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## Policy actions to ensure sustainable labour externalisation in Uganda



### Introduction

*While Uganda's labour force is expanding annually, jobs are static, rendering many unemployed or underemployed, especially youth and women. As a result, labour externalisation, while sometimes not considered the best option, is a much sought after alternative to deal with extended durations of unemployment. This policy memo provides recommendations extracted from the paper on "**Labour externalisation in Uganda: Implications for the Agro-Industrialisation agenda**" to inform and guide high level decision makers on the requisite policy actions to foster sustainable labour externalisation interventions. In the paper, labour externalisation is looked at from the angle of only persons who travel out of the country seeking for employment. The study sought to understand the depth of labour externalisation in Uganda (what has worked and not worked). The intention was to improve ways of leveraging the benefits of externalisation in order to enhance Uganda's development aspirations.*

The government took cognizance of the risks associated with individuals being placed abroad by traffickers. However, the government was also aware that people cannot be forcibly stopped from seeking work abroad; more so because of Article 29 (2) (b) of the Constitution of the Republic of Uganda which provides that every Ugandan shall have the right to enter, leave and return to, Uganda. The solution to the challenge of

traffickers therefore lay in introducing a safe, orderly, formal and regular pathway to employment abroad. Accordingly, the Externalisation of Labour Programme was launched in 2005. The programme was therefore not introduced to encourage Ugandans to go abroad, It was introduced to establish an alternative to trafficking for Ugandans who make a choice to seek a livelihood through employment abroad.

## Current approaches by government

Since 2005, the government of Uganda has been implementing the externalisation of labour programme to establish an alternative to trafficking for Ugandans who make a choice to seek a livelihood through employment abroad. Evidence to date shows that there are about 781,440 Ugandans migrants of which 408,705 are females and 372,735 are males, with majority living in East African Countries especially Kenya, Rwanda, and South Sudan (UNDESA 2020). However, since 2017 and 2019 when Uganda signed agreements with Saudi Arabia and the United Arab Emirates (UAE) respectively, both countries became major destinations for Ugandan migrant workers.

Saudi Arabia now accounts for the most significant number of migrant workers to the Middle East. It accounted for 78 percent of the 17,680 workers in 2019 (Table 1). Many Ugandans currently working in other countries, e.g. Kenya, Tanzania, South Sudan, Canada, USA, and the UK, are not captured by the external deployment database because of the approaches used to becoming externalised (individual initiative). This makes it challenging to track them despite the remittances received from these destination countries.













The Externalisation of Labour Programme is regulated by the Employment Act, 2006 and guided by some of the following policy and regulatory instruments aimed to protect the rights of migrant workers through stringent licensing requirements and placement procedures.

- The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations 2005;
- The Employment (Recruitment of Ugandan Migrant Workers Abroad) 2015.
- The Prevention of Trafficking in Person Act, 2009;
- The Uganda Citizenship and Immigration Control Act;
- The National Security Act; and
- The Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad, 2015.

Despite having all the listed policies, laws and regulations in place, gaps and challenges are still abound. The major ones include:

- Limited negotiations for BLAs that accommodate highly skilled and specialised job placements** (e.g. for engineers, doctors, nurses, teachers, among others). Consequently, workers under the highlighted professions (highly skilled) typically travel out of the country on their own to look for jobs, with few going through registered companies. This makes it difficult to capture comprehensive information

