



PARLIAMENT OF THE REPUBLIC OF UGANDA

**PRELIMINARY REPORT OF THE COMMITTEE ON GENDER, LABOUR AND
SOCIAL DEVELOPMENT ON THE EXTERNALISATION OF LABOUR
PHENOMENON**

**OFFICE OF THE CLERK TO PARLIAMENT
NOVEMBER, 2019**

A stylized signature in black ink.

A signature in black ink, with the word "Fall" written above it.

A signature in black ink.

A signature in black ink.

A signature in black ink, written diagonally.


1.0 INTRODUCTION

The Rt. Hon. Speaker of Parliament, at the 29th Sitting of the 1st Meeting of the 4th Session of the 10th Parliament of Uganda held on 29th August, 2019 during plenary session directed to the Committee of Gender, Labour and Social Development an assignment to investigate the externalization of labour phenomenon and come up with a preliminary report to the House. The directive was in response to concerns raised by Members regarding the harmful consequences of Externalisation of Labour and what the government has done to address these concerns especially mistreatment of Uganda migrant workers in the Middle East.

According to the International Organization for Migration (IOM), 2011, international migration is the movement of a person or a group of persons across an international border. It encompasses any kind of movement of people, whatever its length, composition and causes. It includes migration of refugees, displaced persons, migrant workers and persons moving for other purposes such as study and family reunification.

A well-coordinated system for externalization of labour is intended to guarantee the protection of the rights and promotion of welfare of immigrant workers, in the view of experiences of uncoordinated and illegal movement of workers out of the country. As a component of labour, the Ministry of Gender, Labour and Social Development has the overall mandate to oversee the Externalisation of Labour Program. To that end, the Ministry has and continues to sign a bilateral agreements with countries that are interested in importing labour from Uganda.

The Auditor General's Report, 2017 on the Ministry of Gender, Labour and Social Development had registered some achievements under the Labour Externalization Programme among which; the Ministry had licensed **79** private recruitment agencies by the time of Audit in November, and also facilitated

¹

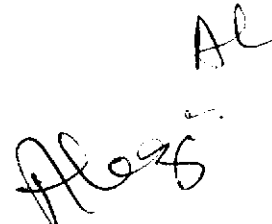
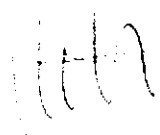
recruitment of an estimated **70,000** Ugandan migrant workers to jobs in UAE, Saudi Arabia, Jordan, Bahrain, Oman, Qatar, Iraq, Somalia, Afghanistan and Mali among others. The jobs had enabled the migrant workers to acquire new skills and trainings and also contributed to the foreign exchange earnings for the country. The ministry also negotiated and signed bilateral labour agreements, with the Kingdom of Saudi Arabia and Government of Jordan by November, 2017.

Furthermore, the Ministry of Gender, Labour and Social Development (MGLSD), indicated that between 2006 and 2015, more than **50,000** Ugandan migrant workers were employed abroad through labour externalization programme. According to the Daily Minute of Monday 12th March, 2018, the highest number of Ugandan workers externalised in a single year was **8,363** in **2010**.

However, statistics from the Ministry of Gender, Labour and Social Development indicated that, a total of **109** companies had been licensed to recruit migrant workers and externalisation abroad as at **October 2018**. As at the time of the signing of this report, the number of Companies in Uganda licensed to externalisation labour was 187. Between **2012** and **October, 2018**, a total of **42,245** Ugandans had been externalized by external labour recruitment companies. Security link limited, a recruitment company had externalised **12,214** Ugandans equivalent to 28.9% of this total number of recruitments as shown in **Figure 1**.

According to statistics from the Ministry of Gender, Labour and Social Development, the number of Ugandan workers working abroad is over 20,000, bringing in remittances of over USD 1.4 Billion annually. Further to note, more than 3,000 Ugandans are externalized monthly, creating jobs for more than 36,000 Ugandans.

In spite of these positive indicators, almost every week, reports of mistreatment of Ugandan migrant workers especially in the Middle East are reported in the press.


2

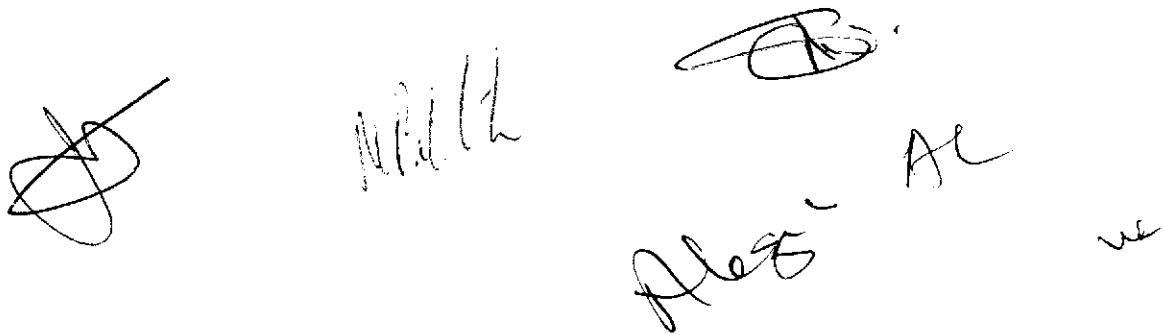
2.0 BACKGROUND

The Government of Uganda, acknowledges that labour markets abroad provide employment opportunities for Ugandans in the short run as the country develops its capacity to generate sufficient jobs for its labour force. Despite the country benefiting from other labour markets, it has also faced an influx of foreign workers seeking employment opportunities within Uganda and it is likely to increase with the free movement of labour within the East African Community and beyond.

The Employment Policy, addresses one of the critical challenges facing the country namely; the attainment of full employment coupled with decent work and equitable economic growth. A fast rate of growth of permanent employment in the private sector, remains the most effective route to sustainable poverty eradication.

In Uganda, migration takes place within diverse social, political and economic contexts. It has been mainly fuelled by unemployment, political factors, war, poverty and rapid growing populations. Numerous migrants move beyond borders into neighboring countries and beyond. Some move out with assistance of agents to earn better living. Migration has been an integral part of Uganda's history and has included internal, regional and international movements.

Relatedly, in the economic sphere, globalization is not only characterized by liberalization of trade, services, investment and capital, but also by transitional movements of people in search of better lives and employment opportunities elsewhere. In the economic climate, protecting all workers and particularly migrant workers both those lawfully residents and those in an irregular situation, is becoming paramount. There is a big gap between Trade Unions, sending country, receiving countries and the migrants themselves. In the process



Handwritten signatures and initials are present at the bottom of the page, including a large stylized signature on the left, the word 'with' in the center, a signature 'B.' on the right, and other initials like 'AL' and 'me'.

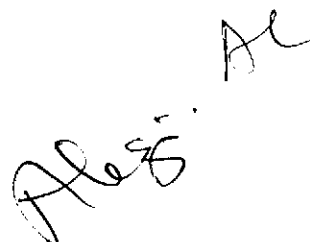
the migrant workers rights are not respected and are left to the mercy of the receiving country.

Uganda has one of the highest population growth rates globally at 3.2% per annum, and possesses the youngest population with more than 78% of its population below 30 years and more than 47% below the age of 18 as per the Population Reference Bureau. This is the productive age of many people but while the labour force is increasing with each passing year, the labour market is actually shrinking rendering it incapable of accommodating the **500,000** young Ugandans that join the labour market annually. This makes labour externalisation the most feasible alternative way out of this unemployment mystery. The strategy of externalising labour is only feasible in a global context where there has occurred or is occurring integration of world economies and markets. Globalization represents a growing integration of national economies, along with the diffusion of social, cultural and political norms and practices all over the world and this presents a perfect conduit for labour and knowledge transfer to thrive.

Furthermore, most Asian countries like; India, China and the Philippines adopted labour externalisation as a measure to exploit the opportunities presented by globalization and as stop gap measure to curtail unemployment, as they muscled up the requisite resources to enable the economy accommodate the labour force.

Uganda equally adopted the externalization of labour programme in 2005, as a measure to shed off its excess and abundant labour force though this policy has, culminated into an industry that is lucrative but unregulated, hence the need for regulatory processes more needed today than ever before.

