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Addis Ababa University
College of Social Sciences
Department of Social Anthropology

MA Thesis

On

**Legal Overseas Labour Migration Governance in Ethiopia:
Policy and Practice**

By: Tessema Getahun Eredie

October, 2020
Addis Ababa, Ethiopia

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By: Tessema Getahun Eredie

A Thesis Submitted to the Department of Social Anthropology Presented in Partial
Fulfillment of the Requirements for the Master of Arts Degree in Social Anthropology

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Department of Social Anthropology
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Approved by Board of Examiners

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Declaration

This is to certify that this thesis, entitled “Labour Migration Governance in Ethiopia: Policy and Practice” submitted to the Department of Social Anthropology in partial fulfillment of the requirements for the Master of Arts in Social Anthropology is prepared by Tessema Getahun. The thesis complies with the regulations of Addis Ababa University and meets the accepted standards with respect to originality and quality.

Name: Tessema Getahun

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Date: October, 2020

This thesis was submitted to be worked on with my approval as University supervisor.

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List of Acronyms and Abbreviations

AAU	Addis Ababa University
AGO	Attorney General Office
AUC	African Union Commission
BMM	Better Migration Management
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
COC	Certification of Competence
CSA	Central Statistics Agency
EMMDS	Ethiopia Migration Management Database System
ETB	Ethiopian Birr
FDRE	Federal Democratic Republic of Ethiopia
FUJCFSA	Federal Urban Job Creation and Food Security Agency
GCC	Gulf Cooperation Council
GIZ	German International Cooperation
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IGAD	Inter-Governmental Authority on Development
ILO	International Labour Organization
INGO	International Non-Governmental Organizations
IOM	International Organization for Migration
KSA	Kingdom of Saudi Arabia
MOE	Ministry of Education
MOH	Ministry of Health
MOFA	Ministry of Foreign Affairs
MOLSA	Ministry of Labour and Social Affairs
NGO	Non-Governmental Organizations
NDRMC	National Disaster Risk Management Commission
OECD	Organization Economic Cooperation and Development
OLM	Overseas Labour Migration
OSCE	Organization for Security and Co-operation in Europe
PEA	Private Employment Agency
RMMS	Regional Mixed Migration Secretariat
SNNPR	South Nations, Nationalities, and Peoples' Region
TWG	Technical Working Group
TVET	Technical Vocational Education and Training
UAE	United Arab Emirates
UN	United Nations
UNHCR	United Nations High Commissioner for Refugee
UNICEF	United Nations International Children's Emergency Fund
UNIDO	United Nations Industrial Development Organization
UNODC	United Nations Office for Drug and Crimes
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
WFP	United Nations World Food Programme
UNWHO	United Nations World Health Organization

Operational Definition of Terms

Brokers: are persons who facilitate recruitment of labour migrants to the Middle East, particularly for those migrants who leave the country through ‘illegal’ routes.

Country of destination/receiving: is one of the Gulf States where migrants travel to work, irrespective of whether they migrate regularly or irregularly.

Country of origin/sending: is Ethiopia which is a migrant source country sending labour migrants to the Middle East Countries, whether the migrants use regular or irregular routes.

Irregular Migration: Movement of labour migrants to the Gulf States that takes place outside Proclamations No.923/2016 and No.1178/2020.

Migrant worker: Ethiopians who leave home to find out work in the Gulf States. These workers mostly move to the Gulf countries under private recruitment schemes.

Regular Migration: Movement of labour migrants to the Gulf State within the provisions of Proclamations No.923/2016 and No.1178/2020.

Returnees: Those Ethiopians who migrated to the Middle East countries in search of jobs either legally or illegally and came back home due to deportations or end of employment contract.

Smuggling: is business making process where smugglers agree to send the migrants to the Middle East Countries to get money in return for their services of facilitating migrant’s travel.

Stakeholders: are state and non-state actors in Ethiopia and in the Middle East Countries which play roles in the management of labour migration from Ethiopia to Middle East Countries.

Trafficking in Persons: is recruitment, transportation, transfer, harboring or receipt of Ethiopian migrants using force or deception to get benefit from the process.

Would be migrants: are labour migrant who fulfilled all requirements, signed employment contract and are ready to travel to the Middle East Countries.

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Abstract

This study deals with policy and practice of overseas labour migration governance of The Federal Democratic Republic of Ethiopia. To this end, it aimed at assessing institutional structures, roles and responsibilities of labour migration actors (state, non-state and private), the migration infrastructure, available instruments for labour migration management practices, and the challenges and gaps in overseas labour migration governance in the country.

The research mainly used qualitative approach to gather data from both primary and secondary sources. In terms of data collection tools, a thorough desk review of relevant documents, key informant interviews, and in-depth interviews were conducted to gather data from chosen data sources. The Federal Attorney General Office, Ministry of Labour and Social Affairs, National Immigration and Security Agency, International Organization for Migration, and Private Employment Agencies, would be migrants and returnees were among the data sources consulted for this piece of research.

The study identified that state, non-state and private actors with specific mandates and interests are engaged in labour migration along with different coordination institutional set ups /platforms. However, labour migration governance suffers from lack of actor's staff capacity, effective coordination, necessary attention to labour migration tasks and binding partnership agreement among actors.

Despite the good beginnings towards having an effective migration governance structure in place, the country still does not have a comprehensive migration governance policy, which in turn has contributed to weak labour migration governance. Weak linkage among labour migration infrastructures in Ethiopia is worsened by lack of use of technologies such databases and effective institutional setups to facilitate labour migration governance practices in particular and migration governance in general.

Legal labour deployment faces a number of challenges. For instance, file management process is very sluggish and there have been experiences of frequently missing documents due to absence of efficient technologies such as a database system that connects state, non-state, and private business actors particularly MOLSA, MOFA and Private Employment Agencies (PEAs). Proliferation of PEAs (more than 800 since 2018) also has made labour deployment process difficult to follow up and monitor by regulatory bodies. As a result, some Agencies were found breaching the law and they do not follow up employees they deployed anymore after three months of sending them off. Due to weak regulatory system, PEAs were sometimes forced to indulge into corrupt practices with some government employees to get more applicants from the regions. Existence of lengthy and bureaucratic recruitment in the legal deployment process also pushed migrants to go through illegal routes to avoid this tiresome process in the legal migration scheme.

Given the identified facts, the country should exert more efforts to speed up finalization of the design of comprehensive migration governance policy which has already been started. There should be better coordination and activities implementation mechanism through establishing functional actors' (state, non-state and business) partnerships and institutional setups. Development of Ethiopia Migration Data Management System and Labour Information Management Systems should also come forward to be a top priority.

Keywords: Migration, Migration governance, labour migration, Overseas Labour Deployment

CHAPTER ONE

INTRODUCTION

1.1. Background to the study

Migration is a global reality which has shown increasing trend of migrants' mobility in search of better economic opportunities. According to ILO (2017), migration is a global phenomenon which increasingly plays significant roles in shaping societies and nation states. However, it has also become a global challenge and required various management and governance structures to reduce the negative impacts of the phenomenon. For better or worse, international labour migration is an unavoidable, changing and necessary reality for most countries which are categorized as origin and destination or sending and receiving (OSCE, ILO and IOM 2006). African Union Commission (2018) also states that migration is inevitable and needs to be better governed in an integrated manner through comprehensive, human-rights based and gender-responsive national migration strategies and policies. This scenario entails the need for improved migration governance with necessary infrastructures and tools.

As part of the global community, Ethiopia has faced this global challenge particularly in the form of overseas labour migration to the Middle East countries since 1991 (IOM 2017; Kuschminder, et.al. 2018; Kuschminder 2018). According to the International Monetary Fund (2020), Ethiopia registered the fastest economic growth in Sub-Saharan Africa in the last decade. Although the country has fastest growing economy, it has experienced extraordinary labour migration fueled by high total fertility rates and approximately 3 million new work forces joining its labour market every year (IOM 2017; CSA 2013a, Girmachew 2019; Kefale and Zerihun 2015). This increasing young work force has been beyond the country's existing job creation capacity where the country is still struggling against rampant poverty. Therefore, Ethiopia is a net origin or sending country that needs to strategically engage to manage the phenomenon.

In order to enhance management of this complex overseas labour migration, Ethiopia has been trying its level best to use different migration governance instruments. Accordingly, the country signed and ratified a number of international treaties and protocols related to migration such as International Covenant on Economic, Social and Cultural Rights, 1996; International Covenant

on Civil and Political Rights, 1966; Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949 ; Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), 1979 and Migration for Employment Recommendation, 1949. These international conventions could be used to improve migration management and the country could protect the security and safety of its citizens coupled with getting better resources for its national economic development efforts.

Ethiopia has not only ratified international treaties and protocols but it also made some of them integral part of its constitution as indicated in article 9/4/ of the Constitution of The Federal Democratic Republic of Ethiopia (FDRE). In relation to having more instruments for overseas labour deployment, Ethiopia also drafted and implemented three new proclamations, namely: Proclamation on Ethiopia's Overseas Employment (Proclamation No. 923/2016) and Proclamation on Human Trafficking and Migrant Smuggling (Proclamation No. 909/2015) where it was recently revised to Prevention and Suppression of Trafficking in Persons and Smuggling of Persons (Proclamation No. 1178/2020). Despite all these laws and proclamations, experiences show that overseas labor migration governance remains disorganized and poorly managed. This situation calls for in-depth research and inputs for more informed decision making and strategic action for state and non-state actors working towards improving overseas labour migration governance in Ethiopia.

Cognizant of the above scenarios, Migration Policy Framework for Africa (2006) and other regional and global frameworks recommend countries to have comprehensive migration policy. However, Ethiopia still does not have comprehensive labour migration policy except there is a recent initiative to develop the document. In the absence of the policy document, the country strives to do labour migration governance using in-house proclamations and international conventions, treaties and protocols. As a result, labour migration governance practices in Ethiopia remain fragmented coupled with weak implementation capacities of the government (Fernandez 2017). Due to lack of comprehensive policy instruments and effective implementation systems, the country was forced to apply blanket ban on overseas labour migration when mass expulsions like the one in 2013 happens.

Unlike illegal migration¹ governance which has got attention due to presence of millions of illegal migrants in different developed countries, legal labour migration to Gulf Cooperation Countries(GCC) has got little attention, except there is frequented media coverage during repatriations of illegal Ethiopian migrants from Saudi Arabia and Yemen in recent years. While there are periodic expulsions, labour migration to GCC countries has shown increasing trend. Given this, there is a need for more research so as to inform policy makers, implementers and the academia for better understanding and further research endeavors. This particular research therefore was intended to assess Ethiopia's labour migration governance- policy and practice with particular emphasis on overseas labour migration to GCC countries.

1.2. Statement of the Problem

Overseas labour migration in Ethiopia is stated as a recent phenomenon which started in the early 1990s. However it has shown increasing trend involving a large number of especially low-skilled workers to the Middle East Countries (IOM 2017). It has also shown consistent increase in both the number of migrants and destinations with increasing complexity of migration patterns in terms of who is migrating, how and why (IOM 2017; Tekalign, et.al 2018). According to ILO's Policy Brief (ILO 2019), a total of 460,000 migrants entered into GCC states from September 2008 to August 2013 which caused receiving countries to take mass deportation which forced the Government of Ethiopia to declare blanket ban on migration to Middle East countries.

The situation was exacerbated by illegal migration where strong brokers challenged even legally registered PEAs which also have posed difficulty to the Government's effort to protect the rights of its citizens except imposing temporary blanket ban like it did in October 2013 until it was lifted in October 2018. Since the ban was lifted in October 2018 (ILO 2019), Her Excellency Dr. Ergogie Tesfaye, Minister of Labour and Social Affairs during her interview with Walta TV

¹According to Aisa and Larramon (2012), Illegal migration got more attention than legal migration as the effort to control of illegal entry, residence, and employment of immigrants has become a priority of immigration policies in OECD countries, especially in these times of economic crisis amid high levels of unemployment. To this effect, more developed countries want to understand immigration flows better and ascertain the extent of illegal immigration and its features. This interest of developed countries resulted in more research conducted on illegal migration, experiences of migrants and impacts of migration rather than legal migration and structural issues used to govern legal migration.

broadcasted on 17 February 2020 said that more than 13,000 overseas employees were legally deployed to the same destination). While the above situation has prevailed, empirical studies to generate knowledge on the issues were focused on push and pull factors, impacts of refugees, rights of refugees and refuge governance (de Regt, 2016; Pinizzon and van Riemsdijk 2018; Sørensen and Gammeltoft-Hansen 2012; Emebet 2019; Kuschminder, et al. 2018). Detailed empirical studies related to overseas migration are presented in the review of empirical studies (section 2.3)

Review of empirical studies indicates that overseas labour migration governance is less researched. In relation to this, studies on migration from Ethiopia indicate that little is known about migration patterns and process (RMMS 2014; Tekalign 2017). Researches done so far on institutional structures, available legal frameworks, roles of state and non-state actors, use of information technologies for migration governance and gaps in migration governance in general and overseas labour migration to the Middle East Countries in particular is also very much scanty. What is more, through review of empirical studies, the researcher found out that most of the researches conducted focused on drivers/root causes and effects of migration such as studies by Emebet (2019); Girmachew (2019); Sultan (2018); de Regt (2016); Kefale and Zerihun (2015); Kuschminder and Siegel (2014) and Girum (2013) among others. In general, the researcher's review of empirical studies indicate that studies were skewed towards refugee migration governance and controlling overseas labour migration rather than focusing on the migration industry and migration infrastructure for effective management of the migration phenomena.

This complex labour migration situation described in the preceding paragraphs on one hand and lack of sufficient empirical works on the same, calls for more research undertaking to enhance knowledge repository on migration governance, policy and practices. Therefore, this research is intended to investigate the way the Government of Ethiopia and other actors manage overseas labour migration; identify available labour migration instruments and infrastructures; and find out prevailing gaps so as to shed light on labour migration governance, policy and practice in Ethiopia.

1.3. Research Questions

Taking the above scenario in mind, this research is intended to seek answers to the following key questions:

- *What are Ethiopia's available labour migration policies and regulatory frameworks?*
- *How significant is overseas legal migration to job creation for Ethiopian seekers?*
- *What actors, technologies, and more generally infrastructures are critical to manage labour exits and deployments abroad?*
- *How do state, non-state and private actors strive to manage (recruit, move, deploy and follow up) labour emigration to the GCC countries from Ethiopia? How do actors engage in repatriation and rights protection of migrants?*
- *What are the challenges and gaps posed by these labour migration governance structures, organizations, regulations, policies and practices?*

1.4. Objectives of the Study

a) General Objective

The overall objective of the study was to assess institutional structures, roles and responsibilities of labour migration actors (state, non-state and private), available instruments and technologies for labour migration governance practices. It was also intended to identify the challenges and gaps in overseas labour migration governance in Ethiopia. Although labour migration is a recent phenomenon, it has become increasingly complex requiring rigorous studies to understand how it should be managed. To this end, the research was intended to contribute to better information and knowledge repository on overseas labour migration governance. It was also aimed at informing policy makers, overseas labour migration implementing actors, and the academia on how actors are involved in managing the phenomenon along with gaps observed in the management of the same.

b) Specific Objectives

In line with the overall objective, the research aimed at achieving a couple of specific objectives.

In this regard, the research was intended to;

- map out existing overseas labour migration policies, legal frameworks and strategies used for overseas labour migration governance and the significance of legal labour migration to job creation ,
- identify the state, non-state and private actors and their roles and responsibilities,
- identify mechanisms and ways on how the actors coordinate in recruiting, training, contracting , deploying and monitoring overseas labour deployment,
- identify existing technologies used for overseas labour migration governance, and
- identify prevailing gaps in overseas labour migration governance in the country.

1.5 Significance of the Study

Based on the reviews made, the researcher identified that only limited researches were conducted on overseas labour migration governance from Ethiopia to other countries in general and to the GCC states in particular. As indicated in the background and empirical reviews to this research, the bulk of the researches conducted mainly focused on refugee governance; and fewer empirical studies were conducted on issues related to overseas labour migration governance in Ethiopia. Therefore this research was intended to contribute to knowledge repository pertaining to regular overseas labour migration governance in Ethiopia and beyond, which could be used by decision makers—state, non-state, and private business actors. The research is also intended to shed some light on migration governance in Ethiopia so that it initiates scholars to conduct further investigation on labour migration governance.

1.6. Scope and Limitations of the Study

a) Scope

This research undertaking mainly focused on the national level actors and actions where the researcher believes strategic information on labour migration governance could be accessible. The scope of the research was also limited to overseas labour deployment governance –policy

and practice while it did not mainly focus on illegal migration governance issues. Furthermore, although the research touches upon regular and irregular overseas migration nexuses, it mainly focuses on legal overseas labour migration to the Gulf Cooperation Countries.

In terms of sources of data, the researcher used both primary and secondary data sources. For the primary data, the researcher consulted purposely selected officials and experts from targeted government offices, UN agencies, Associations of Private Overseas Employment Agencies, and individual Agency representatives to get their views, opinions, experiences, challenges and suggestions so as to get reliable and valid inputs to the research undertaking. In-depth interviews were also conducted with purposefully selected would be labour migrants and returnees to draw their expectations, experiences, challenges and requirements for overseas labour deployment. Observations were made to get sense of how offices and institutions such as MOLSA and PEAs are doing their overseas labour deployment work. By doing so, the researcher gathered sufficient primary from experiences and views of key informants, legal and policy documents reviewed, etc as well as secondary data from other researches, articles, books, etc) to answer the research questions raised.

b) Limitations of the Study

In the process of carrying out this research undertaking, the researcher identified some limitations. In this regard, although males too migrate to the Middle East, would be migrants for the in-depth interviewees were entirely females because there were no male migrants during the data collection period. This scenario made the views and expectations captured more skewed to females and lacks gender balance. What is more, even though the majority of data for the research was accessible at the federal level, getting the views of actors in the region could have made the research more comprehensive; however, this could not happen because of limited financial capacity and movement restrictions due to the recent outbreak of COVID-19.

Although MOLSA is one of the main institutions of Ethiopian government architecture mandated to govern overseas labour migration, it did not have organized and updated data neither on the Ministry's website nor in departments. For instance, updated list of licensed PEAs was not available on MOLSA website except the list of only 250 PEAs was available at MOLSA website

during the time of data collection for this research. However, two PEAs Associations Presidents and MOLSA Overseas Labour Deployment Directorate Director unanimously reported that there were more than 800 PEAs on the ground during interview. Due to this lack of organized PEAs list online, the researcher was forced to request MOLSA Experts to search for hardcopy documents to find out the total number of PEAs which the researcher could not have access to official and authenticated figure on the number of PEAs in the country. To triangulate the number of PEAs, the researcher asked the PEAs Association Presidents as to how many PEAs were registered under their respective associations. In addition, directives on proclamations were not found in MOLSA offices as a result, the researcher was obliged to elicit how the Ministry works through interviews with key informants.

1.7. Research Approaches and Methods

a) Approaches

In terms of approaches, many researchers in anthropology use multiple qualitative methods to collect data that are useful on their own as well as complementary to quantitative data in mixed methods of study (Mathematica Policy Research, 2013). According to Almeida (2017), the objective of the qualitative methodology is to produce in-depth and illustrative information in order to understand the various dimensions of a problem under analysis. To Almeida (2017), qualitative methodology intends to understand a complex reality and the meaning of actions in a given context. Zikic (2007) also indicates, “Typical qualitative ethnographic research employs three kinds of data collection: interviews, observation, and documents. This in turn produces three kinds of data- quotations, descriptions, and excerpts of documents, resulting in narrative description.”

In view of the above explanations on different methods, the researcher used qualitative approach where qualitative data were gathered from primary and secondary sources. Primary data was gathered using key informant interviews and in-depth interviews as indicated in sub-section 1.8. Then, the whole data set was built in a way that it carries sufficient information to answer all of the research questions for this particular piece of research.

In terms of the sources of data, primary qualitative data was collected from targeted government ministries, UN agencies, international/national Non-Governmental Organizations (INGOs), Private Employment Agencies and would be migrants and returnees. Secondary data was gathered from sources including related research reports, organizational reports, policy documents, proclamations, and procedures/frameworks related to overseas labour migration issues in the country and beyond.

Based on data gathered from these sources, the researcher identified existing state and non-state actors, institutional set ups/ platforms, policies and strategies and legal frameworks which are building blocks of the labour migration governance in line with migration industry and migration infrastructures approaches to deal with overseas labour migration governance—policy and practice in Ethiopia. To this end, the overall research exercise was geared towards generating information, analyzing and organizing it into a body of knowledge to contribute to knowledge repository on overseas labour migration governance in the country. This ultimately was aimed at providing organized information for policymakers, policy implementer, the academia and other interested bodies for further research on migration governance policy.

b) Methods and Tools

Given the nature and scope of the research, the researcher used tools/instruments that are appropriate to generate qualitative data. *Desk review* was used to gather qualitative secondary data. Data generated through desk review was also used to identify actors, labour migration policies, proclamations, treaties and other issues on overseas labour migration governance in Ethiopia. *Key Informant Interview* was used to gather experts' views, experiences, gaps and suggestions in enhancing overseas labour migration governance in Ethiopia. *In-depth interview* was used to capture expectations of would be migrants along with challenges they faced to fulfill overseas labour deployment requirements. This tool was also used to gather the experiences of returnees. To this end, a total of 46 individuals were interviewed to gather primary data as each of the tools is briefly highlighted here below:

Desk Review: Various documents on policy issues, legal frameworks, strategies, procedures, researches, academic articles and other relevant sources were reviewed. By doing so, the

researcher gathered mainly secondary qualitative data on relevant theoretical and conceptual frameworks, approaches used to conduct this thesis. This tool was used to gather relevant empirical data from previous researches conducted in the area of labour migration and actors' (state, non-state and private) practices on labour migration governance, among others. This data was also partly used to sharpen the problem statement, objectives, approaches and methods of this particular research. Furthermore, the qualitative and quantitative data gathered through desk review was used to augment the primary data.

Key Informant Interview (KII): was designed by the researcher and approved by the research advisor to gather relevant data in line with the stated research questions. This instrument was used to guide key informant interviews with pertinent government officials and experts, representatives of PEAs, relevant UN agencies, international as well as national non-governmental organizations so as to gather data on their roles, views, opinions and experiences in overseas labour migration governance in Ethiopia. In this regard, a total of 28 key informants (see details in table 1 annexed) were interviewed from 16 different institutions.