**Table 1** Numbers of migrants workers by destination country: 2010-2019

Country	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
 Afghanistan	198	188	260	124	142	298	342	416	228	642	2,838
 Bahrain	2	2	2	5	87	97	410	451	23	60	1,139
 Iraq	9,120	2,516	2,033	935	907	951	646	217	2,206	535	20,066
 Jordan								1,427	2,582	306	4,315
 Kuwait	—	—	32	278	223	209	—	—	—	88	830
 Qatar	20	20	20	299	627	1,026	487	520	923	456	4,398
 Saudi Arabia	65	65	66	18	18	479	175	1,621	12,366	13,825	28,698
 Somalia	—	2	99	550	532	687	96	162	745	139	3,012
 South Sudan	43	45	45	—	—	—	—	—	—	—	133
 Syria	2	2	2	—	—	—	—	—	—	—	6
 Taiwan	2	2	2	—	—	—	—	—	—	0	6
 UAE	515	2,001	3,202	3,954	6,369	9,732	383	303	2,556	1,629	30,644
<b>Total</b>	<b>9,967</b>	<b>4,843</b>	<b>5,763</b>	<b>6,163</b>	<b>8,905</b>	<b>13,479</b>	<b>2,539</b>	<b>5,117</b>	<b>21,629</b>	<b>17,680</b>	<b>96,085</b>

Source: Compiled from EEU Deployment Report Database, 2020

in the monitoring systems and the current external employment data base.

- b. **Inadequate monitoring**, especially on the operations of the recruitment firms. For instance, the jobs lobbied by the recruitment agencies must be approved by MoGLSD to verify whether they truly exist. However, despite all the restrictions and regulations in place, people still migrate in search of jobs illegally. For instance, no domestic worker is legally allowed to go to Oman, but people always have and are still going there, leading to continued cases of human trafficking.
- c. **Inadequate staffing at both the Ministry of Foreign Affairs and Ministry of Gender, Labour and Social Development** have partly hindered monitoring and enforcement of the regulations and guidelines of the externalisation programme.
- d. **Limited budgetary allocations to execute the stated activities within the Guidelines on Recruitment and Placement of Uganda Migrant Workers Abroad, 2015.** There have been media complaints on delays in responses to cases being reported by persons working in the Middle East in particular, due to funding gaps.
3. **Recruit labour attachés in major cities/countries where Ugandans are working.** Government, through the Ministry of Foreign Affairs needs to assign labour attachés to focus specifically on labour externalization issues. This will involve enlisting technical backstopping and monitoring support from the Ministry of Gender, Labour and Social Development. Even where well known labour migration is taking place such as Saudi Arabia and United Arab Emirates, the support systems from the Ugandan Embassy need to be revamped. In countries such as Kenya, Tanzania, South Sudan, Somalia, USA, United Kingdom, Canada, and more that are also identified as major destination countries for Ugandan migrant workers, labour officers need to be recruited and posted as part of the consulate support services.
4. **Increase budget allocation to the labour externalisation unit in the Ministry of Gender, Labour and Social Development to facilitate their mandate.** The increasing number of externalised migrant workers implies that national level support systems must be able to respond to this bulge. This implies that more funding is required to enable the Unit to get more specialised labour officers that can handle the protocols, challenges and opportunities that arise from labour externalisation.

## Policy Actions

The study therefore proposes the following actions to ameliorate some of the highlighted problems.

1. **Urgent need for effective monitoring systems** that allow for periodic reporting on status of migrant workers in terms of their health status, wages and payments, and general conditions and terms of work.
2. **Strengthen data systems to generate comprehensive data on labour externalisation.** The current External Employment Management Information System mainly focuses on sex, age and occupations to be engaged in abroad. There is need to expand its scope to include modules that collect information such as, education levels, skills and skills potential, returnees, and their investment aspirations.

5. **Fast track the Labour Externalisation Bill into law.** Through the Parliamentary Committee on Gender, Labour and Employment, the Bill needs to be re-tabled in parliament, but after extensive stakeholder consultations given that the policy and operational dynamics in some of the major destination countries have changed.

## Conclusion

Given the changing dynamics in the Middle East, where many Ugandans are officially migrating for work, Government and the key stakeholders have a daunting task to re-organise the labour externalisation programme. The proposal amidst competing priorities should be placed on strengthening monitoring systems through recruitment of attaches and comprehensive capture of information on the externalised workers.

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