3.0 METHODOLOGY



In the process of scrutinizing the phenomenon, the Committee applied the following methods:

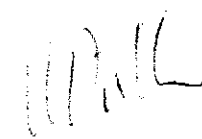
3.1 Meetings

The Committee held meetings from the following stakeholders:-

1. The Ministry of Gender, Labour and Social Development
2. The Uganda Association of External Recruitment Agencies (UAERA)
3. Directorate of Citizenship and Immigration Control
4. Hon. Ddombo Emmanuel, former MP
5. Hon. Betty Namboze, MP
6. Hon. Medard Sseggona, MP

3.2 Documents Consulted

- The Constitution of the Republic of Uganda, 1995
- The Citizenship and Immigration Control Act, 1999
- The Prevention of Trafficking in Persons Act, 2009
- The National Employment Policy for Uganda, 2011
- The Statutory Instrument No. 62, Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005.
- Statement to Parliament on Externalisation of Labour in Uganda by the Minister of Gender, Labour and Social Development dated 11th August, 2016.
- Ministerial Statement to by Hon. Peace Regis Mutuuzo, Minister of State for Gender and Cultural Affairs, holding the Portfolio of Minister of Gender, Labour and Social Development, presented to Parliament on Issues of Externalisation of Labour, dated 18th July, 2019
- List of licensed labour-externalising companies as compiled by the Ministry of Gender, Labour and Social Development
- List of Directors of Licensed Companies



4.0 LIMITATIONS FACED BY THE COMMITTEE

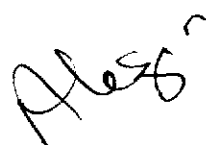
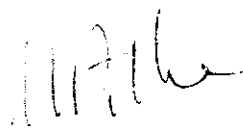
The Committee on Gender, Labour and Social Development largely depended documentary desk review of available literature. Consequently, the Committee was unable to verify any of the information it gathered from the documents and stakeholders' meetings. This is because the Committee did not have any financial resources at its disposal to carry out a comprehensive on-ground assessment of the issue, however sensitive it is.

The key information that requires urgent verification by the Committee includes the following;-

- a) Establishing the actual conditions and state of affairs of workers externalised to the Middle East, meetings with Ugandan embassies and consulate;
- b) Visiting Ugandan Embassies and Consulates in the Middle East to establish the facts on the ground abroad.
- c) Establishing the loopholes in the implementation of the Memorandum of Understanding (MoU) Agreements between Uganda and labour-importing Companies.
- d) Finalize the determination of loopholes in the legal and regulatory framework.

5.0 LEGAL AND LEGISLATIVE FRAMEWORK

Uganda has domesticated and expanded the definition of trafficking in persons in the Prevention of Trafficking in Persons Act, 2008. However, Uganda is yet to ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons especially women and children, and the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

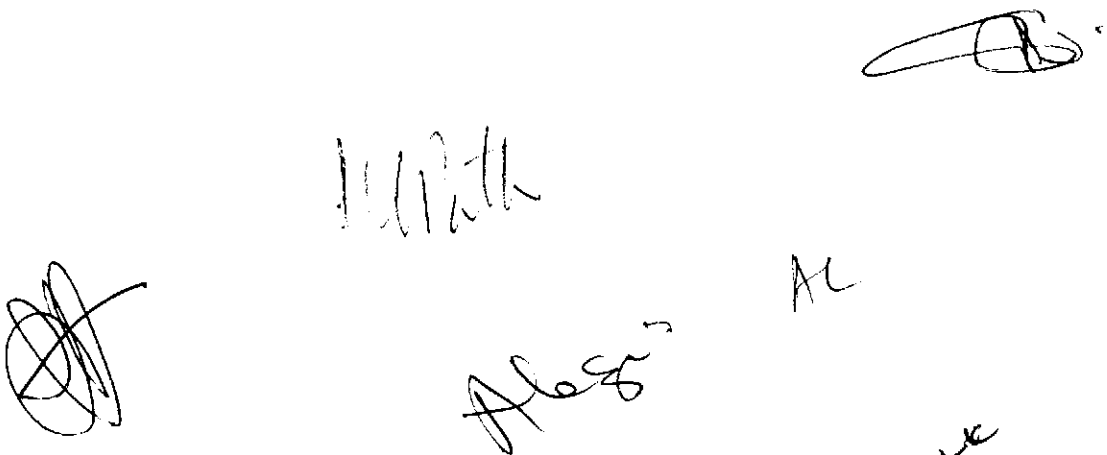


The Committee therefore observed that there are fundamental gaps in the legal and legislative framework concerning labour externalisation, and looked to the Philippines for the possible best practices in the development of the legislative and legal framework for labour externalisation. It should further be noted that the nature of the labour externalisation industry requires the establishment of legally enforceable mechanisms through which the agreements can be enforced.

5.1 INTERNATIONAL BEST PRACTICE IN EXTERNALISATION OF LABOUR- THE PHILIPPINES CASE

In the last three decades in the Philippines, labour externalisation has been a way for the government to deal with high unemployment rates. Migrant workers are valued such that the “Baygong Bayani” (modern-day hero) is awarded to 20 outstanding Filipinos working abroad on Migrant Workers Day, the 7th of June every year. A sophisticated system has been developed to promote and regulate labour emigration to promote the safety of migrant worker abroad.

The Philippines government defined its goal clearly in regard to externalization of labour, stating that “Migration should be promoted, but only for temporary work via regulated channels” (O’Neil, 2004). Therefore, it is actually an employment-driven strategy. The specific governmental regimes in the Philippines involved in labour externalisation are listed in Table 1 and Table 2.





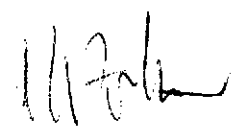
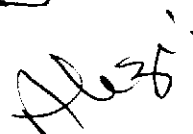


Handwritten signatures and initials are present at the bottom of the page. On the left is a large, stylized signature. In the center is the word "Muth" written vertically. To the right of "Muth" are the initials "AL" and a signature that appears to be "Aleg". At the bottom right is a small signature that looks like "uc".

Table1. Government institutions supporting labour externalisation activities

Institution	
	Mission or functions
Philippines Overseas Employment Administration (POEA)	<ul style="list-style-type: none"> • Industry Regulation • Employment Facilitation • Worker's Protection • General Administration and Support Services
Overseas Workers Welfare Administration (OWWA)	Develops and implements responsive programs and services while ensuring fund viability towards the protection of the interest and promotion of the welfare of its member-OFW's
Commission on Filipinos Overseas (CFO)	Promoting policies, programmes, and projects with Migration and Development as a framework for the strengthening and empowerment of the Filipino overseas community.

Table 2. Main legislations concerning migrations

Year	Main legislations
1974	The Labour Code of the Philippines.

1995	The Migrant Workers and Overseas Filipinos Act (or known as RA8042)
2003	The Anti-Trafficking in Persons Act
	The Overseas Absentee Voting Act
	The Citizenship Retention and Reacquisition Act

Sources: Table 1 and Table 2 are compiled from Hugo and Stal, 2004; Asis, 2006; and official websites of the relevant organisation.

Uganda can learn from the above to establish our own comprehensive legal framework, beyond the Prevention of Trafficking in Persons Act, 2008, to regulate the externalisation of labour and all incidental arising consequences therefrom.

5.2 The Management of the Labour Externalisation Process in the Philippines

Since the 1970s, the government and the private sector each have played a role in the labour externalisation process. When the overseas program started, the government participated in recruiting and matching workers and employers. Due to demand for workers and the large numbers involved, the government relinquished the placement of workers to private recruitment agencies in 1976.

The government created the Philippine Overseas Employment Administration (POEA) as its lead agency to manage the overseas employment process. With its low rate of foreign investment and a steady reduction in development assistance, the government, not just its people, has come to rely on overseas employment as

  With Asis. AL 

a strategy for survival. After years of pushing the official line that it does not promote overseas employment, the government set a target in 2001 of deploying a million workers overseas every year.

The Philippine Overseas Employment Administration (POEA) grew out of the Overseas Employment Development Board and the National Seamen Board in the then Ministry of Labour and Employment. The Overseas Employment Development Board, the National Seamen Board, and the Bureau of Employment Services were consolidated into the Philippine Overseas Employment Administration (POEA) in 1982. POEA became the government agency responsible for processing workers' contracts and pre-deployment checks, as well as for licensing, regulating, and monitoring private recruitment agencies. There is a placement branch within the POEA, but it only accounts for a small number of all OFWs placed with foreign employers.

