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Working papers

LABOUR MIGRATION GOVERNANCE IN TRANSITION

Continuity and Change in Egypt and Tunisia (2011-2015)

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February 2015

This working paper benefits from research carried out in the framework of the LAB-MIG-GOV project (www.labmiggov.eu) and from additional support from the Compagnia di San Paolo.

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Introduction

Starting in the 1960s for Tunisia and the 1970s for Egypt, labour migration has significantly reduced pressures on the labour markets of the two countries. It also was a source of precious financial remittances that contributed to reducing poverty and to sustaining their balances on current account.

Labour forces of the two countries grew at high rates in the last decades. Unemployment, especially, among youth, the educated to highly-educated, and women, was also at very high rates, reflecting the general situation in the Middle East and North Africa (MENA). Globally, this is the region with the highest rates of unemployment.

External labour markets for Tunisian labour are essentially in Europe, in addition to Libya, with countries of the Gulf Cooperation Council (GCC) and North America constituting secondary markets. In contrast, Egyptian migrant workers are largely employed in the GCC labour markets, Libya and Jordan, with Europe, North America and Oceania, being secondary, even if not negligible markets. In the latter regions, Egyptian migration is principally highly-skilled.

Since 2008, Tunisian migration was faced in Europe with slack demand for labour resulting from the global economic crisis. It also had to contend with restrictive migration policies and general sentiments opposed to migration among the European public. In contrast to Europe, demand for labour persistently increased in the GCC, derived from large proceeds of oil exports resulting from (until recently) high oil prices. But, as in the last several decades, Egyptian workers faced competition in the GCC labour markets from the organized labour migration industry in South and Southeast Asia. They also had to deal with the recruitment and employment system in the GCC, which made them vulnerable and curtailed their mobility in labour markets.

States formulate policies to address the issues that confront their economies, societies and political systems. The key long-term strategic objective is – or should be - to improve the living conditions of their citizens. States create institutions to help formulate and implement the policies. Taken together, policies and institutions shape the governance of a policy area. This applies as much to labour migration as to other public policy areas.

States intervene in the governance of labour migration to different extents. They use different policy tools and/or give them varying relative weights in their interventions¹. Labour migration policy involves the adoption of measures and their implementation in a number of different fields.

¹ The ILO Multilateral Framework on Labour Migration is a useful guide to labour migration policies.

Institutions reflect policy concerns. Policies and institutions are not perennial. Effectiveness and efficiency require their adaptation to changes in the environment.

In 2011, Tunisia and Egypt experienced seminal changes in their political systems following popular uprisings. Demands for participation in the conduct of public affairs and for accountability by public authorities, on the one hand, and discontent with deteriorating living conditions and employment situations, on the other, were root causes for the uprisings. The governing political regimes having fallen, the populations of the two countries were supposed to have recovered their rights to make demands. Therefore, it was a logical assumption that the new holders of power in Egypt and Tunisia adapted their policies and institutions to meet these demands. Labour migration is among the areas where policies were supposed to be adapted so as to step up the protection of the two countries' migrant workers and to improve their employment situations and working and living conditions.

This comparative working paper² does not mean to research the demands for new labour migration policies explicitly made by the Egyptian and Tunisian populations. It considers these demands implicit in their uprisings. The paper rather intends to examine institutions and policies of labour migration in the two countries. It intends to point out the changes introduced in policies and institutions aimed at meeting the implicit demands for new policies. The assumption is that there is correlation between the extent of changes and of new policies of labour migration.

The paper does not address all labour migration policy fields. It only takes up those directly related to the objectives of promoting external employment and of protecting migrant workers.

² The analysis of the present working paper benefits from information contained in two individual country reports: "Labour Migration Governance in Egypt and Tunisia: The Case of Egypt," prepared by Prof. Ibrahim Awad, Director of the Center of Migration and Refugee Studies at the American University in Cairo (AUC), and "La gestion de la migration de travail en Egypte et en Tunisie: Le cas de la Tunisie," prepared by Prof. Hassan Boubakri, President of the Centre de Tunis pour la Migration (CeTuMa), with the assistance of Ms Hajer Araissia. Several sources were used to prepare the policy analysis related to migration policy and institutions in Egypt in time of transition: Interviews were conducted with senior officials in the Ministries of Manpower and Migration (MOMM), Foreign Affairs (MOFA) and Social Solidarity (MSS) as well as in the Central Agency of Public Mobilization and Statistics (CAPMAS). Representatives of employers' and workers' organizations were interviewed. Laws applying to labour migration were analyzed. The functions of institutions, especially MOFA and its organizational chart, were reviewed. Statistics of financial remittances published by the Central Bank of Egypt and the World Bank were used. Academic research carried out and published by renowned scholars in the field as well as publications by international organizations were reviewed. Research on migration policy and institutions in Tunisia consisted of the consultation of statistical data provided by institutions concerned with managing Tunisian labour migration, namely the Agency for Technical Cooperation and Training (ATCT) and the National Agency for Employment and Independent Labour (ANETI). Additionally, interviews were conducted with the following senior officials and specialists on migration: Mrs Lamia Sghaier, Director of the ATCT, Mr Shemseddine Ben Abda and Mr Adel Abidi, ANETI executives responsible for the management of supply and demand for employment, and Mr Ahmed Messaoudi, a senior official of the Ministry of Vocational Training and Employment.

International cooperation is a means for realizing policy objectives. But it clearly cannot be about realizing the objectives of only one party to this cooperation. In other words, international cooperation assumes the reconciliation of objectives of both countries of origin and destination. This naturally implies that the policies and institutions of countries of origin are conditioned by the policies of countries of destination. The opposite should also be true. However, the extent of mutual conditioning differs. It is greater for countries of origin, which are more dependent on countries of destination than vice versa. The explanation lies in the abundance of labour supply and shortage of demand, nationally, regionally and globally. The assumption cannot be made, nevertheless, that policies of countries of origin will always and fully serve the objectives of countries of destination. This may especially not be the case in times of transition towards more democratic political systems. The demands of citizens, including migrants, carry more weight in democratic and democratizing systems. These demands may obviously be at odds with those of countries of destination. This is the case of Tunisia in respect, particularly, of migration policy objectives of the European Union (EU) and its Member States. And it is the case of Egypt in respect of objectives of the GCC countries and of the EU and its Member States. A second assumption derives from the assertion that migration governance in countries of origin is conditioned by policies of countries of destination. This should be significant for a comparative study on Tunisia and Egypt. As previously pointed out, the migrant workers of the two countries are essentially employed in labour markets of the EU and the GCC countries respectively. Terms and conditions of employment in these two sets of labour markets and their governance are substantially different. The issues that arise for migrant workers in these labour markets are consequently not the same. Therefore, policies and institutions of labour migration in Tunisia and Egypt should not be expected to be identical. This is particularly the case for the protection function of labour migration governance. In the EU countries, migrant workers are in principle protected in their specific employment relations by rule of law and by generally more liberally oriented labour laws. In the GCC countries, they are vulnerable under the *kafala* system of recruitment and employment.