In-depth Interviews: was used to gather data from 12 (all of them females) purposively selected potential/would be migrants who attended the required pre-departure training and were ready to sign overseas employment contracts. These informants were targeted because they passed through the necessary application process and thus they could provide reliable data on the process. This exercise was intended to generate data on: available infrastructures and how these infrastructures supported migrants in their efforts for overseas migration and identify would be migrants' expectations and challenges in the process. In addition, six returnees were also interviewed to get their experiences and challenges as they went through the full migration cycle. Three of these interviewees had both would be migrant and returnees experiences because they were in the Middle East countries sometime back and by the time of the interview, they were signing contract to go to a different destination country in Gulf States.

In-depth interview with would be migrants enabled the researcher generate data on application requirements (age, education, COC, health check, renewed passport, kebele Identification Card, signing contract, taking pre-departure training, getting air ticket and other documents) for overseas employment. To this end, their experiences and expectations reflected available

structures, governance arrangements and challenges in overseas labour deployment in Ethiopia. These interviewees were from Oromia, Amhara, Southern Nations and Nationalities and People's and Tigray Regional States who came to Addis Ababa, MOLSA Office at Kazanchis to sign their overseas employment contract. All would be migrants interviewees were females as there was no any male would be migrant among them during the data collection period. MOLSA Officer also confirmed that would be migrants were almost all females while males rarely came for deployment to the Gulf States.

In order to get more data on the migration cycle particularly on the return side of the loop, six returnees (two of them males) were also interviewed. They shared their experiences in the process. All the returnees were interviewed in Addis Ababa, Bole Sub-city; however, six of them are from Addis Ababa City Administration and two of them are from Somali Regional State. In terms of gender composition, four of them were females while two were males.

Observations: transect walk was made to MOLSA facilities for documentation, contract signing, pre-departure training for migrants and database training for PEAs. Observation was also made to orientation training facilities of PEAs in their respective offices at *Kazanchis* and 22 *Mazoria* areas. In doing so, the researcher got sense of available facilities and how these facilities were being used by MOLSA and PEAs. Furthermore, the researcher participated in the Ethiopia Migration Database System training for PEA staff organized by MOLSA. In this case he was able to apply participant observation to gather data on how MOLSA provides this orientation training.

1.8. Data Sources

As indicated under sub-section 1.6 above, the data collection exercise included both primary and secondary data. In this regard, twenty-one officials, advisors, PEA presidents, coordinators and experts were interviewed from 16 (state, non-state and private) institutions. In addition to their expertise views and experiences, they also shared available secondary data from their respective offices. What is more, a total of 18 (12 would be migrants and 6 returnees) were interviewed. This composition of interviewees enabled to get data from state actors, non-state actors, private businesses and migrants involved in the migration cycle (see summary of data sources annexed under table 1).

1.9. Thesis Structure

The thesis is organized into seven chapters. The *first chapter* discusses introduction where background to the study, statement of the problem, research questions, objectives, scope and limitations of the study. The *second chapter* deals with review of related literature focusing on theoretical and conceptual frameworks to labour migration governance process such as migration industry, migration infrastructure and migration policy. It also presents review of empirical studies on migration in Ethiopia. The *third chapter* discusses policies and legal frameworks relevant to migration governance including; available labour policies, domestic proclamations and international conventions and bilateral agreements, among others. The *fourth chapter* is devoted to identification of state, non-state, and private actors, and their respective roles and responsibilities. *Chapter five* presents labour recruitment and deployment process focusing on labour recruitment steps, training, data management, institutional set ups/ platforms used and actors' engagement to ensure migrants' rights. *Chapter six* portrays prevailing challenges and gaps in overseas labour migration while *Chapter seven* is dedicated to presentation of conclusions and associated recommendations, followed by references and annexes.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

This chapter presents theoretical and conceptual frameworks and review of empirical studies related to this research undertaking. The first section deals with issues such as migration industry, migration infrastructure, migration governance and migration policy with arguments and explanations given by different scholars and researchers in the study of migration governance. In this section, components of a migration policy are presented to get better insight into migration governance, policy and practice. The second section focuses on review of related empirical studies conducted on overseas labour migration in Ethiopia to show the gaps this piece of research was set to focus.

2.1. Issues Related to Labour Migration Governance

In earlier times, labour migration analysis and management was linked to push and pull factors in the labour market. This assumption was based on the views of classical and neoclassical economic theories that take mobility of workers is from labour surplus to labour shortage localities driven by wage differentials. Currently, this argument was seen as simplistic or deterministic as King (2012) argued that classical and neoclassical economic theories are simplistic because they conceive labour migration is driven by a set of push factors operating from the country of origin and pull factors operating from the country of destination. As such these economic theories use limited variables in their labour migration models which characterize their models. For these theories, as far as analysts identify some of the variables in their models, it is quite clear that the unknown pull or push factors could be determined.

Contrary to the above classical and neoclassical economists argument, recent developments in the analysis of labour migration also indicate that labour mobility is influenced by complex and dynamic set of macro (structural), meso (social and smuggling networks) and micro (individual) factors (Tekalign 2018; King 2012). This nature of the phenomenon requires conceptual and theoretical frameworks that explain multiple factors in the analysis of labour migration

governance. With this complexity in mind, the researcher used recent labour migration concepts and theories that capture multiple factors as presented hereunder.

Migration Industry: As stated by Spener (2017), “In the late 1990s, the term migration industry was introduced into the scholarly literature on international migration as a way of explaining how migration flows sustained themselves in the face of intensified efforts of states to control movement across their territorial boundaries.” In this respect, migration industry considers migration as a form of business with less emphasis to the roles and networks of actors in facilitating the business process through collecting documents, organizing medical tests, or dealing with pre-departure training (Xiang and Lindquist 2014). As to why actors engage in labour migration issues, supporters of this approach argue that migration industry actors are driven by economic gains out of migrants’ desire for mobility while government’s efforts are driven by the desire to manage migrants’ mobility (Sørensen and Gammeltoft Hansen 2013).

In general, Migration Industry portrays interests of two groups of actors. Business entities are driven by making profits while state structures exert their efforts with the aim to manage or control the migration process and actors. In this regard, states exert efforts to manage labour migration actors, technologies and enterprises (encourage, facilitate, mediate, condition, and control migration) cutting across both the social relations and material economy (Tekalign 2018). This argument shows existence of three main actors such as government, private employment agencies/brokers and the migrants. The first actor mainly focuses on regulatory actors while the rest two are intended to make business out of the process. Private employment agencies try to make business through facilitation of the migration process while labour migrants are driven by access to better labour market with better income.

The above scenario is stated by Ninna Nyber Sørensen where multiple actors in the industry having various interests as presented in the text hereunder.

Across the globe, we are witnessing a wide assembly of actors whose existence depends on money paid either to facilitate or to constrain migration mobility—specialized transportation companies, visa facilitation agencies, labour recruiters, security contractors, human smugglers and NGOs. (Ninna N. Sørensen, and Thomas G.-Hansen, 2012:1)

Within the above interest scenario, migration industry works to shape mobility patterns where the theory categorizes actors as services providers and control entities. As a result, this theory better explains actors and processes involved (Sophie 2016; Tekalign 2019).

The researcher therefore used the Migration Industry theory to better analyze the business component of labour migration where particularly PEAs are established to make business out of their services in deploying labour migrants to the Gulf States. MOLSA and MOFA also get income from their services charges through document approvals for migrants and licensing of the PEAs. Moreover, the Government of Ethiopia collects annual income tax from PEAs as part of government revenue.

In this business making process, the Ethiopia Government architecture mainly MOLSA, MoFA and the Attorney General Office are responsible for the supervision, prosecution and facilitation of bilateral agreements for the PEA's labour deployment business practices. In doing so, the researcher used migration industry theory defined by Spener (2017) to identify the roles of the Ethiopia state apparatus, non-state and private actors, available policy instruments and gaps in overseas labour migration governance in the country.

Migration Infrastructure: According to Tekalign, et.al (2018) migration infrastructure shows a shift from the view that migration is seen as a form of business to focusing on the infrastructures that facilitate labour migrants' mobility with five dimensions. In this respect, Larkin (2013) views the concept of migration infrastructure as having five dimensions including: the commercial (recruitment intermediaries), the regulatory (state apparatus and procedures for documentation, licensing, training and other purposes), the technological (communication and transport), the humanitarian (NGOs and international organizations), and the social (migrant networks). Taking into account the objectives of this particular research, the five dimensions give better migration governance conceptual and analytical framework through identified processes and actors engaged in overseas labour migration governance in the country.

In terms of emphasis in migration infrastructure, Xiang and Lindquist (2014) argues that the concept of migration infrastructure focuses on a systematic interlink among factors such as technologies, institutions, and actors that facilitate and condition mobility. Proponents of this

theory further argue that migration can be more clearly conceptualized through a focus on synergies among elements of the infrastructure rather than on state policies, the labour market, or migrant social networks separately. These arguments indicate that well-functioning migration governance is more linked to synergies among actors and efficiency of systems used. With this view in mind, the researcher considers that making in-depth investigation and analysis based on the above dimensions give better understanding of the migration cycle in general and overseas labour migration in particular to answer questions for this piece of research.

Migration Governance:IOM (2015) and Economist Intelligence Unit (2016) studies state that migration governance is a complex concept involving a wide range of actors, including individuals, governmental and non-governmental organizations, and the private sector. For this reason, there is considerable debate amongst academics and reputable research institutions about how best to define migration governance. This shows that migration governance is a complex concept which has still been work in progress for unanimously used definitions.

In describing the complexities of migration governance, Spener (2017) argues that even with the involvement of normative institutions (like ILO and IOM), migration governance lacks an overarching multilateral regulatory framework as well as a single authoritative body, reflecting the general reluctance of states to relinquish ‘sovereignty’ or control over their national borders to a supranational authority. These arguments and definitions also reveal that migration is a complex phenomenon that involves multiple actors and interests. This nature of migration entails theoretical and conceptual frameworks that can accommodate multiple factors are needed to analyze the phenomenon and design effective governance tools to manage it.

However, commonly referenced definition of migration governance is provided by Betts (2011) as migration governance focuses on range of norms, rules, principles, decision-making procedures that exist over and above the level of a single nation-state. Lavenex and Panizzon (2011) also defined migration governance as existence of multiple actors where migration governance explores emerging concept of ‘migration partnerships’ in the political management and governance of international migration flows.

African Union Commission (2018) migration policy framework (2018-2030) viewed migration governance from its functions and states that effective migration governance harnesses the multiple benefits of migration, and counters the negative effects irregular migration may bring. The above arguments and explanations reveal that migration governance involves multiple actors, relationships and infrastructures in the migration cycle. Therefore better migration governance could be achieved through building systems and actors' capacities which make the migration process accessible and efficient.

Migration Policy: is one of the main tools for migration governance objectives of a country. "The primary objectives of sending country's migration policy is to ensure protection and welfare of their migrant workers and to optimize the development benefits from organized labour migration with sufficient institutional capacity, inter-ministerial coordination and inter-state cooperation" (OSCE, ILO and IOM 2006). The Economist Intelligence Unit (2016) has also found out that migration governance is a complex undertaking where comprehensive migration policy requires both institutional capacity and coherence and policy "connectivity". The Economist Intelligence Unit (2016) study further clarified that migration governance needs actors and systems for effective migration policy for better migration management as stated below.

At the institutional level, a comprehensive migration policy relies, in part, on the work of a "lead" institution mandated to take charge of the issue and coordinate across departments. At the policy level, "connectivity" means that migration-related policy is not pursued in isolation; instead, it is pursued holistically, in tandem with many other policy domains. (The Economist Intelligence Unit, 2016:p.8)

Like the proponents of migration infrastructure, the above text views that actors and the synergy among and between actors is very important element in migration governance. In order to be effective guiding document, "Migration policy needs to have five major domains including institutional capacity, migrant rights, safe and orderly migration, labour migration management, and regional and international co-operation and partnerships" (Economist Intelligence Unit 2016). With this in mind, the main domains/building blocks of comprehensive migration policy are briefly described below.

2.2. Domains of Migration Policy

This thesis intends to assess institutional structures, roles and responsibilities of labour migration actors for migration governance-policy and practice in Ethiopia. To this end, the researcher adopted and used five migration policy domains developed and used by UN agencies and other international organization (IOM 2015;ILO 2017; OSCE, IOM and ILO 2006;Economist Intelligence Unit2016). According to thesesources, the five domains give in-depth understanding of the building blocks of a sound migration policy as an effective tool for migration governance. These policy domains deal with institutional capacity, migrant rights, Safe and orderly migration,labour migration management andregional and international co-operation and other partnerships.Thesepolicy components are also issues that the migration industry and migration infrastructure focus on to analyzing in migration governance. Therefore these five domains are briefly described hereunder.

Domain One- Institutional Capacity: focuses on institutional frameworks such as migration strategies and overseas migration governance legislation, and data availability and transparency among others. To meet the policy objectives of protecting citizens working abroad and of optimizing the benefits of labour migration, it is essential that there is adequate institutional capacity and inter-ministerial coordination (OSCE, ILO and IOM 2006).

As indicated above, labour migration governance policyrequires a dedicated “lead” agency and involves labour agencies and law enforcement bodies. The researcher used this lens to identify legal frameworks, roles of actors and how actors are organized to facilitate labour migration governance in Ethiopia. In this respect, IOM(2015) indicates that overall, existence of a well-structured, comprehensive and operational institutional framework allows a country to effectively adopt measures to address migration issues. This domain is important for the intended research as it helps to identify roles and capacities of state, non-state actors and private actors engaged in overseas labour migration from Ethiopia to GCC countries.

Domain Two- Migrant Rights: focuses on countries’ structures to ensure migrants’ rights such as access to basic social services, family rights, the right to work, and long-term residency and paths to citizenship (IOM 2015; Economist Intelligence Unit2016). More specifically, migrant rights are related to access to social security, health services, education, rights to work residency

and citizenship. Among the above factors, access to health services and rights to work are important factors or determinants of Ethiopian labour migrants' quality of life and prospects in the destination countries in the Middle East. Description of this domain gives insights to the researcher on what rights issues to focus so that this particular thesis report would be informative knowledge repository to policy makers, implementers and the academia.

Domain Three- Safe and orderly Migration: is related to countries' border control and enforcement mechanisms, measures to combat human trafficking and smuggling. In terms of the relevance to this research undertaking, this domain indicates the country's law enforcement and security apparatus are important actors in labour migration governance policy design and implementation in Ethiopia. Using this domain, the researcher gathered the views, experiences and suggestions of experts working in institutions mandated to regulate safe and orderly labour migration. In doing so, the researcher has identify available systems and partnerships in the management of overseas labour migration to the GCC countries which are important elements of migration governance in light of migration industry and migration infrastructure theories.

Domain Four- Labour Migration Management: is a policy component through which governments connect migration to national development needs and focuses on having systems for assessing, validating and recognizing the skills and qualifications of labour migrants (IOM2015; ILO2017). Based on this domain, the researcher gathered data on issues related to labour migration management including; legal frameworks, strategies, requirements from migrants, how overseas labour deployment agencies are licensed and monitored, and coordination structures available and how they function in Ethiopia and in the targeted destination countries (GCC). This domain also informs the researcher on issues to focus in the analysis of migration governance policy within migration industry and migration infrastructure theoretical frameworks.

Domain Five-Regional and International Co-operation and other Partnerships: deals with regional and international dimension of migration through an analysis of international conventions, treaties and laws, regional consultative processes, and bilateral agreements on labour migration (Embret2019; IOM2015; ILO2017). This domain is associated with identifying bilateral and multilateral partnerships established by Ethiopia with the targeted destination

countries. As such description of this domain informed the researcher to review connectivity of actors and their roles in partnerships to facilitate overseas labour migration to GCC countries.

In general the above brief description of the five domains of comprehensive migration governance policy guided the researcher in gathering both primary and secondary data to understand actors and their interests, processes and synergies in the various dimensions of the problem under analysis and give answers to questions presented under the research questions section 1.3 above.

2.3. Review of Empirical Studies

The researcher reviewed empirical studies related to migration governance conducted in Ethiopia so as to get in-depth understanding and identify gaps that this particular research focus on in labour migration governance policy and practice in the country. To this effect, the researcher presented his review of empirical studies in three major thematic issues including; (1) migration governance policy and practice; (2) human trafficking, smuggling, migration risks and migrants' rights; and (3) root causes, consequences and/or impacts of labour migration in Ethiopia as presented hereunder.

Theme 1-Migration Governance Policy and Practice: under this thematic issue, empirical studies conducted by Ogahara and Kuschminder (2019) highlight Ethiopia government's nine pledges in response to the Global Compact and Comprehensive Refugee Response Framework, ban on low skilled labour migration to the Gulf States, temporary opening of Ethio-Eritrean border and related themes. The focus of their research was giving overview of the migration governance changes made in the area of migration mainly focusing on refugees in Ethiopia. The study does not focus on overseas labour deployment in general and outward labour migration from Ethiopia to other countries except it discusses refugee governance structures, rights and privileges of refugees residing in Ethiopia.

Kefale and Zerihun(2015) on their part discussed labour migration history to the Gulf States where these researchers depicted (1981 to 1991 through Hajj and Umrah ; 1991 to 1998 domestic workers moved to Lebanon and 1998 to 2014 labour migrants went to both Lebanon and Saudi Arabia) were three main historical phases of this migration phenomenon. Kuschminder and

Siegel (2014) also conducted a study intended to understand Ethiopian diaspora participation in the country. The main focus of these researcher were on historical developments of migration to Gulf, contribution of migrants to their home country and causes that forced the Government of Ethiopia to impose total ban of migration on overseas migration rather than dealing with actors, their roles and synergies among actors in the migration cycle. In general, except the above studies which touch upon some issues which are the focus areas of this particular research, he hardly found similar empirical study on labour migration governance in Ethiopia–policy and practice.

Theme 2- Human Trafficking, Smuggling, Migration Risks and Migrants’ Rights: under these thematic issues, there are considerably more empirical studies conducted. These studies dealt with actors, migration routes, migrations process, legal frameworks migration, dangers of illegal migration, human rights violations, and Ethiopian human rights protection system for low-skilled migrants, among others. (de Regt 2016; Emebet 2019; Zewudu 2019; Ayalew, et al 2018; Sultan 2018; Tadele 2015; Zemene 2015; ILO 2017). Most of the above empirical studies focused on illegal migration and associated human rights violations and risks of migrants along illegal routes to their destinations. The main focuses of these empirical studies are on the causes and effects of migration rather than dealing with governance issues.

Theme 3- Root Causes, Consequences and/or Impacts of Labour Migration in Ethiopia: the bulk of studies were conducted under these thematic issues. With this respect, empirical studies dealt with impacts of migration and remittances; expectations and experiences of Ethiopian female domestic workers; diversity of routes, destinations and cause for migration; and consequences of illegal migration. (Awol 2014; Fekadu 2019; Girmachew 2014; Girum 2013; Habte 2015; ILO 2017; Misgina, et al. 2019; Kuschminder 2014; Meaza, et. al. 2019; Semalegn 2011). Others also dealt with social networks and dreams to migrate, and roles of family members to migration decision making (Elias 2007; Fassil 2018; Girmachew 2014; ILO 2017). These empirical studies also focus on causes and impacts of migration rather than focusing on the central theme of this research undertaking namely labor migration governance and the processes of overseas deployment. In fact, some of these empirical studies also touched upon migration governance from the perspectives of causes and consequences of migration but not

from the perspective of labour deployment governance architecture, legal frameworks and linkages among and between overseas labour migration actors.

Furthermore, there were empirical studies under this thematic issue intended to identify factors in migration decision making; causes and consequences of irregular migration with respect to social networks; remittance and family migration decisionmaking; socio-economic impacts of labor power migration and socio-economic push factors, among others (Teshome 2010; Elias 2014; Habte 2015; Hailemichael 2014).

In summary, most empirical studies reviewed focused on causes and effects of migration rather than the process and management of labour migration. However, the main focus of this research thesis is dealing with actors and their roles, governance frameworks, processes and partnerships used to manage overseas labour migration. In general this research undertaking mainly focuses on the labour migration process rather than causes and effects of the phenomenon.

CHAPTER THREE

POLICY AND LEGAL FRAMEWORKS

This chapter deals with available policies and legal frameworks for the management of overseas labour migration phenomenon from Ethiopia to the GCC states and beyond. In this respect, Piyasiri (2015) states that migration is a key feature of today's world of work and one which raises complex policy challenges. Overseas labour migration is a current and historical reality impacting on economies and societies and therefore requires establishing regular, transparent, comprehensive labour migration policies, legislation and structures to benefit origin and destination countries (AUC 2018).

In order to reduce those challenges, states use different governance tools as stated in the text hereunder;

While there are no perfect systems for regulation of labour migration, countries of origin do have a range of policy strategies which can extend the scope and improve the efficiency of their regulatory mechanisms and support services, including: regulation of recruitment; developing and enforcing minimum standards in employment contracts; information dissemination to migrants; assistance in the country of destination and promoting inter-state cooperation (OSCE, ILO and IOM, 2006: p3-4)

Although the above text indicates that there is no perfect migration policy, it confirms migration policy is one of the tools to improve efficiency of overseas labour migration governance with standards, regulatory mechanisms and support services provided by state, non-state and private actors in the migration process depending on their capacities and interests. With this view in mind, this chapter presents available instruments, mechanisms and support services for overseas labour deployment in Ethiopia below.

3.1. National Policies

Many researches indicate that Ethiopia is a sending, transit and receiving country in the migrant cycle. According to Sultan (2018) Ethiopia is a source and, to a lesser extent, a destination and transit country for migrants. The country is a sending country especially low-skill workers to the Middle East where there is more labour market opportunities for its excess low skilled labour

force joining the economy every year. This situation increases the outward migration flow in search of better job opportunities in these destinations which makes labour migration governance more complex (Kuschminder et al. 2018; IOM 2017; CSA 2013a; Adugna 2019; Kefale and Zerihun 2015).

Although Ethiopia faces this increasing overseas labour migration, the country has no comprehensive migration policy except it has proclamations to manage and regulate the process. According to Mengistu, et al, (2020), absence of such comprehensive migration policy makes migration governance practices in Ethiopia difficult and disorganized. In fact, Ethiopia has National Employment Policy and Strategy (November 2009) but the policy discusses overseas labour migration only under section 2.3.5.3 (on the protection of the rights of migrant workers and strategies for rights protection).

Given the above context, informants, particularly MOLSA Overseas Labour Deployment Directorate Director observed, “Absence of comprehensive migration governance policy forced the country to use proclamations, task forces and ad-hoc arrangements to manage overseas labour migration which restricted actors to have medium-term and long-term strategic plans to improve the management of overseas migration and benefit from huge labour market potential in destination countries.” MOFA Middle East Director General interviewed in his office here in Addis Ababa also expressed his view that because of absence of comprehensive migration policy, actors do not have clear understanding and direction on their roles and responsibilities, and hence duties on overseas labour migration are considered as side issues by actors’ staff. These observations of officials reveal that migration governance in Ethiopia lacks management tools and associated structures, which in turn resulted in actors lacking clear roles and synergies among themselves.