On the private-sector side, there are more than 1,000 government-licensed recruitment and manning agencies in the Philippines (and an unknown number of unlicensed ones) that match workers with foreign employers. In the Philippines, recruitment agencies refer to those that find jobs for aspiring land-based migrant workers; manning agencies refer to those that engage in recruiting and finding jobs for seafarers. Recruitment agencies charge migrant workers "placement fees" for the service that they provide. Manning agencies are not supposed to charge placement fees as these fees are assumed by the principal or employer, but there are cases of known violations.

Although there is a standard placement fee for most destinations (except for special markets such as Taiwan) which is equivalent to one month's salary plus 5,000 Philippine pesos (about US \$94) for documentation, this is routinely violated. The excessive fees are a burden to migrants and put them in a vulnerable situation because they are already in debt before they leave. When they are abroad, they go without any salary for a period of time, and are forced



11/10/01

plus

AL



to bear harsh working and living conditions in order to repay their loans. This a source of stress for the newly placed workers that exposes them to risks.

5.3 Protecting Workers Abroad- Migrant Workers and Overseas Filipinos Act

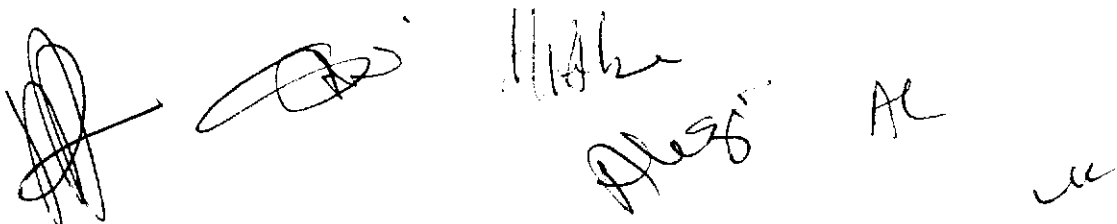
The Overseas Workers Welfare Administration (OWWA) was established as an institutionalized welfare fund to protect Filipino migrant workers abroad. OWWA is funded by a mandatory membership fee of US\$25 that must be paid prior to deployment. The OWWA operates Filipino Resource Centers throughout the world in order to provide further assistance to OFWs.

In addition, the Government offers support services towards; participation in pre-departure orientation seminars, public assistance programs, on-site services at its embassies and consulates.

Another major component of migrant protection was created in the 1990s with the enactment of the Migrant Workers and Overseas Filipino Act of 1995. "The Magna Carta" which created the Office of the Undersecretary for Migrant Workers Affairs within the Department of Foreign Affairs to take responsibility –for the provision and coordination of all legal assistance service to be provided to Filipino migrant workers as well as overseas Filipinos in distress.

6.0 Assessment of Uganda's Institutional Framework in the Externalisation of Labour

Uganda started to formally externalisation labour in 2005 following the high demand for security guards by American forces in Iraq. It was when this opportunity to externalisation security guards in large numbers that the government of Uganda started to take steps to create an enabling legal framework on externalization of labour.

The bottom of the page features several handwritten signatures and initials in black ink. From left to right, there is a large, stylized signature, a smaller signature, a signature that appears to read 'Haha', a signature that appears to read 'Haga', the initials 'AL', and a final signature that appears to be 'uc'.

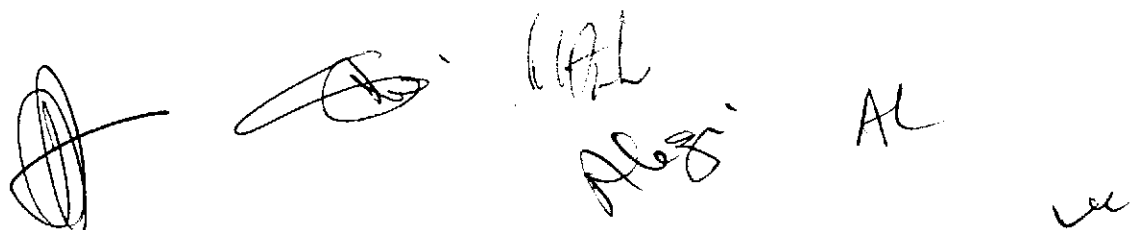
The institutional framework for externalizing labour in Uganda comprises a labour externalization unit of the Employment Services Department in the Ministry of Gender, Labour and Social Development. The unit has the mandate to coordinate all stakeholders in the labour externalisation process, develop guidelines, licensing, regulating and monitoring recruitment agencies in Uganda. This mandate is enshrined in the Employment Act of 2006 and the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations in 2005. The objectives of the unit are to promote full employment and equality of employment opportunities for all, allow deployment of Ugandans to countries which protect the rights of migrants, protect Ugandans desirous to work abroad, enable them secure the best possible terms and conditions of employment and issue licenses to recruitment agencies.

Since its inception in 2005, the unit has prepared and enforced the rules and regulations governing the recruitment of Ugandan migrant workers abroad, licensed 187 recruitment agencies and overseen the deployment of up to 84,000 Ugandan Migrant workers in 5 countries (Iraq, the UAE, Sudan, Chinese Taipei and Syria).

An institutional analysis of the unit was done to assess the capacity of the unit to achieve its mandate.

The status of the unit is characterized by the following;

Gross Understaffing; Following the recognition by government of the increasing importance of remittances to the national economy, reforms were undertaken in 2004 at the Ministry of Gender, Labour and Social Development to create a dedicated unit to coordinate all labour externalisation issues. The unit was designed to be division in the Employment Services Department with four full time staff members under an Assistant Commissioner. The unit was meant to evolve into an autonomous agency in the medium to long term. As a result much of the work of the unit as stipulated in its mandate is not being done. This

The bottom of the page features several handwritten signatures and initials. From left to right, there is a large, stylized signature, a smaller signature, the initials 'HAL', the signature 'Plegi', the initials 'AL', and a small mark that looks like 've'.

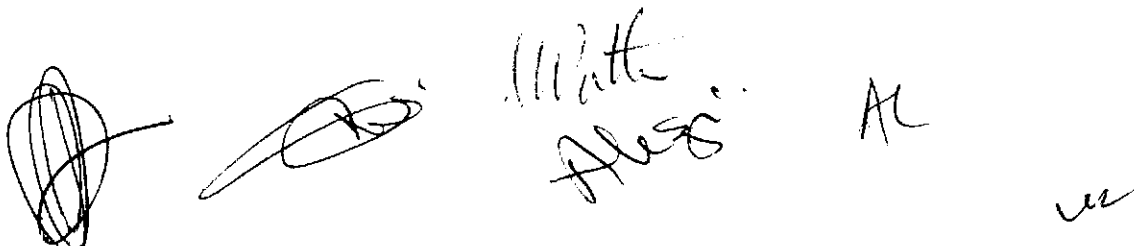
continues to leave gaps in the coordination and supervision of the labour externalization process.

Lack of Administrative Autonomy; The creation of this unit was an administrative process within the Ministry of Gender, Labour and Social Development and as such there is no reference to it in the Employment Act, moreover the Act makes no mention of externalization of labour. The unit is supposed to have a Steering Committee to play an oversight role. The steering committee is supposed to be comprised of key stakeholders in labour externalization. However to date, this committee is not in place. The lack of statutory authority has denied the unit the opportunity to raise additional funding beyond its dismal allocation from its parent ministry.

Limited Coordination with other Government Agencies; Because the law does not recognize the trade dimension of labour externalization, there is limited coordination between the unit and other relevant government departments in charge of trade and trade diplomacy. The absence of the Steering Committee has exacerbated the limited coordination between the unit and other government agencies and stakeholders particularly with regard to promotion of labour externalisations. The main strength of the unit is that it's being headed by a relatively experienced officer, Mr. Martin Wandera with adequate understanding of labour migration issues. The officer has created the current systems of the unit, prepared the regulations and guidelines and has clarity of the future direction the unit should take to become more effective. In addition to the above, the unit seems to enjoy some degree of recognition by policy makers within the government partly arising from the increasing importance of labour remittances to the national economy and the unit's role in labour externalization.