The comparison will review the current state of labour migration governance in Egypt and Tunisia and, as indicated above, will point out changes introduced in the aftermath of the Arab Awakening. The institutions involved in the formulation and implementation of labour migration policies in the two countries will be pointed out. Their functions will be analyzed in the following section. The premise is that without effective institutions, policies have little incidence if they can at all be formulated. In section 2, the most substantial, the paper will take up a number of policy fields successively. It will address labour market analysis and the promotion of employment in

external labour markets. Section 2 will then discuss protection of migrants, which involves procedures for recruitment, recruitment itself and protection during and after employment in external labour markets. Social security and assistance will be discussed in section 3. Statistics of migration will be taken up in section 4. International cooperation in the field of migration policy will be reviewed in section 5. Institutions that carry out policy functions will be signaled under each policy field. Section 6 addresses programs linking migration to development. Section 7 addresses grassroots and civil society efforts targeting migrant workers from Tunisia and Egypt, and committed to securing their rights in their destination countries. Section 8 will conclude.

1. Institutional structures with mandate over labour migration management

Government action directed towards the formulation and implementation of labour migration policies in both countries is dispersed across several ministerial departments. In Tunisia, the following ministries have mandate over labour migration: the Ministry of the Interior, responsible for registering the flows of workers out of and to Tunisia, as well as border control; the Ministry of Foreign Affairs, which negotiates international conventions and agreements relating to the movement and circulation of Tunisian migrant workers. It is also involved in negotiating and approving projects carried out by international organizations, such as various United Nations agencies or the IOM. Together, these two ministries are the main governmental bodies in the Tunisian institutional framework of labour migration. Other ministerial departments include the Ministry of Social Affairs, which administers social security agreements with the main migratory partners of Tunisia; the Ministry of Vocational Training and Employment, whose mission is to promote the external employment of Tunisians. In this ministry, two agencies are especially worthy of mention: the Agency of Technical Cooperation and Training (ATCT) places highly skilled workers in external labour markets, while the National Agency for Employment and Independent Labour (ANETI) identifies labour migration opportunities for workers of all skill levels, and enters into agreements with Tunisia's main migratory partners. The Ministry of Youth and Sports promotes organized channels of migration for young people, who form one of the key constituencies targeted by labour migration policies. Finally the Ministry of Development and International Cooperation oversees the integration of migration within the country's broader development plans.

In Egypt, responsibilities related to labour migration are held by five principal government ministerial departments. The Ministry of Manpower and Migration (MOMM) is the main department with mandate over labour migration, through two distinct sectors: the Central

Department for External Relations (CEDER), at the main Labour Sector of MOMM and the Emigration and Egyptians Abroad Sector (hereinafter referred to as the Emigration Sector). CEDER, through its General Department of External Employment and Representation (GEDEER), checks and approves contracts of external employment, issues and renews licenses for labour recruitment agencies, matches supply with external demand for Egyptian labour that it directly receives, and carries out protection functions for workers in external employment. The Emigration Sector oversees implementation of the Law on Migration and Welfare of Egyptians Abroad, No. 111 (1983). The Ministry of Foreign Affairs is in charge of consular affairs and the reinforcement of links between expatriates and their home country; the Central Agency for Public Mobilization and Statistics (CAPMAS) gathers and analyzes statistical data related to migration; and finally, the Ministry of Social Solidarity, through the Insurance Fund for Employees of the Public and Private Business Sectors, administers the implementation of the optional 1978 Law on Social Security for Egyptians Working Abroad as well as social security agreements with Egypt's migratory partners.

It is important to note that the government of Egypt draws a distinction between external employment to the European Union and the Gulf Cooperation Council countries, which is essentially temporary in duration, on the one hand, and permanent migration to settlement countries in North America and Oceania, on the other. This overarching differentiation governs the Egyptian policy on labour migration. In Tunisia, the government adopts different policy strategies based on the skill level of the labourer: certain institutional structures are exclusively concerned with managing the placement of highly skilled and specialized labourers, such as the Agency for Technical Cooperation and Training (ATCT), while others like the National Agency for Employment and Independent Labour (ANETI) concern themselves with migrant workers regardless of their qualifications and wage levels.

The fact that governance structures in Egypt have remained largely unaffected by recent political developments suggests a certain level of continuity when it comes to the government's approach to labour migration. In other words, since the institutional setup has not been modified, it can be hypothesized that labour migration policies have also changed little if at all. On the other hand, the creation of several new and specialized government bodies within the aforementioned Tunisian ministries demonstrates a policy of labour migration management that attempts, at least formally, to adapt to the changes brought about by the Tunisian uprising. Among the new institutions, the State Secretariat for Migration and Tunisians Abroad (SEMTE), a ministerial department with mandate over migration, was created in the aftermath of the uprising but was

dissolved soon after due to a conflict between its functions and those of other government bodies. The National Observatory of Migration, which was established in March 2014 by decree and has yet to become operational, is also worthy of mention.

In addition to the establishment of new administrative bodies, the Tunisian government has further undertaken efforts to revisit the activities of long-standing structures, with the aim of enhancing their effectiveness. The Office of Tunisians Abroad, one of the oldest government administrations concerned with migrant workers, underwent a drastic reform aimed at improving its efficiency in the post-Revolutionary period. Created in 1988 as an entity within the Ministry of Social Affairs, its mission is to provide public authorities with sufficient information that would allow them to formulate a national policy of labour migration. In the six months following the uprising, the social attachés who are its representatives abroad, were dismissed from their posts or repatriated, for the declared objective of making way for a new leadership that upheld the highest standards of transparency and performance. Still, the bureaucratic character of the Office of Tunisians Abroad persists, as do the long-held negative perceptions of the Office by Tunisians abroad, who continue to regard it as an instrument of surveillance preserving the interests of the ruling authorities. Despite the goodwill of its current administration, it will take years for it to inspire confidence among the Tunisian Diaspora, and for its negative reputation to be permanently improved.

Finally, another important legacy of the Tunisian uprising has been the unprecedented inclusion of 18 representatives of migrants in the constituent assembly that also acted as parliament, elected in October 2011, out of a total of 217 seats. The outcome of this decision was an increased participation of the Tunisian Diaspora, through these representatives, in the conduct of public affairs in their home country. Article 55 of the new Tunisian Constitution provides that the Election Law shall guarantee representation in the Chamber of the People's Deputies for Tunisians living abroad. The Egyptian Constitution of 2014 also provides a safeguard for the rights of Egyptians abroad, with an emphasis on their contribution to the development of the nation. It reserves a number of seats for representatives of Egyptian migrants, among other minority constituencies (youth, Christian citizens, and persons with disabilities) in the House of Representatives.

