

Session 2: Facilitating Well-Managed Migration – sharing government initiatives and exploring possible GFMD role in the thematic follow up and review of the Post -2015 agenda

Guiding questions:

1. Key priority of the Kenya government in facilitating well-managed migration

The Government's priority is to ensure effective management of labour migration so that the rights of migrants are protected and the process contributes to the economic development agenda especially through remittances.

The Task force established to look into issues of labour migration will come up with a Bill for an Act of Parliament on labour migration.

2. Indicators for measuring progress towards this:

- ✓ A legislation developed to govern labour migration;
- ✓ A national policy on labour migration developed;
- ✓ Rules and Regulations governing labour migration prepared;
- ✓ A national institution established to deal with labour migration;
- ✓ Percentage reduction in reported cases on violation of rights of migrant workers;

3. Government's initiatives to –

(a) Facilitate legal channels of migration:

The Citizenship and immigration Act, 2011, the Employment Act, 2007 and the Labour Institutions Act, 2007 provide for legal channels of labour migration.

(b) Reduce recruitment costs:

The National Employment Bureau in the Ministry of Labour, Social Security and Services does not charge for its services. The Regulations governing private recruitment agencies require recruitment agencies to charge from their principals a service fee to cover services rendered in the recruitment, documentation and placement of workers so that the migrant workers are not burdened with this cost. In the case of foreign employment, the employer or the agent is responsible for meeting the cost of the Visa fees, airfare, surety bond and medical examination for the job seeker.

(c) Facilitate access to, and portability of social security coverage :

The National Social Security Fund Act, 2013 provides for portability of social security benefits through the emigration benefit and the Board of the NSSF works with the foreign social security schemes to ensure access to and portability of benefits under section 64. Kenya is still open to dialogue over the provision of the portability of benefits in the East African Region.

(d) Promote recognition of skills and qualifications:

The Government encourages mutual recognition of academic and professional qualifications and skills by various countries especially through MOUs in respect of the various professional associations.