6.0 CAUSES OF MIGRATION

Unemployment is the leading cause of migration in Uganda. A study by Uganda Parliamentary Forum on Youth Affairs (UPFYA), affirms that **70,000** Ugandans



Handwritten signatures and initials at the bottom of the page, including a large scribble, a signature that appears to be 'Martin Wandera', and other initials like 'AL' and 'ur'.

of whom more than 64% are youth, have been recruited as workers into some countries in the Middle East while **50,000** Ugandan workers sought jobs on their own.

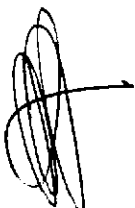
Scarcity of job opportunities has led to rural urban migration, high competition in the labour market and the emergence of a rising number of unutilized and unproductive work force particularly among young people.

The high population growth rate as a result of fertility rate, has led to a high increase in the labour force, which is reflected in the large number of young people who are untrained and unskilled entering the labour market every year with limited job opportunities to absorb them.

Uganda labour market is also faced with notable mismatch between what the education system offers and the labour market requirements. Information on the labour market both in public and private sectors, including; the large informal sector is severely constrained by lack of resources. The employment and labour services are not spread throughout the districts. The country lacks effective reliable labour market information to inform policy development including education and training policies.

The number of Ugandans living under poverty is still high and there is need for access to, decent and more sustainable employment opportunities which is the only escape of the poor from the cycle of poverty.

Relatedly, low productivity especially in subsistence agriculture, the impact of the HIV/AIDS on the labour force, enterprises, employment and productivity, casualization of labour, job insecurity and poor working conditions are among other causes of migration.



White
Alegi



AL



The consequences of unemployment and underemployment could be seriously damaging as a potential source of industrial unrest, instability and increased crime rate. The most direct impact of unemployment, low skill, low productivity and poor working conditions on the economy is the loss in terms of output of goods and services.

Individual aspirations such as; ownership of productive assets (i.e. land, livestock, machinery and equipment etc.) determines whether a household needs to pursue livelihood diversification through migration.

7.0 HOW THE INDUSTRY HAS EVOLVED TO ITS CURRENT STATE, WHEREBY IT IS FORMALIZED

Companies are required by law to carry out pre departure training. The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, stipulates that, candidates must undergo pre-departure orientation before they travel. The training is carried out for all candidates by the Companies themselves. However, the Government accredited (17) training centers, to carry out this service with a common syllabus to have the candidates well prepared.

The program for the house maids takes a period of 7 days residential orientation training. Syllabus includes the following topics;

Mindset orientation(Psycho-social); cultural awareness and change(religion, food, dress, behavior and language), the employment contract; communication and negotiation skills; housekeeping; personal hygiene; customer care relations; financial literacy; migration procedures and travel plan. Returnees where possible, are called upon to assist in the orientation to give the first hand encounter experience to the workers before they travel.



AL

ve

8.0 KEY PLAYERS AND ROLES

The Government under the Ministry of Gender, Labour and Social Development (MGLSD), is mandated to promote decent employment opportunities and labour productivity. In a bid to manage the unemployment pressure and maximize the gains of labour migration, Government initiated the Externalization of Labour Programme. The programme is implemented under the Ministry of Gender, Labour and Social Development and is responsible for licensing and regulating private recruitment companies/agencies, and signing bilateral agreements on behalf of Uganda, with countries interested in importing labour from Uganda.

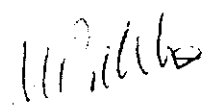
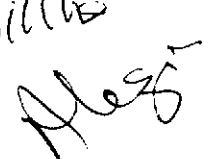



Similarly, Government has all along put emphasis on the protection of the rights and promotion of welfare of migrant workers going to work especially in Middle East, where some may be mistreated. Ugandans have been migrating for employment abroad through three channels:

- a) Licensed recruitment companies;
- b) Individuals sourcing jobs themselves;
- c) Unlicensed companies/individuals

The biggest challenge however, has been that a big number of Ugandans have either been going out on their own in search of employment opportunities, or fallen victims of exploitation to individuals/unlicensed companies both within Uganda and abroad. The available figures indicate that more than half of migrant labour go as individuals or through licensed companies.

9.0 WHY THE MISTREATMENT AND NATURE

According to the Annual Report of the Auditor General on the results of Audits for the year 2017, the Ministry of Gender, Labour and Social Development (MGLSD) had not accredited any foreign principal/employer and yet they were approving manpower requests from these foreign principals/employers. In addition, the ministry was not verifying the manpower requests to establish the existence of the employing person, and its capacity to hire workers at acceptable

     16


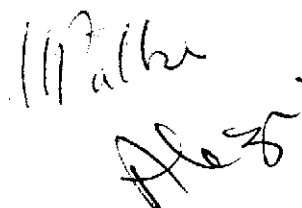
rates and desirable conditions. The ministry was weak in enforcing compliance and ensuring that, adequate due diligence is done by the MGLSD.

Lack of rescue accommodation to the migrant workers: Most often the externalised Labourers get problems abroad, at their work places and many of them are fleeing their workplace or have been sacked, but have no finances to fund their return to Uganda. They seek refuge at the embassy, which has no means of supporting them. In addition, it is illegal to keep these people at the chancery in the United Arab Emirates. Those admitted on humanitarian grounds have been costing the embassy **\$75,000** which is not appropriated for. It should be noted that, all Embassies from countries that externalisation Labour to United Arab Emirates have what is called 'Rescue accommodation'. These are residences rented by the missions, where these people are accommodated while the mission explores avenues of returning them home. However, Uganda has no facility for rescue accommodation unlike other countries like; Kenya, Philippines among others.

The media for a number of years now, has been awash with horrific stories of Ugandan girls and women being abused and killed in countries such as; Qatar, Saudi Arabia, Kuwait, Jordan, Oman etc. One would expect that with the graphic horror of these narratives something would have been done if leaders cared for their citizens, but it only gets worse every other year.¹ What is even more disturbing are the rumours (if anything to go by) that, some big people in government are not being responsive because they have vested interests in this barbaric trade.

For instance; "A 42 year old lady (deceased) identified as; Nagawa Sarah died from Dubai, United Arab Emirates on 18 June, 2019 and the cause of her death

¹ Dr. Jimmy Spire Ssentongo, 8 May, 2019, The Observer, of Ugandans suffering in the Middle East and why slave trade lasted four centuries, available at: <https://observer.ug/viewpoint/60623-of-ugandans-suffering-in-the-middle-east-and-why-slave-trade-lasting-four-centuries>



17

was listed as haemorrhage. The police team received the body and it was expecting more three dead bodies from Saudi Arabia.”²

Relatedly, “the three bodies of Ugandan men who died in Kuwait this year (2019), in separate incidents during their stay where they had gone to work as drivers remains a mystery ever since they were taken by Spotlight International Recruitment Agency Ltd. Reports indicated that, Moses Kiwanuka, John Mujjuzi and Charles Bekalaze died in separate incidents. In one incident, two of the men reportedly drowned in the water of the Gulf Sea, weeks later the third man was found dead at home in his bed in Abu Halifa, Southern Kuwait. The bodies were repatriated back home for burial.”³

However, In Kuwait, the Association of Ugandans there worked with Uganda’s mission in Riyadh, Saudi Arabia (Uganda has no embassy in Kuwait) to process the documentation for the repatriation of the three bodies.”⁴ To date, the State House Anti-Corruption Unit, is investigating circumstances under which the three migrant workers from Uganda died in Kuwait. Spotlight International Recruitment Agency Limited, is also being investigated for having recruited a total of 91 female migrant workers who are stuck in Middle East countries.”⁵

Further still;⁶ “a 30 year old Ugandan woman who travelled to Saudi Arabia to work as a housemaid is still nursing life-threatening injuries that were sustained during the time of her employment in the Gulf. The victim, who requested anonymity, travelled to Saudi Arabia on a two-year contract, effective last year,