2. Policies related to the promotion and protection of labour migration

2.1 An overview of migration and labour market trends in Tunisia and Egypt

Recent estimates of Egyptian migration vary widely, ranging from 3.7 million³ to 6.5 million⁴ for the year 2010. Given the low dependency rate among Egyptian migrants, for purposes of analysis all Egyptian migrants can be considered migrant workers. The large majority of Egyptian migrant workers (nearly 75%) are employed in Arab countries, with the Gulf Cooperation Council alone hosting 45% of all Egyptian migration.⁵ Europe, North America and Oceania constitute secondary markets for Egyptian labour migration. Conversely, Tunisian migrant workers are predominantly employed in Southern European countries, and to a lesser extent in Arab labour markets (i.e. countries of the Maghreb and the GCC). Estimates for 2014 place the total number of Tunisian migrants at 1.2 million.⁶

Both Egypt and Tunisia have reached a stage in their demographic transitions marked by high growth rates of their working age populations and, hence, of their labour forces.⁷ These growth rates are not matched by corresponding rates for economic growth. The ensuing labour market pressures result in unemployment, underemployment and poverty, which become the main factors driving migration from the two countries. In addition, the interplay of unemployment, underemployment, poverty and low productivity keep wages at low levels. Wage differentials between Egypt and Tunisia, on the one hand, and countries of destination, on the other, act as a further engine of labour migration. In the two countries, unemployment primarily affects youth and women and grows with educational attainment.

Recent information reveals an Egyptian labour force of 27 million in 2011, 20.5 million men and 6.6 million women. With a labour force growth of 8.7 per cent from 2007 to 2011, growth in the share of women was higher, at 10.8 per cent, than men's, which registered 8.1 per cent. Except for 2009-10, since 2008 employment grew at consistently lower rates than the labour force. In 2007-11, employment growth only registered 4.8 per cent. This meant persistently higher unemployment rates. In 2011, the unemployment rate reached 11.8 per cent, with the rate for

³ The analysis of the labour market and demographic trends in this paper benefits from: Amer, Mona and Fargues, Philippe, "Labour Market Outcomes and Egypt's Migration Potential," jointly published by the Migration Policy Center_of the European University Institute and the Center for Migration and Refugee Studies, at The American University in Cairo (2014) http://cadmus.eui.eu/bitstream/handle/1814/31384/RSCAS%202014_55_rev.pdf?sequence=4

⁴ Zohry, Ayman, "Migration and Development," in MENA and Migration: Real and Potential Migration in the Middle East and North Africa, edited by Bommers, Michael, HeizFassmann and WiebSievers. Amsterdam, IMISCOE (forthcoming)

⁵ Wahba, Jackline, "An Overview of Internal and International Migration in Egypt," in R. Assaad (ed), Egypt's Labour Market Revisited, Ch. 5. The American University in Cairo Press.

⁶ Office Des Tunisiens à l'Etranger, Tunisia (2014) <http://www.ote.nat.tn/index.php?id=5>

⁷ Institut National de la Statistique, Tunisia (2004, 2013) <http://www.ins.nat.tn/>

women at 21 per cent, 2.4 times that of men, which stood at 8.8 per cent. The sharp economic downturn that followed the January 2011 uprising greatly affected the unemployment rate, which increased by 29.7 per cent between 2010 and 2011. Most of this increase is due to a strong rise, at 79.6 per cent, in the male unemployment rate; in contrast, the female unemployment rate decreased by -7.1 per cent. The latest statistical information published by CAPMAS in 2013 shows that the unemployment rate continued to increase, albeit at a slower pace, in 2012 and in early 2013. The unemployment rate for men and women both continued to grow reaching respectively 13.2 per cent and 25.0 per cent in the first quarter of 2013. The absolute number of the unemployed peaked in the first quarter of 2013, with nearly 3.6 million workers looking for a job, including 2.0 million men and 1.5 million women.

Unemployment particularly affects young people aged 15 to 29 years. The unemployment rate is negatively correlated with age. It reaches a peak in the 20-24 years age group and then gradually decreases. In this age group, the female unemployment rate at 52.5 per cent in 2011 was more than double that of men, with 23.9 per cent. Unemployment also mainly concerns young people seeking their first jobs after completing their studies or dropping out of school. A specific characteristic of the labour market outcomes in Egypt, shared by other countries in the MENA region, is that unemployment particularly affects the most educated.

In 2007, the male and female unemployment rates increased steadily with educational attainment reaching a peak among graduates of technical secondary schools, with 9.2 per cent and 31.4 per cent for men and women respectively. Rates then slightly decrease among holders of post-secondary diplomas, after which they resume their rising trend for both women and men with university degrees. Even though they still have the lowest unemployment levels, it is noteworthy that between 2007 and 2011, rates for the least qualified men sharply increased, multiplying by 7 among illiterates, by 3.6 among those with less than secondary education and by two among general secondary school graduates. By the first quarter of 2013 the situation had not changed. With overall unemployment at 13.4 per cent, the rates for workers who can only read and write and for outputs of intermediate and of university and above education were respectively 5.2 per cent, 16.9 per cent and 22.0 per cent. These three latter rates were respectively at 5.1 per cent, 11.5 per cent and 15.3 per cent for men and at 5.8 per cent, 36.3 per cent and 34.0 per cent for women.⁸

⁸ Statistical Yearbook, September Issue (2014): 79.

In Tunisia, the labour force grew from 3.4 million in 2006 to 4.0 million in 2013, at an annual growth rate of 2.3 per cent,⁹ double the rate of population growth. In 2013, women were 1.1 million and men 2.9 million, representing 27.8 per cent and 72.2 per cent of the labour force respectively. Before the historic political changes of 2011, unemployment rates were already high, at between 12 and 13 per cent. They grew even further after the changes reaching a high of 19 per cent in 2011. Unemployment rates dropped thereafter but never recovered to the 13 per cent rate of 2010.¹⁰ Since 2012, they fluctuate between 15 and 16 per cent. Women are more affected than men by unemployment, in all age groups and at all education levels. Before 2011, the differential was 7 to 8 percentage points higher for women than for men. After 2011, the differential reached 10 and even 13 percentage points. Whereas women represented one third of total unemployment before 2011, after that date their share reached 39 to 40 per cent. Graduates of higher education represented 28.7 per cent of total unemployment in 2011. The rates of unemployment for graduates of higher education were 19.3 per cent for men and 41.8 per cent for women.¹¹

The situation of employment in the two countries being as briefly described above, external employment still holds the potential of reducing pressures on the labour markets. At the least, it can keep unemployment rates from growing at higher rates. The financial remittances sent home by migrant workers can make precious foreign currency contributions to the balances on current account, which were severely affected by the economic slowdowns and the reductions in tourism revenues. They can also contribute to reducing poverty, overall, and especially for the beneficiary families and regions. It is noteworthy that remittances received in Egypt in 2011-2012 amounted to \$ 18.4 billion, equivalent to 6.7 per cent of GDP. In 2012, remittances received in Tunisia amounted to \$ 2.1 billion, which represented a 4 per cent of the country's GDP.

