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Multinational Programming and
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Southern African States
(Lusaka-based MULPOC)

REPORT OF THE SECOND MEETING OF THE
MINISTERS OF LABOUR OF BOTSWANA,
LESOTHO AND SWAZILAND (BLS) ON MIG-
RATORY LABOUR TO SOUTH AFRICA

(Gaborone, Botswana, 30 - 31 January 1980)

A. INTRODUCTION

1. The Second Meeting of the Ministers of Labour of BLS countries on Migratory Labour to South Africa took place at Gaborone, Botswana, from 30 to 31 January 1980.
2. The purpose of convening the meeting was to consider the progress which has so far been made by the BLS countries in solving their migratory labour problems.

B. ATTENDANCE AND ORGANISATION OF WORK

Opening of the meeting

3. The meeting of Ministers of BLS countries on Migratory Labour to South Africa took place in Gaborone, Republic of Botswana from 30 to 31 January 1980.
4. The meeting was formally opened by the Minister for Home Affairs, the Honourable Mrs. K.L. Disele, MP. The Executive Secretary of the Economic Commission for Africa (ECA) also made an opening statement.

Attendance

5. The meeting was attended by Ministers and Officials from the Republic of Botswana, and the Kingdom of Lesotho and Swaziland. Representatives of ILO and UNDP also attended the meeting as observers.

Election of Officers

6. The Minister for Home Affairs of the Republic of Botswana, the Honourable Mrs. K.L. Disele, MP, was unanimously elected Chairperson, and the ECA Secretariat was requested to act as Rapporteur.

C. ADOPTION OF THE AGENDA AND ORGANISATION OF WORK

7. The meeting adopted the following agenda:-

- (i) Opening of the Meeting;
- (ii) Election of Officers;
- (iii) Adoption of the Agenda and Organisation of Work;
- (iv) Progress report since the 1978 Lusaka Migratory Labour Conference;
- (v) Report of the Second Meeting of the Committee of Officials of the Ministries of Labour of Botswana, Lesotho, Mozambique and Swaziland;
- (vi) Discussion of draft agreement;
- (vii) Future action plan;

- (viii) Recommendation of the meeting of Ministers;
- (ix) Any other business;
- (x) Adoption of the report;
- (xi) Date and Venue for the next meeting;
- (xii) Closure of the meeting;

D. ACCOUNT OF PROCEEDINGS

8. In her opening address, (Annex I), the Minister for Home Affairs, the Honourable Mrs. K.L. Disele, M.P., reiterated that the prime objective of the supplier States was to create alternative employment opportunities, to enable the supplier States to provide work so as to reduce migration of labour into South Africa. She noted the progress that was being made towards the establishment of consultative machinery on migratory labour problems. This, she pointed out, would assist in mobilising international assistance.

9. In his opening statement (Annex II), the Executive Secretary thanked the Government of the Republic of Botswana for hosting the Second Meeting of the Ministers of Labour of Botswana, Lesotho and Swaziland which was being held in accordance with the decision of the Second Meeting of the Council of Ministers of the Lusaka MULPOC.

10. He noted that the purpose of the meeting was to set up a Southern African Labour Commission as recommended by the meeting of the Committee of Officials of Labour of Botswana, Lesotho and Swaziland held in Maseru from 20 - 22 September, 1979. He stressed that such machinery would facilitate a common approach to the solution of the problems created by the migratory labour system in Southern Africa.

Progress Report since the 1978 Lusaka Migratory

Labour Conference (Agenda item 5)

11. In introducing the progress report, the Secretariat informed the meeting that this report updated the progress report submitted to the meeting of Officials and Ministers of the Lusaka-based MULPOC held in Nairobi, Kenya, from the 29th January to 2 February, 1979. The Secretariat highlighted some of the achievements made, and pointed out that the Resolutions of the Lusaka Conference on Migratory Labour had been adopted by the United Nations General Assembly and its various organs. The meeting noted with appreciation the progress made.

Report of the Second Meeting of the Committee of Officials of the Ministers of Labour of Botswana, Lesotho and Swaziland (Agenda item 6)

12. The Chairman of the Second Meeting of the Committee of Officials of Ministries of Labour of Botswana, Lesotho and Swaziland tabled the report of its meeting, held in Maseru, Kingdom of Lesotho, from 20 - 22 September, 1979, and

highlighted the main recommendations of that meeting, namely the preparation of the draft agreement and the timetable for its implementation.