Another policy that could have included governance of overseas labour migration is the Ethiopian Diasporas Policy (2013) but it does not clearly indicate overseas labour migrants to the Middle East though the area is seen as one of the destinations for Ethiopia migrants. In this regard, Kuschminder and Siegel (2011) identified that Ethiopian diaspora is geographically spread and is well represented in Europe, North America, and the Middle East but the policy does not

even clearly state whether overseas labour migrants to the Middle East have the status of diaspora .

To this end, the diaspora policy seems to focus on migrants in Europe and North America while it missed out Ethiopian legal migrant in the Middle East with estimated 90,000 migrants in Saudi Arabia and 30,000 migrants in Lebanon only (Kuschminder and Siegel, 2011). Taking this migrant population into account, while the policy intends to engage the diaspora into country's economic development, the policy seems to give less emphasis to a community which generates about USD 360,000,000 per annum calculated based on USD 250 minimum salary for a labour migrant to GCC indicated in Proclamation No. 923/216.

In general, Ethiopia has neither comprehensive migration policy nor other policies described above which govern overseas labour migration governance. Reviews of the above policies reveal that Ethiopia needs comprehensive migration policy that identifies actors and their roles, mechanisms/systems and linkages among the actors to effectively manage the migration phenomenon in general and overseas labour migration in the Middle East in particular.

3.2. Legal Frameworks

a) National Legal Frameworks

Although Ethiopia has not had comprehensive labour migration policy, the country has proclamation No. 923/2016 and Proclamation No. 909/2015 (recently revised to proclamation 1178/2020) where these proclamations have been used to manage and control overseas labour deployment and trafficking and smuggling in persons respectively. The country has also ratified different international conventions and protocols (Embet 2018).

In Ethiopia, all domestic legal frameworks and policies emanate from its constitution. In this regard, the constitution of The Federal Democratic Republic of Ethiopia (FDRE) Chapter Ten, Article 85 states, "Any organ of Government shall, in the implementation of the Constitution, other laws and public policies, be guided by the principles and objectives specified under this Chapter". Given this provision, national legal frameworks, policies and strategies for overseas

labour deployment emanate from constitutional rights indicated under Article 32 of the constitution which guarantees freedom of movement to any person.

In the absence of comprehensive national migration policy, Ethiopia enacted different proclamations intended to manage and regulate overseas labour migration since 1990s. The first proclamation was Proclamation No. 104/1998 which considered overseas labour deployment as tasks of the private employment agencies. This proclamation sets requirements for PEAs, penalties (financial and imprisonment) for breaching the law, and actors' roles and responsibilities. However, the proclamation did not require the would be migrants to submit grade 8 and COC certificates to participate in the competition to get overseas employment; which caused difficulties to manage education level, skills and age of would be migrants. As a result, many migrants were under aged and unskilled which were unable to manage tasks in their employment contract. Migrants' immaturity and lack of skill were the factors that exposed the migrants to rights violations in the destination countries. Due to these and other limitations, Proclamation No. 104/1998 was revised and replaced by Employment Exchange Services Proclamation No. 632/2009.

Proclamation No. 632/2009 introduced job opportunity announcement obligation with full PEA's addresses. The proclamation also allowed employment; through PEAs and overseas employers under the permission from MOLSA. In general Proclamation No. 632/2009 provided more detailed provisions than Proclamation No. 104/1998. Proclamation No. 632/2009 also needed revision due to the 2013 blanket ban on overseas deployment after mass deportations from KSA and due to human rights violations in the process.

A number of researcher results confirmed human rights violations that caused blanket ban decision by the Government of Ethiopia. According to de Regt (2015), the Ethiopian government installed a ban on labor migration from Ethiopia to every country in the Middle East as a response to the human rights violations against Ethiopian migrants. These human rights violations worsened as there was temporary labour migration, particularly of low-skilled workers to the Middle East countries which caused significant governance challenge in terms of ensuring decent work and reducing migration costs for the migrant workers since the 1990s (ILO, 2017).

Fekadu, et al.(2019) also identified that the governance challenge was further complicated because there were not clear distinctions between legal and illegal migration where sometimes legal migration blurred into irregular migration as migrants tend to use both channels and some legally registered agents were also involved in undocumented migration practices. To manage such complex challenges, Ethiopia adopted two major proclamations as indicated in the text below.

In 2015, the Government of Ethiopia adopted Proclamation No. 909/2015 on 'Prevention and Suppression of Smuggling and Trafficking in Persons' that sets out procedures for the investigation of smuggling and trafficking offences as well as establishing procedures for the protection and rehabilitation of victims of trafficking. Then in 2016, many positive institutional and legal framework changes were incorporated into the revised Ethiopian Overseas Employment Proclamation No. 923/2016. (Fernandez, 2019: 2).

As depicted in the above text, Ethiopia enacted proclamations (No. 909/2015 and No.923/2016) to manage overseas labour migration, protect migrants' rights and prevent irregular migration. In this way, the country strives to reduce illegal migration which caused significant loss of life and expulsion of hundreds of thousands of Ethiopians. Government of Ethiopia enacted these proclamations to respond to mainly Saudi Arabia's major shift to regularize the migrant population in Saudi Arabia so as to use employment opportunities in the Middle East Countries to Ethiopian women low-skilled workers (de Regt 2015; Fernandez 2017; Ogahara and Kuschminder 2019).

These Proclamations are targeted to provide protection for labour migrants through promoting legal migration and combating illegal migration. The proclamations also contain important provisions on responsibilities of state actors and private employment agencies together with requirements, rights and responsibilities of Ethiopians labour migrants (ILO 2018). Although Ethiopia's Overseas Employment Proclamation was adopted in 2016, it came into force in October 2018 (ILO 2018).

Like the previous proclamations, Proclamation No. 923/2016 has also a number of limitations related to requirements from would be migrants to get overseas employment such as grade 8 completion and COC certificates, deployment only to countries which signed bilateral agreement with Ethiopia and PEAs license renewal every one year, among others. Regarding limitations of

Proclamation No. 923/2016, a summary of the views of one FTVET Agency Team Leader interviewed here in Addis Ababa in his Office around *Lamberet* on February 14, 2020 are summarized and presented below.

The proclamation has fixed the education requirement for would be migrants to grade 8 completion which excluded those who have the skills and experiences needed but who did not complete grade 8. Due to this restriction, would be migrants, especially deportees in 2013 who did not fulfill this requirement were forced to resort to present forged educational certificates or to use illegal routes to get back to employers in the destination countries. Federal TVET Agency and MOLSA were challenged to ensure the authenticity of the certificates especially sent from regions as it does not have database to check the documents submitted by overseas labour migration applicants.

Due to these requirements, Association President interviewed in his office around *Kasanchis* in Addis Ababa on December 18, 2019 observed that there were applicants who were in the Middle East before and who had better experiences and skills even compared with degree graduates who apply for overseas deployment but they did not get deployment opportunity so far.

One Employment Agency Vice Manager interviewed in her office around *22 Mazonia* in Addis Ababa on January 6, 2020 identified limitations of Proclamation No.923/2016 to issue license to PEAs including; requirements for a PEA to have 100, 000 USD Bank Guarantee, 29,412 USD for operating cost, at least 6 staff, 46 m² office space and destination country VISA which have been bottlenecks for Ethiopians to engage in overseas labour deployment business. These financial and human resources requirements according to the Vice Manager have prohibited Ethiopians from starting overseas labour deployment business though they have the skills and willingness to engage in the business. She also witnessed that requirement for active entry VISA in the destination country restricted those Ethiopians who could not secure the VISA to do business in the migration industry.

The above views of informants on restrictions by the proclamations indicate that in the process of comprehensive policy design and revision of proclamations, engaging private business entities will give better insights to produce comprehensive policy and legal frameworks for migration governance in the country.

In addition to the above restrictions, 28 years old woman would be re-migrant who came from Southern Region Bonga area to Addis Ababa to sign her overseas employment contract at MOLSA Office in Addis Ababa observed inconsistencies in the implementation of legal employment agreements. She narrated inconsistencies in the implementation of the proclamation and contracts through describing her experiences, “While I was in the Middle East, I was required to pay back my travel and document processing debt because my employer told me he covered such expenses. As a result, I was paid 200 USD monthly throughout my contract period while my salary in the contract agreement was 250 USD monthly.” This shows that there is violation of the contract signed once the employees are in the destination country. Her experience also reveals that PEAs did not follow up and take remedial action for violations made. This lack of follow up by PEAs contradicts with all PEAs respondents’ claim that they have the responsibility to follow up the employees until they come home.

The experiences of the migrants interviewed are consistent with MoFA Middle East Directorate Director who described the situation as, “I observed that PEAs do not follow up their overseas employees even for six months leave alone for the whole contract period. As a result our Ministry and other actors are negotiating to convince the PEAs to extend their overseas employees follow up to six months.” Event though, Proclamation No.932/2016 stipulates joint liability and responsibility of the employment agency and the employer for damages on employees, a PEA Expert argued, “It is very difficult to enforce the law as legal process against the employment agencies especially in destination countries and employers takes long process and even sometimes impossible to implement.” These varying claims show existence of gray areas in enforcing overseas employment proclamation.

The above observations portray that in addition to limitations due the requirements, the proclamation lacks proper implementation. “As many migrants have reported instances, there is a mismatch between the proclamation’s stipulations and common practice where there is a lack of monitoring the operations and holding agencies accountable by the government,” (ILO2019).

These limitations described show that the proclamation has gaps in both its provisions and enforcement processes. To this end, studies show lack of enforcement by actors provide for, “Migrant women and girls in the Middle East very limited sources of support and protection

where there are hardly any legal frameworks that protect their rights, and in case there are, girls do not know how to access them. To make things worse, domestic labour is not protected by the labour law in destination countries so migrant women cannot complain about their working conditions,” (de Regt 2016).

Proclamation No.923/2016 does not also indicate the roles and responsibilities of state actors and the coordination structures needed to facilitate labour migration governance in the country. Provision of roles and responsibilities especially for state actors in the proclamation could have improved coordination and governance of overseas labour deployment management. As a result of the above limitations, expert AGO interviewed in his office in Addis Ababa confirmed that the proclamation is under revision and he expected the revised proclamation will be more flexible.

Apart from Proclamation No. 923/2016, Ethiopia enacted the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, Proclamation No. 909/2015. This proclamation is intended to prevent and protect any criminal offense committed in the process of the legal migration and illegal migration. The proclamation was used to combat trafficking and smuggling in persons, and promotes legal overseas deployment. To this end, the proclamation criminalizes all forms of trafficking; it prescribes penalties of 15-25 years imprisonment and a fine of 5,000 to 10,000 USD for such criminal offenses.

Proclamation No.909/2015 (recently revised to Proclamation No.1178/2020) has been used to regulate criminal offenses in overseas labour deployment as AGO expert indicated, “There are actors such as PEAs which have licenses from responsible government offices but there were some PEAs engaged in illegal labour deployment activities camouflaged in their licenses. These criminal offenses, whether they occur under the cover of the legal labour migration or in the illegal labour migration, are investigated and prosecuted under this legal provision.” Therefore, this proclamation serves as a tool to combat smuggling and trafficking in persons through punishing criminal offenses occur in overseas labor deployment process while promoting legal labour deployment.

Proclamation No. 909/2015 was revised to Proclamation No.1178/2020 because it lacks clarity, inconsistent with other laws and it does not provide adequate responses to the problem. For

instance, Proclamation No. 909/2015 does not clearly state crimes committed by organized groups including PEA as criminal offenses but the revised proclamation No.1178/2020 clearly states PEAs engaged in criminal offense fall under criminal groups category as illegal overseas employment crimes are causing serious harm to physical, life and safety of citizens and exposing to grave violations of human rights.

Proclamation No.909/2015 had also limitations asAGO Expert indicated, “The Proclamation does not allow AGO direct engagement with its counterparts in the destination countries rather it communicates through MOLSA, MOFA and Ethiopian Embassies in the respective destination countries.”According to the Expert, this channel of relationship delays investigation and prosecution of criminal offenses as many actors and extended bureaucratic system is used.However, the new law does not also clearly solve this lack of direct communication raised by the expert.

In addition to Proclamations described above, Council of Ministers Regulation No.374/2016 was enacted to establish Federal Urban Job Creation and Food Security Agency (FUJCFSA).This agency is mainly mandated to work towards improving the livelihood of citizens.To this end, the FUJCFSA incorporated returnees in its livelihood services and leads the Protection Technical Working Group which is accountable to the National Task Force under Attorney General Office (AGO). According to FUJCFSA’s Expert interviewed in his office around Mexico Square in Addis Ababa, the Agency provides equal support for migration returnees through providing psychosocial, reintegration, shelter provision and Income Generating support. What is more, the Expert stated that the Agency is responsible for organizing profiles of unemployed workforce in the country and provide data for government actors to search for employment opportunities abroad. Therefore, the agency plays important role in returnees’ reintegration and excess workforce data management.

Although these legal frameworks had limitations, they served the country as tools to regulate overseas labour migration in the country. Proclamation No. 923/2016 and its predecessors were used for example to establish PEAs with their roles to facilitate overseas deployment and indicated the legal mandates of the Ministry of Labour and Social Affairs. The proclamations have been used tools to prosecute those who committed criminal offenses. Proclamations

No.1178/2020 its predecessors have been used to prevention and prosecute criminal offenses related to smuggling and trafficking in persons in Ethiopia. Especially, Proclamation No.1178/2020 and its predecessors clearly indicated actors and their roles in the prevention and prosecution of criminal offense involving overseas labour deployment.

b) International Laws, Conventions and Treaties

In order to harness the labour market potential in the Middle East and to support Ethiopian migrant workers practice their rights and obligations stated, the country not only drafted, endorsed and enacted its domestic proclamations but it also ratified and adopted different international conventions, treaties, legal frameworks, policies and strategies which have been used for overseas labour deployment governance in the country's jurisdiction. Moreover the country has made some of the international legal instruments the law of the land. In this manner, the country works with the international community while it strives to maintain its national interest.

Cognizant of the relevance of international legal instruments for overseas labour migration governance practices, Ethiopia ratified conventions for migration governance with their respective functions. In this regard, the country ratified C105-Abolition of Forced Labour Convention, 1957 (No. 105) in 1999. The convention is a tool to suppress any form of forced or compulsory labour. This convention could be the sources of setting standards on the kinds of activities in the employment contract and the rights and duties of an employee and employer.

Ethiopia also ratified a number of international convention on a number of issues such as employee's age (C138 - Minimum Age Convention, 1973 ratified it in 1999), develop national employment policy on occupational safety and health (C155-Occupational Safety and Health Convention, 1981 ratified in 1999), establishment and engagement of PEAs in overseas labour deployment (C181 - Private Employment Agencies Convention, 1997 ratified in 1999); and economic, social and cultural rights (International Covenant on Economic, Social and Cultural Rights- 1966ratified in 1993). These international conventions could be the basis for drafting overseas labour migration legal frameworks, informing bilateral negotiations, preparation of

bilateral agreement documents, preparation of employment contracts, allocation of resources for pre-departure training, follow up and monitoring and dispute resolutions.

However there are also international conventions that Ethiopia has not ratified yet but have relevant provisions for overseas labour migration governance policy and practice. These international conventions focus on the protection of the rights of all migrant workers (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: 1990); protection against mass deportation (Convention Concerning Protection against (collective) expulsion, Arts. 22;56); protection from exploitation(Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949); discrimination against women(Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, 1979). Although these conventions have not been ratified yet, they could be used to better inform Ethiopian actors in the migration infrastructure what they should take into account in managing migration in general and overseas labour migration to the Middle East destinations.

Regarding international laws and conventions, a MOLSA Team Leader stated, “Although Ethiopia has already ratified some laws and conventions, there are many international laws and conventions that are not ratified and incorporated into the country’s legal frameworks yet.” This view indicates existence of some relevant international laws and conventions ratified and used by Ethiopia for its overseas labour deployment governance are reviewed and presented hereunder.

In addition to serving as resources for policy design and other labour migration documents (employment contracts and bilateral agreements), using the above legal frameworks and international conventions could reduce human rights violations. In this respect, I interviewed Konjit, 30 years old re-migrant who is married and have 2 children at MOLSA Office around *Kasanchis* in Addis Ababa on January 15, 2020. Konjit’s story described below indicates human rights violations that could be protected through using international legal frameworks.

Apart from backbreaking workload, I faced grievous rights violations. I was sold to another employer with 50 US dollar profit margin for my first employer every month. My first employer’s son also frequently attempted to rape me while my second employer relative’s daughter insulted and spat on me. These rights violations forced me to run away for some weeks. While all these incidents

happened to me, neither the sending agency nor the receiving agency tried to give me support except I was assisted by Ethiopians living there. After Ethiopians reported my case to the receiving country's police, the police transferred me to the Ethiopian consulate where I got my travel document and came back home to Ethiopia on my own expense.

Konjit's story presented above depicts violation of migrants' social and economic rights and the rights for protection from all forms of exploitation. Her story explains she faced even modern slavery which is the worst form of human rights violations which are evidences of breach of contract agreement by employer, PEAs and MOSLA where these actors were not responsive and ignored the employee rights to return home in dignity. In this case, MOLSA failed to apply its legal obligations to use the guarantee fund (USD 100,000) deposited in blocked account by PEA and transport migrants to their home country.

Konjit's experience in the destination countries also revealed violation of the C105-Abolition of Forced Labour Convention, 1957 as she witnessed;

As soon as I arrived at my employer's home, I started to face a number of dehumanizing treatments. The employer used to give me backbreaking chores with almost no rest throughout the day. I also recalled with grief that my employer usually did not give me enough food. As a result I always went to bed hungry. When all these happened to me, neither the agency nor other actors visited me and protected my rights. I was left alone to face all the misery.

The story reveals existence of the worst forms human rights violations such as hard labour and denial for sufficient food which are against the employment contracts, national legal frameworks and international conventions. However actors were not responsive and did not execute their duties and responsibilities enshrined in the law. Konjit's story shows that existence of legal frameworks and international conventions could not be a guarantee for the prevention and protection of migrant's rights. Her story also shows that although Ethiopia ratified international convention, signed bilateral agreements and deploys migrant workers, the country lacks effective enforcement of international convention and Ethiopia's domestic legal provisions in practices.

The above lack of enforcement of legal provisions and breach of the instruments by employers were clearly revealed immediately after the recent coronavirus (COVID-19) pandemic crisis when employers in the Middle East expelled hundreds of legal employees denying their salaries.

In response to this situation, the Government of Ethiopia in collaboration with non-state actors took action to rescue its citizens as witnessed by IOM's Project Assistant for returnees from KSA.

Due to the recent COVID-19 pandemic, Ethiopian Migrant Domestic Workers were expelled by their employers and stranded in Lebanon for four months without any salary payment. As a result, migrants paid their flight expenses and came back home against the labour employment contract which states employers cover expenses for round trip for their employees. However, the Government of Ethiopia refunded them as the government in collaboration with other humanitarian actors allocated budget for transportation of migrants from the Middle East.

The above scenario reveals that there is a tendency among employers and destination countries to breach agreements in case of challenges and competing priorities like what happened in Lebanon. This incident reveals that bilateral agreements, international conventions and treaties are less binding than national legal frameworks and there is the need to have long-term strategy to prepare overseas employees and Ethiopian Government what measures to take when such crises happen. One of the solutions to respond to these kinds of situations is having comprehensive national policy document which sets out mitigation mechanisms for such incidents.

As indicated by Sultan (2018), "Ratification of international legal instrument and adoption of national law could not enable the country to control the crime. Instead, thousands of people are still moving from the country of their origin to some other countries through different means for different reasons." This increasing mobility and associated challenges further intensifies the need for comprehensive migration policy for strategic and effective engagement among actors in the migration infrastructure with synergy to manage overseas labour deployment in particular and migration in general.

Ethiopia has ratified and even made some international conventions and treaties part of its domestic laws. Ethiopia has also been using these international legal frameworks to get inputs in the preparation of overseas labour deployment proclamations and bilateral agreement, and resources for capacity building training. However, when there were migrants rights violations in the destination countries, as PEAs Association's President indicated, international criminals were not prosecuted. According to the Association's President criminals in the destination countries

did not face prosecution as the process required Ethiopia to apply international conventions and treaties through international courts where Ethiopia did not have the resources to cover expenses.

c) Bilateral Agreements

The main aim of bilateral agreements for a destination country is to fulfill its labour demand while for the sending country it is to get access to labour market for its citizens. According to AUC (2018), such bilateral efforts aim to strengthen labour migration cooperation; foster regular labour migration; meet the supply and demand needs labour markets; promote enforcement of labour standards; and reduce recourse to irregular migration.

Regarding reasons for signing bilateral agreement, Stalker (2008) explains that these agreements may be initiated due to political reasons; establish friendly relationships and combating irregular migration among others. Whatever the causes may be, these agreements formalize each side's commitment to ensure that migration takes place in accordance with agreed principles and procedures (OSCE, ILO and IOM 2006). In terms of types, these agreements are of two major types as depicted in the text below.

The most common mechanisms for regulating interstate labour migration are various types of bilateral agreement. A formal bilateral agreement sets out each side's commitments and may provide for quotas. Less formal is a Memorandum of Understanding (MOU). Most countries of destination prefer MOUs, probably because as non-binding agreements, they are easier to negotiate and implement – and to modify according to changing economic and labour market conditions (Stalker, 2008, p- 27).

The classification of bilateral agreements is based on the level of formality and flexibility. The more formal agreement contains more binding obligations for signatories and sets quotas. However, less formal bilateral agreements like Memorandum of Understanding (MOU) are less binding and more flexible. Ethiopia uses both types of bilateral agreements where there is a tendency to sign MOU first and change it to more formal bilateral agreement through further discussion between the signatories.

To this end, AGO Senior Prosecutor stated, “Ethiopia signed bilateral agreement for overseas labour deployment with Kingdom of Saudi Arabia, Kuwait, Jordan and Qatar while bilateral

agreements with Kuwait and Lebanon were under discussion and I hope will be signed soon.” MOLSA Director also revealed that Ethiopia was working to extend such partnerships and it is working towards signing bilateral agreement with Kuwait, Bahrain, some European countries, Japan and Canada. According to these officials and other experts, causes for Ethiopia forestablishing such partnerships emanate from its effort to create more job opportunities to the growing labour force so that it gets economic benefit for the country’s development efforts. In this regard, Ethiopia’s motive for overseas labour deployment is in line with the views of the proponents of migration industry and migration infrastructure theoretical frameworks that focus on business interests of actors and processes in migration governance.