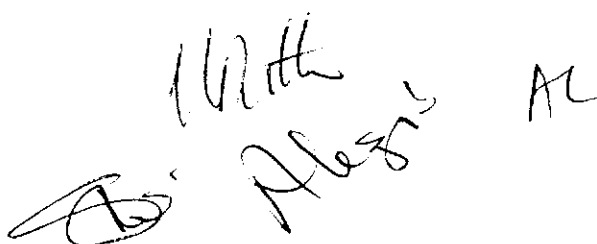
² Canary Mugume, Nile Post, 13 September, 2019, Body of Ugandan woman who died in Dubai returned available at: <https://nilepost.co.ug/2019/09/13/body-of-ugandan-woman-who-died-in-dubai-returned/>

³ glorias musiime, New Vision, 11 September, 2019, Kyeyo: Three Ugandans die in Kuwait available at: https://www.newvision.co.ug/new_vision/news/1506924/kyeyo-ugandans-die-kuwait

⁴ glorias musiime, New Vision, 13 September, 2019, Kyeyo: Bodies of Ugandans return home for burial available at: https://www.newvision.co.ug/new_vision/news/1507028/kyeyo-bodies-ugandans-return-home-burial

⁵ ephraim kasozi, daily monitor, 11 September 2019, Ugandan government body investigates deaths of three migrant workers in Kuwait, probes role of recruitment agencies available at: <https://www.business-humanrights.org/en/ugandan-government-body-investigates-deaths-of-three-migrant-workers-in-kuwait-probes-role-of-recruitment-agencies>

⁶ URN, The Observer, 16 October, 2019, Ugandan Woman shares agony of exploitation in Saudi Arabia available at: <https://observer.ug/news/headlines/62338-ugandan-woman-shares-agony-of-exploitation-in-saudi-arabia>



through a recruitment agency in Kampala. Her travel was fully funded by Marphie International Recruitment Agency, after paying a registration fee of Shs. 50,000 and an additional Shs. 50,000 for the company shirt. She had earlier spent Shs. 300,000 to secure a passport. The travel documents showed that she left the country on September 19, 2018, through Entebbe international airport, hoping for greener pastures and a life full of glee, fun and money. According to her contract, she would earn up to Shs 900,000 a month.

However, before she could settle in, her passport was seized, together with her phone, she was cut off from the outside world and forced to adopt an Islamic lifestyle. Her workload required her to work for not less than 14 hours every day, singlehandedly running chores for the entire household. As fate would have it, a few months into the contract, the young woman developed severe chest pains, signaling the beginning of her misery as she struggled to cope in a foreign land. She endured food deprivation, non-payment of wages and psychological abuse.

The mother of three explained that she sought medical help when her health condition deteriorated. The condition was attributed to excessive work and she was advised to relax her schedule, as part of the treatment. But the medical advice was ignored and the workload resumed as soon as she left the hospital. Within no time, she could hardly stand. Her body became weaker and fragile. Consequently, she pleaded with her employers to send her back home, a country she had left, in the hope of running from a hopeless situation. But at this point, the bleak Ugandan situation was far better than the idealistic hope away from home.

On February 2, 2019, she boarded the plane back to Uganda, ending five months of distress. All she had was an equivalent of one month's salary, the sole payment given to her since her arrival. Her ticket was paid for by a member of the Ugandan community in Saudi Arabia, whom she reached out for help as soon as she was released from the 'cage'. Upon her arrival, she sought the intervention of the employment agency, albeit in vain. But the company's human resource manager



With
Alezi

AL

✓

only identified himself as; Raphael, said the case was unfamiliar to them. He was also quick to note that their agency follows up on all the people they recruit to work abroad and ensure they are in a good state.”⁷

In 2016, the Government of Uganda, put a ban on labour externalisation to Saudi Arabia, in an attempt to deal with the two nations to ship workers to the wealthy gulf nation, amid complaints of poor conditions and mistreatment until working conditions were improved. However, the ban was lifted afterwards since workers had resorted to use illegal means of exit abroad.⁸

10.0 MECHANISMS FOR HANDLING MISTREATMENT

The principal law that governs migration in Uganda, is the Citizenship and Immigration Control Act of 1999, which regulates the entry and residence of migrants in Uganda, as well as the issuance of citizenship. However, the Act does not govern emigration or return migration. The Act has not been revised following Uganda’s ratification of the International Convention on the Protection of the Rights of all Migrant Workers and members of their families.⁹

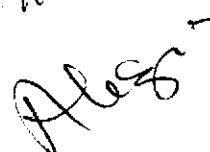

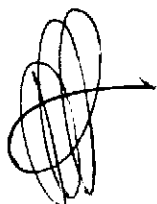
The Labour Externalization Programme, is regulated by the National Employment Policy for Uganda, 2011 which provides for externalization of labour (labour externalisation), as a key priority area for Government and the Statutory Instrument No. 62, of 2005. The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations 2005. Under the regulations, private companies are licensed to source and formally or officially place Ugandans to work abroad.

The Three bilateral documents currently in force, between Uganda and the Hashemite Kingdom, the Saudi Arabia and UAE, stipulate the terms and

⁷ URN, The Observer, 16 October, 2019, Ugandan Woman shares agony of exploitation in Saudi Arabia available at: <https://observer.ug/news/headlines/62338-ugandan-woman-shares-agony-of-exploitation-in-saudi-arabia>

⁸ Yasin kakande,/reuters 23 January, 2016, Uganda bans maids working in Saudi Arabia amid complaints of mistreatment available at: <https://www.jpost.com/Middle-East/Uganda-bans-maids-working-in-Saudi-Arabia-amid-complaints-of-mistreatment-442502>

⁹ SIDA, Norad, Migration in Uganda, A Rapid Country Profile 2013



conditions under which the employee will be governed aside from the laws prevailing in the country;-

- i. All candidates sign a **2 year** contract of employment before they depart.
- ii. For those whose destination is Saudi Arabia, they are registered on the Saudi government system called '**MUSANED**' where the contract of employment is signed by **4 parties** and uploaded on the system. In this case the worker if domestic, is traceable and the household is also known where they are going to work.
- iii. For other categories of workers, the companies relay on the agreements signed and the clauses therein to enforce protection and fulfillment of obligations.
- iv. Part of the pre-departure training includes introduction to Arabic, where the candidates are taught some basic Arabic and also negotiation skills and when and how to raise an alarm if in trouble.
- v. The Uganda Association of External Recruitment Agencies (UAERA), has lobbied and got the services of a '**labour liaison officer**' at the Uganda Embassy in Saudi Arabia. Efforts have been made to secure the presence of a '**labour liaison officer**' in the Hashemite kingdom of Jordan, with such a position being setup and filled this would provide in time access to assistance in case of need.
- vi. The companies also place Ugandan company representatives in the destination countries to help ensure the challenges faced by the workers from Uganda are responded to in time.



with

Aless

AL



- vii. When licenced recruitment agencies deploy, they also manage and supervise the workers throughout the subsistence of the contract in the destination country; and because contracts are normally **2 years**, members make bi-annual visits to monitor working conditions. Agencies also have counter-parts in countries of destination who regularly, hold meetings with workers if any complaints emerge according to UAERA.

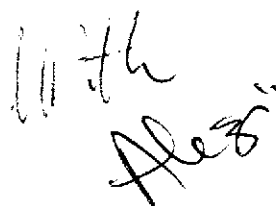
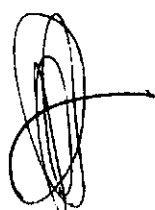
11.0 WHAT HAS BEEN DONE TO-DATE

The Ministry of Gender, Labour and Social Development (MoGLSD), has placed over **15,754** migrant workers abroad. Uganda and United Arab Emirates, signed a Memorandum of Understanding (MOU) for over **80,000** jobs and approximately **US\$600** million remitted. However, **2,334** potential victims of trafficking were intercepted at Entebbe International Airport from **January to June 2019**.¹⁰

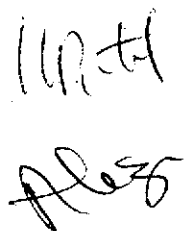
The immigration office conducts joint border patrols with the neighboring country Kenya, to deter trafficking of persons and officers, specifically to handle labour externalization, have been placed at the front desk of the entrance at the airport to monitor and scrutinize documents of would be job seekers to foreign countries. Additionally, bilateral meetings are being held to enhance cooperation with foreign countries on trafficking of persons between Uganda and foreign countries.