The promotion of external employment should therefore be considered among the main objectives of labour migration policies in the two countries.

⁹ Institut National de la Statistique, Tunisia (2014)

¹⁰ Boubakri, Hassan, "Migration pour le travail décent, la croissance économique et le développement : le cas de la Tunisie," Cahiers des Migrations Internationales n°102. BIT. Genève: 78
<http://www.ilo.org/public/english/protection/migrant/download/imp/imp102f.pdf>

¹¹ Ministry of Higher Education and Scientific Research, Tunisia (2013)

2.2 The promotion of employment in external labour markets

The governments of Egypt and Tunisia adopt different attitudes towards promoting the external employment of their nationals with a view to effectively relieve pressure on their respective national labour markets.

In Egypt, MOMM, through its Department of External Employment (DEE), is in charge of employment in external markets, by managing the supply and external demand for Egyptian labour. However, rather than exploring external labour markets, undertaking extensive market analyses and raising the level of external demand for Egyptian labour, the DEE waits for demand to be expressed by foreign employers. The DEE also communicates with Egyptian labour counselors, who identify demand for labour in the countries in which they are posted. It subsequently establishes links and sets up meetings between workers registered in its database who meet the qualifications desired by external employers. Contracts for external employment are approved by the DEE. It is only in the absence of the required skillsets that advertisements are published, and more workers recruited. It is important to underline that potential Egyptian migrant workers essentially rely on their personal initiatives to identify external employment opportunities.

The National Agency for Employment and Independent Labour (ANETI), within the Tunisian Ministry for Vocational Training and Employment, is the main body tasked with the promotion of labour migration in Tunisia.¹² No comparable agency exists in Egypt. The ANETI has a network of 71 offices spread out across the country, with different offices dealing with different sectors of employment. The ANETI actively identifies key labour market opportunities and engages in agreements with host countries, in order to formalize the process of absorption of Tunisian workers. Its function extends beyond the actual duration of external employment, as it is also responsible for ensuring the successful reinsertion of Tunisian workers in the national labour market upon their definitive return. Another structure within the same ministry, the General Directorate for Migration and External Labour (DGME) organize vocational programs aimed at improving the linguistic and technological skills of potential migrants. The programs targeted some 15,000 recipients over the course of two years.

In the three years following the uprising and in light of the increased pressures on the domestic labour market, the Tunisian government seems to have adopted, at least formally, a more proactive stance towards promoting organized and regular external employment. Indeed, as of

¹² Ministry of Vocational Training and Employment, Tunisia <http://www.emploi.gov.tn/en/>

2011, the launch of new projects and initiatives organized in association with partner international organizations may be indicative of this proactive stance. Given that young people are among the target categories for migration policies and programs, the Ministry of Youth and Sports was directly involved in initiatives aimed at encouraging young professionals to engage in labour migration through authorized means. A number of workshops and forums were organized to this end. A multilateral cooperation agreement was signed between the International Organization for Migration (IOM), the Ministry of Vocational Training and Employment, and the private Swiss human resources and recruitment agency Adecco Group as part of the “Youth, Employment and Emigration” program. Adecco’s contribution consists in identifying external labour markets in which Tunisian candidates can be successfully inserted.

Comparable initiatives were more sparsely carried out in Egypt. They included the International Migration Information System (IMIS) project, implemented in the 2000s by the Emigration Sector of the MOMM in cooperation with IOM. Its goal was to set up databases of Egyptians in search for external employment and linking these databases to the Italian Public Employment Service.

When it comes to the external employment of technical and skilled professionals, the Agency for Technical Cooperation and Training (ATCT)¹³ within the Ministry of International Cooperation is undeniably a valuable asset of the Tunisian policy of labour migration. Concerned exclusively with professional workers, it has successfully placed 45,000 highly skilled workers in jobs abroad since its creation in 1985. In its 30-year existence, the ATCT registered a steady increase in the number of highly skilled migrants it could place in external employment. The main beneficiaries of the ATCT’s program are educators and fitness instructors, healthcare workers, followed by gas and electricity workers, and professionals employed in the tourism industry. The success of this agency lies in the fact that it adequately capitalizes on the comparative advantage of Tunisians’ skillsets by placing them in external labour markets that are lacking in their specific competences.¹⁴ Contrary to the largest flows of Tunisian migration, which are employed in Mediterranean European states, workers recruited by the ATCT are primarily deployed in countries of the Gulf Cooperation Council and in sub-Saharan Africa.¹⁵ Within the ANETI and the ATCT, discussions were held with regards to the nomination of individuals for the posts of labour attachés. Prior to the escalation of violence, a Tunisian labour attaché representing the ANETI was stationed in Tripoli. However, this post has since been cancelled. The appointment of labour attaches in Qatar and the United Arab Emirates from within the ATCT is underway. One function

¹³ Agence Tunisienne de Coopération Technique (ATCT) or «Tunisie Compétences» <<http://www.tunisie-competences.nat.tn/>>

¹⁴ Agence Tunisienne de Coopération Technique, Tunisia (2012)

¹⁵ Agence Tunisienne de Coopération Technique, Tunisia (2011)

of these labour attachés is to facilitate the recruitment of Tunisian workers in external labour markets.

In Egypt, there exists no ministerial department specifically dedicated to placing highly skilled workers in external labour markets.

To sum up, functions related to the promotion of labour migration are carried out by two main agencies in Tunisia, the ATCT and the ANETI, both within the Ministry of Vocational Training and Employment. In Egypt, this role is undertaken by two structures within the Ministry of Manpower and Migration: the Department of External Employment and the Emigration and Egyptians Abroad Sector. In Tunisia, the last four years witnessed more proactive measures for the promotion of employment of Tunisian workers in external labour markets. In Egypt, no perceptible new effort for the promotion of external employment can be pointed out during the same period.

2.3 Protection of migrant workers

The ways in which the protection function is carried out in the two countries reflect the differences in the external labour markets in which their migrant workers are primarily employed.

Protection policies targeting migrant workers intervene at various stages of the labour migration process, including the recruitment of workers, the actual period of work abroad, and after the migrant returns to his or her home country. Responsibilities related to the protection of externally employed workers in Egypt are divided among two distinct government ministries: the Ministry of Manpower and Migration (MOMM) and the Ministry of Foreign Affairs (MOFA).