In terms of employment contract period set in bilateral agreements signed so far, MOLSA expert stated, “One time labour employment contractual agreement is for 2 years and 45 days including return preparation period, however, migrants have the right to get contract extension or contract to another employer in the same country or a different country if a migrant wants to be deployed again.” With this opportunity, some would be migrants interviewed confirmed that they were preparing for re-migration to another country and employer in the GCC countries. Although bilateral agreement can serve as overseas labour migration tools to establish relationships, they also have shortcomings. To this end, ILO (2017) indicates, “While bilateral agreements can play an important role in ensuring that the labour rights of migrant workers, in practice they exhibit a number of shortcomings regarding their design, content, monitoring, implementation and impact.”

In this regard, MOFA Middle East Directorate Director also observed, “While bilateral agreements and employment contracts state that a PEA is accountable to follow up and monitor employees it deploys throughout the contract period, PEAs actually follow up migrant workers deployed only for 3 months.” The Director also indicated that MoFA is negotiating with PEAs to increase follow up and monitoring period up to six months so that employees will get the opportunity to know the destination country context better.

Similar to MoFA Director’s experiences, returnee interviewed at MOLSA Head Office here in Addis Ababa said, “Leave alone for this months, even follow up and monitoring for the three months is done by few PEAs.” This shows that signing bilateral agreement and employment

contracts may not guarantee effective labour migration management unless other elements such as actors have more commitment and synergy. In general bilateral agreements are one of the tools used in the management of overseas labour migration through establishing actors in the migration infrastructure.

3.3. Significance of Legal Overseas Labour Migration to Job Creation

Legal overseas labour migration has a number of benefits for Ethiopia. The phenomenon creates significant employment opportunity as MOLSA Director described, “Ethiopia has started overseas labour deployment to the Gulf States in 2018 to use the huge labour market potential in GCC states.” According to the Director, this labour market enables Ethiopia to create excess to jobs for its workforce where there is a backlog of more than 11 million unemployed citizens and more than 2 million jobless join the work force every year. The Director further indicated that this market opportunity serves the country to increase employment generation capacity of the national economy which is creates access to employment opportunities to a staggering 1.5 million jobs every year. This practice has significant contribution to employment reduce the for example the 19.1 percent (CSA 2018) urban unemployment rate at national urban level. This excess labour in Ethiopia and potential demand in the destination countries reveals that labour migration from Ethiopia has significant impact both for the national employment creation and income generation efforts of Ethiopia.

With this country context, President of the Associations of 380 Private Overseas Employment Agencies interviewed at his office around 22 *Mazoria* in Addis Ababa observed availability of huge labour market potential in the GCC countries as described below.

To my observation, Gulf Countries can absorb up to 28,000 overseas employees every month through more than 800 licensed PEAs only. To this end, PEAs have the potential to deploy about 336,000 overseas employees every year and could generate up to 1,008,000,000 USD (calculated 250 USD per overseas employ per month) every year from GCC states only. I can also say that this market potential could also be one of the means to decrease the volume of unemployment in Ethiopia so that the country could reverse the unemployment pressure into economic opportunities.

However the above untapped potential has not yet been exploited well as MOLSA Expert revealed, “Only 13,000 overseas employees were deployed in 2018 which could generate

39,000,000 USD every year.” This indicates that Ethiopia has lost huge labour market opportunity in GCC countries. As the market still exists due to the fact that there is no significant socio-economic change of the households in the destination countries, this market could be used to generate huge employment opportunity and financial gain for the country to augment its dire hard currency demand for its economic development efforts.

In an effort to exploit the above opportunities, the Government of Ethiopia strives to deploy more overseas labour migrants to create more jobs and get resources for its economic development. To this end, AGO Senior Prosecutor and Task-Force Secretariat Office Coordinator revealed, “Overseas labour migration deployment is implemented with the objective to; help migrants to get economic opportunity, ensure migrants’ rights, help citizens contribute to the country’s development and reduce illegal migration through providing efficient legal migration services.” These objectives show that the government wants to enhance overseas labour migration through promoting legal migration while combating illegal migration in the country. These objectives also show that there is growing interest from the Government of Ethiopia to increase overseas employment so that the country gets more financial and skills gains to support its national economic development efforts.

In response to the above interests of the Government of Ethiopia, FUJCFSA Trade and Development Services Expert said, “The Government of Ethiopia has given duties to FUJCFSA to organize labour market information to stakeholders where it organized profiles of 60, 000 graduates and submitted to Job Creation Unit under the Ethiopian Prime Minister Office to enable the Office to share the labour market data to Ethiopian consulates in different countries of the world so that the consulates have information on the available excess labour in the country.”

Although there is strong interest from the government to enhance overseas labour deployment, labour migration governance lacks necessary tools and connectivity among actors. In this regard, Attorney General Office Coordinator observed that absence of comprehensive migration policy has still been a setback to effective overseas labour migration management with long-term strategies. In fact key informants also expressed their optimism on the recent initiative to develop comprehensive migration policy so as to improve overseas labour migration governance.

Due to lack of effective and comprehensive migration policy and other infrastructures, the huge market potential has remained untapped. Therefore overseas labour governance needs strategic engagement by actors using governance tools that guide the deployment process and effective coordination among actors. In order to maximize benefits from potential labour market opportunities in the Middle East and beyond, the government of Ethiopia needs to reduce extended bureaucratic overseas labour migration process through using modern technologies and improving staff capacity while combat illegal migration through strong regulatory mechanisms.

In general, Ethiopia has not had comprehensive national migration policy yet. In the absence of such policy, the country has been using national proclamations, bilateral agreements and international conventions in the management of overseas labour migration since the 1990s. These national legal frameworks are on provisions, procedure and accountabilities of actors (proclamation No.923/2016) and prevention and prosecution of criminal offenses (Proclamation No.1178/2020).

In applying these national legal frameworks, Ethiopia continues to revise and update the tools to fit the growing demands of the labour migration phenomenon. To this effect, Proclamation No.104/1998 was revised and replaced by No.632/2009. Similarly proclamation No.632/2009 was revised and replaced No. 923/2016. Now the last proclamation is also under revision. These revisions were made to make legal frameworks more comprehensive and address the increasing complexities of the overseas labour migration phenomenon. For instance proclamation No.104/1998 left the recruitment process to Agencies while proclamation No.632/2009 requires more engagement of MOLSA and other actors in the overseas labour deployment process. Proclamation 632/2009 was also revised because among others it does not require labour migrants to present grade 8 completion and other certificates while these requirements are mandatory in proclamation No.923/2016. According to ILO (2017), Proclamation 632/2009 focuses on monitoring and regulating both domestic and overseas employment but Proclamation 923/2016 focuses on regulation of overseas employment only. The revised version seems to focus on overseas deployment so that actors such as MOLSA may have more targeted engagement to manage the deployment processes.

Similarly proclamations for the prevention and protection of criminal offenses have also been revised. To this end, Proclamations No. 909/2015 enacted which was recently revised to Proclamation No.1178/2020. Some of the causes for revision Proclamation No.909/2015 to Proclamation No.1178/2020 according to Abrham (2020) are, “No. 909/2015 lacks clarity, inconsistent with other laws and does not provide adequate responses to problems and protocols issued by the United Nations.” Abraham (2020) also indicates that the above limitations necessitated Ethiopia to enact more detailed law for the implementation of overseas employment.

Ethiopia has also been using bilateral agreements and international conventions in the management of overseas labour migration. In this regard, Ethiopia has signed bilateral agreements with the Kingdom of Saudi and Kuwait and other AGulf countries to improve labour migration governance and accountability of the actors in the process. As part of the global community, Ethiopia ratified and has been using international conventions to ensure social, economic and legal rights of overseas labour migrants in the migration cycle. Some of these international instruments among others are Minimum Age Convention(1973), Occupational Safety and Health Convention (1981), Private Employment Agencies Convention (1997), International Covenant on Economic, Social and Cultural Rights(1966), Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949) and Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Overall, overseas labour migration in Ethiopia applies proclamations and conventions. As a result, it missed the benefits of strategic management of the overseas labour migration process due to lack of comprehensive migration policy. This in turn limits the country from getting the desired benefit from available overseas employment opportunities such as easing the unemployment burden to the country and increasing foreign exchange earnings for its economic development.

CHAPTERFOUR

ACTORS, ROLES, RESPONSIBILITIES AND PLATFORMS

Overseas Labour Migration Governance is a multi-actor business exercise where each actor has specific interests, mandates and roles. Xiang(2014) and Lindquist (2013) argue that labour migration is a form of a business where actors engage in the migration process driven by their interests to get financial gain out of the services they provide for their clients. On the other hand, Larkin (2013) argues that labour migration should be viewed as infrastructure where it focuses on the functions of actors and linkages between and among commercial, regulatory, technological, humanitarian and the social components in the migration cycle. What is common to these perspectives is existence of actors which have roles and responsibilities with linkages between/ among them in the migration governance. In this chapter, I will explore roles and responsibilities of state, non-state and private actors. In addition dealing with institutional set ups/ platforms which are institutional setup established to manage labour migration in the country.

4.1. Roles and Responsibilities of State Actors

As indicated in table 1 annexed, there are a number of state actors legally mandated to engage in overseas labour migration governance. According to MOLSA Director, the Ministry of Labour and Social Affairs is mandated to play central role in the overall management of overseas labour deployment process where it organizes migrants profile data, prepare labour employment contracts, give licenses to PEAs, follow up PEAs, re-new PEAs' licenses every year, provide capacity building training for staff and pre-departure orientation for migrants, among others.

There are also other actors which are mandated to engage in overseas labour migration. With this respect, The Ministry of Foreign Affairs (MoFA) Director explained that MoFA is responsible for searching for employment opportunities, establishing bilateral partnerships, authentication of document, coordination of employment contract processing, monitoring overseas employees deployed and organizing employees return during contract termination or other incidents that require repatriation of overseas employees. MOLSA Expert also confirmed that with guidance from MoFA, Ethiopian consulates are responsible for coordination and sharing of employment

contracts and other required document for overseas employment. In general MoFA plays the role of linking the deployment process to actors in the destination country where all the domestic actors, except PEAs sending applications to their counterpart PEAs in the destination country, passes through MoFA. Therefore MoFA plays the role of identifying international labour market demand and facilitates labour supply to the this market.

In terms of roles of actors, Office of Attorney General (AGO) expert pointed out that AGO is mandated to lead legal framework drafting, policy design, crime prevention and prosecution. The expert said that it also enforces corrections measures related to irregular migration, anti-trafficking and smuggling, and other criminal offenses. According to AGO Coordinator, among Prevention, Prosecution, Protection and Partnership roles, AGO plays the roles of prevention through awareness raising, prosecution through investigation and penalizing smuggling and trafficking criminals' cases occurred in the labour deployment process in collaboration with MOLSA and the Federal Police.

Federal Police Chief Inspector also indicated that Federal Police and National Security Services Agency are mandated to investigate and prosecute criminal offenses related to labour migration and other criminal offenses. The Chief Inspector further revealed that AGO is one of the main regulatory bodies in Ethiopia that engages in the prevention, regulation and penalizing any criminal offense in the process of overseas labour migration. However, AGO Expert indicated that the Office has limited power to enforce its obligations when the criminal offenses are cross-border ones except through partnership agreements with the Federal Police and Interpol to exchange international criminals. This shows that overseas labour deployment is a complex phenomenon and needs main actors committed to its accountabilities based on international conventions and bilateral agreements.

In terms of certification of training on occupation competences of the migrants, Federal TVET Agency Team Leader indicated that Ministry of Health/selected clinics and Ministry of Education/TVET Agency provide medical certificates and grade 8 completion and Certification of Competence COC certificates respectively. According to MOLSA Expert interviewed at his office in Addis Ababa, would be migrants are required to provide health checks including HIV, pregnancy, Yellow Fever, Tuberculosis and other communicable diseases. In terms of COC

certification, TVET Team Leader indicated, “Our Agency has been providing training such as house-keeping and food preparation for low-skilled overseas labour deployment particularly to the Gulf States.”

In this regard, MOLSA Expert also indicated that would be migrants need to get pre-departure orientation certificate before they travel to their respective destinations. These actors play the roles of improving labour quality standards that satisfy the needs of employers in the destination countries. However, Federal TVET Agency complained, “Interference of brokers who provide forged certificates (COC and grade completion) compromises the labour quality standard set by the government and overseas employers.” This indicates brokers are not only criminal actors but they are also setback to improve labour quality standards demanded by the international market. Therefore government works towards reducing such criminal offenses that hurt the market system.

This shows that Ethiopia works towards the commoditization and standardization of labour to improve its international labour market share in the international capitalist market system. This entails also that it is not only materials that are traded but human beings are also becoming traded goods driven by their desire to get better income.

Federal Urban Job Creation and Food Security Agency (FUJCFSA) is also among the key actors and it plays roles in both the sending and receiving loops of the migration cycle. An Expert interviewed at the FUJCFSA Office in Addis Ababa explained, “The Agency receives applications from job seekers at different levels in the country and shares the data to Bureaus of Labour and Social Affairs in the regions and to Prime Minister’s Office at the Federal level. Then Bureaus of Labour and Social Affairs allocate quotas to PEAs to process overseas labour deployment while data to the Prime Minister’s Office is shared to Ethiopian consulates in different destination countries through MoFA.”

In terms of the retuning loop of the migration cycle, MOLSA Director indicated that FUJCFSA is responsible for providing protection support to returnees through reintegration and organized unemployment data for actors. According to the Director, FUJCFSA provides skills training and where possible start-up capital for the returnees so that they could improve their income and

reintegrate with their community in Ethiopia. However, the 38 years old returnee from Lebanon after 17 year I interviewed at her café around *Megenagna* said, “I found that reintegration activities are not well organized. I and my workmates received skills training but we did not get any material or supportive supervision support.” The above views indicate that a lot of work needs to be done to improve the return migration cycle so that returnees will be willing to remain in their home country or at least to go through the legal system if they want to re-migrate.

In summary, the description of the roles and responsibilities of actors explained above supports Larkin (2013) argument that state apparatus and procedures used are one of the dimensions for regulatory functions in themigration industry and migration infrastructure theories. The above description also indicates existence of entities that work in the overseas labour migration to make profits such as PEAs while the government bodies focus on managing the migration process. As migration infrastructure focuses on facilitation of migration in five dimensions, private entities such as PEAs focus on facilitationof the process through engaging in the recruitment of migrants while AGO plays regulatory function and MOLSA plays overall management of the process.

The above roles descriptions also reveal that linksare established between and among the actors. Although there are actors, some management tools that enhance overseas labour migration governance are missing migration governance elements such comprehensive policy document, modern information technologies and functioning platforms.

However, availability of tools and infrastructures do not guarantee effective overseas labour migration governance because it needs effective use of tools for successful migration governance practice. To this end, MOLSA Expert interviewed at the Ministry in Addis Ababa said, “There is also lack of accountability and commitment of actors in the governance process due to lack of binding agreements and activities which were not in scope of work of staff that reduce the efficiency of labour migration governance.”

4.2. Roles and Responsibilities of Non-state Actors

In overseas migration governance, there are also non-state actors which play a number of roles. Among the non-state actors are UN agencies such as ILO and IOM engaged in migration management. To this end, MOLSA Director indicated that non-state actors mainly engage in capacity building training, governance documents preparation, supporting repatriation, transportation and reintegration of returnees especially during mass expulsion of migrants. In this regard, ILO Advisor interviewed at her Office in Economic Commission for Africa on January 13, 2020 explained ILO's roles as follows.

ILO based on its mandate to promote inclusive and sustainable economic growth, full and productive employment and decent work for all, it provides both technical (capacity building training), materials (training modules) and financial (furnish model houses with required technologies for COC training) in support of the Government of Ethiopia through MOSLA and other ministries to improve the performances of the government architecture in overseas labour deployment.

IOM has also been involved in capacity building support to state and non-state actors in Ethiopia. In this regard, IOM Labour Migration and Human Development Officer explained IOM's roles as follows.

IOM engages in the protection of migrants' rights through providing capacity building training on rights issues and awareness raising for labour migrants. It also provides capacity building training on negotiation skills for bilateral agreements and for labour attaches in Ethiopian embassies on how to follow up overseas employees in the destination countries.

As it can be seen from the above descriptions of roles of non-state actors, these organizations are mainly engaged in improving the technical skills of government personnel and establishing infrastructures for better migration management in the country. According to ILO (2019) mapping document, UN agencies working on migration issues include IOM, ILO, OCHA, WHO, UNICEF, UNIDO, UNODC and UNHCR. In general, these UN agencies involve in human rights, reintegration and economic development, security and justice, protection and vocational training among others. In terms of overseas employment, key UN agencies engaged are ILO and IOM mainly in capacity building and repatriation activities based on their respective mandates.

There are also other local and International Non-Governmental Organizations such as Agar-local, DICAC, GIZ and CRS engaged in migration management in Ethiopia. According to GIZ Better Migration Management Programme Advisor interviewed at her office near Economic Commission for Africa Office, these organizations are mainly engaged in providing (psycho-social, shelter, transportation) support for returnees, raising awareness and contribution to policy design activities.

In terms of the roles of these NGO, MOLSA Expert interviewed here in Addis Ababa said, “INGOs such as GIZ and CRS , and Local NGOs such as DICAC play the roles of providing material and technical support for refugee, returnees and internally displaced persons while local NGOs like Agar is providing temporary shelter and psycho-social support for returnees.” As indicated by the expert, most of the NGOs were engaged in reintegration of returnees through providing psycho-social, skills training, startup capital and supportive supervision support. These non-state actors’ roles in overseas deployment are not that much observable.

Description of the roles and responsibilities of the three groups of non-state actors show that these actors mainly contribute to improve overseas labour migration governance through providing technical, material and financial assistance for actors in the government apparatus in the country. However, according to GIZ Better Migration Management Programme Advisor, International Non-government Organizations mainly focus on refugee response and internally displaced persons, and rights of returnees rather than engaging in overseas migration such as labour deployment.

In fact, the GIZ Advisor also witnessed, “NGOs are mainly welcomed by the Government of Ethiopia to engage in task-force activities to combating smuggling and trafficking in persons and to provide protection for returnees starting from transportation of the migrants back to their home and integration with their communities.” This shows that NGOs engagement is skewed to refugee responses rather than in overseas labour deployment issues. Like UN agencies, their engagements are mainly on capacity building to the government apparatus, and returnees’ reintegration.

Overall, the description of the roles of non-state actors is in line with Larkin (2013) argument that humanitarian (NGOs and international organizations) is one of the five dimensions in designing and implementation of migration policy. These organizations support the migration infrastructure through technical and financial support, setting up international norms and laws and working towards migrant's rights protections among others. Engagement of these actors in labour migration also shows that the phenomenon is becoming increasingly complex international phenomenon which requires multiple actors to solve such complex problem.

4.3. Roles and Responsibilities of PEAs

The third group of actors which play roles in the migration industry in Ethiopia is the Private Employment Agencies. According to AUC (2018), "The business community benefits from labour migration and can contribute to migration and development in a number of ways, such as encouraging labour mobility through international work opportunities and attracting investments from the Diaspora through business." This shows that their roles and responsibilities in the industry emanates from their establishment objectives and associated legal obligations.

Taking into account the roles of businesses in overseas labour migration governance, PEAs Association President said that the Government of Ethiopia has legally permitted Ethiopian citizens to establish Private Employment Agencies (PEAs) to do business in the overseas labour migration process. As a result, the President pointed out that these agencies get profit through facilitation services for their clients for overseas deployment. Therefore, PEAs are among migration governance actors which play significant roles of creating links between employer and employee in the sending and receiving countries respectively.

In doing business in overseas labour deployment, a PEA Manager explained, "Private Employment Agencies are required to create legal relationship with similar agencies in the destination countries, open offices in Ethiopia, employ agency staff, follow up and monitor overseas employees and provide support for employees until they complete their contract and come back home." A business entity which fulfills the above requirements is legally permitted to play the roles of private employment agency in overseas labour migration process. However, these requirements identified by the Manager seem they were not met as there were many complaints by informants from government actors and the returnees.

In terms of PEAs' roles based on the 923/2016 legal provisions, Vice Manager of Azuze Overseas Recruitment Private Limited Company interviewed around 22 *Mazoria* in Addis Ababa on January 6, 2020 described her company's roles in the deployment process below.

In the process of facilitation of overseas labour deployment, like other PEAs, we advertise overseas job opportunities². We orient applicants on what is required for overseas employment. Based on our advertisement, we receive and review application documents³ of would be migrants and make ready for processing their applications. Then we share the document with our counterpart PEA in the destination country. We also work with MOLSA, Embassies, TVET Agency, health clinics in processing and authentication of application document. After the employees are deployed, we follow up overseas employees, among others.

The above interview summary shows that PEAs play important roles in the process of overseas deployment. However, their first receipt of the documents especially grade 8 completion, health check, COC and Identification (ID) cards may be gray areas for the submission of forged documents as complained by government offices and TVET Agency representatives.

Although there are the above gray areas, would be migrants confirmed that PEAs play roles overseas labour deployment. I met Ms. Merima (her name change); a 28 year old female would be Migrant from Awash area in Oromia Regional State interviewed around *Kazanichis* at MOLSA Office while she was signing her employment contract on January 15, 2020. Merima describe the application process hereunder.

I heard the opportunity from Ethio-Emirates agency and Training Center. While I called the Center, one agency staff advised me to bring active personal Kebele ID and Passport, family or representative ID, grade 8 completion certificate, medical Certificate and COC certificate. I submitted all of these documents and the center reviewed my document. Then I was trained paying the training center fee of 50 USD. Then the Agency facilitated the employment process. Finally, I am here to sign the contract agreement and be ready for travel.

As indicated by Merima, the Agency gives training and receives fees. While she had COC certificate, she was required to pay significant amount of training fee unlike other would be migrants who were given only orientation training free of fees. This shows there is inconsistency

²on online, job posts, and through networking with people)

³Certificate of grade 8 completion, Passport (New or renewed), COC promoted certificate-homecare, active Kebele ID Card, active contact person's ID card, medical certificate paper and 3 recent photos of the applicant

in the amount of payment agencies receive for their services. This in turn entails lack of uniform implementation of the legal provisions for PEAs.

There are also other private businesses and public organizations that are engaged in overseas labour employment processes and benefited from their services. In this respect, Ethiopian Airlines engaged in transportation of migrants while commercial banks in Ethiopia involved remittance transfers for overseas migrant employees and providing loans to returnees based on their savings in hard currency. These business organizations receive fees for their services. In addition to increased saving for migrants, PEA Expert interviewed at his Office around *Kassanchis* in Addis Ababa indicated that saving practices help agencies to follow up whether the employer regularly pays salaries of employee as the agency can check migrants local bank account deposits every month.

