ECOWAS DECENT WORK REGIONAL PROGRAMME

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I. List Acronyms and Abbreviations

ADB: African Development Bank
APA: Action Plan for Africa
APYE: Action Plan on Youth Employment
AU: African Union
CDP: Community Development Programme
ECOWAS: Economic Community of West African States
EYEAP: ECOWAS Youth Employment Action Plan
EU: European Union
FMM West Africa: Support to Free Movement of Persons and Migration in West Africa Project
GDP: Gross Domestic Product
HSW: Health and Safety at Work
ICMPD: International Centre for Migration Policy Development
ILO: International Labour Organization
IOM: International Organization for Migration
IPAD: Integrated Programme for Agricultural Development in Africa (IPAD)
IPEC: International Programme on the Elimination of Child Labour (IPEC)
ISCDS: Inter-State Committee against Drought in the Sahel
LMIS: Labour Market Information System
LMMIS: Labour and Migration Market Information System
MDG: Millennium Development Goals
NEP: National Employment Policy
OECD: Organisation for Economic Co-operation and Development
PRS: Poverty Reduction Strategy
PRSP-WA: Poverty Reduction Strategy Paper in West Africa
REC: Regional Economic Communities
SDG: Sustainable Development Goals
TIP: Trafficking into Person
TVET: Technical Education and Vocational Training
UNCTAD: United Nations Conference on Trade and Development
WAEMU: West African Economic and Monetary Union
II. INTRODUCTION

According to the World Bank Group, \(^1\) in 2015, approximately one-tenth of the world's population lived in extreme poverty—the lowest poverty rate in recorded history, yet poverty remained on the rise in Sub-Saharan Africa. The international community has long identified productive employment and decent work as critical elements to achieving poverty reduction and fair globalisation. \(^2\)

Goal 8 of the United Nations Sustainable Development Goals (UN SDGs) further highlights the importance of decent work in achieving poverty reduction and sustainable development. This Goal aims to "promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all". Goal 8 is an indispensable response to the economic and social needs of people and governments everywhere. This Goal is reinforced by the Decent Work Agenda of the International Labour Organisation (ILO). The primary objective of the ILO is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity. Activities of the ILO in this regard is carried out in collaboration with Member States and Regional Economic Commissions (REC).

In light of the growing rate of poverty in Africa, there has been an increased urgency among regional policy-makers, such as the African Union (AU) and the Economic Community of West African States (ECOWAS) to deliver quality jobs along with social protection and respect for rights at work to achieve sustainable, inclusive economic growth, and eliminate poverty.

The African Union, through its Charter on Human and Peoples' Rights\(^3\), underpins the commitment of the region to promoting and protecting fundamental principles and rights at work. This pledge is reiterated in the objectives, priorities and strategies of the African Union's Declaration\(^4\) and Plan of Action on Employment, Poverty Eradication and Inclusive Development\(^5\), and African Union Agenda 2063.\(^6\)

Building on the framework of the African Union, the Economic Community of West African States (ECOWAS) and the ILO, pursuant to Article 1 of the Memorandum of Understanding (MOU) entered into in June 2005, committed to undertake joint consultations and implement programmes to promote decent work as a means to economic prosperity, and to promote peace and stability in the region.

ECOWAS continues to demonstrate the commitment to fully integrating labour and employment issues in its agenda and work plan; including the obligations enumerated in the outcomes of the

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\(^1\) Poverty and Shared prosperity report 2018.
\(^2\) United Nations, Full and Productive Employment and Decent Work Dialogues at the Economic and Social Council, 2006
\(^3\) Banjul, 1987
\(^4\) Addis Ababa, 2015
\(^5\) ibid
\(^6\)
African Union Extraordinary Summit on Employment Creation and Poverty Alleviation in Africa. The Plan of Action adopted by the AU Heads of State and Government on Employment (promotion) and Poverty Alleviation in Africa defined ILO's core priorities in Africa to be:

i. Rights at Work
ii. Employment Creation
iii. Social Protection
iv. Social Dialogue.

Consequently, to fulfil the mandate of the ECOWAS Commission to support the implementation of the core ILO priorities, an ECOWAS/ILO operational plan to further strengthen cooperation between both the organisations in areas of common interest on one hand and also towards the development of a Regional Decent Work Programme for ECOWAS was developed.

In 2016, ILO and ECOWAS pledged to the design and implementation of a Decent Work Regional Programme (DWRP). The Decent Work Regional Programme aims to address challenges that inhibit growth and development in West Africa. The process started with a diagnostic study to provide the socio-economic and political context of the decent work situation in the region to identify key priority areas for the Decent Work Regional Programme.

In September 2017, the ECOWAS Commission and the ILO (CO-Abuja) held a validation workshop for the diagnostic study. The workshop reviewed the findings of the diagnostic study and identified three priority areas for the Decent Work Regional Programme as follows: the promotion of employment opportunities; the extension of social protection coverage to all; and the effective implementation of international labour standards.

The report of the diagnostic study was also presented to the ECOWAS General Assembly of the Tripartite Social Dialogue Forum in October 2017. The report was deliberated on by over 70 participants representing Governments, Trade Unions and Employers' Organizations from all the 15 ECOWAS Member states. The ECOWAS Commission. Representatives of the Regional Social Partner Organizations (West African Workers' Organization (OTUWA) and the Federation of West African Employers Organisations (FWAEO) were present; as well as regional and international organisations such as IOM and ICMPD. In addition to the review of the report of the diagnostic study, other primary outcomes of the General Assembly included the evaluation of the proposed priority areas, outcomes and outputs for the ECOWAS Regional Decent Work Program.

Furthermore, the Decent Work Regional Programme aligns with the ECOWAS Commission Vision 2020. Adopted in June 2007, the ECOWAS Vision 2020 is aimed at setting a clear direction and Goal to significantly raise the standard of living of the people through conscious and inclusive programmes that will guarantee the sustainable development of West Africa. With the end date of ECOWAS Vision 2020 approaching, the Commission has developed and approved a roadmap with

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7 Ouagadougou September 2004
8 Protection of Migrant Rights as a priority of the ILO during the 1st meeting of the ECOWAS/ILO joint commission on Labour and Social Affairs.
9 Conakry, Guinea
an implementation timetable that would lead to the development and launch of the post-2020 strategic instruments\textsuperscript{10} and interventions.

More so, in 2009, the ECOWAS Commission adopted the ECOWAS Labour and Employment Policy (LEP). The policy rests on four cardinal principles - pro-active and preventive policies for unemployed and inactive persons; job creation and entrepreneurship; greater adaptability and mobility on the labour market; and the development of human capital and life-long learning as well as increased offers of work and people remaining longer on the labour market.

The Decent Work Regional Programme is considered a vehicle by which the goals of the ECOWAS Commission to achieve the principles set out in the LEP and agreed on regional priorities as set out in the ECOWAS/ILO MOU would be achieved. The Goal of the DWRP is improved job creation, social security coverage, social dialogue, working conditions and gender mainstreaming for all West Africans.

\textsuperscript{10} A comprehensive Stakeholders Consultation Plan for the ECOWAS Post-2020 Vision and its Strategic Documents has been finalised.
1. BACKGROUND AND REGIONAL CONTEXT

The Treaty of Lagos created the Economic Community of West African States (ECOWAS) on 28th May, 1975. The Community aims to promote co-operation and integration amongst member states to enhance economic stability and sustainable development in West Africa.\(^\text{11}\) The ECOWAS is made up of 15 Member States, namely Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea-Bissau, Guinea, Ivory Coast, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo. These countries have 15 economies that are diverse across many dimensions of development. The region is home to some of the continent’s least developed countries.\(^\text{12}\)

1.1 Socio-Economic Context

The ECOWAS region has a population of approximately 391 million\(^\text{13}\), with a combined Gross Domestic Product (GDP) of approximately USD 676.1 billion.\(^\text{14}\) Member States of ECOWAS are majorly low-income countries with Gross National Income per capita ranging from US$3,678 in Cape Verde to US$452 in Niger,\(^\text{15}\) leading to a regional median Gross National Income per capita of US$1,608 in 2018.\(^\text{16}\) These low income per capita figures are indicative of generalized poverty due to the limited resources to cater for the basic needs of the growing regional population on a sustainable basis.\(^\text{17}\)

Among macroeconomic indicators, inflation, fueled in part by expansionary fiscal policy and supply-side constraints, remains a challenge to investment and sustainable economic growth in West Africa. Inflation rose sharply to 13 per cent in 2017, before declining to 9.5 per cent in 2018. It is projected to rise slightly in 2019 before levelling off, assuming sound management of monetary and fiscal policies and stable fuel and energy prices. Inflation was low in Member states of the West African Economic and Monetary Union (WAEMU) at 0.9 per cent in 2017, but it was 11.0 per cent in non-WAEMU countries. Additionally, between 2008 and 2018, all the currencies in the region depreciated in real terms. Therefore, ECOWAS Member states must

\(^{11}\) Article 3, Revised Treaty of ECOWAS, 1975.