13. In view of the urgent need to have a collective approach on problems related to migratory labour, the meeting adopted the Resolution, which was later constituted into an agreement, (Annex III), in which they decided on the following:-

- (i) To establish a Southern Africa Labour Commission;
- (ii) To meet regularly at least twice a year in order to consult on matters of mutual interest on problems of migrant labour;
- (iii) To request member States hosting a particular meeting to provide Secretarial services; and
- (iv) To endeavour to co-ordinate and harmonise policies and practices on migrant labour.

14. In view of the migratory labour problems the Republic of Malawi and the Peoples' Republic of Mozambique have in common with other members of the Commission, the meeting decided that they should be invited to join the newly established Southern Africa Labour Commission.

Discussion of draft agreement (Agenda item 7)

15. Discussion on this item was deferred since it had been covered in the resolution adopted under Agenda item 6.

Future action plan (Agenda item 8)

16. After some discussion, it was agreed that the Ministers, having formed themselves into a Commission, should be given time to consult with their relevant ministries and come up with concrete proposals to be tabled at the next meeting of the Commission. The next meeting of the Commission should take place in six months time but should be preceded by a meeting of Officials to consider any identified projects.

Recommendation of the meeting of Ministers (Agenda item 9)

17. There was no discussion on this agenda item since it had already been covered under Agenda item 6.

Any other business (Agenda item 10)

18. The meeting was formally informed that the ECA MULPOC manpower economist will be available to render secretarial services as an interim measure to the activities of the Commission.

19. It was also suggested that a delegation consisting of the three Labour Ministers of the BLS should visit Malawi and Mozambique before the 1st of March, 1980 to solicit the two countries to join the Southern Africa Labour Commission. Prior to this, however, letters of persuasion to join the Commission should be sent to the two countries by the current Chairperson.

Adoption of the Report (Agenda item 11)

20. The report was unanimously adopted and the agreement between the Governments of the Republic of Botswana, the Kingdom of Lesotho and the Kingdom of Swaziland was signed.

Date and venue for the next meeting (Agenda item 12)

21. It was agreed that Mozambique be requested to host the next meeting of the Ministers of Labour of Botswana, Lesotho, Malawi, Mozambique and Swaziland, failing which the meeting will be held in Swaziland; and that the next meeting of the Labour Ministers, to be preceded immediately by a meeting of officials, should be held in the middle of May 1980 at a date to be fixed by the chairperson of the Second Meeting of the Ministers of Labour of Botswana, Lesotho and Swaziland (BLS) on Migratory Labour to South Africa.

Closing of the meeting (Agenda item 13)

22. After the Minister of Labour from Lesotho had given a vote of thanks to officials of ECA Secretariat, representatives of other UN agencies and Madame Chairperson, the meeting was closed at 5.15 p.m.

ANNEX I

ADDRESS BY THE MINISTER FOR HOME AFFAIRS THE
HONOURABLE MRS. K.L. DISELE, M.P. AT THE OPENING
SESSION OF THE CONFERENCE ON MIGRATORY LABOUR
HELD IN GABORONE BOTSWANA, ON 30TH AND 31ST JANUARY, 1980

Honourable Ministers,
 Distinguished Guests,
 Ladies and Gentlemen,

It is my privilege and very pleasant duty, as Minister concerned in Botswana with the subject of our Conference today, to greet you on behalf of my Government and to welcome you as friends and colleagues to our country.

I hope that you will enjoy your stay with us. If there is any way in which I, or my officers, can make your brief sojourn here more pleasant, or more interesting, please do not hesitate to let us know. We shall be only too happy to try to meet your wishes.

I am particularly happy to be able to welcome you today. This signifies that some of the difficulties which have delayed the setting up of machinery enabling us to consult together on Migratory Labour problems will be overcome.

So long as these problems continue to exist there would seem to remain a need for continuing co-operation and discussion between the countries most intimately concerned. I hope, therefore, that this is the beginning of more regular consultation at this level and that through this, we can progress in dealing with not only labour but other problems also.

It is now over 2 years since the problems associated with the Migratory Labour system were discussed in any detail. In the interim period a number of developments have taken place within our countries and in South Africa. I would suggest, therefore, that there is need for a fresh appraisal of the current situation affecting our individual countries so that any conclusions we may reach are made on the basis of present practice.

Conscious of the importance of United Nations Resolutions on this subject, we should, perhaps, now set ourselves the task of deciding how, in the spirit of these resolutions, we can find practical solutions to the problems inherent in the Migratory Labour system in this region. In addition to our own researches we shall, I am sure, rely upon the continuing support; and expertise of the highly qualified and experienced staff of the ECA who are already so closely associated with us in these concerns.