The functions of the General Department of External Employment and Representation (GEDEER) within MOMM, as the mediator between foreign employers and Egyptian workers were outlined in the previous section. Through the Department of External Employment (DEE), it also is responsible for licensing and renewing the licenses of independent recruitment agencies for external employment, as well as checking and vetting external employment contracts. Through the Department of External Representation (DER), it deploys labour counselors in the main destination countries of Egyptian workers, such as Saudi Arabia, Jordan, Libya and Kuwait. Labour counselors are occasionally accompanied by a labour attaché and a secretary in the countries and cities with large volumes of Egyptian workers (i.e. Jeddah, Riyadh, Tripoli and Benghazi). Their role is to address disputes arising between employers and migrant workers, specifically on issues related to terms and conditions of employment, through a close cooperation with Ministries of

Labour and Ministries of Interior in host countries (the latter for matters concerning the residency permits of temporary or seasonal workers).

Issues encountered by the Department for External Representation (DER) revolve around the sponsorship or *kafala* system in countries of the Gulf Cooperation Council. Indeed, the *kafala* system engenders a number of vulnerabilities to migrant workers, who become susceptible to labour exploitation, changing terms and conditions of employment, as well as other threats that demand effective labour protection policies.

The efficacy of external representation efforts is limited by the meager financial allocations and severe understaffing of labour counselor offices. These are ill-equipped to meet demand for protection of workers in external employment. To assess this demand is not possible though. Disputes settled in countries of employment by labour counselors are not reported to DER. This department only receives and finds solutions to complaints submitted to it after the migrant workers return to Egypt. The lack of a system of information where the efforts at dispute settlement of labour counselors and of the DER could be registered stands in the way of measuring the extent of labour disputes in which Egyptian migrant workers are involved and of undertaking large-scale initiatives for the sustainable improvement of their conditions of employment.

While the Central Department for External Representation arguably bears the bulk of the responsibility to protect employees abroad, a number of other administrative bodies collaborate in carrying out this mission. The Emigration sector of the MOMM provides support for external labourers, by training and introducing them to the languages, cultures and laws of their destination countries, with a view to facilitating their processes of labour market and social integration. The Ministry of Foreign Affairs' (MOFA) Assistant Ministership in charge of consular affairs and Egyptians abroad, for its part, essentially focuses its protection functions on issues related to irregular migration in EU countries. In contrast, in the GCC countries, it often gets involved in labour disputes, which requires close collaboration with labour representatives. The difference in the functions performed by the Egyptian consular services in the two sets of countries of destination is reflective of the difference in the governance of their labour markets and employment relations, pointed out in the Introduction above.

There exists no specific agency in Tunisia dedicated to the protection and support of migrant workers. In the absence of a systematic, permanent and generalized response to protection issues, state representatives based abroad, such as embassies, consulates and labour attachés, attend to the protection needs and defend the rights of Tunisian migrant workers on an *ad hoc*

basis. Like their Egyptian counterparts, their intervention is limited in regards to labour disputes. It is more extensive when it comes to incidents of discrimination and violence. In such cases, the Tunisian state covers the costs of judicial proceedings. Otherwise, labour attachés connect Tunisians abroad with legal advisers with expertise in the fields of personal status laws, social rights, and labour laws in the countries of employment. Labour laws in the EU host countries in principle protect all workers without discrimination. However, in practice, discrimination exists. This is where the state's external representatives provide protection to Tunisian migrants, as indicated above.

3. Social security and assistance

The Egyptian Ministry of Social Solidarity is responsible for overseeing implementation of the 1978 law on social security for Egyptians Working Abroad.¹⁶ It provides for benefits of old age, disability and death. Very few migrant workers benefit from this law. This may be explained by several factors. First is its optional character. Second, the absence of matching resources paid by employers makes it a simple savings account, the significance of which is diminished by the fact that, for long decades, resources of social security in Egypt were invested at the National Investment Bank for a lower interest rate than that of the market. The modesty of benefits is a result of the two previous factors and a further deterrent to potential beneficiaries.

In all of the GCC countries with the exception of Bahrain, migrant workers are excluded from social security coverage. Therefore, there is no question of bilateral agreements to ensure that Egyptian migrant workers benefit from their social security entitlements. In contrast, social security agreements have been entered into by Egypt with Sudan, Greece, Cyprus and the Netherlands that ensure the portability of the social security benefits of Egyptian workers employed in these countries.

Tunisian migrant workers benefit from social security regimes in their main countries of destination. Tunisia has entered into social security agreements with its main migratory partners, in the Maghreb and North Africa (Algeria, Morocco, Libya and Egypt), as well as in Western Europe (France, Spain, Italy, Germany, Belgium, Austria, and Luxembourg).¹⁷ These social security agreements are administered by the National Social Security Fund, under the Tunisian Ministry of Social Affairs. The agreements cover benefits for illness and maternity, family allowances, work-

¹⁶ National Organization for Social Insurance, *Law on Social Security for Egyptians Working Abroad, no. 50, 1978, its amendments and decrees for its implementation*, Cairo, 2013 (second edition)

¹⁷ See: Ministry of Social Affairs, Tunisia, <http://www.bledna.tn/index.php/fr/guide-social/conventions.html>

related accidents, old age, and disability. They reaffirm the principles of equality between national and migrant workers, between migrants and their dependents (spouses and children), as well as the portability of benefits in the event of relocation to a third country.

4. International cooperation

As mentioned in the Introduction, international cooperation in migration policies is about reconciling the objectives of countries of origin and destination. Therefore, migration policies can be considered to have domestic and international sources. Thus, in addition to the main factors driving migration indicated in 2.1 above, the determinants of migration in countries of origin, such as Tunisia and Egypt, include the objectives and policy measures adopted by countries of destination as well as their economic and labour market conditions. The opposite is also true in principle. However, the abundant supply of labour and its large excess relative to demand place countries of destination in a commanding position. As an example, Tunisia's migration policy is determined by the EU countries' measures to restrict labour immigration. It also is determined by the destination countries pressures on Tunisia to enter into bilateral agreements on the readmission in its territory of irregular migrants. In its migration policy, Egypt has to take into account the constantly increased openness of GCC labour markets to Asian labour migration and the competition it constitutes. The *kafala* system, the temporary nature of labour migration in the GCC countries and the exclusion of foreign workers from social security regimes are other determinants of Egyptian labour migration policy. But it is important to emphasize that the objectives and policy measures of countries of destination are only one set of determinants of the policies of countries of origin. The other set is constituted by the domestic factors driving migration, which policy needs to address as well as by the demand for stepped up protection of migrant workers. Tension may certainly exist between the external and internal sets of determinants. The assumption can safely be formulated that the more responsive the governments of countries of origin are to the demands of their citizens, the less accommodating they will be to the objectives of countries of destination.