\(^{12}\) African Development Bank, Regional Economic Outlook – West Africa, 2019

\(^{13}\) The current population of Western Africa is 391,022,794 as of Saturday, May 25, 2019, based on the latest United Nations estimates; Western Africa population is equivalent to 5.08% of the total world population. Online source <https://www.worldometers.info/world-population西部的非洲人口/>, accessed on May 25, 2019.

\(^{14}\) International Monetary Fund, World Economic Outlook, April 2019.

\(^{15}\) Africa Development Bank, Economic Outlook 2019, West Africa


maintain a delicate balance between keeping exchange rates stable to tame inflation and building reserve buffers to deploy when commodity windfall revenues are lower.\(^\text{18}\)

Weak economic diversification characterizes the ECOWAS region,\(^\text{19}\) due to concentrated activities in the service and extractive industries. The regional economy is also heavily reliant on the oil industry of Nigeria. As of April 2019, Nigeria was reported to have an estimated GDP of $444.92 billion;\(^\text{20}\) accounting for about two-thirds of the combined GDP of the ECOWAS region.\(^\text{21}\) However, Nigeria’s economy is dependent on its petroleum industry,\(^\text{22}\) and volatile oil prices\(^\text{23}\) continue to dominate the country’s – and by extension, the region’s – economic growth pattern.\(^\text{24}\)

In 2019, the estimated real GDP growth rate for the ECOWAS region was 3.3 per cent, up from 2.7 per cent in 2017. In 2018, West Africa’s GDP growth trailed the rate of 3.5 per cent for Africa as a whole, though it was faster than Central Africa at 2.2 per cent and Southern Africa at 1.2 per cent.\(^\text{25}\) Growth in the region is projected to remain subdued, at 3.6 per cent in 2019 and 2020,\(^\text{26}\) below the continents projected average of 4.0 per cent.\(^\text{27}\)

The ECOWAS region’s population is currently growing at a rate of 2.67 per cent per annum.\(^\text{28}\) The median age of the ECOWAS population is 18 years, making it the youngest region of the world.\(^\text{29}\) Invariably, the region’s working-age is projected to increase by 2.7 per cent per year between 2016 and 2030.\(^\text{30}\) The increasing working-age population is considered a significant opportunity for economic growth in the region. The World Bank estimates that this demographic dividend could generate between 11-15% GDP growth between 2011 and 2030.\(^\text{31}\)

However, a population growth of more than 2 per cent implies that GDP per capita will increase less than 2 per cent,\(^\text{32}\) leaving convergence with middle- and high-income economies slow to materialize.\(^\text{33}\) Assuming average employment-to-GDP elasticity of 0.44 economic growth of 6.9

\(^{18}\) Africa Development Bank, Economic Outlook 2019, West Africa

\(^{19}\) ibid

\(^{20}\) International Monetary Fund, World Economic Outlook (April 2019)

\(^{21}\) ibid

\(^{22}\) World Bank, Commodity Markets, 2019

\(^{23}\) Oil Price Volatility, Commodity Markets, World Bank January 2014

\(^{24}\) In 2018, crude oil and oil products made up about 87.7% of Nigeria’s foreign exchange earnings; Olusegun Awolowo, Nigeria’s economy: services drive GDP, but oil still dominates exports, 29 August 2018, online resource <https://africacheck.org/reports/nigerias-economy-services-drive-gdp-but-oil-still-dominates-exports/>, assessed May 25, 2019.

\(^{25}\) African Development Bank, Regional Economic Outlook 2019, West Africa.

\(^{26}\) Ibid

\(^{27}\) Ibid


\(^{31}\) ibid


\(^{33}\) African Development Bank, Economic Outlook 2019
per cent a year is required to absorb new entrants to the labour force, far above the highest regional economic growth rate attained in this decade.\textsuperscript{34}

Unfortunately, the region’s projected economic growth rate of 4.0 per cent is not sufficient to create enough jobs for the growing labour force. The ever-increasing population is one of the causative factors for West Africa’s poor employment performance – with combined unemployment and underemployment rate of up to 50 per cent and vulnerable jobs and informal employment rate of up to 90 per cent in some member states.\textsuperscript{35}

The average labour force participation in West Africa for 2018 stands at 59.7 per cent, below the Sub-Saharan African average of 62 per cent.\textsuperscript{36} The low labour force participation rate of the region is linked to the underrepresentation of some vulnerable group of workers. These categories of underrepresented workers include women, youths and rural workers.\textsuperscript{37}

The majority of youth in the ECOWAS region do not have stable economic opportunities. Youth (ages 15–24) have lower employment rates than adults by around 20 percentage point. The problem is not just unemployment but underemployment, which peaks at just over half of youth in the labour force in the region as aforementioned.\textsuperscript{38} Women are also severely affected by low employment rate, as the gender gap between men and women in gainful employment continues to widen in the region.\textsuperscript{39} Likewise, due to poor infrastructure, workers in rural areas are less involved in labour force participation.\textsuperscript{40} Although the working-age population in the ECOWAS region is trending upward, the level of labour force participation remains static.\textsuperscript{41}

Without jobs and economic opportunities, social stresses such as unemployment could lead to unrest, thus becoming a priority political issue. In comparison to the early post-colonial era, incidences of turmoil, civil wars and large-scale conflicts have reduced dramatically in West Africa.\textsuperscript{42} Nonetheless, this era has, however, seen the emergence of other forms of political violence and threats such as terrorism, election-related violence, longstanding ethnonational conflict, drug trafficking, maritime piracy, and extremism.\textsuperscript{43} An unemployed youth population could provide a breeding ground for the facilitation of these kinds of social unrests and political instabilities, thus further posing a threat to economic development and stability in the region.

Therefore, although some of the socio-economic indices have marginally improved, employment creation and social unrest prevention remain a significant challenge in the ECOWAS region. More so, the number of people living in extreme poverty is reported to be on the rise in West

\textsuperscript{35} ibid
\textsuperscript{37} ILO, World Employment Outlook 2018
\textsuperscript{38} ibid
\textsuperscript{39} ibid
\textsuperscript{40} ibid
\textsuperscript{41} ibid
\textsuperscript{43} ibid
Africa, and forecasts indicate that by 2030, nearly 9 in 10 impoverished people will live in Sub-Saharan Africa.\textsuperscript{44}

To achieve and sustain economic growth and social development and offer workers opportunities for decent work and employment, the event of a healthy and productive workforce is essential. The focus of the ECOWAS Regional Decent Work Programme is to identify challenges to achieving decent work across the region and developing ways to remedy these challenges.

2. Decent Work Deficits in the ECOWAS Region

The preceding contexts highlights decent work deficits in the ECOWAS region.

2.1 Employment and Labour Market Deficits

High unemployment presents a critical socio-economic and policy challenge in ECOWAS.\textsuperscript{45} After declining from 4.2 per cent in 2010 to 3.7 per cent in 2015, the region's average rate of unemployment shot up to 5.2 per cent in 2018. Unemployment among ECOWAS countries is expected to increase by half a million per year in 2019, with the unemployment rate remaining at around 5.3 per cent.