The above descriptions on the roles of PEAs and private business entities indicate that Ethiopia has legally permitted private businesses to play roles in overseas labour deployment process and profit out of their services. This entails that designing comprehensive migration policy should engage the private sector in the process so as to accommodate interests of these actors and make them aware on the requirements and working procedures in policies and legal frameworks from the outset. Engagement of private businesses in the labour deployment process is also in line with Larkin (2013) five dimensions which consider private employment agencies as entities that play important roles in the recruitment process driven by their interest in making business out of their facilitation services for the employees and employers.

However, engaging private entities and having well-crafted comprehensive policy cannot be a guarantee for improved migration governance because effective implementation also involves having committed PEAs that change the policy and other migration governance tools into practice.

4.4. Platforms for Overseas Labour Migration governance

Different Platforms/institutional setups are used for labour migration governance in Ethiopia. These institutional setups are established to facilitate sharing responsibilities and

experiences along with creating linkages among actors in the migration infrastructure. They are also used to provide performance updates for other actors.

In this regard, Ethiopia has a number of migration governance coordination mechanisms (details are Annex in Table 2). These platforms are in line with the views of Xiang and Lindquist (2014) who argue, “Systematically interlinked technologies, institutions and actors that facilitate and condition mobility” in the migration infrastructure. According to the proponents of this view, a systematic link between and among the commercial, regulatory and humanitarian networks is needed for effective governance in the labour migration process. To this end, the Government of Ethiopia established national councils and task forces together with thematic based technical working group. These are institutional set ups to perform tasks in the migration cycle. Brief descriptions of these platforms are presented hereunder based on data from Table- 3 annexed.

National Anti-Human Trafficking and Smuggling Council: as the name indicates, it is a national institutional set up to link different actors at the national level. According to AGO Senior Prosecutor, “The Council is the highest level platform led by the Deputy Prime Minister involving government ministries and agencies, religious institutions, intergovernmental organizations and national civil societies.” In terms of the mandates of this institutional set up, AGO Expert explained that though the main focus of the council is illegal migration, it is also responsible for the prevention and protection of criminal offenses that cross-over from the legal migration process. The views of these informants indicate that the council working with the national task force is responsible to combat criminal offenses which occur in overseas labour migration process. According to the Expert, “This is a platform which focuses on strategic level migration governance issues where it gives direction in designing policies, drafting legal frameworks and others.” The Senior Prosecutor further reiterated that this council is the highest institutional set up which gives ultimate and strategic direction in the migration governance process.

National Anti-Human Trafficking and Smuggling of Migrants Task-Force: is coordinated and chaired by the Attorney General. According AGO expert, “The National Task Force is mandated to evaluate, assist and direct task forces established to execute and manage labour migration governance activities.” According to the Senior Prosecutor, it also leads and evaluates

the secretariat and various working groups. Moreover the Expert state that the task-force is mandated to follow up and evaluates tasks conducted in regions and city governments; organizing forums to exchange experiences; holding periodic meetings and supervising Technical Working Groups among others.

As the above institutional set ups involve high officials at the national level who are likely to have other competing engagements, they may not have direct engagement in the migration governance process rather they may depend on the reports from lower structures. Given the complexity of the migration phenomena, they may miss what is happening in the day today deployment activity except from reports by Technical Working Groups (TWGs).

According to MOLSA Director, TWGs are the closest structures that serve as linking offices and agencies which are working on the same thematic issue in overseas labour migration management. To this effect, MOLSA Expert said, “There are four thematic based TWGs, namely: Prevention, Protection, Investigation and Prosecution, and Research and Supervision.” Each TWG is briefly described with its functions below.

(1) Prevention: According to MOLSA Director interviewed at his office around *Kasanchis* in Addis Ababa, Prevention TWG is led by MOLSA and focuses on overall management of overseas labour migration. In this regard, the Director explained, “This group specifically focuses on providing licenses for PEAs, supervise PEAs, give capacity building training for actors, manage overseas labour contracts, among others.” MOLSA Expert interviewed at the same office also indicated that when criminal offenses in the migration cycle occur, the prevention group organizes criminal cases and MOLSA submits the cases to AGO for investigation and prosecution. This is the working groups that performs and manages the duties and responsibilities of MOLSA in overseas labour deployment process. The working group as its name indicates is not along-term institutional setup which focuses on short-term actions rather than working on long-term and strategic interventions to migration governance in the country.

(2) Investigation and Prosecution: is led by the Attorney General Office (AGO). In this regard AGO Senior Prosecutor states, “The group coordinates policy design and drafting laws for migration governance and investigates and prosecutes criminal cases in collaboration with The

Ethiopian Federal Police.”AGO Expert interviewed at the same Office also indicated that the investigation and prosecution team gives awareness raising for the public on crimes related to smuggling and trafficking in persons and promoting legal overseas employment. The Senior Prosecutor further indicated that the team takes a lead role in the design of the laws and policies but the implementation centers at MOLSA. This working arrangement is focused on regulatory aspects of migration governance as Kusminder (2018) observed that labour migration governance in Ethiopia is dominated by efforts to control rather than manage the phenomenon may due to the fact that laws might be influenced by AGO mandates that focus on investigation and prosecution of criminal offenses rather than managing the labour migration process.

(3) Protection: During an interview with Federal Urban Job Creation and Food Security Agency (FUJCFSA) Trade and Development Services Expert at his Office around Mexico Square in Addis Ababa, the Expert stated, “The Protection group is led by FUJCFSA and its tasks focus on reintegration and job creation activities for returnees.” The Expert also pointed out that the Agency through the members of this technical working group is also tasked to organize data on available business options and profiles of unemployed people in Ethiopia so as to share the data to the Government of Ethiopia and its partners engaged in job creation activities both in-house and abroad.

The Agency seems to focus on the return side of the migration loop through its reintegration activities while it also serves overseas migration through providing labour supply data to actors engaged in searching for labour markets for Ethiopians within the country and beyond. However, there are complaints among returnees as Merima, 38 years old returnee interviewed at her café around *Megenagna* indicated that the Woreda Job Creation Office gave her and her work mates training. However, she said, “The Office did not give us supportive supervision as promised.” This shows that the FUJCFSA’s intervention is not strong as it could be. This kind of intervention will bring about disappointment in the returnees and may push returnees to re-migrate. In the end, this situation will create challenges for migration governance in the future.

(4) Research and Supervision: it is led by the Ministry of Education. In an interview with Accreditation Team Leader of Federal TVET Agency at his office located around *Lamberet* in Addis Ababa, he said, “The Ministry through the Federal TVET Agency is responsible for

providing COC training and checking the authenticity of grade eight completion certificates of would be overseas employees.” The Team Leader also said, “This team is responsible for playing supervisory role for research activities on education and training related to migration.” According to the Team Leader, the meetings with stakeholders such as MOLSA, MoFA, FUJCFSA, ILO and others are ad-hoc. However, the Team Leader explained that the Agency has gaps in skilled human resources and facilities such as databases. In this regard, he further pointed out, “Due lack of skilled human resources, sometimes I find trainees especially who were in Gulf Countries before are by far better than Agency’s trainers assigned.” In addition, the Team Leader pointed out that absence of database that connect the Agency to the Ministry of Education and Education Bureaus and Offices to the regions and woredas, left the Agency unable to check the authenticity of grade 8 and COC certificates submitted by applicant for overseas labour deployment. These scenarios depict that lack of skilled staff and necessary facilities serve as entry points to brokers to use forged documents to deploy overseas employees.

In general these thematic technical working groups are used to create linkages among sector based actors in overseas labour migration management and serve as bridges between the national council and taskforce. To this end, they provide technical support to actors and serve as sources of information in designing governance tools such as proclamations and policies. They are responsible to conduct research for informed decision for officials and businesses actors in the migration infrastructure. The council, taskforce and TWGs represent institutional setups that link the government apparatus for management and regulatory functions in the migration cycle.

However these teams are organized as ad-hoc institutional setups and they do not have binding agreements that hold accountable when there are poor performances of members. As a result members tend to ignore TWG activities when they encounter competing assignments. This trend causes poor and sluggish performance in the migration management process. However, given the complexity of the migration phenomenon, the government involves multiple state, non-state and private actors which need strong and binding agreements among the team members for improved accountability and better performance to respond to this complex phenomenon. This left migration governance in the country is still influenced by control mechanisms where migration governance uses proclamations for regulation.

Private Employment Agencies Associations: With respect to PEAs, Association President interviewed in his office around *Kasanchis* in Addis Ababa pointed out that there are also three associations of PEAs establish to share learning from each other and have collective voice to deal with the government and other actors involved in the migration industry. Another Association President interviewed in his office around 22 *Mazoria* in Addis Ababa described the complexity of the management of PEAs saying, “PEAs are proliferated and increased to more than 800 rapidly so that organizing in three Associations for easier management and information sharing among the agencies and government regulatory bodies has been mandatory.” The proliferation of PEAs depicts that the overseas labour deployment business is attractive. This lucrative business scenario usually attracts illegal actors to engage in. This in turn calls for applying effective migration management system so that PEAs are working in line with rules, procedures and legal provisions of the Country. This will enhance legal migration while it discourages illegal migration as PEAs and other actors consider lengthy and cumbersome labour migration process is one of the push factors for migrants to indulge into illegal practices.

According to Association President interviewed in his office around *Kasanchis*, “Illegal brokers are very powerful and they usually threaten owners of PEAs as illegal brokers fear we expose them.” This shows existence of competition between legal and illegal actors in the business which calls for government to set up strong regulatory mechanisms in the migration cycle so that it combats illegal practices and enhance legal deployment processes.

Given absence of appropriate information technology in MOLSA and the large number of PEAs scattered at different locations, having associations could be better arrangement that enhance information exchange between and among PEAs, and the regulatory government apparatus. This group represents private entities engaged in the recruitment process among Larkin (2013) the five dimensions in overseas labour migration phenomenon.

Humanitarian Organizations Coordination Mechanisms: In addition to the above coordination mechanisms, migration governance in Ethiopia involves CSOs where these actors have structures such as CSO Task-Force, National level Steering Committee and Project Steering Committee. In this regard, Urban Job Creation Expert indicated, “These coordination mechanisms take responsibilities for reporting performances and exchange experiences to actors

engage in migration management.” Although there are a number of national and international humanitarian organization and UN agencies, most of them are focusing on refugees and internally displaced persons response rather than working on overseas labour migration issues. As overseas labour migration is a cross-border issue, particularly International No-governmental Organizations could make effective contributions through sharing their skills and international experiences for the domestic actors.

In this regard, ILO Advisor interviewed in her Office in Economic Commission for Africa compound in Addis Ababa indicated that UN agencies such as ILO, IOM, OCHA and UNICEF are the main actors in the labour migration process through capacity building, emergency response and prevention and protection of migrants’ economic, social and legal rights of both migrants for employment and/or due to other reasons.

IOM Expert interviewed in his office around *Bambis* in Addis Ababa also said that there are international and local NGOs which are engaged in labour migration issues especially repatriation and reintegration activities such as German International Cooperation (GIZ), Catholic Relief Service (RS), International Rescue Committee (IRC), Save the Children, World Vision, Danish Refugee Council, Norwegian Refugee Council and ZAO (Dutch translation of South East Asia) among others. MOLSA Expert interviewed in his office around *Kasanchis* in Addis Ababa also revealed that local NGOs such as Ethiopian Orthodox Church –Development and Inter-Church Aid Commission (EOC-DICAC), and Agar are providing psycho-social, shelter and other reintegration supports to returnees.

In summary, the roles of humanitarian organizations mainly focuses on provision of capacity building and awareness raising support to the Ethiopian government architecture involved in the migration infrastructure. These organizations also play significant roles in the provision of technical support for reintegration of migrants into their communities.

The above multiple actors involved in migration governance through multiple institutional set ups depicts that overseas labour migration is a complex phenomenon and needs many actors. This scenario is in line with Lavenex and Panizzon (2011) who argues existence of multiple actors and partnerships in international labour migration management. Therefore, in designing

comprehensive migration policy for Ethiopia, these organizations should be considered as sources of inputs especially through technical and financial support for policy design and implementation.

In terms of synergies among and between the actors, existence of national and thematic platforms described above supports Xiang and Lindquist (2014) argument that migration infrastructure requires a systematic interlink of actors to facilitate and condition mobility. OSCE, ILO and IOM (2006) also argue that inter-ministerial coordination and inter-state cooperation helps labour migration management. The current effort by the Government of Ethiopia which sets up institutional arrangement to facilitate migration governance seems to be in line with the current migration governance management trends. However, these institutional arrangements need to be strengthened and managed by a dedicated institution with legal mandates so that accountability will be increased that will lead to better performance.

To this effect, national platforms have both horizontal and vertical relationships. The horizontal relationship is among the government apparatus at national level while there vertical links are platforms at different levels of their structure to the woreda level. Thematic level TWGs and non-state actors groups are usually used to establish horizontal linkage among actors at the national level. All these arrangements are in the form of committees and ad-hoc arrangements which lack binding agreements with accountabilities to members' responsibilities. This entails the need for a dedicated institution accountable for labour migration governance in the country.

As a result of lack of dedicated institution accountable for labour migration management, platforms/institutional set ups have inefficiencies due to different factors. To this end, Federal TVET Team Leader said, "Platforms are organized on ad-hoc basis where members have other priorities that they are accountable for in their job descriptions and mandates, performance is usually poor and seen as secondary by actors." As indicated by the Team Leader, actors lack dedication and accountability which reveals existence of poor performance in the labour migration governance process in the country. In the absence of such dedicated institution for overseas labour deployment, existence of multiple platforms may increase difficulty to manage these platforms rather than improving efficiency of the deployment process.

4.5. Actors' Roles in the Prevention and Protection of Migrants' Rights

One of the important issues in migration is prevention and protection of migrants' rights. With this in mind, migration governance law is designed to serve actors to ensure the rights of migrants at any point in the migration cycle. To this end, MOLSA Directors explained, "State, non-state and private actors have the responsibilities and obligations enshrined in national policies and legal frameworks and conventions to ensure protection of migrants' rights."

In terms of protection of migrant's rights, MOLSA Director also indicated that the Ministry and other actors are required to include migrants rights issues in the contents of bilateral agreements and employment contracts, among other, to ensure migrants' rights protection in the migration process. According to the Director, these rights include migrants' rights to get recruitment information, right not to perform activities that are not in the employment contract, rights to get sufficient compensation for employee's services and the rights to live in dignity and get protection from gender-based violence. These rights ranges from rights for informed recruitment to execution of employment services as stipulated in the employment contract.

These rights emanate from "international legal frameworks, international conventions, protocols, procedures, salary payment requirements and capacity building activities⁴ which are used in sending and destination countries." In terms of responsibilities of private business agencies, PEA Association President stated, "Ensuring the rights of overseas labour migrants deployed are among main responsibilities of the agencies enshrined in Proclamation No.923/2016." However the Association President also observed that it was very difficult for Agencies to hold employers and agencies in destination countries accountable due to financial and jurisdiction constraints. Due to these constraints, he said migrants should have awareness, skills and mitigation strategies to augment occurrence of causes for rights violations.

Focusing on the causes that expose migrants to rights violations, returnees and experts consulted witnessed that, particularly at the beginning of the contract period, lack of language and

⁴Convention 181 on private employment agencies; global treaties and protocols customized to Ethiopian national context; use procedures to ensure migrants' rights ;providing capacity building for migrants before departure so that the migrants know about their rights to demand their rights wherever they live and work; assign labour attaches in the Ethiopian consulates in the destination countries to support ensuring the rights of the migrants; ensure employees receives their salaries timely and send it to Ethiopia, salary agreed should not be reduced among others.

other skills coupled with employee's lack of confidence are the main sources of human rights violations. Another factor that exposes migrants to rights violation according to MOLSA Director is the legal status of migrants.

In this regard, the MOLSA Director observed that legal migrants have better protection than illegal ones because MOLSA, PEA, MoFA (consulates) and Immigration Department in collaboration with other stakeholders intervene as quickly as possible for the protection of the rights of legal migrant. As indicated in the views and observations of experts, the main causes of rights violations are lack of skills, confidence and legal status of migrants. Therefore migration governance tools should focus on mechanisms to reduce if possible to avoid these causes.

Although the above institutions and legal instrument are available, migrant rights violations have continued to happen due to various factors. Like rights violations other migrants faced, Konjit, 30 years old re-migrant who is married and have 2 children that I interviewed her at MOLSA Office around *Kasanchis* in Addis Ababa on January 15, 2020. She recalled her experiences with grief saying, "I faced backbreaking work, attempted rape, physical attack, dehumanizing insults, denial of food and many other rights violation in my employers' home". Konjit also revealed the worst form of rights violation she faced saying, "I was sold to a second employer with 50 USD profit margins to my first employer every month". To the researcher's surprise, while returnees have faced such worst experiences, they have decided to go back to another country because re-migrants told me that facing those rights violations was better than suffering from dire poverty is poverty back home.

In this regard, Semira (her name changed), a first time migrant, was aware of the challenges and she described her expectations, "I understand that I may face challenges in the new country due to lack of language skills, misbehavior of employers, delay in salary payment, lack of provision of necessary inputs for my duties in the house and lack of enough rest, among others." Although first time would be migrants expected challenges in the destination country, these group of migrants seem to have brighter expectations than the re-migrants.

In general, the above descriptions of actors' engagements in the protection of migrants indicate that actors and legal frameworks are available to ensure migrants' rights. However, migrants'

rights violations have continued to occur due to lack of enforcement of legal instrument. The description also shows that mainly migrants' rights violations are caused by lack of migrants' capacity to cope expectations of employers particularly at the beginning of the contract period. These multiple factors for the violation of migrants' rights call for actors' strategic engagement to build capacities of migrants and to enforce legal instruments to prevent and persecute rights violations in the migration process.

Overall, among the main issues which migration governance structure needs to consider are migrants' rights including access to basic social services, family rights, the right to work, and long-term residency and paths to citizenship (IOM 2015; Economist Intelligence Unit 2016). As it can be seen from the rights violations issues raised, most of the rights violations are related to social, economic and legal rights of migrants. Therefore, having strong governance actors and systems could help migrants to enjoy these rights. In addition, setting up efficient migration governance could lead to reduced illegal migration practices that would result in reduced migrants' rights violations.

Literature review indicates that migrants to the Gulf Countries are dominated by low-skilled domestic workers. This scenario further complicates Ethiopia and its partners' efforts to ensure the rights protection for these domestic workers. According to ILO (2017), the situation of domestic workers is the most problematic issue since they are usually excluded from the legal framework that ensures protection to the other categories of workers. This situation indicates labour migration to the Gulf countries needs well-coordinated migration governance actors with dedicated institution and with sufficient labour migration governance frameworks.

CHAPTER FIVE

LABOUR RECRUITMENT AND DEPLOYMENT PROCESS

Overseas labour deployment involves recruitment, deployment, and monitoring and follows up of employees throughout the contract period. In view of this, this chapter discusses steps involved in overseas labor migration and deployment processes. These steps cover migrants' preparation for submission of application to PEAs, application processing until signing contract, signing the contract, taking pre-departure orientation, organizing flight documents, travel to destination country and joining the employer in the destination country. This chapter also presents issues related to data management and training associated with overseas labour migration governance in the country. Furthermore, it highlighted arguments on management and control on migration governance in light of migration governance practices in Ethiopia.

5.1. Labour Recruitment Process

Recruitment process in Ethiopia is done based on Proclamation No.923/2016 provisions, the Private Employment Agencies Convention, 1997 (No. 181) and bilateral agreements to prevent abuses and fraudulent practices (ILO, 2017). In light of the interviews of MOLSA Experts and PEAs Managers coupled with observations made, the recruitment process generally passes through the following six steps:

Step 1: Preparation for Submission of Application to PEAs: According to ILO (2017), agencies advertise jobs after PEAs get approval from MOLSA. Based on the advertisement, applicants prepare and submit application documents to PEAs. According to Azuz Agency Manager interviewed at her office around 22 *Mazoria* in Addis Ababa, applicants may have access to PEAs in two ways- through PEA's own job advertisement and job seekers applied to MOLSA Offices especially in regions where PEAs get applicants through quota system. To this end, one of the PEAs' Deputy Manager interviewed at his Office around *Kasanchis* in Addis Ababa indicated, "After applicants communicate our office, we advise them to organize their documents such as grade 8 completion certificate, renewed kebele identification card, renewed passport, health check, renewed representative's identification card, COC certificate, and three recent photos of applicant and submit to our Agency."

In terms of education and training, an applicant is required to submit grade eight completion and COC certificates these are important provisions of proclamation 923/2016. Regarding COC certificates, Federal TVET Team Leader revealed that migrants to the Gulf Countries mostly take homecare and food preparation training for females and driving for males. These documents are needed to ensure the quality of labour for the employer.

Renewed Kebele ID card and Passport (with finger prints to Immigration and Security) are also needed for personal identification of the applicant. In this regard, AGO Expert explained that finger print certificate from Police and passport collected from the Immigration and Security Office are used as evidences in case of any criminal offense against the applicant or any crime committed by the applicant himself/herself throughout the migration cycle. According to the Expert, these documents are thus partly needed to fulfill the requirements for ensuring security of the migrant in the immigration process.

Furthermore, health check certificates of the applicant particularly on HIV (human immunodeficiency virus), Yellow Fever and other communicable disease are needed. The applicant is also required to present non-pregnancy check result. All these health and pregnancy checks must be from selected clinics in Ethiopia. Once the applicant submits all these documents, she or he can be registered. Then, these documents are sent to the representative agency in a destination country in search of an employer. If an employer is found, the representative PEA in the destination country, through Ethiopian consulate, sends employer's agreement with applicants documents to Ministry of Foreign Affairs here in Ethiopia for further processing. These certificates are intended to ensure that the migrant does not have any health challenge or pregnancy as impediments to carry out her/his duties as per the employment contract. This document is also used by insurance companies at destination country to sell insurance policy cover for labour migrant. This is also intended to make sure that the labour migrant.

However, application document submission faces a number of challenges. One of the challenges was pointed out by FTVETA Team Leader saying, "Applicants submit fraudulent grade 8 completion and COC certificates which are very difficult to authenticate due to lack of systems which serve Education Bureaus, TVETs and even PEAs to check the authenticity of the

certificates.”Konjit, a would be migrant also said that the application requirements are many in number and are time consuming to collect them for preliminary application.Lack of proper system coupled with large number of documents required to apply for overseas labour deployment, could be push factors for applicants to resort to corrupt practices with PEAs in order to avoid the lengthy process of getting authenticated certificates.