International cooperation, reflective of labour migration policy, takes the form of bilateral agreements, adherence to international conventions and cooperation with international organizations.

Egypt has bilateral agreements on temporary labour migration with Greece and Italy. The latter provides for a quota to be set annually. This quota has never been fully used. A good part of the

quota has been used to regularize irregular migrant workers in Italy rather than to bring in fresh Egyptian migrants in regular situation. Within the Arab world, Egypt has signed a number of memoranda of understanding setting principles for the stay and work of Egyptians in partner countries.¹⁸ For example, Jordanian authorities and the Egyptian government signed a Memorandum of Understanding in March 2007 that established basic operating procedures for temporary Egyptian laborers in Jordan (primarily in the agricultural Jordan Valley). The MoU provides for labor contracts, medical screening, and entry visa fees for the Egyptian migrant workers. A second Memorandum of Understanding was concluded with Jordan in 2012. Another bilateral agreement is the Cooperation Protocol between Egypt and Saudi Arabia signed in 2007, which established employment procedures for up to 120,000 Egyptian women to work in Saudi Arabia as hairdressers and housemaids. Under severe criticism by local human rights organizations and some members of Parliament, the arrangement was abandoned. In December 2009, Libyan and Egyptian officials signed a Memorandum of Understanding concerning Egyptian workers in the Libyan labor market.

Bilateral agreements entered into by Tunisia with Italy and France in recent years also set quotas for Tunisian migrant workers. The quotas are about allowing Tunisian migrant workers into the labour markets of destination countries in regular situations. But they are also meant to set limits to the volumes of migrant workers to be admitted in these same countries. Tunisia's agreement with Italy is comparable to the Egyptian-Italian one. An evaluation of the quotas set by the agreement reveals that they had little impact on employment creation for Tunisian workers, having failed to attract sufficient interest in employment opportunities in Italy. Certain conditions provided for in the agreements, such as the requirement of proficiency in the country's language or a signed employment contract prior to arrival, are indicative of destination countries' desire to limit workers' entry into their territories. Other causes for these programs' failure were structural: as example in the case of the agreement with France, a lack of coordination between the public employment services responsible for matching French demand with Tunisian supply of labour.

Tunisia has also concluded a number of readmission agreements with the main destination countries of irregular migrants, namely France, Italy, and Switzerland.¹⁹ Four agreements were signed with Italy²⁰, the first one providing for the readmission in Tunisia of Tunisian migrants and

¹⁸ Jureidini, Ray, "Regulation of Migration in Egypt," Middle East Institute (2010) < <http://www.mei.edu/content/regulation-migration-egypt>>

¹⁹ Ben Jemia, Monia and Ben Achour, Souhayma. "Plaidoyer pour une réforme des lois relatives aux migrants, aux étrangers et à la nationalité en Tunisie," REMDH & CeTuMA (Tunis, 2014): 45.

²⁰ The four agreements between Tunisia and Italy were concluded in 1993, 1999, 2009, and 2011.

Third Country Nationals (TCNs) having transited through Tunisia, in exchange of a quota for Tunisian migrant workers. The most recent agreement with Italy, concluded after the fall of Ben Ali's regime, further reinforces the restriction of irregular migration flows and facilitates the process of repatriation. The Franco-Tunisian agreement is more favorable to Tunisia. It does not provide for the readmission of TCNs having passed through the Tunisian territory. In effect, it stipulates that any migrant deported from France to Tunisia who does not hold Tunisian citizenship is automatically readmitted into the French territory. Further, the Franco-Tunisian agreement is explicit in its support for the principles of human rights and dignity throughout the process of repatriation of irregular migrants to Tunisia. In 2012, Tunisia signed a Memorandum of Understanding with Switzerland that addresses the problem of irregular migration and expresses Switzerland's "concern for the successful reintegration of failed Tunisian asylum seekers in their home country."²¹ The MOU capitalizes on measures to be taken by the Tunisian state in order to curb irregular migration. Recent testimonies reveal that the MOU has been used as a tool to justify the expulsion of irregular migrants who refuse to undertake voluntary repatriation, presented as the more desirable durable solution. Finally, a recent mobility partnership signed with the European Union in March 2014 also provides for the readmission of irregular migrants.²² Civil society organizations based in Europe and Tunisia have called on the latter to suggest the inclusion of clauses pertaining to the respect for migrants' rights, regardless of their legal status and nationality.

Neither Egypt nor Tunisia is party to any of the two International Labour Conventions on migrant workers. Egypt is a party to the main multilateral treaty on the protection of the rights of migrant workers, that is, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. None of the countries of destination of Egyptian migrant workers is party to the convention. Tunisia, on the other hand, has yet to ratify the treaty. Since 2011, Tunisian civil society organizations have exercised pressures for Tunisia to ratify the Convention. The government advances two main arguments to justify its position:²³ for one, ratification would not imply reciprocity, given that the main destination countries of Tunisian migrant workers are themselves not parties to the Convention. Secondly, ratifying the treaty

²¹ Swiss Confederation, "Programme d'aide au retour en Tunisie," State Secretariat for Migration/Federal Department of Justice and Police (2012)

²² Déclaration conjointe pour le Partenariat de Mobilité entre la Tunisie, l'Union Européenne et ses Etats membres participants (2014) http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/international-affairs/general/docs/declaration_conjointe_tunisia_eu_mobility_fr.pdf

²³ REMDH & CeTuMa (2014), see above at footnote 18.

would increase flows of permanent immigration to Tunisia, a situation which it has consistently tried to avoid through restrictive labour and residency regulations for foreign workers.

Egypt and Tunisia are both members of several international forums and organizations in which they actively work to address issues of migration, including the International Labour Organization, the International Organization for Migration, the African Union, and the League of Arab States, among others. Both are parties to the European Neighborhood Policy (ENP). Tunisia also participates in the Western Mediterranean Forum, referred to as the 5+5 Dialogue, which includes a structure for Ministers in charge of migration that has held regular meetings since it was established in the late 1990s.

The International Labour Organization and International Organization for Migration have both implemented projects in Tunisia and Egypt in recent years. Since 2013, the ILO has been engaged in a single two-year project aimed at promoting good governance of labour migration and protecting the rights of male and female migrant workers from Morocco, Tunisia, Egypt and Libya. This is achieved through three means, namely the reinforcement of national institutional capacities for regulating migration as well as those which protect migrants' rights, and finally through the enhancement of intra-regional dialogue on labour mobility and migrant protection.