However, unemployment figures in the West African region are seldom accurate and inclusive of all sectors of the labour force.\textsuperscript{46} The data do not reflect the long-term effects of informality on job creation, and high population growth, therefore masking informal employment and underemployment.\textsuperscript{47} The rates also do not take into account labour force inactivity, such as students or discouraged workers. In light of the loopholes of official unemployment figures, it has become more acceptable that the combined sum of the unemployment rate and underemployment rate may more realistically depict African workers' status.\textsuperscript{48} This sum is well above 50 per cent in most West African countries.\textsuperscript{49}

Several factors contribute to low formal employment in the ECOWAS region. 1) Rapid population growth which exacerbates the excess supply of labour in Africa,\textsuperscript{50} offsetting the effects of output growth; and 2) a freeze in employment or continued loss of jobs in many public and private sector institutions due to the recent capital market crash and epileptic activities in the manufacturing and oil sectors\textsuperscript{51}

Another contributing factor to the unemployment situation is also the limited employability of the workforce. In Sub-Saharan Africa, almost two out of three young workers lack the education

\textsuperscript{44} Divyanshi Wadhwa, the number of impoverished people, continues to rise in Sub-Saharan Africa, September 2018. World Bank Group.
\textsuperscript{45} ibid
\textsuperscript{46} African Development Bank, Economic Outlook, 2019
\textsuperscript{47} ibid
\textsuperscript{49} Africa's Got Work to Do: Employment Prospects in the New Century Louise Fox, Cleary Haines, Jorge Huerta Muñoz and Alun Thomas, IMF 2013
\textsuperscript{50} IOM, Youth, Employment and Migration Strategy in West and Central Africa, 2018
level expected to work productively on the job.\textsuperscript{52} This is because graduates and young people don’t have opportunities for training to the level of skill required in the world of work. In many instances, there is a scarcity of traditional guidance or counselling to help young people into jobs.\textsuperscript{53} Apart from this, the training system and technical vocational institutions curriculum are obsolete and do not reflect the necessary framework to underpin current market realities in trainings provided.

Training curriculums can only reflect labour market realities if it is developed based on up to date and comprehensive data; an area in which West Africa is lagging. The lack of systematic labour market data collection in the region contributes to the mismatch between education, vocational training and labour skills demand. National statistics are essential for formulating policy and managing and monitoring development, so building statistical capacity is crucial to labour market reform. Several West African countries have feeble labour analytical capacity — government data on nearly all sectors are unreliable; data on government operations are unavailable; and data on economic growth, monetary statistics, and balance of payments information are usually estimates. Authorities in several member states grasp this issue, but governments have allocated few resources to address it.\textsuperscript{54}

Underlying these aggregate labour market and social trends are disparities across many demographic groups. Gender disparities are of particular concern.\textsuperscript{55} On average, women are less likely to participate in the labour market, facing a global gender gap in participation of over 26 percentage points, and are less likely to find a job when they do participate.\textsuperscript{56} These gaps are significantly wide in ECOWAS countries, where women are twice as likely to be unemployed as men. Once in employment, women face segregation in terms of the sector, occupation and type of employment relationship, resulting in restricted access to quality employment. For instance, 82 per cent of women in ECOWAS countries were in vulnerable forms of employment in 2017, compared to 72 per cent of men.\textsuperscript{57}

The lack of employment opportunities for youth (i.e. those under 25 years of age) presents another major regional challenge. Young people are much less likely to be employed than adults, with the global youth unemployment rate standing at 13 per cent, or three times higher than the adult rate of 4.3 per cent. The challenge is particularly acute in ECOWAS, where almost 20 per cent (depending on the country) of young people in the labour market are without a job,\textsuperscript{58} and up to 50 per cent of the youths are either unemployed or underemployed. The challenge of working poverty is also worse for young people in West Africa, as the region is home to the highest youth working poverty rate, with nearly 67 per cent of young workers in West Africa living in poverty

\textsuperscript{52} Gordon Betcherman and Themrise Khan, Youth employment in sub-Saharan Africa Taking stock of the evidence and knowledge gaps, 2015
\textsuperscript{53} Klaus F. Zimmermann, Costanza Biavaschi, Werner Eichhorst, Corrado Giulietti, Michael J. Kendzia, Alexander Muravyev, Janneke Pieters, N`uria Rodr`iguez-Planas, and Ricarda Schmid, Youth Unemployment and Vocational Training, 2013
\textsuperscript{54} Africa Development Bank, Economic Outlook 2019
\textsuperscript{55} World Employment and Social Outlook: Trends 2018 International Labour Office – Geneva: ILO, 2018
\textsuperscript{56} ibid
\textsuperscript{57} ibid
\textsuperscript{58} ibid
in 2017.\(^{59}\) Additionally, gender inequalities are already established among young workers, rendering future progress in reducing gender gaps even more difficult.\(^{60}\)

The challenge of unemployment, underemployment and labour force disparities\(^ {61}\) in the ECOWAS region is also symptomatic of regional decent work deficits. Limited and stagnant employment supply, coupled with precariousness, has resulted in low employment rates in the region. In spite of promising economic growth trends, the above challenges underscore the need to reconcile the fundamental goals of economic growth, productive employment and poverty alleviation in the ECOWAS region.

The effect of severe unemployment in the ECOWAS region is also evident in the growing number of youths emigrating for job opportunities.\(^ {62}\) While on the one hand, migration is the consequence of the lack of appropriate job opportunities for youth, on the other hand, migration may, for some provide opportunities for employment. It can also provide an adequate response to the challenge posed by the growing populations of unemployed youth in the countries of West Africa.\(^ {63}\)

In this vein, the ECOWAS Commission is taking steps to revisit existing strategies designed to combat unemployment and poverty in the region. The development of new policies with a particular focus on youth and gender mainstreaming, to create jobs and address socio-economic problems is placed at the centre of the agenda of policymakers and social partners. For example, in addition to its 1975 ECOWAS Free Movement Protocols – that gives ECOWAS citizens the right to enter, reside in, and establish themselves in another Member State of the Economic Community, in particular when it is to seek paid employment. – In 2008, ECOWAS adopted the Common Approach to Migration, which aims to address challenges for youth, develop professional and educational exchanges in line with labour market needs, and offer more opportunities abroad for highly skilled migrants. ECOWAS also adopted an Action Plan concerning youth employment for the 2018 – 2022 (previously 2013-2018) period. Its goal is to strengthen the intra-regional mobility of young people and labour market information systems and reinforce educational programmes for youth employability.

Additionally, addressing the shortcomings of labour market data collection in the region, the ECOWAS commission within the framework of the Support to Free Movement of Persons and Migration in West Africa (2013 till date), developed a multi-country action for the set-up of a regional Labour Market and Migration Information System (LMMIS) within the ECOWAS. As a pilot, six member countries – Côte d’Ivoire, The Gambia, Ghana, Mauritania, Niger and Nigeria – were selected. The Multi-Country Action aims to set up the groundwork for a regular, trustworthy, comparable and sustainable regional labour market and migration information system. As a result of this, a Baseline Assessment Report was developed in 2014.

Interventions of the ECOWAS Commission, as an ongoing process, continues to face challenges in reinforcing national migration and employment governance schemes: many countries still lack the infrastructure and capacity to provide citizens and migrants with opportunities to develop

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\(^{59}\) ibid

\(^{60}\) ILO, World Employment Outlook 2018

\(^{61}\) Youth, gender and geographic location.

\(^{62}\) ILO, Facing the increasing unemployment challenges in Africa, January 2016

\(^{63}\) IOM, Youth, Employment and Migration Strategy in West and Central Africa, 2018
their human capital for more comprehensive and sustainable integration into labour markets.\textsuperscript{64} Therefore, it is imperative for governments of ECOWAS member states to increase investment in education and training, and stimulate and support job creation initiatives. An identified route to achieving this is successful implementation of the Regional Decent Work Programme, as applied through appropriate employment and labour policies and strategies.

An identified strategy of the ECOWAS Regional Decent Work Programme is to ensure the implementation of legal and regulatory frameworks that increase the employability of vulnerable categories of workers including women, youth and labour migrant and people living with disabilities. The Decent Work Regional Programme also plans to develop technical proposals to mainstream employability of these vulnerable categories of workers under existing laws and regulations. Besides, mechanisms to implement these proposals will be developed, and the capacity of key member states institutions will be built to achieve implementation goals. It is hoped that this will contribute to the attainment of the sustained growth required to alleviate and subsequently eradicate the high levels of poverty in West Africa.

2.2 Labour Standards and Reporting Deficits

While the ECOWAS regional economy is experiencing much-needed growth at 3.3\%, albeit at a slow pace, experience has shown that economic growth alone is not sufficient to cause a shift to inclusive and sustainable development.\textsuperscript{65} Supplementing the need as mentioned above for increased job creation and tailored measures to tackle unemployment and labour market disparity, a vital tool for the optimisation of economic performance and improving sustainable development is the promotion of fundamental principles and rights at work through the implementation of labour standards and enhancing access to decent work.

