as a representative of Employers' organisation? In your opinion, are the policies/programmes as described by the government, suited to respond to business imperatives? Tell us what policies are needed to run businesses in a responsible way, which ultimately ensures the well-being of jobseekers and in particular migrant workers?*

Question 3 for Seychelles Employers:

*How might effective dialogue between government and employers' organisations empower employers' organisations and the private sector to build the required talent, labour and skills' pools required for productive industry?*

Question 4 for Seychelles Gov: *What measures has the government of Seychelles taken to ensure that the regulatory framework on recruitment benefits both the jobseekers and the employers?*

Question 5 for Cap Business: How do you think regional dialogue could improve access to decent work for migrant workers in the region? What is the role to play by the Employers' organisation within IOC to ensure a "win-win" situation: for the countries of origin and destination, the private sector but also the migrant workers themselves?

In formulating the conclusions and recommendations of this meeting, I would like to invite you to discuss the following:

Question 1. What are the main areas of collaboration between the private sector, employers and governments that we could identify during our discussions in this area?

Question 2. How can the IOC region address key challenges at national and regional level on labour migration governance in general and skills mobility in particular?

Question 3. What are the main issues highlighted during past discussions that will contribute to improve talent, labour and skills availability in the immediate-medium-long term in IOC labour market?

Question 4. How can public-private collaboration in the implementation of GCM objectives 1, 5, 6 and 18 be better fostered?

Question 5. Overall, how could the IOC region ensure fair and effective labour migration governance?



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