The IOM, for its part, has carried out numerous projects in both countries in the last five years. Its actions in Egypt and Tunisia are focused on three main thematic areas: the regulation and facilitation of migration, and migration linkages to development initiatives. In Egypt, one project is concerned with providing education and training to Egyptian youth in the Fayoum governorate, with a view to proposing alternatives to irregular migration. Another project supports the Egyptian government to exchange experiences with other countries in the field of police sector development. Finally, joint efforts between IOM and ILO have attempted to enhance the government's capacity in addressing unemployment. Among the main IOM projects in Tunisia, the following are noteworthy: Engaging Tunisian youth to carry out the Millennium Development Goals; an international mobility program; family tracing for unaccompanied minors in Italy; assisted voluntary return and reintegration; and finally counter-trafficking initiatives.

5. Statistical data collection

Accurate and reliable statistics on migrant workers are necessary in order to design effective policies and programs of labour migration. In Egypt, the Central Agency of Public Mobilization and Statistics (CAPMAS) is the government body responsible for the collection, processing, analysis

and dissemination of statistics on labour migration. The reliability of data on Egyptians living abroad, included in the censuses and the labour force sample surveys, has been called into question. Specialized studies on migration are few and far in between, with the most recent one having taken place in 1996. The “Pull and Push Factors of International Migration Project,” sponsored by Eurostat and the Netherlands Interdisciplinary Demographic Institute (NIDI) published in 2000 the results of a survey conducted in Egypt to improve the understanding of the direct and indirect causes and mechanisms of international migration from an internationally comparative perspective.²⁴ Two main entities produce statistical data on migration in Tunisia: the National Institute for Statistics (INS) and the Office of Tunisians Abroad (OTE). The latter draws up an annual register of Tunisian professionals abroad.²⁵ This data is collected from various agencies, including the Agency for Technical Cooperation and Training, the Ministry of Foreign Affairs, the Central Bank of Tunisia, as well as the French Office for Immigration and Integration for statistics on migration flows from Tunisia to France.

A recent data collection initiative, entitled the Mediterranean Household International Migration Survey (MED-HIMS)²⁶ and targeting both Tunisia and Egypt, in addition to six other Mediterranean countries,²⁷ attempts to partially overcome the weakness and lack of reliable data on labour migration in the participating countries. EUROSTAT played a significant role in the consultation and preparatory process for the Mediterranean surveys project, which had started before the political changes of 2011. This role reflects the EU interest in reliable statistics on migration from East and South Mediterranean countries. The preparatory process received support from the European Commission, the World Bank, UNHCR and UNFPA. ILO partially financed the Egyptian survey. Receiving support from various international organizations, the project is also an example of international cooperation. The two main objectives of MED-HIMS are the following: (1) to study the recent trends, causes, determinants, dynamics and consequences of migration, as well as linkages between migration and development, and (2) to explore possible cooperation scenarios between the countries involved in the study and their main migratory partners (essentially countries of Europe and of the Gulf Cooperation Council). It utilizes the specialized

²⁴ Other sending countries surveyed were Ghana, Morocco, Senegal, and Turkey. On the receiving end, Italy and Spain were included in this study. In 1996, the Cairo Demographic Center (CDC) and CAPMAS collected data from 1,943 households in the different regions of Egypt. Any adult aged 18-65 years qualified for interviewing. The sample included households with recent and non-recent migrants as well as non-migrants.

²⁵ Office des Tunisiens à l’Etranger/Direction des Etudes et de l’Informatique: Banque de données: “Statistiques sur les Tunisiens dans le monde,” Annual Document (Tunis)

²⁶ The information on MED-HIMS’s implementation in Egypt is from Farid, Samir, “MED-HIMS: A New Research Project on International Migration in the MENA Region,” organized by UNFPA and OECD. Tunis, 13-14 May 2013. Information on the implementation in Egypt was drawn from an interview with the responsible official at CAPMAS.

²⁷ The other countries surveyed are Algeria, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria and Tunisia.

household survey method, deemed by the United Nations to be the most reliable method for collecting information on labour migration.

In Egypt, information was gathered throughout a three-month period in 2013, through a sample consisting of 90,000 households, answering questions included in seven questionnaires. Publication of the survey's main findings was anticipated in the two years following compilation of the data. The publication of the first findings was envisaged in 2014 but did not materialize. A total of \$290,000 were contributed by the ILO towards funding the project. The Tunisian survey will be carried out through a sample of 60,000 households randomly selected from the population census, as well as an additional sample composed of 2,500 refugees and asylum seekers selected by the UNHCR.²⁸ It is set to be carried out in a period of 24 months, starting in January 2015. However, the survey is currently in abeyance pending receipt of the necessary funds. The total amount necessary for the MED-HMS survey is estimated at 1,255 million Euros, 90 per cent of which should be contributed by international donors. The IOM has set aside an amount equal to \$10,000. Other entities have expressed interest in participating as donors, but have yet to give a definitive answer: among these are the Islamic Development Bank (IDB) and the EU.

6. Migration linkages to development

Efforts to create linkages between migration and development in Egypt and Tunisia are intended to address the structural determinants and causes of migration, namely poverty, low wage levels, unemployment and underemployment. This is achieved by reinforcing ties between workers in external employment and their home countries through a number of development initiatives. A noteworthy method consists in facilitating the process of transferring financial remittances – which constitute one of the four main sources of foreign exchange in Egypt²⁹— and encouraging migrants to invest in local projects.

Several of Tunisia's migration initiatives emerging in the three-year period following the Arab Awakening have addressed the question of sustainable development. One such project, implemented in collaboration with a number of United Nations agencies, including the UN Development Programme, aimed to implicate young professionals more effectively in the

²⁸ Information on the implementation of the MED-HIMS Project in Tunisia was collected through an interview conducted with Nadia Touihri, Deputy Director of statistics and social studies and national coordinator of the MEDSTAT/Migration Project, Institut National de la Statistique (Tunisia).

²⁹ Financial remittances are estimated to have reached 13 billion and 18 billion in 2010-11 and 2011-12, representing 5.7 per cent and 6.2 per cent of the GDP respectively.

realization of the Millennium Development Goals (MDGs). Another program, supported by IOM and financed by the government of Switzerland, had the objective of improving the efficiency of public policies aimed at integrating labour migration within the framework of development.

Tunisia's mobility partnership with the European Union, although predominantly focused on the question of security, contains provisions related to development. The agreement capitalizes on the crucial role of expatriates as contributors to the economies of both the countries of origin and destination. The partnership's provisions tackle topics such as the social and economic reintegration of returnees, the acquisition of skills lacking in the home country, and the implications of migration for family members left behind, especially children and elders.

Other efforts to link migration to development were undertaken by the National Office for Family and Population (ONFP) as well as the Office of Tunisians Abroad (OTE). The latter has organized a number of events and taken initiatives, including conferences for highly skilled migrant workers with the aim of exchanging ideas on the latest scientific and technological developments; seminars for Tunisian businessmen residing in Europe; pressing for the adoption by the state of legislation that creates incentives for Tunisian expatriates to invest, namely exemption of taxes and custom duties on imports.