Decent work involves opportunities for work that are productive and deliver a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.\textsuperscript{66} These principles are enshrined in ILO instruments – Conventions and Recommendations collectively referred to as international labour standards. International labour standards are legal instruments drawn up by the ILO’s constituents (governments, employers and workers) and setting out basic principles and rights at work.\textsuperscript{67}

The ILO’s Governing Body has identified eight Conventions as "fundamental". It covers subjects which are considered fundamental principles and rights at work, such as freedom of

\textsuperscript{64} IOM, Youth, Employment and Migration Strategy in West and Central Africa, 2018
\textsuperscript{65} UN Secretary-General Ban Ki-moon, World Day of Social Justice 2014; ILO Concept Note on the post-2015 development agenda 2015
\textsuperscript{67} ILO, Rules of the Game: An introduction to the standards-related work of the International Labour Organization (centenary edition), 2019
association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.\textsuperscript{68} These principles are also covered in the ILO's Declaration on Fundamental Principles and Rights at Work (1998).

Recognising ILO core standards as a basis for regulating minimum labour standards in the region, the ECOWAS commission in 2009 adopted a Labour and Employment Policy. This policy centralises labour standards as a tool for achieving sustainable development in the region. The ECOWAS Commission and its Member States have made significant progress in its implementation evidenced by the establishment of the Regional Tripartite Social Dialogue Forum\textsuperscript{69}, the development of the Regional Action Plan against Child labour, the adoption of the ECOWAS General Convention on Social Security, the development of an Action Plan on Youth Employment, and the formulation of a draft Directive of Minimum Standards towards the Harmonisation of Labour Laws of ECOWAS Member States.\textsuperscript{70}

Currently, all 15 member states of the ECOWAS have ratified the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Worst Forms of Child Labour Convention, 1999 (No. 182); and 14 countries\textsuperscript{71} have ratified the Minimum Age Convention, 1973 (No. 138); and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

In spite of the ratifications as mentioned earlier, regional ratifications remain low concerning some other conventions which are crucial to addressing decent work deficits. These include ILO Conventions C97\textsuperscript{72} on migration for employment, C102\textsuperscript{73} on social security, C143\textsuperscript{74} on migrant workers, C151\textsuperscript{75} on labour relations C181\textsuperscript{76} and C189\textsuperscript{77} on Domestic Workers.

The region continues to experience impediments to further implementation of international labour standards, particularly those contained in ILO instruments extending protection to specific and vulnerable workers. In spite of the near-universal ratification of ILO core standards, ECOWAS member states remain constrained in the domestication of these instruments into national laws. Domestication of conventions by member states will require the adoption of new laws or review and amendment of existing laws to ensure consistency with convention principles, as well as capacity building of labour institutions to implement the provisions of these laws, including the judiciary, labour inspection and law enforcement agencies. Unfortunately, an analysis of the commitment of member states to take necessary and expedited steps towards

\textsuperscript{68} ibid
\textsuperscript{69} by Supplementary Act A/SA.1/07/10
\textsuperscript{70} ECOWAS Commission, 2018 Annual Report.
\textsuperscript{71} With the exception of Liberia and Guinea Bissau respectively.
\textsuperscript{72} Migration for Employment Convention (Revised), 1949 (No. 97) – ratified by Burkina Faso and Nigeria alone.
\textsuperscript{73} Social Security (Minimum Standards) Convention, 1952 (No. 102) – only ratified by Chad, Niger, Senegal, and Togo
\textsuperscript{74} Migrant Workers Convention, 1975. Ratified by Benin, Burkina Faso, Guinea and Togo
\textsuperscript{75} Labour Relations (Public Service) Convention, 1978 (No. 151), ratified by only Chad, Ghana, Guinea and Mali
\textsuperscript{76} Private Employment Agencies Convention, 1997 (No. 181) – only ratified by Mali and Niger
\textsuperscript{77} Domestic Workers Convention, 2011 (No. 189)
domestication show low political will and financial commitments to achieve this. The region's response to child labour exacerbates this point, as many national laws in the region are inconsistent with the child protection laws, despite of the alarming rate of child labour in West Africa.

There is the challenge of the inadequate capacity of institutions to ensure compliance with ratified conventions obligations and the lack of awareness of the provisions of such conventions. There is also no standard regional reporting template for tracking progress recorded in the implementation of the ECOWAS Labour and Employment Policy, Which could also serve as a regional guide to promoting ILO labour standards. Thus, to ensure the promotion of decent work in the ECOWAS region, it is imperative to address decent work deficits in the area of labour standards and tighten compliance mechanism. The review of the list of ILO instruments ratified by the Member States and consideration of the ratification of fundamental ILO conventions will also further the course for decent work.

2.3 Deficits in Social Protection

Due to low labour market participation rates in rural areas, increased rural-urban migration and urbanisation is a prevailing trend in the ECOWAS Member States. The economic implication of this trend is the consequent pressure exerted on Governments and private sectors in member states to create the required employment and social infrastructure to cater to the needs of the growing population in urban areas. One of such critical infrastructure is the access to basic social security coverage.

Wherever social protection systems, with extensive population coverage and adequate and affordable benefit levels, are in place they have been effective in reducing poverty and inequality and promoting economic and social development at large. Successes in expanding social protection in an increasing number of middle and low-income countries have shown that basic levels of social security are affordable. Social protection is a real social policy instrument that can achieve social and economic outcomes, among other things through income redistribution mechanisms and transfers and behavioural incentives that facilitate labour market adjustments.

The extension of social protection is particularly necessary for the ECOWAS region because of the economic characteristic of informality. The region faces one of the highest rates of informality outside the agricultural sector, with an average rate of 75 per cent and up to 90.6 per cent in some Member States. The challenge presented by informality is severe and persistent, mainly as the informal economy is frequently characterized by high levels of poverty, inequality and decent work deficits. A high rate of informality also arises in cases where a large working-age

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78 ILO, Global Estimates of Child Labour: Results and trends, 2012-2016, 2017
80 2009
81 high unemployment rate due to geographical location
82 United Nations, the fiscal sustainability of social protection floors, 2017
83 United Nations, Promoting Inclusion through Social Protection Report on the World Social Situation 2018, Department of Economic and Social Affairs
84 as well as evidence from multiple quantitative analyses in other developing countries; ibid
86 ILO, World Employment Outlook 2018; AFDB Economic Outlook 2019
population faces the economic necessity to work while confronting a widespread lack of formal job opportunities.87

Although almost all ECOWAS Member States provide a basic level of social security coverage, this coverage does not extend to the main branches of social security (health insurance, pensions, unemployment protection and tax-based social benefits) and only a small segment of the population have access to such schemes.88 Most countries have schemes designed to provide contributory old-age pensions although, in many, coverage is limited only 18 per cent of workers in the region89 – a minority of the employees working in the formal economy – and the benefits are very low.90

Indeed, payroll-tax financed contributory social security systems exist in most ECOWAS member states, but the predominance of the informal economy generates several challenges in extending social security coverage to informal economy workers. As a result, the majority of the West African population are not covered by existing social security provisions. In 2018, only approximately 30% of the working-age population in the region had access to old-age coverage. In terms of employment injury coverage, the reliance on employer liability and direct compensation is still a valid form of protection for a considerable range of risks in many ECOWAS member states, and this entails adverse effects for both workers and employers.91

Furthermore, the regional estimate for the proportion of unemployed persons receiving unemployment benefits is only 5.6 per cent, and statutorily mandated coverage remains low at 8.7 per cent.92 Inadequate regional social security provision is also reflected in government expenditure on social security as a share of GDP, with an average of 1.5%, ECOWAS region has one of the lowest government expenditure on social security in the world.93 Additionally, ECOWAS member states are yet to develop comprehensive policies and programmes designed to address the social security for informal economy workers and their dependents.94

Consequently, the ECOWAS Commission, in 2018, reiterated its commitment to intensify efforts to provide support for disadvantaged population groups by implementing social security programmes, with particular consideration for women and youth.95 This initiative builds on the ECOWAS General Convention on Social Security adopted in 2003.

Additionally, considering the significant proportion of migrants within the ECOWAS region, the implementation of the General Convention on Social Security of ECOWAS would be an essential step towards enhanced regional social security coverage. This instrument ensures the

87 ibid
91 World Social Protection Report 2017–19
92 ibid
94 Juan R. de Laiglesia, above n 57
portability of the rights of migrant workers in the ECOWAS region. This principle is also enshrined in the ECOWAS Protocol on Free Movement of Persons, and the ECOWAS Convention on the Recognition and Equivalence of Degrees, Diplomas, Certificates and other Qualifications.

In addition to these measures, revised regional social security specific instruments mandating and harmonizing social security for all, as well as the portability of same across countries of the region, are lacking. In addressing this gap, the Regional Decent Work Agenda may serve as a framework for collaboration between the ECOWAS Commission and other key stakeholders in developing such structures and increasing opportunities for women and men to gain and retain employment and decent income and increase the coverage and effectiveness of social protection for all.