In Botswana we take the view, which we have previously expressed, that our prime objective must remain the creation, internally, of alternative employment opportunities in such quantity as will enable us to absorb those who have previously relied for their livelihoods on finding work in South Africa through the Migratory Labour system.

The numbers of Botswana recruited for work in South Africa has dropped substantially from over 40,000 in 1976 to just over 21,000 in 1979. This is partly due to the fact that South Africa is already reducing its dependence on imported labour. Associated problems have to some extent lessened in intensity. In the creation of new jobs much, of course, remains to be done but this need is heavily emphasised in our National Development Plan and it is in this area perhaps that we shall hope for increasingly effective assistance.

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Annex I

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It goes without saying that the nature and magnitude of the problems in our respective countries vary from one to another. We are very conscious of this. For this reason it seems important that, having now established the machinery through which we can consult regularly and closely together, we should actively seek to evolve strategies which accord, not only with our joint desire to be free of the yoke of the Migratory Labour system, but also with the short and long-term dictates of national policies and development plans.

We now have the opportunity, long deferred, to examine these matters in greater detail. Accordingly, I shall not delay you further. I have great pleasure in declaring open, the conference on Migratory Labour.

ANNEX II

Statement by Dr. Adebayo Adedeji, Executive Secretary of UNECA
to the Meeting of Ministers of Labour of Botswana, Lesotho,
Mozambique and Swaziland held in Gaborone, Botswana, 30-31 January 1980

Mrs. Chairperson,
Honourable Ministers,
Distinguished Delegates,
Ladies and Gentlemen.

It is indeed a pleasure and an honour for me to once again have this opportunity to express my deep gratitude and appreciation to His Excellency, Sir Seretse Khama, the President of the Republic of Botswana, the Party, Government and all the friendly people of Botswana for the extremely warm welcome and hospitality extended to us since our arrival here in Gaborone - A city that has been identified with the liberation struggle in Southern Africa.

In this connexion, I would like to take this opportunity to pay tribute to His Excellency, Sir Seretse Khama for his outstanding leadership and to the heroic sons and daughters of this great Republic for the immense sacrifices which they have paid for the cause of liberation in this part of our continent.

Indeed, as we begin the 1980s we should be encouraged by the significant achievements made during the 1970s in the decolonisation and political liberation of our continent. During the 1970s we witnessed the liberation of two countries in the subregion; the Peoples Republic of Angola and Mozambique. I am therefore, confident that as a result of these historical changes, we shall, during this decade, be able to extend the frontiers of freedom beyond the Limpopo. This next phase of our struggle will call for greater sacrifices than ever before. I am, however, convinced that our combined determination and efforts will bring justice to this part of Africa.

This meeting is being held in accordance with the decision of the Second Meeting of the Council of Ministers of the Lusaka MULPOC, held in Nairobi, the Republic of Kenya, from 1 to 2 February 1979. At that meeting it was decided that the Lusaka MULPOC should convene as soon as possible, a meeting of the supplier States: Botswana, Lesotho, Swaziland and Mozambique, to discuss modalities for implementing the recommendations of the Lusaka Conference on Migratory Labour.

In pursuance to the decisions of the Second Conference of the MULPOC Council of Ministers the ECA/MULPOC convened a meeting of the Committee of Officials of Labour of Botswana, Lesotho, Mozambique and Swaziland in Maseru, Kingdom of Lesotho from 20-22 September, 1979. The recommendations of that meeting will be tabled for your considerations under agenda item 5. However, before I highlight some of the main recommendations of that meeting, please allow me to convey our sincere thanks to the officials for the extremely good work which they did, which I am sure, will enable this meeting to take a concrete step in the establishment of the Southern African Labour Commission.

The main recommendation of the Committee of Officials of the four countries, which has now been endorsed by the MULPOC Council of Ministers at their third meeting, is the setting up of the Southern Africa Labour Commission, whose functions will include:

- the harmonisation of policies of the four countries on migratory labour;
- the mobilization of international financial and technical assistance;
- the restructuring of the economies of the supplier states in order to reduce their dependence on South Africa;
- review of inter-State agreements and contractual arrangements for migrant workers; and
- assistance in formulation and implementation of training and re-training programmes for migrant workers;

In order to ensure that the Southern African Labour Commission operates effectively it will be necessary to establish a small secretariat which will be responsible for implementing the decisions of the Commission. In addition to the Secretariat it is recommended that three technical committees should be established, namely:-

- Contractual Negotiating Committee
- Technical and Finance Mobilisation Committee, and
- Project Formulation and Research Committee.