In Egypt, a commitment to development after the uprising materialized in the organization of expatriate conferences, which sought to mobilize the Egyptian Diaspora to support the changes that were being witnessed in the country, through their human and social capital, as well as their financial resources. For example, the Egyptian expatriate community in one European country participated in financing public schools in urban informal settlements. Few efforts have been made in either country, however, towards the objective of promoting brain gain and mitigating brain drain.

7. Civil society efforts targeting migrant workers

Civil society organizations in Egypt that touch on issues related to migrant workers are rare. The few existing non-governmental organizations dealing with migration are primarily concerned with promoting and defending migrants' rights in their countries of employment, as well as strengthening ties between members of the Diasporas and their home countries. Among these, the most notable are the Egyptian Organization for Human Rights and the Egyptian Initiative for Personal Rights. Non-governmental research institutions such as the Egyptian Center for Economic Studies (ECES) and the Economic Research Forum for the Arab Countries, Iran and

Turkey (ERF) conduct research on the characteristics of Egyptian migrant workers, their insertion in external labour markets and their contribution to development.

In the case of Tunisia, two main categories of civil society organizations dealing with migrant workers can be distinguished: Local and international non-governmental organizations operating within the Tunisian territory, and local and foreign NGOs operating abroad (especially in Europe).

Prior to the Arab Awakening, civil society in Tunisia was heavily restricted and monopolized by the political regime, with two main NGOs operating in a circumscribed manner. The year 2011 witnessed the liberalization of civil society and a thriving NGO movement. Still, only a number of organizations dealt directly with migration. Among these are the General Tunisian Union for Labour (UGTT) and the Tunisian League for Human Rights (LTDH). The migration sector of the Tunisian Forum for Economic and Social Rights is especially focused on the cases of migrant families lost at sea. The Center for Migration and Asylum in Tunis (CeTuMa) is concerned with the protection of migrants' rights, as well as the implications of labour policies on migrants in their destination countries. The organization France Terre D'Asile is also present in Tunisia, and focus on providing training and support to local NGOs in their mission to promote and protect migrant rights. ERF also works on the employment of Tunisian workers in external labour markets and its economic and development consequences.

When it comes to NGOs based abroad, the Federation of Tunisian Citizens of the Two Banks (FTCR) and Association of Tunisians in France (ATF) are both active in France. The organization MigrEurop protects irregular migrants against violations committed in detention centers located within the Schengen Area. These NGOs essentially target three main actors: the government of Tunisia, European host states, and international organizations active in Tunisia (such as the UNHCR and IOM). They denounce the Tunisian state's lack of diligence in investigating the disappearances of migrants who have been lost at sea since 2011. They have also criticized the government's labour migration policy orientation during the Troika regime of 2011-2012. NGOs based abroad were instrumental in accelerating the process of setting up a mobility partnership between Tunisia and the European Union. Finally, NGOs based abroad urge international organizations to defend the rights of migrants and refugees more proactively.

8. Concluding remarks

The seminal political changes experienced by Egypt and Tunisia since 2011 have not generated the large migration flows once feared, especially in member states of the EU. After an initial

movement of some magnitude from Tunisia to Italy, migration between the two countries abated. No significant growth was registered in migration from Egypt, whether to GCC or EU countries. Irregular migration, with tragic consequences across the Mediterranean continued, but in terms of volumes it was not significant.

The changes were rightly expected to generate demands for renewed policies of labour migration in the two countries, especially in respect of the protection of migrant workers. However, the review of policies and associated institutions in Egypt does not reveal any significant new departure. The two Ministries in charge of the employment and protection of Egyptian migrant workers continue to carry out their functions in the same way they did before 2011. No significant change has affected the other governmental institutions or civil society organizations concerned with labour migration.

In Tunisia, a more visible attempt at enhancing the effectiveness of labour migration policies and institutions was undertaken. Changes were introduced and new programmes adopted. However, these could not substantially stimulate organized migration movements whether to the EU or GCC countries. Possibilities of migration to Europe may have been thwarted by the restrictive migration policies of the EU member states and by the economic and employment crises they experienced since the turn of the decade. In the GCC countries, Tunisia experiences, like Egypt does to a much greater extent, the competition of a much better organized Asian migration industry.

However, analysis of the labour market situations in the two countries brings out that the potential for migration is still substantial. Unemployment rates, especially among the educated and highly educated, are high and underemployment in the informal economy is large. The solution of the employment question Egypt and Tunisia experience certainly lies within the two countries. However, in the foreseeable future, external employment will necessarily contribute to alleviating pressures on their labour markets. Because demand also exists for migrant workers, policies of countries of destination will have to converge with Egyptian and Tunisian policies towards organizing a transfer of labour that should benefit all parties. This applies as much to EU as to GCC countries. Proactive policies of promotion of external employment are relatively more significant in Tunisia than in Egypt. But there is large room for improvement in the two countries. The recent sharp drop in oil prices suggests a possible reorientation of migrant workers, especially from Egypt, towards the EU labour markets.

Policies and institutions of protection of migrant workers differ in the two countries, partially reflecting the difference between their main labour market destinations. In the GCC countries,

policies and practices of recruitment and employment, especially the *kafala* system, are at the origin of protection needs. In the EU countries, Tunisian, and also Egyptian, workers are in principle protected by labour laws. But issues of racism and discrimination that exists in Europe trigger protection mechanisms. Overall, therefore, Egypt seems to have more significant policy measures and institutions of protection but their effectiveness is limited by insufficient human and technical resources.

Egypt and Tunisia engage in international cooperation with countries of destination of their migrant workers and with international organizations. Again, the forms of international cooperation vary according to countries of destination. For instance, because foreign workers are not covered by social security systems in the GCC countries, no social security agreements exist between them and either Egypt or Tunisia. In contrast, the two countries have a number of such agreements with European and Arab countries other than GCC members. Bilateral labour migration agreements and MOUs link Egypt and Tunisia to countries of destination in the two regions. The effectiveness of these agreements in expanding regular flows is limited though. International organizations, specifically the ILO and IOM, implement projects in different areas of labour migration policies in the two countries. It bears reiterating that international cooperation assumes reconciling the policy objectives of countries of origin and destination. Reconciliation involves open or implicit negotiations of policy objectives. Supply and demand for labour at the global level place countries of destination in commanding positions, even if many among them experience acute economic and employment crises. However, democratizing countries of origin cannot just abide by the objectives of countries of destination. They have to respond to the demands of their populations, which may well be at variance with the expressed interests of countries of destination. Faced with democratizing countries of origin, the policies of countries of destination may have to innovate and adapt to new realities.

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