The Ministry of Gender, Labour and Social Development (MoGLSD), in their response to issues raised by the Committee on Gender, Labour and Social Development, during the National Budget Framework Paper FY 2019/20 indicated that, they intended to reduce the rampant cases of exploitation of labour abroad through the following mechanisms;

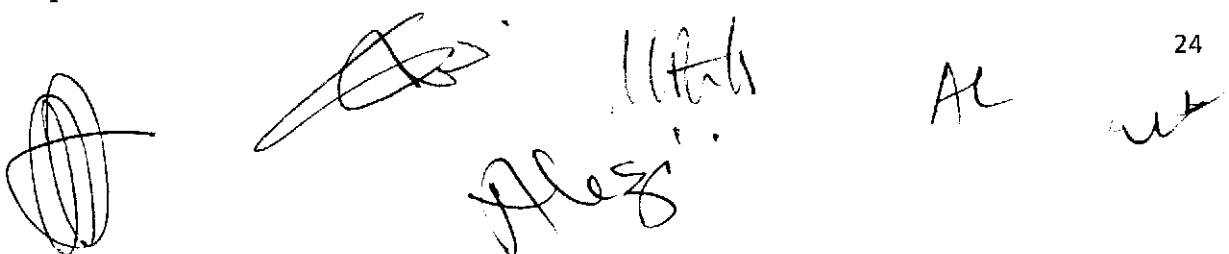
¹⁰ Ministry of Gender, Labour and Social Development (MoGLSD), September, 2019 Update on the Implementation status of Ministry Activities, Programmes and Projects for F/Y 2018/19



- a) The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, would be reviewed to increase the penalties for illegal recruitment from a sentence of not less than **5 years**.
- b) To sustain and strengthen a labour help desk at Entebbe International Airport.
- c) To conclude **two** bilateral Labour Agreements between the Government of Uganda and the respective Governments of the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan. Draft agreements had also been drawn and presented to the Governments of Qatar, the United Arab Emirates and Oman for consideration after which Bilateral agreements would also be concluded. These bilateral agreements establish a joint monitoring mechanism for purposes of protecting the rights of Uganda migrant workers.
- d) Joint monitoring visits had been carried out in Saudi Arabia, the United Arab Emirates, Qatar and Jordan and more regular monitoring visits to host countries are planned.
- e) Recruitment of domestic workers had been restricted to Jordan and Saudi Arabia that have concluded Bilateral Labour Agreements with Uganda.
- f) Only foreign recruitment companies that had been accredited by the Ministry of Gender, Labour and Social Development on the recommendation of Uganda's Mission and are accredited to the respective recipient country, are allowed to recruit domestic workers from Uganda.
- g) All the employment contracts that are to be signed by Ugandan migrant workers are reviewed by the Foreign Mission and the Ministry of Gender, Labour and Social Development. The purpose of this review is to ensure that the rights of workers are guaranteed.
- h) A **four** party employment contract, which makes the recruitment company both in Uganda and in the recipient country jointly and severally liable for any breach of a worker's contract had been adopted.
- i) Mandatory Pre-Departure Orientation and Training Programme had been introduced for all female domestic workers. The purpose of the training is



- to facilitate effective psychological, social and cultural adjustment among others in the recipient country.
- j) With Saudi Arabia and Jordan, an online system for recruiting, vetting contracts and monitoring of workers was established. It was launched on **12 October, 2017** the system facilitates traceability of any worker who is deployed in Saudi Arabia.
 - k) MoGLSD had also developed an online system for licensing recruitment companies, approving job order, vetting migrant workers and monitoring migrant workers deployed abroad.
 - l) The Statutory Instrument No. 62, 2005, The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 was reviewed.
 - m) With guidance from the Ministry of Gender, Labour and Social Development, the Uganda Association of External Recruitment Agencies (UAERA) had established a robust monitoring office in Saudi Arabia based in Jeddah.
 - n) MoGLSD had improved coordination between the ministry and other agencies like; the Directorate of Immigration, Internal Security Organization (ISO), the Police at the Airport and other exit points like; Malaba, Busia and Katuna.
 - o) Saudi Arabia and Jordan accepted to submit quarterly reports on the status of each and every Ugandan worker.
 - p) As a way of tightening and controlling illegal recruiters, medical for issuance of visas to migrant workers is only possible with the approval of the Uganda Association of External Recruitment Agencies (UAERA).
 - q) UAERA also agreed to establish an emergency Fund that would cater for: operations of a transit center at Entebbe and in recipient countries; supporting emergency medical services and repatriation; and psychological support and legal aid.
 - r) All domestic workers are provided with a telephone 'Sim Card' on arrival by the Government. Some companies were soon to begin issuing cell phones the time.



Handwritten signatures and initials are present at the bottom of the page, including a large circular signature on the left, a signature in the center, and initials 'AL' and 'w' on the right.

- s) The Government of Saudi Arabia developed a system for monitoring and ensuring the payment of wages of all foreign workers.

12.0 GAPS/CHALLENGES

i) The Committee recognized the positive impact on Labour externalization, though there were still challenges which migrant workers face among which; trafficking in persons, exploitation and abuse of rights of workers, including; contract substitution, for instance; someone is '**duped**' into thinking that, they are going to work as a shop attendant, only to be offered the job as a maid.

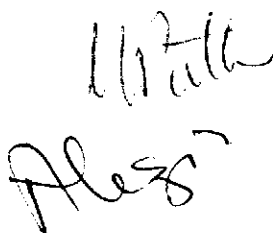
ii) **Non-payment/under payment of wages, sexual or physical abuse** especially of young women, and cultural and environmental shock to the migrants, specifically to those that had never been abroad.¹¹

iii) **Sensitization and awareness on the Labour externalization programme**¹². The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 and; the Guidelines on recruitment and placement of Ugandan migrant workers abroad, 2015 were not disseminated as planned.

iv) **Licensing of recruitment agencies**; The Ministry of Gender, Labour & Social Development (MoGLSD) had licensed **79** recruitment agencies by **November, 2017**. However, there was no evidence that, the MGLSD was sharing updated lists of licensed agencies with key stakeholders. Further still, MGLSD of Gender, Labour & Social Development (MGLSD), had in some cases issued recruitment licenses and approved job orders for companies that did not have

¹¹ Office of the Clerk to Parliament, April 2018, Report of the Committee on Gender, Labour and Social Development on the Ministerial Policy Statement and Budget Estimates for FY 2018/2019

¹² Office of the Auditor General, December 2017, Annual Report of the Auditor General on the Results of Audits for the year 2017 available at: <http://www.oag.go.ug/wp-content/uploads/2018/01/Annual-Report-of-the-Auditor-General-FY-2017.pdf>



valid bank guarantees. It was also noted that, the penalty for operating without a license was not deterrent.

(v) Monitoring and supervision of recruitment agency activities

Although the MGLSD was supposed to conduct routine/regular inspection, spot inspections, and inspections before issuance of license or in case of transfer of office; only inspections before issuance of license and on transfer of office were done. This was attributed to the fact that, the ministry had not allocated adequate resources in terms of manpower to conduct all the prescribed inspections.

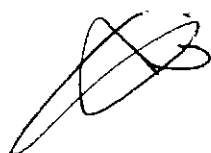
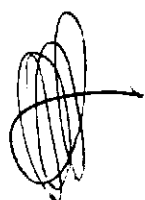
(vi) Grievance and complaints handling

There are a number of complaints at both the MGLSD and the missions, there is no proper documentation and tracking of complaints from the time they are raised to conclusion and feedback. Both the Ministry and the missions visited at the time of the audit did not have complaints registers, designated desk to handle/receive migrant workers complaints, case files for investigation done, an established filing system, and a record of resolutions made on the cases reported. Grievances and complaints of migrant workers were not satisfactorily handled, due to limited allocation of resources in terms of personnel and finances at both the ministry and the missions responsible.