Step 2: Application Processing until Signing Contract: Applicant’s documents with a curriculum vitae prepared by agency for each applicant are sent to employers through the representative agency in the destination country. Then the representative agency sends employer’s agreement letter to PEAs in Ethiopia.After the applicant gets employer’s letter of agreement, the PEA and the applicant organize pre-departure certificate, insurance coverage, bio data from the system after VISA, contact number of the employee and signed contract agreement from the employer are submitted to MOLSA for further processing with Embassy and MoFA. PEA collect submitted documents with receipt from Embassy paying USD 15. Then VISA receipt is submitted to MOLSA following a USD 10 VISA fee payments on “*Enjaz*” system.Finally, MOLSA and Ethiopian Embassy in the destination country approve the contract based on employer’s agreement and application documents. Finally MoFA approves and submits the stamped document to MOLSA in Ethiopia. This document pack will be ready for would be migrants to sign on the final page of employment contract prepared based on MOLSA’s model employment contract.

As the above description indicates, this step further complicates the process because documents pass through different offices both in sending and receiving countries. Lack of national database system to facilitate this process was one of the challenges in processing documents to get final approval. To this end, PEA Officer interviewed in his Office around *Kasanchis* in Addis Ababa said, “Lack of database systems in MOLSA creates inconsistencies and uses of hard copies to process application, even sometimes documents disappear and we are asked to re-submit which usually delays the contract approval. This situation disappoints applicants, agencies and even employers.”The long application process coupled with lack of using proper information technologies to facilitate the process are the push factors for PEAs and applicants to resort to illegal labour migration practices. This practice in turn may expose labour migrants to human traffickers and smugglers.

Step 3: Signing Contract: After having the employment contract documents pack, MOLSA Officers in Ethiopia produce schedule for would be migrants to sign the employment contract. After the contract is signed by the employee, it is uploaded on “*Musaned Database System*” especially for KSA migrants. This document pack is a working document of the employer, employee, PEAs and MOLSA throughout the contract period. The employer is expected to apply provisions in the employment contract while the employee is expected to perform tasks indicated in the contract. Government and private actors also use the contract document to follow up with the employee; and as evidence in case of any criminal offense by any actor in the process.

The ‘signing contract’ step also has challenges as explained by MoFA Middle East Director General saying, “Facilitation of signing contract at MOLSA in Addis Ababa is very slow to the extent where one Officer takes the whole day to facilitate signing one contract.” As a result, MoFA Director observed that Ethiopia lost 10,000 jobs in February 2020 only. Agency Manager interviewed in her Office around 22 *Mazoria* in Addis Ababa also indicated, “We sometimes miss contract documents submitted to MOLSA Office and required to re-submit the documents which require us to repeat this tiresome process to the disappointment of us and the applicants.” Merima, 28 years old would be migrant from Awash in Oromia region interviewed at MOLSA Office shared the experiences of the above informants saying, “The process was a waste of time for me. I started the process in April 2019 and finished it in January 2020 where the process took me almost one year.”

The views of these informants indicate that there is inefficiency at MOLSA which might have emanated from lack of skilled human resources and facilities. This human resources inefficiency may also be due to conflict of interest from MOLSA employees to benefit from illegal migration businesses through creating disappointment in the legal systems, which pushes the migrants to the illegal system as applicants were observed complaining and talking to each other while leaving MOLSA Offices.

Step 4: Taking Pre-departure Orientation: Having approved contract and VISA; a migrant is now ready for travel and deployment. At this stage, migrants are provided with pre-departure orientation training. Pre-departure Manual for Ethiopian Migrant Domestic Workers (2016) indicates that the aim of pre-departure training is to ensure that migrants have sufficient

knowledge on travel documents, to adhere to airport and customs procedures, sufficient knowledge on flight safety, smooth experiences in customs clearance in destination country and in meeting their employer/sponsor. The pre-departure training is also intended to raise awareness on work permits in destination countries, ensure migrant's labour rights and application of contract, basic knowledge on HIV/AIDS, other reproductive health issues, occupational safety, sexual violence, importance of saving, coping with stress, Arab culture, and vision and plan for return. At the end of the training, migrants are advised to make sure that they have their families or representative's telephone number to call back on arrival. Migrants are also advised to open bank account in Ethiopia before their travel so that they can deposit some of their salary every month throughout the contract period.

In general, the objectives and associated contents of the training manual appear to be in line with the challenges migrants expected to face as Zeinaba (her name changed), 23 years young woman re-migrant from Gondar town who is married and has one child explained. In an interview with her at MOLSA Office around *Kasanchis* in Addis Ababa while she was signing her employment, she stated the challenges she expected in the destination country below.

From experiences from my previous employment, I may face bad human behavior especially from my employer's wife due to her suspicion that her husbands may be interested to have love affairs with me. When I was working as a domestic worker in one of the Gulf countries, the wife always used to order me to hide in another room and I was not allowed to be in the same room with the family while the husband stayed with them. Driven by suspicion that husbands may have love affairs with their domestic workers, I observed wives usually complain on domestic workers' inefficiencies. I may also face the same challenge from employer on my performance. I also expect deduction of my salary and prohibition of sufficient rest time and food.

In light of the contents of the pre-departure training module and the views of the migrants, the training appears to be relevant to overseas domestic workers. However, the training is provided in Addis Ababa which may require migrants from regions to cover costs to stay in Addis Ababa during the training. According to FDRE and ILO (2016) the training using nine modules should be covered within 690 minutes or 11 and half hours. Given the educational status (minimum grade 8 complete), the time allocated to cover the training seems shorter. This may entail that training is provided for the sake of having the certificate rather than inculcating the knowledge and skills migrants are expected to have at the end of the training sessions.

Step 5: Organizing Flight Documents and Travel to Destination Country: After would be migrants take the pre-departure training, PEAs Associations President interviewed around 22 *Mazoria* in Addis Ababa said that PEAs buy air ticket for labour migrants. According to the Vice Manager of Azuze Overseas Labour Deployment Agency, migrants are provided the air ticket and a T-shirt on which the name of the migrant, and name and address of sending agency and receiving are printed for identification upon arrival at the destination airport. Then migrants are given final advice to make sure all travel documents including, employment contract and migrant ID card, destination country PEA's address with telephone, VISA, air ticket, representative's telephone, their bank account, and other necessary documents are ready before they go to Bole Air Port.

Step 6: Travel and Join the Employer in the Destination Country: Upon arrival in the destination country, would be migrants meet with the PEA's representative agency in the destination country. Then the agency takes the employee to her/his employer to start her/his work as indicated in the contract agreement.

Like other steps, the travel process also poses challenges to the migrants. In this regard, PEAs Associations President interviewed in his office around Kasanchis in Addis Ababa said, "Our main challenge during the travel is mainly related to migrants' runaway at the destination country Airport. In case of such migrant workers run away from the airport, the PEA which sent the employee is liable to send another migrant worker on its own expenses which causes PEAs to incur extra costs." In this respect, Azuze Overseas Employment Agency Manager also said, "While breaching agreements is easy for our counter parts in the destination country, such incidents give more right to levy punishment on us because employers and agencies in destination country has more options so that they easily interrupt our agreement and resort to employees from other competing countries." This scenario reveals that labour supply in the global market is higher than labour demand where buyers have more choices to satisfy their labour needs.

Despite the gaps discussed, the above rigorous recruitment process indicate that the Government of Ethiopia is striving to join the global labour market supply. As a result of the Government's desire to use the international labour market, it has started commoditizing human labour and

trying to supply quality labour through training and following strict selection process in the same way it is done for any other export commodity to the international market. To this effect, the Government of Ethiopia is striving to strengthen its migration infrastructure with modern information technologies and institutional setups to improve the efficiency of the process and to reduce challenges caused by long bureaucratic systems that satisfy international labour demand along with reducing push factor for migrants not to indulge into the illegal route.

5.2. Training Associated with Overseas Labour Migration

Overseas labour deployment involves a number of training provisions for state actors' and private agencies staff and for would be migrants. Training provided for each group is briefly described hereunder.

State Actors' Staff: in order to improve government staff performance in managing overseas labour migration, trainings are provided. To this end, ILO Advisor said, "IOM in collaboration with the Government of Ethiopia produced TOT training manual with which IOM and ILO provide Training of Trainers for MOLSA, AGO, MoFA and other government offices staff on international conventions, requirements to provide license for private employment agencies and giving orientations to labour migrants, how to prepare bilateral agreement and contract documents and other issues."

MOLSA Expert interviewed at the Ministry's office also revealed that non-state actors especially ILO and IOM provide different training on overseas labour migration management for Ethiopia Government apparatus staff. In doing so, ILO Advisor said that ILO executes its mandates towards the promotion of access to decent work for people while there is respect for human rights in line with international conventions and principles.

According to FDRE and IOM (2017), government staff training was intended to enhance knowledge and skills of staff on; concepts of overseas labour deployment, interests for overseas labour migration, behaviors and politics related to overseas migration. The training is also intended to improve staff understanding on international legal frameworks, international partnership to facilitate international migration governance, protection for overseas labour migrants and policy options for overseas labour migrants' protection.

In addition to Ethiopia government staff, awareness raising training was provided as Migration and Development Coordinator revealed, “IOM provides community awareness raising on prevention and protection of illegal migration and proper management of legal migration for the benefit of migrants, sending and receiving countries.” As the community is the source of push factors and migration networks, enhancing the awareness of the community on the pros and cons of overseas migration would help to promote legal migration while discouraging illegal migration practices.

In general, the training focuses on providing knowledge and skills on understanding international migration and legal frameworks and policies needed to facilitate migration governance. The training is also important to improve inefficiencies in government offices like in MOLSA so as to cope up the increasing complexity of international labour migration.

However, observation of the working process at MOLSA Head Office revealed that staffs were very much disorganized and documents were scattered here and there. This may be one of the evidence for PEAs complaints due to frequent missing would migrants’ application documents submitted. This in turn was a real challenge migrants faced delayed in signing of contracts and employers’ disappointment and resort to other labour market sources. This therefore indicates there is still skill and commitment gaps of staff working in overseas deployment process. Overall training and other capacity building efforts supported by non-state actors are potential opportunities to improve staff capacities of the state apparatus.

Migrant Workers: Migrant workers also get Certificate of Competence (COC) and pre-departure training. Regarding the objectives of the COC training, Federal TVET Agency Team Leader indicated, “COC training for migrants for labour deployment in the Gulf Countries focuses on housekeeping and food preparation because employers in the receiving countries need domestic workers with skills in the two areas.” Based on proclamation No.923/2016 provisions, training applicants are required to present grade eight completion certificate to take the COC training.

In this respect, Team Leader also stated, “TVET Agencies and MOLSA provide training on skills such as homecare, housemaid, driving, etc.) as a requirement for would be overseas

migrants.” According to the Team Leader, “Having the required skills, improves employee’s performances and reduces causes for migrants’ rights violations.”

In order to improve COC training provision to migrant workers, ILO Advisor revealed that ILO provides financial support to furnish Technical and Vocational Education Training Centers for better skill training for would be labour migrants. FTVET Agency Team Leader also confirmed, “TVETs received appliances to provide practical training for would be migrants in a similar situation to the homes of employers’ in the destination country.” To this end, MOLSA Illegal Labour Recruitment Prevention Team Leader further pointed out, “Stakeholders support 16 public TVETs on establishing training facilities for would be migrants.”

Another training provided for overseas migrant workers is pre-departure training described in detail under step 4 in the recruitment and deployment process. In general the orientation training intends to equip migrants on necessary travel and contract documents and procedures to travel to the destination country. It also includes training that equip overseas migrants how to reduce challenges and if occurred how to cope up challenges in the process of performing tasks in the destination country as indicated in the labour employment contract. To sum up, these trainings are provided to improve the quality of labour supply based on the demands of employers in the destination country and to reduce causes for migrants’ rights violations.

Even though the above skills trainings have been provided with modules and training facilities, would be migrants are still inefficient. In this regard, Federal TEVT Team Leader observed, “Trainees were not effective after they got training in the centers because centers lack skilled trainers as to the standards of and demands of the employer.” This shows that though the Government of Ethiopia and its partners strive to improve labour quality through training and strict requirements so as to satisfy employers in the destination country, labour exported from Ethiopia to the Gulf Countries remain below the demands of the buyers.

In addition to the lack of producing skilled workers, training provided by TVETs was also criticized for the lengthy course contents and inefficient trainers. To this end, Konjit, would be migrant, who had previous experiences in GCC states witnessed, “COC training is unnecessarily long and it needs to be shorter through reducing repetitions of the course contents.” Konjit’s

comments were complemented by FTVETA Team lead saying, “In the training sessions, I observed some would be migrants with previous experiences as domestic workers in the Gulf Countries had better knowledge and skills to perform housekeeping and food preparation than even our trainers it may be because these migrants learned by doing.” The views of the informants entails that training is important to enhance the capacities of migrants. However it also indicates the need for making tailor-made and relevant contents of training materials based on migrants’ skills and experiences.

In general, these efforts to improve the skills and performance of the labour migrants enable to perform their duties indicate in their employment contract better so that satisfy employers’ satisfaction. Better performance and reputation of the migrant employees in the destination country will create more demand for Ethiopian domestic workers in the future so that more domestic workers would be exported. In addition to increasing employer satisfaction, skills training for migrant workers are also one mechanism to improve their performance that reduces occurrence of rights violations caused by performance inefficiencies. Looking at the general scenario of the global labour market, even though there are differences in the manner overseas labour migrants deployed to work in foreign countries, there seems a general trend that human labour is also traded like any other commodity in the world. As material commodities are being smuggled or legally traded, human beings are also smuggled or legally deployed for their labour services.

Private Agencies’ Staff:Based on Proclamation No. 923/2016, Private Employment Agencies are required to hire at least six professional staff to get overseas labour deployment license. In addition, PEA’s staff got training from UN Agencies and the Government of Ethiopia. In this respect, ILO Advisor said, “ILO and IOM provide training for private agencies staff on labour migrant recruitment processes, employment contract preparation, migrants’ rights and international conventions among others.”

In addition to the orientation training on licensing requirements indicated in Proclamation No. 923/2026, MOLSA Expert said, “PEAs are provided training on the new Ethiopia Migration Database System.” As observed during the training session, the training on the system focuses on how to fill job orders requests, access and download the approved documents from the database,

print hardcopy for documentation by PEAs and revise uploaded files when there are missing elements based on the comments from MOLSA officers, among others. In this regard, the researcher was also able to attend database orientation training with PEAs staff at MOLSA Head Office in Addis Ababa.

Apart from lack of capacity building training, MOLSA Expert interviewed at his its Office around *Kasanchis* in Addis Ababa said, “There is staff turnover due to various reason, among others, conflict of interest, corrupt practices and poor performance.” This entails there is the need for continuous orientation and skills training for new staff joining MOLSA and PEAs so that they will be able to use the new migration database and deliver quality services for their respective organization and MOLSA.

5.3. Data Management

According to AUC (2018), labourmarket information systems, skills forecasting and labour migration statistics which collectively support market driven skills development and skills pooling systems are important tools for labour migration management.

In this respect, MOLSA and FUJCFSA with the support from ILO and other actors are developing “Ethiopia Migration Data Management System” and “Labour Market Information System” to enhance application of modern information systems and to reduce extended bureaucratic systems and facilitate labour migration process in Ethiopia.

To this end, MOLSA Illegal Workers Recruitment Prevention Expert indicated, “*Musaned*’ and “*Enjaz*” database systems developed and owned by Kingdom of Saudi Arabia (KSA), owned by KSA, have been used for overseas labour migration governance. As these databases are owned by other countries, Ethiopia does not have the right to fully operate the databases so that developing our own database will allow us to own and manage the databases that facilitate the deployment process.” These database systems are used to upload overseas employment documents to give access to would be labour migrant documents to KSA labour employment institutions, KSA Embassy to Ethiopia for VISA processing. To this effect, MOLSA in collaboration with PEAs in Ethiopia upload overseas employment contract and related documents so that destination country Embassy issues VISA to migrant workers.

The uploaded document is also used by all responsible actors to follow up migrant workers deployed. However MOLSA expert indicated that due to limited access to these database systems because only the destination country has full right to close the databases as it wishes; Ethiopia has faced risks of unexpected shutdown and disruption in the labour deployment process.

As a result of the above challenges, MOLSA Director revealed, “The Ministry has started developing “Ethiopia Migrant Management Database System” which will be fully owned and administered by MOLSA so that it will modernize overseas deployment process.” MOLSA Expert also confirmed, “Work processes and activities such as providing licenses for agencies, license renewal, submission of job order and getting approval and many other activities will be done virtually.” Figure-1 was adopted from Ethiopia Migration Management Database System interface and presented below.

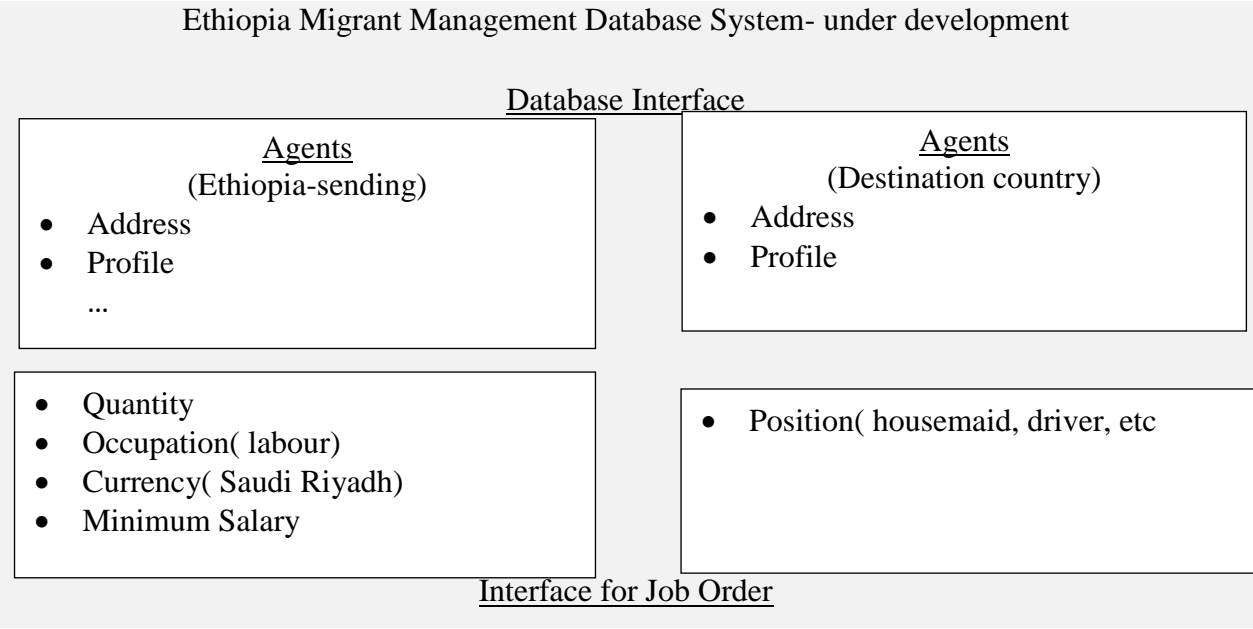


Figure 1: Ethiopia Migration Management Database System
 (Sources: adopted from the Ethiopia Migration Management Database System under development)

The Database System was under completion and PEA staffs were provided capacity building training by MOLSA. However, the Ministry was still using technologies such as e-mail, internet,

and telephone for routine activities. As a result, overseas labour deployment and monitoring activities were still done using very rudimentary and tiresome data management process such as receiving and process hardcopy application documents.

Another database system is Labour Market Information System (LMIS) intended to support effective management of labour market in the country including returnees' integration activities. In this regard, FUJCFSA Expert disclosed, "FUJCFSA together with Central Statistics Agency is developing LMIS based on labour market assessments to share labour demand and supply information with the sending and destination countries respectively." What is more, there are PEAs which have their own database system that allow applicants to submit application document online. To this end, PEA Manager explained, "Our database is used by applicants to register for overseas deployment and it helps the agency to check whether applicants fulfill requirements set by MOLSA before the recruitment process is submitted to PEA in the destination country."

However PEAs Managers witnessed that there is still lack of modern database systems which are the main factors for delay in labour recruitment and deployment process. These delays according to the Manager resulted in missing tens of thousands job opportunities in the destination countries. In this regard, MoFA Directors also witnessed, "Ethiopia lost more than 10,000 opportunities in few months in 2019 due to sluggish recruitment process from actors in Ethiopia." MOLSA Prevention Team Leader also shared the limitations saying, "Delay in finalizing and using the Ethiopian Migration Management caused difficulty in the process of documents approvals and monitoring PEAs."

As the interface of the migration database under Figure 1 above shows, it will help overseas labour migration and migration management in general to shift from hardcopy document processing to online processing. This will be a very important tool to reduce hardcopy document mess in MOLSA's Office observed. The database will also reduce missing documents and give the chance for PEAs to work from their own Office when there should be more requirements from MOLSA Offices. This in turn will reduce the back and forth travel time as PEAs are required to do in the process of getting contract approval for would be migrants.

In general, although there are new database development initiatives, the use of modern technologies that are factors to improve the performance of actors in the migration infrastructure seems at its infant stage. Therefore, there should be concerted effort to finalize these databases and provide training for actors who use these systems so that overseas labour migration deployment will be improved.

5.4. Regulation versus Control on Migration Governance

According to Zanker (2019), the argument on management versus control emanates from two potentially competing visions - regulating mobility (migration management policy) compared to controlling irregular migration (migration control policy). In light of these views, countries which focus on migration for economic development emphasizes positive factors of migration for development and prefers a policy intended to manage migration while those countries which emphasize migration control emphasizes national security risk and prefers migration policy intended to control migration.

Having in mind the above views, the Government of Ethiopia seems shifting from controlling the phenomenon to regulation of labour migration since the 1990s. To this effect, Ethiopia drafted and endorsed legal frameworks together with establishing institutional structures to manage overseas labour migration. The above structures, facilities and actions by Ethiopia show that the country is striving to shift from controlling overseas migration to managing migration so as to make the phenomenon productive to both the sending and receiving countries. However the country's migration governance also uses migration control to reduce and if possible avoid smuggling and trafficking criminal offense in the process.

In general Ethiopia shows the tendency to accommodate the view that migration is a form of business where business entities such as PEAs are legally permitted to do business in overseas labour deployment services while these entities are also required to strictly follow proclamation No. 923/2016 and 909/2015 revised to 1178/2020. Such legal provisions are used to prevent and prosecute illegal practices such as smuggling and trafficking in persons. In addition to legal frameworks, Ethiopia strives to manage overseas labour migration in line with migration infrastructure theory where actors and linkages among and between these actors are important factors to facilitate migration governance in the country. Although there are initiatives in

progress to use modern information technologies such as database systems, still the labour deployment process is using hardcopy document processing except using two database systems developed and owned by Saudi Arabia. Lack of modern technologies and ad-hoc institutional setups used in the management of overseas labour migration seem the main factors for inefficient overseas labour deployment management in Ethiopia.