This collaboration will also guide the Member States towards an integrated social protection system contributing to reducing the vulnerability of the most disadvantaged groups, especially women and youth. The role of Member States is significant as delivery systems at the country level is key to delivering social security. Extending social protection is linked to the development of social protection policies, incoherence to employment policies and other social policies developed through national dialogue, which includes social partners and other stakeholders.

2.4 Labour Administration Deficits

Labour administration encompass social dialogue and tripartism, fair policies, consistent application of the rule of law, transparency in decision-making, information and government services available for all. It is driven by the principle of responsibility, which requires a country and its entities to be accountable for its mandates and activities. These conditions are currently at a low ebb in the ECOWAS region on account of defective national development options, political unwillingness, inadequate funding of factory and labour inspectorates. There is also the challenge of capacity gaps in training for factory and labour inspectorates, inadequate funding for monitoring and evaluation, and lack of awareness of victimized groups to their rights.

The ITUC Global Rights Index -The World's Worst Countries for Workers. The survey depicts the world's worst countries for workers by rating 139 countries on a scale from 1-5 based on the degree of respect for workers’ rights. Workers’ rights are absent in countries with the rating 5 and violations occur on an irregular basis in countries with the score 1. Out of the 9 ECOWAS member states ranked, two were considered on level 5 – a country with no guarantee of rights, four were considered on level 4 – countries with systematic violations of rights and remaining two were considered on level 3 – countries with regular violations of rights. The remaining 6 ECOWAS member states were not surveyed due to lack of sufficient labour market information. Based on this survey, violations of workers’ rights take place in a significant number of ECOWAS Member States.

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96 1975
97 2003
99 International Trade Union Confederation
In addition to this glaring lacuna, access to justice for remediating violations of workers' rights are not readily available to workers across the region. This is either due to the high cost of pursuing legal action, the delay in obtaining justice or the refusal of employers to honour rights of workers and the failure of labour rights institutions to enforce the rights of vulnerable workers. Additionally, based on the report mentioned above of ITUC, infringement of freedom of association and right to collective bargaining has become more prevalent in most ECOWAS member states in recent years as a result of inadequate and ineffective frameworks to protect workers. Therefore, it has become increasingly difficult to organize workers into a union and more dangerous for labour leaders in most organizations to seek to mobilize their members or new membership without incurring adverse actions. As a result, trade union membership rates have declined, and the ability of trade unions to represent and negotiate on behalf of workers has weakened.

Labour standards implementation and labour inspection are, figuratively speaking, two sides of the same coin. Labour inspection is an essential part of the labour administration system, exercising the fundamental function of labour law enforcement and effective compliance. It ensures fairness in the workplace and helps promote economic development. In essence, the institution of labour inspection has a twofold nature.

On the one hand, it supervises the enforcement of legal provisions, particularly about workers’ rights. On the other hand, labour inspection provides information and advice, as well as training. This dual nature means that labour inspection systems play a crucial role in the world of work and implementation of labour standards.

Proper application of labour legislation depends on an effective labour inspectorate. Labour inspectors examine how national labour standards are applied in the workplace and advise employers and workers on how to improve the application of national law in such matters as working time, wages, occupational safety and health, and child labour. Also, labour inspectors bring to the notice of national authorities’ loopholes and defects in national law. They play an essential role in ensuring that labour law is applied equally to all employers and workers. Because the international community recognizes the importance of labour inspection, the ILO has made the promotion of the ratification of two labour inspection conventions (Nos. 81 and 129) a priority. To date, more than 145 countries (nearly 80% of ILO member states) have ratified the Labour Inspection Convention, 1947 (No. 81), and 53 have ratified Convention No. 129.

In West Africa, all but one (Gambia) of the ECOWAS member states have ratified ILO Labour Inspection Convention, 1947 (No. 81), nevertheless 85 per cent of ECOWAS member states lacked a sufficient number of labour inspectors to enforce labour laws adequately. Ghana, for example, had 105 labour inspectors. According to the ILO’s technical advice of a ratio

103 ILO, International Labour Standards on Labour inspection, online resource, accessed May 25, 2019
104 United States Department of Labour, Findings on the Worst Forms of Child Labour: Nigeria, 2017
approaching one inspector for every 15,000 workers in industrializing economies, Ghana would employ roughly 833 inspectors. Nigeria employed only 888 inspectors compared to the ILO's technical advice of 4,005 inspectors.

Challenges remain in West Africa as labour inspection systems remain underfunded and understaffed, and consequently unable to do their job. Some estimates indicate that in some countries less than 1% of the national budget is allocated to labour administration, of which labour inspection systems receive only a small fraction. Other studies show that the costs resulting from occupational accidents and illnesses, absenteeism, abuse of workers and labour conflict can be much higher. Labour inspection can help prevent these problems and thereby enhance productivity and economic development.

As national laws and policy apply international labour standards, it is therefore vital that each ECOWAS member state maintains a viable and active labour administration system responsible for all aspects of national labour policy formulation and implementation. Besides promoting labour administration systems in a variety of forms, ECOWAS standards at the same time improve the collection of labour statistics, which are invaluable in identifying needs and formulating labour policy, at both national and regional levels. While labour administrations exist in most ECOWAS countries, many of them face financial and material difficulties. Adequate financing of labour administration systems is therefore necessary to maintain and strengthen this vital tool for development.

2.5 Social Dialogue Deficits

Social dialogue is the most fundamental component towards building an integrated social dimension into the DWP. It includes all types of negotiation, consultation or simply the exchange of information between, or among, representatives of governments, employers and workers on issues of common interest relating to economic and social policy. Social dialogue is the most suitable tool for promoting better living and working conditions and greater social justice. It is an instrument through which governance can be enhanced in many fields. It is also relevant to any effort aiming to achieve more productive and effective enterprises and sectors and a fairer and more efficient economy. Fundamentally, social dialogue is an essential tool for advancing gender equality in the world of work. It thus contributes to a more stable and more equitable society. It also has particular relevance to the globalization process and ECOWAS economic integration process.

Naturally, as part of development strategy, strengthening the capacity of regional social actors will have the effect of encouraging greater democratic participation and strengthening governance at national and regional levels. As was pointed out by the ECOWAS Commission,
Community decisions sometimes rely on the direct or indirect implementation by nongovernmental actors, making the social partners important conduits for regional action.\(^{109}\)

In principle, structures for national social dialogue exist in all ECOWAS member countries. Social dialogue has not been effective in most countries due to a restricted mandate of social dialogue institutions which limits consultations to labour and employment matters only, as opposed to negotiations on broader national social and economic policies.\(^{110}\) As a result, the outcomes of social dialogue do not adequately reflect the broad aspirations of society and interests of key stakeholders such as the youth, women, informal economy operators and workers and people with disabilities in West Africa.\(^{111}\)

Furthermore, trade unions and employer organizations in most countries, even when consulted on national social and economic issues, are characterized by limited capacity in many areas such as collective bargaining and negotiation, government policies and national development frameworks. Additionally, trade unions do not provide an adequate representation of the labour market. For example, youth workers and workers in informal sectors who are poorly unionized are also poorly represented in social dialogue at the national and regional level. Similarly, trade union representation reflects the gender disparity in the labour force. Other disadvantaged population groups, such as migrants and rural workers and people living with disabilities are also grossly underrepresented by trade unions across the region.\(^{112}\)

Addressing the challenge of social dialogue in the ECOWAS region, the ECOWAS Commission formally encourages the participation of the traditional tripartite partners and civil society in the work of the Community. In practice, however, this participation is imperfect despite practical efforts by ECOWAS Commission to create space for participatory dialogue within the regional institutions. Part of the explanation may very well lie in the lack of political will to follow through and make right the commitment to bring the social partners into the inner decision-making circle. It cannot be ignored the fact that in a region of such under-development, unemployment and poverty, employer and worker groups themselves (where they exist) face significant organizational and resource obstacles that hinder their capacity to engage at the regional level, even when the mechanisms are in place to do so.\(^{113}\)

The ECOWAS Commission through the development and implementation of the Decent Regional Work Programme has expressed commitments to developing frameworks that enable and empower national social actors to participate at a regional level, towards achieving a more effective and fairer regional economy.\(^{114}\)

\(^{2.6}\) **Gender Deficits**


\(^{112}\) *ibid*

\(^{113}\) *ibid*

\(^{114}\) ECOWAS Commission, *Annual Report 2018*
In the ECOWAS region, significant gender disparities persist. Women and girls do not enjoy the same opportunities as their male counterparts in a wide range of sectors, ranging from unequal access to basic health services, education, vocational training, employment opportunities, unequal property rights and persistent gender gaps in the labour market and the public sphere.\textsuperscript{115} Several legal frameworks, policies and strategies exist which address gender disparities in the region. Since the mid-2000s, the majority of West African countries have developed national gender policies and procedures. Regional organisations such as ECOWAS\textsuperscript{116}, UEMOA\textsuperscript{117}, CILSS\textsuperscript{118} and the African Union\textsuperscript{119} have all adopted gender policies, and they are increasingly mainstreaming gender issues in different policy sectors. But, in practice, addressing gender disparities is in general, not prioritized, and existing gender policies are often not implemented effectively.