The meeting of officials further recommended that in order to assist in the immediate establishment of the Secretariat, the member Governments should provide the initial financial support and second senior officials from Ministries of Labour to provide the nucleus of staff. I believe, this recommendation is a clear demonstration of the seriousness which the member States attach to this problem. This positive attitude, I am convinced, will attract technical and financial assistance from friendly countries in Africa and abroad.

In order to provide the legal framework for the establishment of the Secretariat, the meeting of the Committee of Officials of the four countries requested the ECA Secretariat to prepare a draft Agreement on the establishment of the Southern African Labour Commission. The ECA Secretariat has accordingly prepared the draft Agreement which will be tabled to this meeting as document ECA/MULPOC/Lusaka/ML/2/3, under agenda item 6 of this meeting. It is my hope that the Agreement establishing the Southern African Labour Commission will be signed during this meeting and that in the next few weeks, the office for the Southern African Labour Commission will become operational.

ANNEX III

AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF
BOTSWANA, THE KINGDOM OF LESOTHO, THE PEOPLE'S REPUBLIC
OF MOZAMBIQUE AND THE KINGDOM OF SWAZILAND RELATING
TO MIGRATORY LABOUR

AGREEMENT

WE the Ministers of Labour from the Republic of Botswana, the Kingdom of Lesotho and the Kingdom of Swaziland, (hereinafter referred to as "the member States");

Recalling the discussion and recommendations of the Lusaka MULPOC Council of Ministers held at Mbabane, Kingdom of Swaziland, from 26 - 28 April, 1976 calling for a conference on migratory labour on Southern Africa;

Further Recalling the recommendations of Ministers of Labour of the Republic of Botswana, the Kingdom of Lesotho, the Peoples Republic of Mozambique, the Kingdom of Swaziland at their meeting held in Maseru, Kingdom of Lesotho, from 2 - 3 November, 1977, calling for a joint approach by their countries to the problems of migratory labour and for the establishment of a permanent joint Consultative machinery to co-ordinate their approach to the problems of migratory labour;

Taking Note of the resolutions of the Migratory Labour Conference held in Lusaka, Republic of Zambia, from 4 - 8 April, 1978;

Welcoming General Assembly Resolution 33/163 on "measures to improve the situation and ensure the human rights and dignity of all migratory workers" and General Assembly Resolution 33/162 adopting the Charter of Rights for migrant workers in Southern Africa;

HEREBY AGREE as follows:-

1. There is hereby established a Southern Africa Labour Commission composed of Ministers of Labour from the Republic of Botswana, the Kingdom of Lesotho, the Kingdom of Swaziland, and such other countries as may accede to this Agreement.
2. The Commission shall use their best endeavours to co-ordinate and harmonise the policies and practices of member States on matters relating to migrant labour to and in the Republic of South Africa. It shall more particularly endeavour to implement the resolutions of the various Conferences herein before referred to.
3. The Commission shall meet on a regular basis, at least twice each year, to consult on matters of mutual interest relating to problems of migrant labour in South Africa and to exchange information thereon.

Mrs. Chairperson, the need for a common approach to the problem of Migratory Labour in Southern Africa cannot be over-emphasised, in view of the fact that its social consequences threaten the very stability of the society and ipso facto national independence.

In as much as I am aware that the severity of the problem of this phenomenon may differ from one individual country to another, I am at the same time convinced that, the nature of the problem still requires that a joint approach be made if lasting solutions are to be found. Indeed, the political system of South Africa requires that the neighbouring states should act collectively. It is therefore our task at this meeting to establish the appropriate machinery and map out a clear course of action.

Mrs. Chairperson, Honourable Ministers and distinguished delegates, I wish this meeting every success.

Thank you.

4. The Commission hereby agrees that responsibility for the provision of Secretarial services shall be that of the member States hosting a particular meeting. Further, the Commission requests the Executive Secretary, United Nations Economic Commission for Africa, and the International Labour Organisation to provide such secretarial and technical services as the Commission may require in its initial stages.

IN WITNESS WHEREOF the undersigned being duly authorised by their respective Governments have signed this Agreement on the date appearing against their signatures.

DONE at Gaborone, Republic of Botswana, the 31st day of January, 1980, in triplicate in the English language only, all three copies being equally authentic.

Member States	Authorised Person:	Signature:	Date:
1. Republic of Botswana	_____	_____	_____
2. Kingdom of Lesotho	_____	_____	_____
3. Kingdom of Swaziland	_____	_____	_____
4. Republic of Malawi	_____	_____	_____
5. Peoples' Republic of Mozambique	_____	_____	_____