CHAPTER SIX

CHALLENGES AND GAPS IN OVERSEAS LABOUR MIGRATION

Ethiopia's overseas labour migration process faces a number of challenges as, "its regulatory framework is fragmented, operationalized through criminal laws against smuggling and trafficking," (Fargues and Shah (eds.) 2017; Ogahara and Kuschminder 2017). Some of these infrastructural challenges are presented here below.

6.1. Absence of Comprehensive National Migration Policy

Document review and interview results indicated that one of the challenges of overseas labour migration in Ethiopia is absence of comprehensive national migration policy. The absence of policy framework as repeatedly identified by many officials and experts restricts the country from strategic and long-term engagement towards improving migration governance in general and labour migration governance to the Middle East in particular. To this end, AGO Team Leader reiterated, "Except there is recent initiative to draft comprehensive national migration governance policy, there is no such policy so far, "This situation left overseas labour deployment managed by actors using proclamations and ad-hoc institutional arrangement focusing on short-term responses for migration governance. This situation in turn limits continuous improvement in migration management processes that lead to effective migration governance."

Due to lack of such strategic framework document, assessment results show that there are role confusions among actors. For instance while the lead actor for overall overseas labour migration is MOLSA, the AGO is leading the revision of proclamations and designing comprehensive national migration policy. Similarly, an expert at Federal Urban Job Creation Agency stated, "Our Agency submitted profiles of more than 60,000 unemployed youth in Ethiopia to Office of the Prime Minister for deployment of professionals to overseas instead of submission to MOLSA which is the lead actor mandated to this task." These kinds of role confusions among governance actors result in management inefficiencies in overseas labour deployment process. Therefore such role confusions could be solved through having migration policy document which clearly delineates the roles, responsibilities and accountabilities of actors. One example of

such confusion is that while Proclamation No.923/2016 gives overall legal overseas labour deployment is vested to MOLSA; the Office of the Prime Minister was also engaged in overseas legal labour deployment particularly skilled –workers. To this end, FUJCFSA organized profiles of 60, 000 unemployed Ethiopians and submitted to the Office of the Prime Minister rather than to MOLSA.

If policy strategy and action plans were in place, all actors including the pertinent government institutions, non-state actors and private business entities could have clear respective tasks and tasks implementation modalities. Moreover, presence of such binding documents would have ensured that there is lack of clear communication channels and reward or punishment mechanisms for actors' performance. However, it should also be noted that availability of these tools including policy document could not guarantee effective migration governance as there are other multiple factors that may hamper the effectiveness of migration governance such staff skills and motivation, financial capacity as well as other facilities that constraint the implementation of the migration policy and migration governance in general.

6.2. Less Flexibility of the Proclamation

Another challenge for effective migration governance in Ethiopia is existence of rigid education and age requirements set in Proclamation No. 923/2016. This proclamation requires an applicant to submit grade 8 completion certificate. Otherwise, the proclamation automatically dismisses those applicants who cannot present the certificate whether they have better skills and experiences to serve the purpose for employers or not. In this respect, summary of interview data identifies two contending views between government officials and PEA representatives.

To this end, government officials and experts argue that the restriction is good and even they want to push it to grade 10 or grade 12 so that would be migrants would be mature enough to handle working conditions in the destination country. On the contrary, informants from the PEAs and would be migrants argue that increasing the age limit to a minimum of 21 year is more useful to recruit matured applicants than fixing to educational level of grade 8, 10 or 12 as there are applicants under 20 years of age, who even have completed grade 12. These views show that there is lack of consensus among actors on the requirements. These opposing views thus could ultimately lead to inconsistencies in recruitment of would be migrants. Although there were no

consensus on the age and grade levels, discussion on issues of minimum age and education levels, and training before departure would inform drafting better proclamations and the designing comprehensive migration policy for Ethiopia. In this respect, increasing the age and education levels to older than 20 years and grade 12 respectively would help migrants to handle their responsibilities and withstand the working conditions in the destination countries.

Another source of rigidity of the proclamation pointed by the President of Hiberet Association of Agencies was that the proclamation requires an agency owner to submit entry VISA to the destination country. According to him, this is considered as demanding Ethiopiansto present documents which are out of their home country's jurisdiction. This limits Ethiopians from engaging in overseas labour deployment business. What is more, PEAs considered requirements to have more than 46 meter square office space and minimum of six staff to get PEA license are inflexible features of the proclamation. He rather believes that overseas labour deployment business could be run using less office space and staff than the specifications of the proclamation. Therefore, there seems a need to revisit these inflexible features of the proclamation in the revision process. As PEAs have such complaints on the proclamation, they should be engaged in the revision process to share their insights.

In general, as expressed by would be migrants and PEAs informants, legal migration based on the provisions of Proclamation No.923/2016 is time consuming, less flexible, bureaucratically complex, and costly. This may be one of the factors that push migrants to illegal migration channels. In this respect Merima, 28 years old would be migrant explained her disappointment because the process was a waste of time for her as it took her one year (April 2019 to January 2020). In addition, pertinent to this, PEAs Association President shared his experience saying "While PEAs go through all the steps and making significant payments, illegal brokers deploy migrant workers with almost similar travel costs but in a very short time. This situation pulls migrants to resort to illegal routes."

Although going through legal routes can reduce risks of falling in traffickers' trap, going through smugglers appears to be quicker and easier. Researcher's observation of migrants who were waiting for signing their contract at MOLSA Head Office in Addis Ababa identified that most of

the would be migrants were young women who may be easily agree by lengthy legal migration process and with be tricked by smugglers to divert to illegal routes.

6.3.Lack of Accountability and Efficiency of Staff

With respect to issues of accountability, AGO Expert observed,“Institutional setups(councils, taskforces, technical working groups and committees) and the ad-hoc tasks were not part of the scope of work of employees in their respective organizations. Therefore lack of efficiency in these institutional setups does not affect annual performance evaluations of staff by their respective employer organizations.” Due to these practices,staff tends to cancel migration governance activity when they have competing tasks in their respective employer’s office. This in turn causes delays in implementation of activities and thus ultimately in low performance.

Staff lack of accountability and inefficiencies are also observed among actors’ employees. In this respect, MoFA Director observed challenges as stated here below.

Recently MoFA has shared with MOLSA more than 10,000 job opportunities to prepare overseas employment contracts to deploy job-seekers to the Middle East early 2020. Unfortunately, Ethiopia lost this opportunity because MOLSA could not act within the timeframe. I observed that due to lack of skills and motivation for work, one Contract Officer sits the whole day to finalize employment contract for a single would be labour migrant.

Similar to the Director’s observation, the researcher also witnessed during transect walk in MOLSA departments that files were scattered all over the places in the offices and staff seems not well engaged. At the same time, applicants and PEA staff, during informal discussions with the researcher, expressed their disappointments over contract approval and other officers’ poor performance which forced them to unnecessarily visit MOLSA offices repeatedly. Some clients even expressed their doubts saying that the cause for this kind of poor performance may be to push migrants away from the legal routes so that these officers get personal benefits from illegal migration routes. Some migrants also believe that government and company staff might themselves be engaged in the illegal migration network. Overall, the observations and experiences of the interview participants indicate that labour migration governance in the country is thwarted by lack of accountability and

poor performance. Therefore actors should have strategic plans, functional institutional setups and strong legal frameworks to counterbalance these gaps.

6.4. Confusion between Legal and Illegal Labour Migration

According to Fernandez (2017), there is a blurring of distinctions between legal migration and smuggling and trafficking as there are incidences where legal migrants slip into smugglers and end up in the hands of human traffickers. This view is supported by almost all interviewees as they repeatedly observed cases that were started legally slipped into illegal migration practices.

In terms of legal agencies' slippage into illegal practices, Federal Police Illegal Migration Investigation Coordinator also witnessed, "There are cases which show that even legally registered actors camouflage their legal rights and try to engage in illegal activities in overseas employees' deployment in Ethiopia." In light of this slippage, the President of PEAs Associations observed pull factors for the slippage, "There is very strong and competing smuggling practice against legal migration practices in the country due to lack of strong law enforcement and smugglers' use of more dynamic social networks which strongly convince migrants and their families to go through illegal migration routes." Konjit, a would be migrant, also pointed out another push factor that force migrants to sleep into illegal routes emanate from lengthy training sessions used by TVETs MOLSA's extended recruitment process.

The above observations and practices indicate that staff inefficiencies, conflict of interest, intrusion of brokers in the migration process and lack of appropriate should be reduced so as to improve migration governance in the country. In addition, recruiters and government actors should use shorter and efficient legal deployment process so as to discourage possible illegal migration and promote legal migration. Thus, establishing efficient legal overseas deployment system that outsmarts the illegal system will be the solution to discourage illegal migration and promote legal mobility.

6.5. Resources Constraints

Observation shows that migration infrastructure in Ethiopia suffers from human, material and information technology constraints which are important elements in the management of labour

migration. In terms of human resources, MOLSA Expert revealed that even the lead actor in the migration infrastructure, MOLSA, suffers from lack of skilled staff coupled with high turnover of staff. Another actor that has human resources deficiency is Federal TVET Agency. Regarding this, TVET Agency Team Leader confirmed, “The Agency lacks skilled trainers which resulted in the deployment of unskilled migrants who as a result were vulnerable due to poor performance to their employers. In this regard sometimes, I found re-migrants who have better skills than Agency trainers.”

Regarding facilities constraints, Federal TVET Agency Team Leader pointed out that training centers lack model houses with appliance to give practical training to would be migrants. Another major constraint in overseas labour migration process is lack of in-house data management systems. According to MOLSA Expert, “Database systems such as “*Musaned*” and “*Enjaz*” are totally controlled by destination countries where MOLSA does not have the right to upload and delete data except the right to approve documents.” Therefore, migration governance in Ethiopia is constrained by limited human and material resources. Available resources are also weak which causes poor performance in overseas deployment.

6.6. Labour Migration, COVID-19 Pandemic and Future Prospects

The Government of Ethiopia exerted relentless effort to link up its citizens with available job opportunities through sending more workers to the Middle East and other Western Countries. The global coronavirus pandemic surfaced amidst this effort. The pandemic, according to IOM (2020) forced 2015 countries to implement more than 52,262 restrictive measures. These measures deprived about 93 per cent of the world population of mobility (Ardittis and Laczko 2020).

As in the case across the rest of the world, COVID-19 presented a dual threat to the Ethiopia’s overseas labour deployments process. On one side, it caused sudden and unexpected disruption of migrant workers ready to be deployed while on the other, it caused unhappy and sudden return of more than 30,000 migrants. In general the pandemic has plunged rates of out-migration, and delay migration travel (Landis and MacKellar 2020).

In this respect, MOLSA Director described this situation as, “Overseas labour deployment has totally halted because receiving countries closed their borders completely due to the pandemic. However, there is hope that overseas deployment will resume again because the socio-economic dynamics of householders in the destination countries has not shown much change and the price of oil is increasing.” Therefore it is likely that the demand for domestic workers will go up again once WHO declares COVID-19 is no more a pandemic. MOLSA Director also expressed her hopes that legal deployment process will start in consultation with partners/actors where future deployment will be determined by post COVID-19 situation in the receiving countries. However, the Director also expressed her doubts that it is very difficult to predict the post COVID -19 scenarios now. In this case, sending countries which make ready their work force and quickly respond to post COVID-19 demands of employers will benefit out of the potential labour market in the destination countries.

In addition to complete shutdown of the regular overseas labour migration, the pandemic caused a wave of deportees from the Middle East countries especially from the Kingdom of Saudi Arabia (KSA) and Lebanon. In response to the crisis, MOLSA developed a response plan for COVID-19 related activities where the Ministry allocated more than 2.5 million USD financed by the Ministry and humanitarian partners. In this regard, IOM Project Assistant who facilitated recent COVID-19 induced repatriation said that flight expenses of deportees from KSA are covered by the sending country while expenses for legal labour migrants’ forcefully deported from Lebanon are covered by Government of Ethiopian, IOM and other actors.

In terms of coordination of returnees affairs due to the COVID-19 crisis, MOLSA Director observed, “Overall coordination for COVID-19 response has been done by The Ministry of Peace while sector based interventions have been coordinated by National Disaster Risk Management Commission Emergency Coordination Center.” However, IOM Project Assistant observed, “At the beginning of the repatriation process, there was chaos at Bole Airport because there were lack of clarity on the roles of actors; and response staffs were trying to apply guidelines provided by Ministry of Health and WHO to protect themselves from COVID-19 infection.” This scenario shows lack of preparedness with clear roles and responsibilities among the actors in times of such crisis. IOM Project Assistant also observed coordination improvement that after some time, actors discussed on their roles and share their roles which reduced the chaos at the beginning.

The observation by the IOM Project Assistant entails that COVID-19 response has created the opportunities for learning on how to prepare for such crises. Amidst such crisis, IOM Project Assistant revealed that, as of June 5, 2020, Ethiopia received more than 14,000 forced deportees where 640 of them are women who were legally deployed to Lebanon.

Furthermore, IOM Project Assistant observed that repatriation caused different views on precautions to prevention of COVID-19 pandemic. According to the Assistant, although both legal and illegal migrant groups were deported, the legal migrants were willing to follow the procedure set by Ministry of Health and WHO; and were willing and know how to apply COVID-19 prevention methods. However, illegal migrants deported were not willing to apply the prevention methods and they were very disappointed on their return.

Overall, the panic to respond to the pandemic in the country coupled with aggravated repatriation of migrants due to COVID-19 seemed to settle down as time goes on. The incident also gave actors in Ethiopia experiences on how to create clear repatriation coordination and overseas labour deployment directions in times of such crisis. The crises could be taken as learning opportunity so that actors should have guiding documents to respond to such crises strategically. Having strategic document and engagements of actors based on these strategic documents would avoid the current style of response where there is total shift to relief activities which abandoned making preparations to weigh into overseas labour deployment as quickly as possible once the pandemic is over.

CHAPTERSEVEN

CONCLUSIONS AND RECOMMENDATION

This piece of research is conducted based on recent Migration Industry and Migration Infrastructure theories. Proponents of Migration Industry theory such as Spener (2017) view migration as it is a form of business where actors are driven by economic gains and control over the business making processes. However, proponents of Migration Infrastructure such as Xiang and Lindquist (2014) argue that migration governance is determined by infrastructures used and systematic interlink among factors such as technologies, institutions, and actors that facilitate and condition mobility.

In this regard, this particular research took into account the two theories as the migration phenomenon has business component, and infrastructures and their synergies are also important in migration governance practices. With these views, the researcher also discussed issues such as migration governance, migration policy and its domains which are important building blocks of a comprehensive migration policy. With respect to policy domains, the research discussed five domains including institutional capacity, migrant rights, safe and orderly migration, labour migration management, and regional and international co-operation and other partnerships.

In light of these theories and issues, the study aimed at assessing institutional structures, roles and responsibilities of labour migration actors (state, non-state and private) along with available instruments for effective and efficient labour migration management practices. With these theories, issues, policy domains, review of empirical studies, data collected was based on qualitative approach from primary and secondary sources and analyzed. Based on the data collected and analyzed, the researcher has drawn conclusions and recommendations presented below.

7.1 Conclusions

In line with the questions raised and objectives set for this piece of research, data was collected and analyzed. Based on the data analyzed and interpreted, the following conclusions were drawn.

Although national policy framework which informs and supplements national approaches is one of the migration governance tools (OSCE, ILO and IOM, 2006), this research identified that Ethiopia has not yet had comprehensive national migration policy. As a result, the country has still been operating migration governance processes using proclamations which themselves require substantive changes to be able to properly govern this complex overseas labour migration phenomenon. Cognizant of the need for comprehensive migration governance policy, the Government of Ethiopia has initiated policy design process though it has been work in progress and not yet ready for use. However, having comprehensive migration policy may not be a guarantee for effective legal labour migration governance as using proclamations may not be a certificate for poor performance. These tools are means for effective migration governance but they are not ends to effective legal labour migration governance by themselves as the migration governance process involves a number of factors such as institutional capacity, strong partnership and commitment of actors, among others.

In the absence of such comprehensive national migration policy, results of qualitative data analysis indicate that the Government of Ethiopia has been using mainly two Proclamations No.923/2016 and Proclamation No. 909/2015 (recently revised and replaced by Proclamation No.1178/2020) to manage overseas labour migration, and to prevent, protect and prosecute criminal cases in the process respectively. The study identified proclamations have limitations to serve the intended purpose of being used as governance tools. Particular example of such limitations is that Proclamation No.923/2016 is less flexible on requirements set for would be migrants and local PEAs which restrict these actors from using available labour market opportunity in the Middle East.

The research also identified that existing legal labour migration as provided by available proclamations involves extended and cumbersome bureaucratic processes which discourage would be migrants to go through the legal route. For example, getting passport sometimes takes up to three months for those who could not afford to pay fee required for urgent access to

passport. This lengthy legal overseas labour migration process coupled with huge pressure from informal brokers, push would be migrants to easily resort to illegal routes through human smugglers and fall under the risk of traffickers' trap. This shows that there is weak migration infrastructure which lacks proper linkages among the migration governance actors. This in turn has resulted in less efficient migration governance process in the country. Although these limitations were identified, the government of Ethiopia and its actors were managing overseas legal labour deployment as enshrined in the laws of the country and international conventions where the government continues to improve the governance process.

Regarding job creation benefits for Ethiopia, legal overseas labour migration is one of the potential areas to increase access to jobs for Ethiopia's unemployed labour force. In addition, more access to jobs is one of the sources of hard currency and development finance for the country. Although there are initiatives started by the Prime Minister Office, CSA and FUJCFSA on organizing and using labour market information in Ethiopia to improve access to job for unemployed workforce in the country, the initiative is still at its infant stage. Therefore, this initiative would provide important information for informed decision to exploit labour market opportunity in the Middle East and beyond.

The Government of Ethiopia strives to manage overseas labour migration mainly through a Directorate within MOLSA and a Secretariat in AGO. However, these management bodies are not exclusively dedicated to overseas migration deployment; rather, they manage overseas migration and other domestic activities which increase the workload for the Directorate that was struggling with lack of staff capacity. With these challenges, these government organs remain less effective in their management of overseas labour migration. Although legal overseas labour migration governance had weaknesses, significant amount of overseas labour migration governance activities have also been done through platforms (institutional set-ups) such as national council, national taskforce, and thematic technical working groups. However, assigning staff to platforms in the absence of binding agreement on their responsibilities had diminished work efficiency in the migration governance process.

Migration infrastructure in Ethiopia involves a number of state, non-state, and private actors. However the most important actors in the infrastructure are MOLSA, MoFA, Department of

Immigration, AGO, FTVET Agency, MoH/selected Clinics, PEAs, and migrants themselves. Among these actors, MOLSA is mandated to engage in the overall management of the overseas labour migration while MoFA is involved in signing bilateral agreements, marketing, and document approval. AGO on its part plays a leading role in regulatory activities and drafting legal frameworks for the process. Non-state actors such as NGOs mainly focus on capacity building activities to support migration infrastructures while private entities focus on creating linkages to their counterparts in the destination countries.

Data analysis shows that actors lack strong linkages and use of information technologies contrary to having strong connectivity between and among actors. These practices have made legal overseas labour migration governance in Ethiopia has less connectivity which is one of the key elements which plays significant role to improve the effectiveness and efficiency of migration governance as indicated by migration infrastructure theory. Labour migration governance in Ethiopia also suffers from lack of efficient and effective overseas labour deployment due to conflict of interest from staff working for government as well as PEAs.

Due to the above overseas legal labour migration governance practices, AGO Expert observed that some government staffs were dismissed because they were engaged in conflict of interest where they were found meddling between legal and illegal overseas labour migration practices. To this end, MoFA Middle East Director General also disclosed that some PEAs were penalized because of their engagement in illegal migration activities. Moreover, PEA Association President also complained that while PEAs registered applicants particularly in the regions, some state actors' staffs were found getting illegal benefits from assigning more number of overseas applicants to those PEA's which gave bribe to state actors' staff. Even though there are some improvements in overseas employees' recruitment process used by actors such as MOLSA and PEAs so far, there are still extended bureaucratic systems and vague requirements that cost time and money, particularly for labour migrants.

The use of modern information technologies such as databases and other technologies for legal overseas labour migration governance is almost non-existent in the migration infrastructures in Ethiopia. As a result, actors still exchange files in hardcopies which usually involves missing of files. While files were missed particularly in MOLSA offices, PEAs and legal overseas labour

migrants were required to submit documents again which resulted in additional time and financial expenses to PEA and applicants. Lack of using modern information technologies also exposed government offices and PEAs to the risk of receiving forged documents from applicants which demands longer time and process to authenticate these required documents from would be migrants. This lengthy process and failure to achieve legal overseas labour migration, dragged would be migrants to go through illegal routes and risk their lives and waste more money for travel and sometimes ransom payments to traffickers.

The number of PEAs in Ethiopia reached 800 since October 10, 2018. This proliferation of PEAs causes communication and management challenge for regulatory actors in their attempt to properly govern the migration process in the country. To this end, these Agencies have taken the initiative and formed three associations for better management and communications among themselves and other actors. However, coordination and follow up of PEAs witnessed by informants, remains messy. Such disorganized institutional arrangement and extended bureaucracy used by state, non-state and private actors opened the chance for powerful brokers to infiltrate into the migration governance process easily, disrupt it and divert migrants to illegal routes.

As part of overseas labour deployment governance, one of the areas frequently complained about was lack of follow up and monitoring of overseas employees based on the provisions of Proclamation No. 923/2016. While the legal provision indicates PEAs are required to follow up overseas employees they deployed throughout the contract period, PEAs did not follow up their overseas employees deployed even for six months. This shows there is lack of enforcement of the provisions of the proclamations.

In an effort to reduce migrant's rights violations, there are a number of state, non-state and private actors working towards the prevention and protection of the rights of legal overseas labour migrants. However, there are still previous migrants rights violations especially in the destination countries where migrants face physical and mental abuse even to the extent of being sold to a second employer for financial profit for the first employer.

Partnerships among national actors and international partners engaged in labour migration governance are one of the required components of overseas labour migration governance. However partnerships established so far are characterized as they lack binding agreements and weak implementations. In this regard, staff working in institutional set ups overseas to manage legal overseas labour migration usually consider tasks for such governance issues as side issues and these tasks usually suffer from cancellation from staff's task menus when there are competing tasks to do. Given the nature of bilateral agreements, receiving countries tend to override parts or all of the contents of the agreements where actors from the sending country usually seem to be unable to ensure their rights.