An example of gender disparity in West Africa is evident in education outcomes from the region. With the enactment of Universal Basic Education legislation in the ECOWAS Member States, tremendous strides have been made increasing girls’ school enrollment rates, but when it comes to educational outcomes, the results are unsatisfactory. In the poorest performing countries in the region, the literacy rates for boys managed to remain at 55 per cent, while the literacy rate for girls was as low as 23.2 per cent.\textsuperscript{120} The gender gap is progressively closing, but no country in West Africa is projected to achieve gender parity in primary and secondary education in the coming years. The most persistent barriers to girls' education are early marriage and early motherhood, traditional seclusion practices, the favouring of boys when it comes to family investment in education and the gendered division of household labour.\textsuperscript{121} Seven ECOWAS countries rank among the 20 countries in the world with the highest rates of child marriage. In some member states, as much as three out of four girls marry before their 18th birthday, contributing to the highest fertility rate in the world of more than seven children per woman. ECOWAS member states also rank as among the 20 countries with the highest absolute number of child marriages, amounting to approximately 1.5 million married girls. These conditions have a lasting consequence for the girl child and negatively impact on women and girls’ opportunities and access to education and employment opportunities.

Consequently, women in the ECOWAS region remain significantly under-represented in the political sphere. In 2018 women occupied only 421 seats in West African parliaments, representing 16.1\% of all lawmakers. And 12 out of the 17 Member States had fewer female lawmakers than the global average of 23.3\%. Senegal is a notable exception. With women making up 42.7\% of its parliament, it ranks as number seven globally, just behind Sweden.

Even in instances of political inclusion, in the ECOWAS region, women are underrepresented. They occupy on average less than 20 per cent of ministerial posts, and, of those, they are mostly clustered in the ministries covering women's affairs and social issues. Men also outnumber

\textsuperscript{115} OECD, Gender equality in West Africa, 2018
\textsuperscript{116} ibid
\textsuperscript{117} ibid
\textsuperscript{118} ibid
\textsuperscript{119} ibid
\textsuperscript{121} Sahel and West Africa Club, Gender equality in West Africa, 2018.
women within ministerial administrations. While women generally occupy secretarial, accounting, human resources and other administrative positions, men hold most of the technical and managerial positions.

To address this pervasive regional gender disparity, the ECOWAS Commission adopted a Gender and Elections Strategic Framework (GESF) and Action Plan in December 2016. The framework was followed up in February 2017, by a series of recommendations to update the "Supplementary Act relating to Equality of Rights between Men and Women for Sustainable Development in the ECOWAS Region. This supports the ECOWAS Commissions earlier gender parity instruments such as the ECOWAS Gender Policy, Gender Strategy - ECOWAS Parliament 2010-2020, ECOWAS Policy for Gender Mainstreaming in Energy Access (2015), Supplementary Act relating to Equality of Rights between Men and Women for Sustainable Development in the ECOWAS Region (2015) and the 1993 Protocol on Democracy and Good Governance (A/SP1/12/01).

In 2019 the ECOWAS Commission developed and adopted specific regional instruments to better protect the girl child viz :

i. ECOWAS Child Policy and Strategic Plan of Action (2019 to 2030),
ii. ECOWAS Roadmap on Prevention and Response to Child Marriage (2019 to 2030)
iii. ECOWAS Political Declaration and Common Position against Child Marriage

These instruments have been approved by Ministers, passed by the Parliament, endorsed by Council and adopted by Heads of States and Government of the ECOWAS.

Additionally, at the national level, all ECOWAS member states are signatories to at least one international treaty or aimed at protecting and promoting the dignity and welfare of women. These include the African Charter on Human and Peoples' Rights, Convention on the Elimination of all forms of Discrimination against Women (CEDAW, 1986), ILO Conventions on Equal Remuneration (No.C.100), C111 on Discrimination, as well as the Beijing Platform of Action (1995). All ECOWAS member states, but Liberia, have also ratified the ILO Equal Remuneration Convention, 1951 (No. 100). As with most other treaties and legal frameworks, the challenge lies in its implementation.

Centralizing economic empowerment of women into government policies and programmes would be an essential strategy in the DECENT WORK REGIONAL PROGRAMME. The plan will assist ECOWAS member states in bridging the gap between men and women in the areas of employment creation and human rights.

3. **RESPONSE TO REGIONAL DECENT WORK DEFICITS**

By way of a summary, to address the identified decent work deficits in West Africa, the ECOWAS Commission has adopted many policies and Strategic Action Plans. The Commission has also initiated high impact programmes based on the objectives of various Strategic Action Plans, such as:
a. **Adoption of the ECOWAS Labour and Employment Policy and its Strategic Action Plan:** The Council of Ministers adopted the ECOWAS Labour and Employment Policy and Strategic Action Plan in 2009. The Policy was formulated as a response to the global meltdown with its attendant job losses, which prompted the need for labour/workplace issues to be brought to the fore and addressed.

b. **Establishment of the Regional Tripartite Social Dialogue Forum by the Supplementary Act:** The Tripartite Forum of Social Dialogue of ECOWAS was established in 2011 by the adoption of the Supplementary Act A / SQ.1/7 / 07/10 for the implementation of Labour and Employment Policy of its Strategic Action Plan.

c. **Adoption of the ECOWAS General Convention on Social Security:** The ECOWAS General Convention on Social Security was drafted in 1993 within the context of renewed interest in strengthening regional integration.

d. **Formulation of a draft A Directive of Minimum Standards towards the Harmonization of Labour Laws of ECOWAS Member States:** In West Africa, as in all regions of the world, it is imperative to speed up regional integration regarding laws applicable in the business environment to stimulate economic growth. Thus, the ECOWAS Commission, in collaboration with the International Labour Organization (ILO), initiated a study on harmonization of labour laws in the ECOWAS region. The findings of this study resulted in the elaboration of a Draft Directive of Minimum Standards towards Harmonization of Labour Laws of ECOWA Member States.

e. **Development of a Social Protection Framework for West Africa:** The ECOWAS Commission is collaborating with UNICEF to develop a Social Protection Framework for the region.

f. **Support to the development of a pilot Labour Market and Migration Information System (LMMIS):** The Commission is currently supporting 5 Member States to strengthen their labour market and migration information systems.

g. **Guide for Policymakers on the Protection of Migrant Workers’ Rights within the ECOWAS Region:** In order to contribute to strengthening the capacity for developing effective policy responses to labour migration in the ECOWAS area, the ECOWAS Commission, with support from partners, has developed a tool for policymakers from the ECOWAS Member States on the protection of migrant workers.

h. **Adoption of the Convention on the Recognition and Equivalence of Degrees, Diplomas, Certificates and other Qualifications in MS:** ECOWAS adopted in 2003 a Convention on the Recognition and Equivalence of Degrees, Diplomas, Certificates and other Qualifications in the Member States.

i. **Combating trafficking in persons and forced labour:** In 2001, ECOWAS Member States first declared their commitment to the eradication of Trafficking in Persons by adopting a "Declaration on the fight against trafficking in persons". Subsequently, in 2002, the initial Plan of Action on Trafficking in Persons (2002-2003) was adopted by the ECOWAS Heads of State.

j. **Combating child labour:** In the drive to eliminate Child labour in West Africa, the ECOWAS Commission and its Member States developed the ECOWAS Regional Action Plan for the Elimination of Child Labour, especially its Worst Forms (RAP). The Regional Action Plan for the Elimination of Child Labour was adopted by the Ministers of Labour and Social Protection on the 7th of December, 2012 in Dakar Senegal.

k. **The ECOWAS Protocol on Free Movement of Persons, Residence & Establishment - 1979**
The Free Movement Protocol was adopted in 1979 to facilitate the Free Movement of persons in the ECOWAS Region and accelerate intra-regional mobility.