However, an External Employment Management Information System was launched on **12 April, 2018** by the MGLSD, to ensure safe and legal channels of migration, according to the report of the Committee on Gender, Labour and Social Development, on the Ministerial Policy Statement and Budget Estimates for FY 2018/2019.¹³

(vii) Inadequate funding for Embassies

¹³ Office of the Clerk to Parliament, April 2018, Report of the Committee on Gender, Labour and Social Development on the Ministerial Policy Statement and Budget Estimates for FY 2018/2019



AL

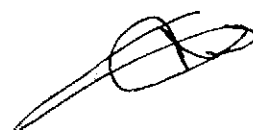
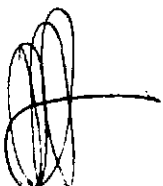
Inadequate budget ceiling for the resource allocations, which makes it quite hard for the various missions to meet its financial obligations.¹⁴

Other challenges:

- Regulation 69 (1) of the Employment (Recruitment of Uganda Migrant Workers Abroad 2005, mandates the recruitment agency to ensure that workers employed overseas are amply protected and their interests and well-being are amply protected. Further Regulation 69 (2) mandates recruitment agencies to be responsible for the faithful compliance by their foreign principles as all obligation under the employment contract and therefore be liable for any violations of the contract. This makes it difficult for the companies when they are made liable for challenges that are faced by the workers in the destination countries.
- All workers who travel through licensed companies (**under MGLSD**) sign employment contracts which last two years, signed between the worker and the employer. This is also the case of domestic workers and area where most tales of suffering are alleged to be happening. It is therefore necessary that, there is a permanent solution in the destination country that will encourage the re-assessment and review of the way the domestic work sector is regulated and the policies therein.
- Due to the Bilateral Agreements, signed by Uganda and the Hashemite Kingdom of Jordan and the Kingdom of Saudi Arabia, Placement fees for the domestic workers are paid by the family in the destination country but, should the worker fail to work for the stipulated contractual period, they will be required to pay for their return ticket and compensate their employer should they not be able to give a notice period of three months.

Alsi

¹⁴ Report on the Challenges facing Abu Dhabi Mission as at 31st August, 2017



Attallah

AL

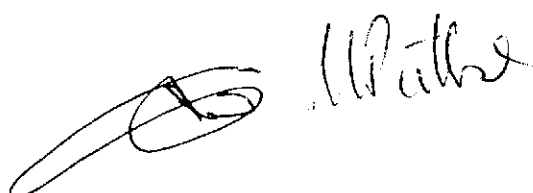
UK

- Placement fees for other categories of workers are paid by the workers before they leave Uganda. These fees many times are escalated by the fact that, Ugandan companies do not have direct access to these jobs but, acquire them through third parties hence, the expenses that are eventually borne by the candidates. If Uganda were able to get bilateral agreements with for instance; Qatar, Kuwait, Bahrain, Oman for especially skilled, semi-skilled labour the placement fees would be drastically reduced.
- Lack of proper implementation of the Prevention of Trafficking in Persons Act, 2009. For instance; a person who commits an offence related to trafficking in persons, is liable on conviction to imprisonment for five years or a fine of one hundred and twenty currency points or to both such imprisonment and fine. The amount prescribed is not deterrent enough, to the owners of the companies/recruitment agencies and needed to be revised for a stronger penalty to deter the traffickers from the vice.

Additionally, the age for girls and boys seeking for employment abroad should be increased to 18 years old, as per the Constitution of the Republic of Uganda, 1995 to protect exploitation of the job seekers.

- Lack of policy framework on labour externalization i.e. no mechanism for coordination for all stakeholders. For instance, Ministry of Gender, Labour and Social Development, Ministry of Foreign Affairs, Ministry of Internal Affairs, Police, Recruitment Agencies etc.
- Lack of proper procedures for the return of victims to their country.
- Freedom of movement and protection of people being trafficked i.e. lack of integrity between the trafficker and trafficked persons, especially at the Kenyan boarder where victims are trespassed.

AL 25

AL

we

- Merits and demerits of people searching for jobs outside to have greener pastures.
- Allegations of Conflict of interest by government officials, who are supposed to monitor and evaluate externalization of labour, are involved in the business of externalization of labour.
- Unlicensed companies/individual persons, who have invaded the externalization of labour business through dubious procedures.
- Corruption from government officials/recruitment agencies who reap big from the workers especially at the airport, non-uniformity of placement fees from the recruitment agencies etc.

13.0 OBSERVATIONS AND RECOMMENDATIONS

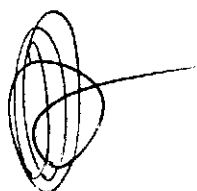
(i) Sensitization and Awareness

The Committee observed that, sensitization and awareness is key on the labour externalization programme country wide. This will enable young people looking for jobs not only to focus their attention on the expected monetary gain, but also understand how the regularized and safe recruitment works. It will also help them appreciate the likely harmful consequences and how to mitigate these consequences.

Recommendation

The Committee recommends that sensitization efforts and awareness on the labour externalization programme country wide, should be increased to ensure that the planned and the budgeted for awareness and sensitization activities are undertaken effectively and efficiently.

(ii) Capacity Building



The Committee observed that capacity building for district labour officers, should be prioritized since they are the channels for creating public awareness in the local communities.

Recommendation

The Committee recommends that, capacity building for the district labour officers through the '*free airtime*' given for government programmes at the local media stations.

(iii) The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005

The Committee observed that, fast tracking of the finalization of the review process for The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 should be expedited.

Recommendation

The Committee recommends that, the regulations should be finalized, reviewed and mechanisms for dissemination be put in place, of all statutory instruments relating to Externalization of Labour Programme to the different stakeholders.

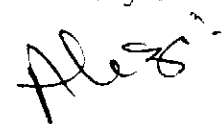
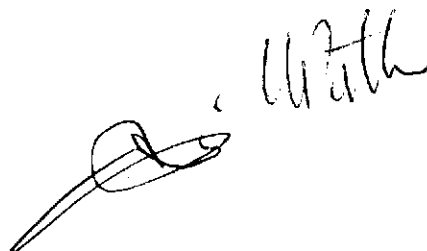
(iv) System to track compliance and coordination of workers

The Committee observed that, there is need to develop an effective and efficient system that can easily track the workers up to their homes of residence destination by the recruitment agencies abroad.

Recommendation

The Committee recommends that, there is need to develop an effective and efficient system to track compliance with licensing requirements; and validity of bank guarantees of the recruitment agencies abroad.

(v) Review of existing laws



The Committee observed that, some of the existing laws governing externalization of labour, have been overtaken by events and need to be reviewed.

Recommendation

The Committee recommends that, the Prevention of Trafficking in Persons Act, 2009 be reviewed among others.

(vi) Accreditation of Principals

The Committee observed that, foreign principals should work closely with different stakeholders in Uganda in order to, verify and validate information that they do provide in labour receiving countries for all job categories.

Recommendation

The Committee recommends that foreign principals, be accredited to work closely with the Uganda Ministry of Foreign Affairs, Uganda missions abroad.

(vii) Monitoring and Supervision of recruitment agencies

The Committee observed that, there is need to monitor and supervise activities of recruitment agencies, i.e. review the staff establishment of the External Employment Services Unit and allocate additional manpower and other resources, to enable it to undertake planned activities effectively.

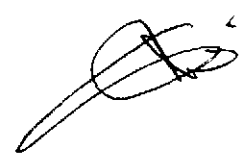
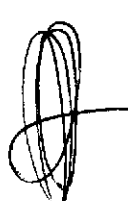
Recommendation

The Committee recommends the monitoring and supervision of activities of recruitment agencies by the Ministry of Gender, Labour and Social Development with assistance from the External Employment Services Unit.

(viii) Strengthen Capacity of Missions Abroad

The Committee observed Missions abroad are grossly underfunded and understaffed and as such are not equipped to manage the highly evolving nature of the labour externalisation industry. The Ministry of Gender, Labour and Social

Allegi



L. Math

AL



Development should liaise with Ministry of Foreign Affairs and strengthen the capacity of the respective missions abroad.

Recommendation

The Committee recommends that the Ministry of Gender Labour and Social Development liaises with Ministry of Foreign Affairs, to strengthen the capacity of respective missions abroad in terms of manpower (*'labour attaches'*) and financial resources to facilitate monitoring of workers welfare.

(ix) Routine Inspections

The Committee observed that, there is need for Ministry of Gender, Labour and Social Development, to emphasize on-spot inspections as required to the respective recruitment agencies and companies.