Although there are efforts to improve legal overseas labour migration governance in Ethiopia, there is still lack of effective governance practices. As a result, migrants still suffer from rights violations in the destination countries.

7.2 Recommendations

In view of the data analysis, interpretations made and conclusions drawn for this research undertaking, the following recommendations are suggested.

The Government of Ethiopia has planned to have comprehensive national migration where it initiated designing the policy. Therefore, AGO and MOLSA with other actors should speed up the design process so as to provide working document for actors to strategically engage in migration governance in the country. The policy would help actors (migration governance apparatus) to have short-term, medium-term and long-term plans in improving legal overseas labour migration governance while combating illegal overseas labour migration in the country. The policy document would enhance actors' efforts and create better linkages between and among them in the migration infrastructure as roles and responsibilities would be delineated in the policy. This strategic engagement in turn could improve the overall efficiency of the overseas labour migration bureaucratic system where migrants get better deployment services, and prevention and protection of the rights of legal overseas labour migrants. However, it should also be noted that availability of comprehensive national migration policy document could not guarantee effective migration governance unless there is concerted effort to implement the policy

with the necessary human, institutional and financial capacity by the Government of Ethiopia and other actors.

Existing overseas deployment process is characterized as it involves cumbersome and lengthy bureaucratic system and using proclamations that have limitations such as staff and office space requirements for PEAs and grade 8 education level migrants. To this end, actors should work towards reducing such extended bureaucratic process without compromising national legal provisions and international conventions and treaties. One of the tools to reduce such lengthy process is using modern information technologies that allow actors to work virtually. In order to get more flexible proclamation in place, actors (state, non-state and private) should participate and provide inputs in the revision of proclamations and get more flexible tools so that it would help to improve the efficiency of services provision for the deployment. In the end, improvement in the efficiency of the legal deployment process would help actors to deter illegal deployment and avoid risks of illegal migration.

As stated by OSCE, ILO and IOM (2006), establishing a dedicated commission, agency or a foreign employment bureau within the Ministry of Labour and Social Affairs would improve the country's performance in migrant protection, welfare, promotion and overall migration governance practices. Therefore, one dedicated government body should be established so that it would be dedicated and accountable to set up the required staff, tools and other facilities for improved overseas labour migration management. Establishing such dedicated organization could also help to improve accountability of staff engage in legal overseas labour deployment as these staff would be rewarded for the better while they would be penalized for poor performance.

In order to improve efficiencies of actors' staff assigned to platforms and hold them accountable for their tasks they perform, there should be binding agreements that incorporate platform activities in their employment contract scope of work by their respective organization so that they would be accountable to their poor performance. To have full ownership of the activities and responsibilities in the platforms, actors should be involved in the design of the comprehensive migration policy, revision of laws and binding agreements so that they know, from the outset, the legal provisions, strategies and their responsibilities for legal overseas labour migration management.

As connectivity is one of the main elements of effective migration infrastructures, actors should work towards improving connectivity and better coordination so that legal overseas labour migration governance would be more efficient and effective. Better connectivity could be established through using modern information technologies, creating better relationships between and among actors and actors taking ownership of their respective activities to perform and responsibilities. This governance improvement in turn pulls overseas migrants to use legal routes which improves rights protections for labour migrants and generates more job opportunities and income for migrants and the country.

There were more than 800 PEAs in the country. These PEAs formed three associations but two of the Presidents of these associations interviewed indicated that coordination, information sharing and follow up to PEAs remain challenges even within an association because one association has more than 300 PEAs members. To address such challenges and achieve better coordination with PEAs, there should be a means to reorganize them into a more manageable form of business entities either in the form of share companies or in associations with less number of PEAs in one association.

One of the duties of AGO and its partners is giving awareness raising on the advantage of going through legal overseas labour migration routes, conversely on the negative impacts of illegal labour migration to communities and migrants in Ethiopia. To this end, standard and impactful awareness raising mechanisms should be in place for migrants so as to reduce if possible avoid migrants' confusion on the benefits of using legal roots over illegal routes. In this regard, establishing robust systems supported by modern information technology (e.g. databases) and other information sharing platforms would enhance the protection of social, economic and legal rights of migrants and increase the country's economic gains from legal overseas labour deployment.

One of the facilities to enhance information flow and improve work efficiency indicated by experts interviewed is using uniform coordination mechanisms and modern information technologies. This could also improve effectiveness of actors' in sharing their experiences and work processes to others. These practices would reduce, if possible avoid, unnecessary and lengthy processes prevailing in the legal overseas labour migration governance system. In order

to enhance the use of new information technologies, MOLSA and FUJCFSA should conclude the development of “Ethiopia Migration Data Management System” and “Labour Market Information System” respectively. Therefore, actors and platforms should use these and other modern information technologies to improve connectivity and efficiency in the migration governance process. Pertinent to this, modern information technologies developed should be used to process PAEs licensing, license renewal, job orders for deployment and travel document processing among others that would make deployment management more efficient and easier. These actions would also reduce migrants’ complaints and be important tools to curb challenges of would be migrants coming from regions to Addis Ababa especially to sign employment contracts.

There were multiple organizational arrangements pulling many actors; however, they were organized on ad-hoc basis and were not well linked. As a result of this disorganized institutional arrangement and lack of using modern information technologies, legal overseas labour migration process remained time consuming. This could be improved by using more binding agreements and modern information technologies to improve actors’ commitments and to facilitate implementation of activities such as issuing passport, advertising jobs, filling job applications and making document approvals online.

One important provision in legal overseas labour deployment is follow up and monitoring of the legal labour migrants deployed in the destination countries. In order to strengthen follow up and monitoring of these migrants, assigning labour attaches and opening bank accounts in Ethiopia for the migrants legally deployed should be done so that PEAs could use these tools to follow up overseas employees in the destination countries throughout their contract period as enshrined in the proclamation.

To solve partnership challenges, there should be more binding bilateral agreements between Ethiopia and receiving countries. As bilateral agreements with destination countries are difficult to Ethiopia to prosecute during violations of the agreements by the receiving countries, there should be better consensus building between the two parties during the preparation of the bilateral agreement documents. To national actors there should be binding agreements among members of the council; the task-force and the technical working group members so that

members would be held accountable for their responsibilities in the platforms. There should also be more functional partnerships and platforms with clearly set accountability to each member.

In order to make informed decisions by actors, especially Ethiopia consulates in the destination countries, legal overseas labour deployment initiative started by the Prime Minister Office, CSA and FUJCFSA should be scaled up. FUJCFSA and CSA should conduct larger labour market assessment on unemployed youth in the country and share profile to actors. Therefore partners which engage in searching for overseas job opportunities would use the data to negotiate with countries which need more labour force. As a result, Ethiopians could get access to more overseas jobs opportunities for its citizens and get better financial resources for country's economic development.

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ANNEXES

Annex Table1 –Summary on Interviewees

Institution	State/non-state actor	Number of interviewees	Total
State and non-state actors			21
Ministry of Labor and Social Affairs(MOLSA)	State	3 officials and 2 Experts	5
Attorney General Office	State	1 Official and 2 Experts	3
Ministry of Foreign Affairs(MOFA)-Diaspora section	State	1 official	1
Federal Urban Job Creation and Food Security Agency(FUJCFSA)	State	1 Official and 1 Expert	2
National Disaster Risk Management Commission	State	1 Advisor	1
Federal Technical and Vocational Education Agency	State	1 director	1
International Organization for Migration	Non-state	1 Advisor , 1 Coordinator and 1Expert	3
International Labour Organization	Non-state	1 Advisor	3
GIZ- “German International Development”	Non-state	2 official and 1 expert	3
Private Employment Agencies			7
Private Employment Agencies(a total of 5 PEAs and 2 associations)	Private Businesses	Agency Associations and PEAs	7
Would be migrants and returnees			18
Would be labour migrants	Labour migrants	12 females	12
Returnees	Labour migrants	6 returnees	6
Total		45	45

Annex Table 1: summary table on data Sources

Annex Table2 -List of Interviewees

S.N	Interviewees	Position title	Intuitions/locations
1	Getaneh Habtamu	Legal Research and Study Coordinator	Attorney General Office
2	Meselech Asefaw	Overseas Labour Deployment Director	MOLSA
3	Addisu Legese	Support Expert	MOLSA
4	HabtamuNegeri	Support Senior Expert	MOLSA
5	Birhan Gibril	Middle East Directorate Director	MOFA
6	Belaynesh Belachew	Chief Inspector	Federal Police
7	Ayele Tesfaye	Illegal Migration Investigation Coordinator	Federal Police
8	Abel Gebereigizabher	Senior Prosecutor and Task –Force Secretariat Office Coordinator	Attorney General Office
9	BirhanuDebas	Illegal Workers Recruitment Prevention Expert	MOLSA
10	Zerihun Yeshitila	Illegal Labour Recruitment Prevention Team Leader	MOLSA
11	Temesgem Mamo	Professional Evaluation and Accreditation Team Leader	Federal TVET Agency
12	Laura Schusser	Better Migration Management (BMM) Programme Adviser	GIZ
13	Rahwa GebreYohannes	BMM Programme Officer	GIZ
14	FirehiwotTefera	Labour Migration and Human Development Sub-unit Programme Officer	IOM
15	Yared Asamenew	Project Assistant for Kingdom of Saudi Arabia (KSA)	IOM
16	Berhanu Gibril	Middle East Directorate Director	Ministry of Foreign Affairs
17	EyobNegash	Public Relations	Al-Nejashi Foreign Employment Agency
18	FanaHailu	Vice Manager	Azuze Overseas Recruitment Plc
19	Amsalu Bash	Trade and Development Services Expert	(FUJCFSA)
20	Shimelis,	President and Agency Owner	Hibret Ethiopia Association (320 PEAs)
21	Azeb Berhe	Owner and Manager	Riff Private Employment Agency
22	Mezigebu Assefa	President	Association of Ethiopian (380PEAs)
23	Ayele Tesfaye	Illegal Migration Investigation Coordinator	Federal Police

24	Belaynesh Belachew	Chief Inspector	Federal Police
25	Mr. Nesibu Yasin	Advisor	NDRMC
26	Tewodros Getachew	Migration and Development Coordinator	IOM
27	Tesfanesh Dawit	Would be Migrant	From Tigray Regional State
28	Chaltu Balcha	would be Migrant	Oromia Regional State
29	Yalemwork Yeneneh	would be migrant	Addis Ababa
30	MeremTadesse	would be migrant	Amhara Regional State
31	Martha Lelisa	would be migrant	Oromia Regional State
32	Jemanesh Hassen	would be migrant	Amhara Regional State
33	ZaharaReta	would be migrant	Amhara Regional State
34	RabiaYimer	would be migrant	Amhara Regional State
35	Tigist Melaku	would be migrant	Amhara Regional State
36	Zebiba Mehammed	would be migrant	SNNP Regional State
37	TadelechBelachew	Returnee	Addis Ababa, Bole Woreda 4,
38	Fozi Mohammed	Returnee	Somali Regional State
39	AbdulfetahHussen	Returnee	Somali Region
40	AsnakechCherkos	Returnee	Addis Ababa, Bole Woreda 4
41	MeseretAsnake	Returnee	Addis Ababa, Bole Woreda 4
42	Tesega Berhe	Returnee	Addis Ababa, Bole Woreda 4

Annex Table 2: List of informant

Annex Table3 -List of Interviews

Annex Table3 presents names of stakeholders, their specific mandates and roles, proclamation on which the stakeholders have been given the mandates, and activities each stakeholder is doing to facilitate effective overseas labour deployment governance.

S/ N	Stakeholder	Mandates and roles related to overseas labour migration	Proclamation vested to stakeholder &the mandates	overseas labour migration related activities in which stakeholders are engaged
1	Office of the Prime Minister	Overall powers of the federal Government are vested in the Prime Minister and the Council of Ministers	Proclamation No. 909/2015,	The Deputy Prime Minister chairs the Committee
2	Attorney General Office	Design legal frameworks and Policies, prosecutions	Proclamation No. 909/2015	Crime prevention, prosecution , and others ⁵ ,
3	Federal Police	investigate criminal cases		Engaged in criminal investigation in the migration cycle ⁶
4	Ministry of Labour and Social Affairs	mandated to manage overall overseas labour deployment		Serve as pivotal agency of overseas migration management
5	Ministry of Foreign Affairs (MOFA)	Leading agency in foreign relations to countries and commissions ⁷	Proclamation No.923/2016, a	Doing consular activities, facilitation and signing bilateral labour agreements,
6	Ethiopian Consulate	Liase with destination country counter part	Proclamation No.923/2016, a	Involve in coordination of contract other document processing, support migrants follow up activities
7	National Intelligence and Security Service-	Provide passports and intelligence data for crime investigations	Proclamation No 804/2013	Providing; passport documents, information on would be employee exit, data for investigation purposes, etc.

⁵Coordinates/leads the National Anti-trafficking Task Force; leads Technical Working Group and the team to develop National Migration Policy through its Secretariat. It leads annual plan, follow up and reporting activities, implements awareness raising programme with the National Theatre funded by Embassy of the Netherlands, provides legal assistance to returnees

⁶Throughout the migration cycle (from recruitment, deployment, working in the destination country and return home) of the employees, investigation activities are done by the Federal Police Investigation Unit Staff

⁷Lead border commissions, international agreements on migration issues, manage diplomatic, consular and permanent missions ensure the Ethiopia's' interests , rescuing Ethiopians abroad, gather data from victims and share to pertinent stakeholders, authentication of overseas labour employees documents, assign labour attaché's in the destination country; Responsible in large part for the protection of nationals abroad and others)

	Immigration			
8	Ministry of Education/Federal TVET Agency	Manage certification		providing certificates (grade 8 completion and COC)
9	Ministry of Health/Selected Health Clinics	Manage selected clinics		Provide medical certificates through selected clinics to would be migrants
10	Federal Urban Job Creation and Food Security Agency (FUJCSFA)	Facilitate job creation and provide technical supportive for whom?	Council of Ministers Regulation No.374/2016	Supporting returnees in creating access for jobs (employment and/or self-employment) organizing unemployment data ⁸
11	Commercial Banks	Remittance transfer, provision of loan		Safe and cost-effective transfer of remittances; giving saving account to labour migrants and proving credit to returnees ⁹
12	Private Employment Agencies	Make businesses as stated in proclamation 923/2016 which is under revision	proclamation 923/2016	Provide facilitation services to overseas employees
13	ILO	Technical and material support	SGD 8	Providing capacity building support to government stakeholders through providing training and materials
14	IOM	Provide capacity building support		Providing capacity building (technical and material) to actors
15	UNICEF	Quality Education for all	SDG 4	Working on children's rights for quality education
16	GIZ BMM	Implement BMM project		Working on the rights of migrants
17	Agar-local NGO	Returnees support		Providing psychosocial support

⁸ during the data collection for this research FUJCSFA organized and submitted the profiles of 60,000 graduates and submitted to job creation unit under the Ethiopian Prime Minister Office

⁹ Returnees who are in the banks saving scheme during the overseas employees' contract period in the destination country are given the opportunities to get loan up to 1 million ETB when return. The saving scheme serves agencies and MOLSA to follow up timely payment of salaries of overseas labour employees during the contract period.

				to returnees , Shelter provision for returnees
18	DICAC	Returnees and refugees support		returnees awareness raising
190	PEAs in the destination Country	Do business based on bilateral agreement, international laws and conventions		Represent the sending country Agency in the destination country, work with employers, follow up employees, etc.

Annex Table 3: Mapping Overseas Labour Migration stakeholders (Sources: Summary from Key Informant Interview Notes)

Annex Table4 -List of Platforms

Coordination mechanism	Members	Activities done	Focus areas	Lead
National Anti-Human Trafficking and Smuggling Council	Relevant government Ministries and agencies, religious institutions, international organizations, intergovernmental organizations and civic societies, the task force	Evaluates, assists and directs task forces and various working groups	Illegal migration issues	Deputy PM
National Anti-Human Trafficking and Smuggling of Migrants Task Force	Government ministries and agencies, religious institutions, INGOs and civic societies	supporting efforts for rehabilitation of victims and crime prevention	Illegal migration issues	AGO
National level Steering Committee	MoFA, ARRA, Main Department for Immigration and Nationality Affairs, UJCFSA, EU, IOM and ILO. Regional/City administration coordination committees and Woreda Reintegration Committees	Monitor and follow up the implementation of partnership agreements on overseas migration and returnees	Illegal migration,	MoFA
Project Steering Committee (PSC) -Support to the reintegration of returnees and management of labour migration in Ethiopia”	MoLSA, Federal Police Commission, MoFA, MoF, TVET Agency, PM’s office, FEMSEDA, BoLSAs EU Delegation, ILO, IOM,	Follow up and monitor migration cycle and supporting the reintegration of returnees	Illegal migration issues	MoLSA

		UNICEF, UNODC and UN Women			
Coordination Mechanisms Established by NGOs(Undocumented migration and human trafficking CSOs task force)		Hunger Project Ethiopia (HP-E), Live-Addis Ethiopia, Good Samaritan, Amref, Association for Forced Migrants (AFM), and Ethiopian Catholic Church Social and Development Coordinating Office	Support returnees ¹⁰ ,	Reintegration returnees mainly affected by illegal migration	CCRDA
Working Groups <i>(AGO is mandated to decide which other organizations should be invited to participate in the working groups)</i>	Prevention	Members from state and non-state actors ¹¹	Members perform a number of activities ¹²	Both legal and illegal migration	MoLSA
	Prosecution	National Intelligence and Security Service, Federal Police Commission, Ministry of Federal and Pastoralist Development Affairs, House of People’s Representatives and Addis Ababa Police Commission as its members.	implementation and execution of conventions, codes and protocols	Focus on any illegal activityin the migration cycle	AGO
	Protection	MoLSA, MOFA, Ministry of Women and Children Affairs, Ministry of Health, Ethiopian Chambers of Commerce and Sectoral Association, Religious Institutions, CCRDA, IOM, UNICEF and ILO	delivering a referral service to the victims, designs standard operating procedures and signing a Memorandum of Understanding (MoU)	supporting victims of migration	FUJCFSA

¹⁰Support returnees to reintegrate. The support given ranged from shelter, transportation allowance, clothing and other necessities, followed by training and skills development measures. Returnees were provided with general check-ups, medical treatments and other services; coordinate and represent the collective efforts of CSOs to help combat undocumented migration and human trafficking.

¹¹Government Communications Office, Ministry of Education, Ministry of Culture and Tourism, Ministry of Women and Children Affairs, Ministry of Youth and Sports Affairs, Ethiopian Orthodox Tewahido Church, Religious Institutions, Ethiopian Youth Federation, Ethiopian Women Federation, Ethiopian Trade Unions Confederation, Ethiopian Employers’ Association Federation, IOM. Ethiopian News Agency, Ethiopian Broadcasting Corporation, CCRDA UNICEF, National Disaster and Risk Management Commission , AGAR Ethiopia, ARRA, Association for Women’s Sanctuary and Development, Federal Attorney General Office, Ministry of Youth and Sports Affairs, Confederation of Ethiopian Trade Union, and Small and Medium Manufacturing Enterprises Development Agency

¹²ensuring a foreign employment service that protects the dignity, safety, moral rights and benefits of citizens, searching for countries of destination, widening options and working towards signing bilateral agreements, providing capacity-building training to border controllers, seeking logistical assistance and support for the formation of a border committee and working for strengthening cooperation with neighboring countries

		Research and Study	MoE, Prime Minister’s Research Bureau, MOFA,AGO, and Main Department for Immigration and Nationality Affairs	Conducting research, notifying and disseminating research	Focus on both legal as well as illegal migration issues	MoE
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Annex Table 4 Governance Platforms (Source: Summary from Key Informant Interview Notes)

Data Collection Instruments/Tools

In line with the objectives of the proposed research and the contents to be investigated, the following question items for Key Informant and In-depth Interviews are designed. Once these questions were approved by my adviser, they were ready to be used to guide the interview sessions according to the work plan. Transect walk was also done to observe offices in MOLSA and other PEAs using observation checklist presented below.

KII -Government Offices

1. *What institutional structures and platforms are available in Ethiopia to facilitate overseas labour deployment?*
2. *How does the Government of Ethiopia strive to manage overseas labour deployment to GCC?*
3. *What are Ethiopia’s outward labour migration policies, legal frameworks and strategies?*
4. *How do state and non-state actors recruit, move, and deploy Ethiopian workers to GCC countries such as Saudi Arabia and the UAE?*
5. *What actors, technologies, and more generally, infrastructures, are critical to manage labour exits and deployments in abroad?*
6. *How does Ethiopia ensure migrants’ rights in destination countries?*
7. *What are the challenges and gaps posed by labour migration governance structures, organizations, regulations, policies and practices?*
8. *What do you suggest to improve labour migration governance infrastructures in Ethiopia?*

KII- UN Agencies and INGOs

1. *In which institutional structures and platforms does your organization involve facilitating overseas labour deployment by Ethiopia?*
2. *How does your organization involve in recruitment, movement, and deployment of Ethiopian workers to GCC countries such as Saudi Arabia and the UAE?*
3. *What actors, technologies, and more generally, infrastructures, are critical to manage labour exits and deployments in abroad?*
4. *How does your organization support to ensure migrants' rights in destination countries?*
5. *What are the challenges and gaps posed by labour migration governance structures, organizations, regulations, policies and practices?*

KII- Business Enterprises

- *What are institutions and platforms your company works with?*
- *What are the requirements to have license to do business in overseas labour deployment?*
- *How does your organization recruit, move, and deploy Ethiopian workers to GCC countries such as Saudi Arabia and the UAE?*
- *What actors, technologies, and more generally, infrastructures, are critical to do business in deployments in abroad?*
- *What are the challenges your company faces in doing its business?*

What are the solutions to make the business more efficient and profitable while improving labour migrants rights?

In-depth Interview -would be/potential labour migrants

1. *How did you know about this overseas labour deployment? (internet, TV, Radio, Newspapers, family and friends, etc)*
2. *What are the requirements for overseas labour deployment?*
3. *Which organizations involve in your recruitment, movement, and deployment to GCC countries such as Saudi Arabia and the UAE?*
4. *What are the challenges you faced in the process (recruitment to taking training)?*

5. *What are the challenges you observed so far?*
6. *What are the challenges you expect in your overseas labour deployment in Ethiopia and in GCC?*
7. *What solutions do you suggest to ease the process and make your deployment successful*

Observation Checklist

- *MOLSA and other actors' offices facilities*
- *Applicants document handling mechanisms(softcopies, hardcopies)*
- *Applicants files arrangement*
- *How do applicants react to the services provided by MOLSA once they are away from the officers who give the services?*