1. The ECOWAS Common Approach on Migration – 2008: The ECOWAS Common Approach on Migration was adopted to help discuss the issues of common concern on migration that cannot be addressed at the National level.

m. The ECOWAS Youth Employment Action Plan: 2018-2022

4. REGIONAL PRIORITIES, REGIONAL PROGRAMME OUTCOMES (RPOS) AND STRATEGIES

The Decent Work Programme is built around three regional priority areas identified by the Commission and validated by the ECOWAS social dialogue forum. The regional priority areas and their associated outcomes were identified in a diagnostic study and after a series of consultations and validation with the relevant units and Directorates of the Commission. The priorities of the Decent Work Regional Programme (DECENT WORK REGIONAL PROGRAMME) are:

i. Promoting Employment Opportunities
ii. Extending Social Protection Coverage
iii. Implementing International Labour Standards

Regional Programme Outcomes and the Outputs

Priority 1: Promoting Decent Employment Opportunities for women, youth, labour migrants, and PLWD

Outcome 1.1 Regional and national legal and regulatory frameworks to increase employability of women, youth, labour migrants, and Persons Living With Disability - PLWD are implemented in selected Member States on a demand driven basis.

INDICATORS

- Number of Youth, Women, Labour Migrants and Persons Living With Disability that have found a decent job linked to changes to the legal and/or regulatory framework supported by the ECOWAS Decent Work Programme
- Number of Member States that have designed and implemented new or improved programmes to support the Legal and regulatory framework to increase employability of women, youth, Labour Migrants and Persons Living With Disability

Outputs
Technical proposals to mainstream employability of women, youth, Labour migrants and Persons Living with Disability under existing legal and regulatory frameworks and instruments developed jointly with Government and Social Partners.

Mechanism (such as programmes, coordination frameworks, action plans, management and Monitoring and Evaluation methodologies) to implement key legal/regulatory instrument to increase employability of women, youth, Labour Migrants and Persons Living With Disability developed.

Member States key institutions trained to implement technical proposals to mainstream employability of women, youth, Labour Migrants and Persons Living With Disability under existing legal and regulatory frameworks.

**Strategies** — The thrust of the Decent Work Regional Programme (DWRP) is to ensure the implementation of legal and regulatory frameworks that increase the employability of women, youth, Labour Migrants and Persons Living With Disability. Thus, technical proposals to mainstream employability of the aforementioned categories of people under existing legal and regulatory frameworks and instruments will be developed jointly with government and social partners. Also, the Decent Work Regional Programme will focus on developing mechanisms including programmes, coordination frameworks, action plans, management and Monitoring and Evaluation methodologies) to implement key legal/regulatory instrument to increase employability of women, youth, Labour Migrants and Persons Living With Disability. Further, key member states’ institutions will be trained to implement the technical proposals developed on mainstreaming the employability of the above target group into existing legal and regulatory frameworks.

Key external factors that will contribute to the achievement of this outcome include the availability of technical and financial resources.

**OUTCOME 1.2** Regional and National Labour Market and Migration Information Systems (LMMIS) provides new standardized, reliable and valid data at regional and country level on labour markets to improve evidence-based labour and employment policies and programmes.

**INDICATORS**

- The 15 Member States collect and report labour and employment data, addressing ECOWAS standards, every two years.
- Two years regional labour and employment reports (covering areas such as labour migration, job matching, skills development, gender, and talent mobility) based on the 15 countries LMMIS, developed and published.

**Outputs**

1.2.1 ECOWAS Commission capacity on a regional labour and employment observatory developed (staff and equipment)

1.2.2 National LMMIS implemented in 15 ECOWAS countries to complete the coverage at regional level

**Strategies:** In order to realize this outcome, the Decent Work Regional Programme will focus on reviewing key labour market information needs, data and statistics at regional and national levels. In addition, efforts will be made to strengthen the capacity of the Commission to maintain a functional labour and employment observatory for management of statistics in the ECOWAS region. In addition, support will be provided to ensure that the LMMIS of member states is implemented to complete the
coverage at regional level. There will also be sustained advocacy to ensure that member states collect periodic labour market information.

The following external factors will determine achievement of this outcome: submission of timely periodic reports by Member states to the ECOWAS Commission and the availability of capacity and resources to collect data at national levels.

**Outcome 1.3** Key Decent Work principles (To Be Determined) mainstreamed into the implementation of the Small and Medium Enterprise (SME) charter

**Indicators:**
- The Regional SME charter includes key Decent Work principles
- Member States SME policies include key Decent Work at institutional and operational levels

**Outputs:**

1.3.1. Draft SME charter reflecting key Decent Work principles submitted to the Member States for adoption.

1.3.2 Draft mechanisms to mainstream key Decent Work principles in SMEs policies discussed and approved at National Tripartite Social Dialogue Forums or similar forums

**Strategies:** The key strategy that will be utilized to achieve this outcome is to propose amendments for inclusion of key decent work principles in the Regional SME charter. The proposed amendments will subsequently be presented to Member States for adoption during the next Experts’ meeting on the subject. Then the ECOWAS Decent Work Programme Team will draft mechanisms to mainstream the amendments to ensure implementation at national level. Implementation will require support to Member States towards the review, adoption and implementation of national legal and policy instruments related to the revised SME Charter. Main Action at country level will be to support or reinvigorate the National tripartite social dialogue forums where needed and ensure regular dialogues through the forums.

Several external factors to consider are the following: ensure incentives to the private sector in general and Small and Medium Enterprises to respond/address the SME charter amendments. For this purpose, it is expected that there is a positive climate for business in terms of creating new jobs that are expected to be decent jobs.

**Priority 2: Extending Social Protection Coverage**

**Outcome**

**2.1 Member States national Social Security laws conform to ECOWAS General Convention on Social Security and start its operationalization following ECOWAS Committee of experts’ recommendations.**

**INDICATORS**
- Number of Member States that have revised the Social Security Laws to address gaps regarding the ECOWAS General Convention on Social Security
- Member States present Annual Reports on the level of implementation of the ECOWAS General Convention on Social Security
- No of Member States that implement recommendations of the ECOWAS General Convention on Social Security Experts Committee
Outputs:

2.1.1 Draft revised National Social security laws to conform to ECOWAS General Convention on Social Security for Member States that required it.

2.1.2 Key officers of the Member States’ Social Security Agencies informed and trained on strategies to implement ECOWAS General Convention on Social Security

2.1.3 ECOWAS Commission and Committee of Experts trained on the analysis of the annual reports to monitor the implementation of the Convention on Social Security

Strategies: Based on the report of the study on ‘Compatibility of Member States Social Security legislation with the ECOWAS General Convention on Social security’, member states whose laws require revision will be identified. The ECOWAS Commission will provide support to such Member states to review their national social security legislation to align with the ECOWAS General Convention on Social Security. Further, key officers of social security institutions will be informed and trained on the implementation of the ECOWAS General Convention on Social Security. Training will also be conducted for the ECOWAS Commission and Committee of Experts on how to analyze reports received from Member States on the level of implementation of the Convention.

The political will of member states to revise their laws in conformity with the ECOWAS General Convention and the availability of resources at the regional level are key external factors that are required to achieve this outcome.

Outcome 2.2 Social protection coverage to informal and rural economy extended to xx% of the ECOWAS region\textsuperscript{122}

Indicators

- Regional Social Protection Framework covering the informal and rural economy adopted
- No of Member States with National Social Protection Policies covering the informal and rural economy operating.
- No of Member States implementing National Social Protection programmes covering the informal and rural economy.

Output

2.2.1 Regional Social Protection Framework covering informal and rural economy drafted

2.2.2 Member States Social Protection programmes equipped and with staff trained to expand the coverage to the informal and rural economy

Strategies: The draft Regional Social Protection Framework for the ECOWAS region will be presented to Social Protection Experts for validation. Thereafter, it will submitted to ECOWAS Ministers in charge of social protection for adoption following which implementation will commence at national level. In addition, member states will be trained and informed on how to establish social protection floors and capacity building on social protection for regional and national focal points as well social partners will be conducted. In addition, support will be provided at national level to, initiate social protection schemes and services for the rural and informal economy.

The external factors that will influence the achievement of this outcome will include the political will to collect data on the informal and rural economy.

\textsuperscript{122} The target will be defined as part of the Assessment to take place in the first year.
Outcome 2.3 Member States and social partners have taken concrete action on reducing unacceptable\textsuperscript{123} forms of work and practices.