Recommendation

The Committee recommends that the Ministry of Gender, Labour and Social Development emphasizes and undertakes routine and on-spot inspections as required to the respective recruitment agencies and companies.

(x) Grievance and Complaints handling

The Committee observed that, there has been laxity on grievance and complaints handling for the different stakeholders to the detriment of the workers.

The Committee further observed that, there is need to set up a tracking system that monitors the recording, coding, investigation and resolution of all complaints, grievances raised by migrant workers for record purposes and future use.



J. Pull

ALB-5

AL



Recommendation

The Committee recommends fast tracking of the establishment of officers, responsible for grievance and complaints handling, both at the Ministry of Gender, Labour and Social Development, Ministry of Foreign Affairs and in external labour receiving countries.

The Committee still recommends that, a tracking system be set up to monitor the recording, coding, investigation and resolution of all complaints, grievances raised by migrant workers for record purposes and future use.

(xi) Adequate Funding

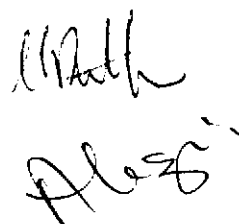
The Committee observed that, foreign missions abroad are inadequately funded and need to be adequately funded in order for them to fulfill their mandate as prescribed by law. Further,

Recommendation

The Committee recommends that, foreign missions be adequately funded to enable them function fully effectively and efficiently.

(xii) Coordination between the different stakeholders/players

The Committee observed that during the ban on externalisation of domestic workers for labour back in 2016, inter-agency guidelines were developed by the Ministry of Gender, Labour and Social Development and communicated in writing to all government agencies on 12th February 2016, highlighting the roles of the difference stakeholders in the regulation of the labour externalisation industry. The stakeholders enlisted in the communication were the Ministry of Gender, Labour and Social Development, the Ministry of Foreign Affairs, ISO, ESO and CMI, and the Ministry of Internal Affairs.



The roles of the different stakeholders were as follows;-

a) Ministry of Foreign Affairs was tasked to:

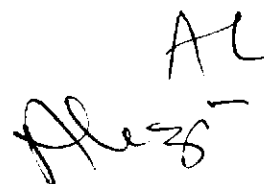
- i. Draw attention to the kingdom of Saudi Arabia about the ban on labour externalisation. The said ban was later revoked;
- ii. Urge the Kingdom of Saudi Arabia to nominate their representatives to the Joint Technical Team;
- iii. To propose to the Kingdom of Saudi Arabia that the first Joint Technical Team meeting be held in Kampala, Uganda on Wednesday March 2016. The meeting was aimed at setting up an implementation framework and also consider the conclusion of the Draft Labour Agreement on other categories of workers. The said meeting took place as scheduled.

b) ISO, ESO and CMI were tasked to:

- i. Facilitate victim identification, rescue, investigations, prosecutions and prevention of escalation of illicit trade externalisation through timely production and sharing of analyzed intelligence with other Government Agencies.
- ii. Ensure that all requests for vetting of candidates indicate the name, age, sex and type of job abroad to which the recruiting Agency intends to place the candidate and;
- iii. Ensure that requests for vetting by licensed companies or individuals demonstrate that the candidate for vetting has a job offer abroad.

c) Ministry of Internal Affairs was tasked to:

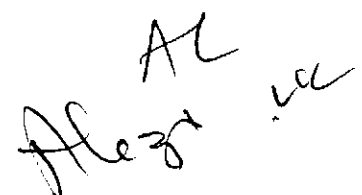
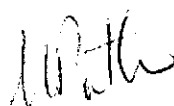
- i. Monitor and coordinate operational activities related to rescue and care for victims, investigations and prevention of illicit externalisation;
- ii. Ensure heightened vigilance of the Uganda Police in investigating and detecting illicit labour externalisation;
- iii. Ensure the apprehension of suspects and professionally supporting their prosecution by the office of the Director of Public Prosecutions;



- iv. Ensure that the Uganda Police supports implementation of the ban against community policing and mobilization;
- v. Ensure that Interpol does not issue certificates of good conduct to persons being recruited for domestic work abroad;
- vi. Ensure that Interpol issues certificates of good conduct only to persons with proof of job offer abroad either through self-deployment or a licensed Company;
- vii. Ensure that the Directorate of Citizenship and Immigration Control:
 - Prevents that exit of anybody travelling out of Uganda for the purpose of engaging in domestic work. Anyone found attempting to exit the country in order to engage in domestic work should be handed over to the police for investigations with the view of apprehending and prosecuting the recruiters;
 - Stops changing the professions in the passports of applicants to Housemaids.

Recommendation

The Committee recommends that, there is need for the different stakeholders to have proper coordination and mechanisms, while executing the procedures and activities of externalization of labour. The Committee recommends that the Ministry of Gender, Labour and Social Development issue fresh guidelines in the interim, to all stakeholders, highlighting their specific roles, and the extent of their mandate in the regulation of the labour externalisation industry in the country.



(xiii) MoU/Bilateral Agreement between countries

The committee observed that, the MoU/bilateral agreements are a bit complicated and needed to be clear and simplified. However, the Committee was not in position to carry out an on-ground assessment of the extent to which the bilateral agreements are being implemented in the labour-importing countries, since there was no study undertaken by the Committee on the same.

The Committee further observed that the Government of Uganda does not have any agreement between Uganda and many countries in the Middle East including the Kingdom of Oman, Kuwait, Turkey, and Lebanon among others.

Recommendation

The Committee recommends that, clear and simple bilateral agreements, between the host/receiving countries and Uganda should be developed, signed, ratified, and implemented.

(xiv) Non-Uniformity of Placement Fees


The Committee observed that, recruitment agencies/companies tend to charge varying placement fees from workers that intend to seek employment abroad.

Recommendation

The Committee recommends that, there is need to regulate the placement fees and other fees, being charged by the recruitment agencies/companies that tend to take workers for employment abroad.

14.0 WAY FORWARD

The Committee on Gender, Labour and Social Development, was unable to make conclusions on the allegations of mistreatment of workers. The information herein above was largely a desktop review that involved meeting with stakeholders, and review of documents, without any on-ground assessment of the situation. The Committee therefore noted that there is need for a fact-finding



W. K. K. K.
ALOG

AL
W

mission to make a final and conclusive report on the highly sensitive and consequential externalisation of labour industry. The Committee shall be submitting to the Plenary a final report in the next 2 months, given availability of resources. Meanwhile, the Committee urges the government to embark on implementation of the more obvious recommendations highlighted in the Report.

I beg to move that the House adopts the report with the recommendations therein.

With

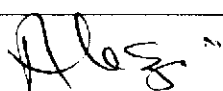
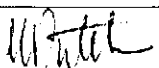
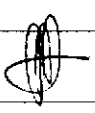
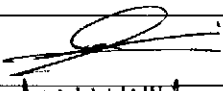
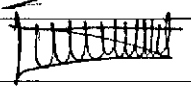
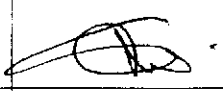


AL

Alleg





No	NAME	CONSTITUENCY	Signature
1.	Hon. Ndeezi Alex	PWDs (Central)	
2.	Hon. Kunihiro Agnes	Workers' Rep	
3.	Hon. Okabe Patrick	Serere County	
4.	Hon. Arinaitwe Rwakajara	Workers' Rep	
7.	Hon. Kamara John Nizeyimana	Bufumbira North	
8.	Hon. Kesande G. Bataringaya	DWR Rubirizi	
9.	Hon. Osozu Mourine	DWR Arua	
10.	Hon. Rwabogo Sylvia	DWR Kabarole	
11.	Hon. Aol Jacqueline Rama	DWR Nebbi	
12.	Hon. Bigirwa Norah Nyendwoha	DWR Buliisa	
13.	Hon. Lubogo Kenneth	Bulamogi County	
14.	Hon. Akello Lucy	DWR Amuru	
15.	Hon. Kibalya Henry Maurice	Bugabula County South	
16.	Hon. Mariam Naigaga	DWR Namutumba	
17.	Hon. Major Asiimwe Evelyn	UPDF	
18.	Hon. Anywarach Joshua Cater	Padyere	
19.	Hon. Sarah Wekomba	DWR Bulambuli	
20.	Hon. Aciro Lucy	Aruu North County	