Indicators

- No of innovative concrete actions mainstreamed in national child labour policies and programmes
- No of Member States in which the protection dimension of trafficking is explicitly considered in tools, mechanisms and other elements as part of the implementation of the Plan Of Action to combat Trafficking In Persons
- No Member States that implemented Regional guidelines to mainstream gender-sensitive HIV anti–discriminatory workplace legislation, policies and programmes

Outputs

2.3.1 Regional Action Plan on Child Labour revised and implemented
2.3.2 Government and Social partners and other relevant stakeholders improve their knowledge and skills in protecting potential and actual victims of trafficking under the ECOWAS Regional Plan of Action to combat Trafficking in Persons
2.3.3 Regional guidelines to mainstream gender-sensitive HIV workplace legislation, policies and programmes developed

Strategies: An assessment of the level of implementation of the Regional Action Plan on the eradication of Child Labour (RAP) will be conducted to inform its revision and the formulation of a new Plan which responds to the prevailing regional context. The ECOWAS Commission will also support member states to implement the RAP. Furthermore, efforts will be made to ensure that tripartite partners and other relevant stakeholders improve their knowledge and skills in protecting potential and actual victims of trafficking under the ECOWAS Regional Plan of Action to combat Trafficking in Persons. Lastly, a consultant will be engaged to develop regional Guidelines to mainstream gender-sensitive HIV workplace legislation, policies and programmes.

Priority 3: Implementing International Labour Standards

Outcome 3.1 Member States have ratified ILO core Conventions and the Conventions on domestic workers, social security, Occupational Safety and Health (OSH) and labour migration, and report on them to ECOWAS on an annual basis

Indicators:

- No of Member States that ratified during the Decent Work Programme 2019-2022 the Conventions 97, 102, 143, 155 and 189
- Guinea-Bissau ratifies ILO Core Convention 87 on Freedom of Association and Protection of the Right to Organize.
- Liberia ratifies ILO Core Conventions 100 on Equal Remuneration & 138 on Minimum Age
- No of Member States that report annually to ECOWAS on compliance on ILO Core conventions

123 (Clarify the terms “unacceptable”)

28
3.1.1 Evidence based peer learning on the significance of ratifying and implementing ILO Core Conventions conducted in Liberia and Guinea Bissau

3.1.2 Tripartite constituencies are informed and trained in how to collect data and report annually to ECOWAS on the implementation of ILO Core Conventions

**Strategies:** A Desk review on the level of implementation of ILO Core Conventions will be conducted to identify the gaps in ratification and provide recommendations on the strategy to be adopted by ECOWAS to achieve universal ratification of the Conventions. Additionally, the ECOWAS Commission will prepare advocacy briefs to advocate for the ratification of other Conventions including 97, 102, 143, 155 and 189. Tripartite constituencies (government, employers and worker associations) will also be provided with information and trained on how to collect data and report annually to the Commission on implementation of ILO core Conventions.

External factors influencing the achievement of this outcome include the political will of member states to sign and ratify ILO Conventions as well as the availability of resources to implement and report on ratified Conventions.

**Outcome 3.2. The “Regional Tripartite Social Dialogue Forum (RTSDF)” issues recommendations on labour and employment matters to MSs and are addressed by the Member States.**

**Indicators**

- No of Member States that receive recommendations on labour and employment issues from the “Regional Tripartite Social Dialogue Forum”
- No of Member States that take actions to address the recommendations on labour and employment issued by the “Regional Tripartite Social Dialogue Forum”

**Output**

3.2.1. Diagnostic on the Regional TSDFs developed

3.2.2. Action plan on restructuring the Regional TSDFs developed and implemented

**Strategies:** The Decent Work Regional Programme will conduct a diagnostic study on the challenges of the ECOWAS Regional Tripartite Social Dialogue Forum. The recommendations of the study will result in the development of an action plan to ensure that the Forum functions optimally.

External factors influencing the achievement of this outcome include the availability of institutional information on the activities of Social Dialogue Forum since inception.

**Outcome 3.3 The Regional Migration Policy is adopted and implemented in ECOWAS region**

**Indicators:**

- The Regional Migration Policy is adopted in ECOWAS region.
- Number of Member States that have focal points on implementation of labour migration.
- Number of Member States that have a Labour Migration Policy adopted and implemented.

**Outputs**
3.3.1 National government agencies/institutions are informed on specific themes\textsuperscript{124} and have the tools and mechanisms developed to implement the Regional Migration Policy and the National Labour Migration Policy.

3.3.2 Draft national Labour Migration Policies developed based on Member States demand.

3.3.3 Tripartite constituencies are informed on the approved Labour Migration Policy adopted and the roles that can play in its implementation.

Strategy: The focus is on the adoption and operationalization of the ECOWAS Regional Migration Policy. Firstly, the Regional Migration Policy will be validated at two levels: by Experts on Migration and Ministers in charge of migration. Subsequently, it will be presented to the ECOWAS Council of Ministers to recommend its adoption by 2019. Then the Policy will be published and disseminated and used as a reference document for the development and implementation of respective National Migration Policies. In line with the provisions of the Policy, Member States will designate focal points responsible for coordinating and reporting on implementation of the policies. The ECOWAS Commission will support Member States to draft National Labour Migration Policies on demand.

Key external factors include the high political commitment for adoption of the regional Policy. However the translation of commitment into national implementation might also pose a challenge due to competing demand on available resources.

5. ECOWAS REGIONAL DWP MANAGEMENT AND IMPLEMENTATION
A Technical Working Committee (TWC) to oversee the implementation of the Decent Work Regional Programme (DWRP) is proposed. The TWC would oversee and coordinate the DWRP’s implementation and monitoring and will meet as initiated by the coordinating Directorate on a bi-annual basis with provisions made for the meetings in the DWRP budget. The Committee would be the forum for the assessment of progress towards Decent Work Regional Programme outcomes. The members of the Committee will include the following Directorates: Humanitarian and Social Affairs (Chair and Secretariat), Education, Private Sector, Free Movement, Research and Statistics and Communications.

The ILO will provide technical assistance to the TWC in an advisory capacity.

The TWC will report to the Social Dialogue Forum, which is expected to provide guidance and approve the reports on the implementation of the DWRP. This is to ensure that the tripartite partners from the Member States are involved in the implementation of the programme.

The ECOWAS will collaborate with relevant partners to ensure the implementation of the DWRP and will develop an Advocacy and Resource Mobilization Strategy in addition, to collaborating on joint programmes and initiatives with other UN agencies and development partners.

Concept notes will be developed on the outcome areas and circulated to donor agencies and development partners as per their areas of interests while a donor conference will be organised by the Commission with support from partners to promote the DWRP.

6. PERFORMANCE MONITORING AND EVALUATION ARRANGEMENTS
A theory of change based results based implementation plan and monitoring plan will be an integral component of the ECOWAS Decent Work Regional Programme. It will also be aligned

\textsuperscript{124} Based on a needs assessment
to the ECOWAS web-based M and E tool which facilitates the preparation of quarterly and annual work plan, budget and the generation of Quarterly, Annual and Community Performance Reports.

The Outcome-based M&E plan will allow ECOWAS to track progress and demonstrate the impact of the DWRP. The use of Results-based M&E will also help the DWRP Technical Working Committee (TWC), to move beyond an emphasis on inputs and outputs to a greater focus on outcomes and impacts. Results-based approaches help to answer the “so what” question. In other words, governments and organizations may successfully implement programs or policies, but have they produced the actual, intended results (quantitative and qualitative).

The Directorate of Humanitarian and Affairs will oversee the implementation of the M & E plan and also reporting, including facilitating the participation of the social partners in the planning, implementation, monitoring and evaluation of the DWRP. In order to make this effective, capacity building support will mobilised and provided to ECOWAS and Social partners on result based management, including performance monitoring to enhance full and meaningful engagement.

7. RESOURCE MOBILIZATION

To ensure timely and effective mobilisation of the Decent Work Regional Programme, funds would be mobilised from various sources. Resources will be expected from the following:

i. ECOWAS annual Budget
ii. ILO Extra-budgetary resources
iii. UN Regional offices
   a. Other bilateral/multilateral contacts with countries and organisations such as EU, World Bank, ADB and the Global Fund through funding of technical cooperation projects on employment and skill development and women empowerment
   b. Other International Organisations.
iv. Private sector

There will be Resource Mobilisation Strategy whose objective will be to raise resources needed to implement the DWRP. The use of any resources mobilised will be tracked throughout the implementation of the DWRP to ensure accountability and transparency and financial reports prepared on intervals agreed with the donors.