



**Voices
For
Labour**

**An evaluation of government services,
migration-related costs, protection gaps, and
access to justice mechanisms for Ugandan
domestic migrant workers in the Gulf States.**



December 2025



Project: "Safeguarding the Rights of Ugandan Domestic Workers in the Gulf".

An evaluation of government services, migration-related costs, protection gaps, and access to justice mechanisms for Ugandan domestic migrant workers in the Gulf States.

DECEMBER, 2025

FOREWORD

Labour migration has become a deeply woven part of Uganda’s national story. Every year, thousands of Ugandans—most of them women—make the difficult decision to leave their homes and families to seek work abroad, especially in the Gulf States. They do so not out of ease, but out of hope: hope for decent livelihoods, better education for their children, improved healthcare for their families, and a more secure future. Their contribution to Uganda’s development cannot be overstated. By January 2024, remittances had reached USD 1.42 billion—a powerful reflection of the sacrifices migrant workers make and the vital role they play in sustaining households and supporting the country’s economy. Yet behind these impressive figures lies a more complex and urgent reality.

This research interrogates the effectiveness of government services, the financial burdens imposed on migrant workers, and the systemic protection gaps that continue to expose them—especially women—to exploitation, debt bondage, abuse, and barriers to justice. The findings are both sobering and instructive.

Although Uganda has put in place certain regulations and signed bilateral labour agreements, the overall protection system still falls short in practice. The framework exists on paper, but it is fragmented, underfunded, and too often weakly enforced. For many migrant workers, the journey begins with heavy and sometimes unlawful recruitment fees that push them into debt even before departure. Information about their rights, contracts, and complaint mechanisms is often unclear or incomplete. Oversight of recruitment agencies—both local and foreign—remains inconsistent, allowing harmful practices to persist.

Ugandan embassies abroad strive to assist, but their efforts are limited by inadequate staffing and financial constraints. Digital systems such as EEMIS have been introduced to improve coordination and monitoring, yet many workers are unaware of them or find them difficult to navigate.

Most concerning is the structural vulnerability faced by women domestic workers in Gulf States—shaped by gender-based violence, limited mobility, restrictive sponsorship systems, and inadequate gender-responsive safeguards in both law and practice.

This report therefore does not merely diagnose challenges; it offers a road-map for reform. It calls for significantly increased public investment in labour migration governance—particularly in the Ministry of Gender, Labour and Social Development and Uganda’s foreign missions. It demands stronger oversight of recruitment agencies, ratification of key international labour standards, establishment of comprehensive reintegration systems, expansion of embassy support services, digital reform, gender-responsive protections, insurance schemes, migrant welfare funding, and strengthened bilateral labour agreements. It urges the Government to align its policy ambitions with adequate and ring-fenced financing, and to place the dignity and safety of migrant workers at the centre of labour externalisation policy.

At Voices for Labour, we firmly believe that labour migration must not be managed as a revenue-generating enterprise alone. It must be governed as a human rights and social justice issue. Ugandan migrant workers are not merely contributors to foreign exchange earnings—they are rights-bearing citizens whose protection is a constitutional and moral obligation of the State.

It is our hope that this report will serve as a catalyst for constructive dialogue among policymakers, Parliament, government institutions, civil society organisations, trade unions, and international partners towards strengthening migrant worker protection..

A handwritten signature in blue ink, appearing to read 'Kagoye', enclosed within a large, loopy blue oval.

Kagoye Robinah
Executive Director, Voices For Labour (VFL)

ACKNOWLEDGEMENTS.

Voices for Labour extends its sincere appreciation to the **American Bar Association** for its invaluable technical and financial support toward this research. Their partnership made it possible to undertake a rigorous and independent assessment of the governance, protection, and justice mechanisms affecting Ugandan domestic migrant workers in the Gulf States. We are deeply grateful for their commitment to advancing labour rights, access to justice, and the rule of law.

We also wish to recognise the dedicated staff of Voices for Labour who played a central role in bringing this study to fruition. Special appreciation goes to Amoding Esther, Nanyange Tracy, and Kagoye Robinah for their tireless work in conducting field research, analysing data, drafting the report, and refining its final content. Their diligence, insight, and commitment to migrant workers' rights have significantly shaped the depth and quality of this publication.

Finally, we acknowledge all migrant workers, key informants, and stakeholders who generously shared their experiences and perspectives. Their voices remain at the heart of this report and continue to inspire our collective pursuit of dignity, protection, and justice for Ugandan migrant workers.

Suggested Citation

Voices For Labour (2025): An evaluation of government services, migration-related costs, protection gaps, and access to justice mechanisms for Ugandan domestic migrant workers in the Gulf States.

The views expressed in this report are those of Voices for Labour and do not necessarily reflect the official position of the American Bar Association.

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LIST OF ABBREVIATIONS AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
AU	African Union
BLA	Bilateral Labour Agreements
CEDAW	Elimination of All forms of Discrimination against Women
COFTU	Central Organisation of Free Trade Unions
CSO's	Civil Society Organisations
DSW	Domestic Service Worker
EEMIS	External Employment Management Information System
FUE	Federation of Uganda Employers
GBV	Gender Based Violence
HTS UNION	Uganda Hotels, Food, Tourism, Supermarkets & Allied Workers' Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
IDWF	International Domestic Workers Federation
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organisation
IOM	International Organisation of Migration
ITUC	International Trade Union Confederation
KCCA	Kampala Capital City Authority
LMIS	Labour Market Information System
MGLSD	Ministry of Gender, Labour and Social Development
MOFA	Ministry of Foreign Affairs
MOU	Memorandum of Understanding
MPS	Members of Parliament
MR	Migrant Returnee
MW	Migrant Worker
NGO'S	Non-Governmental Organisations
NOC	No Objection Certificates
NOTU	National Organisation of Trade Unions
OWWA	Overseas Workers Welfare Administration
PDOT	Pre- Departure Orientation Training

PLA	Platform for Labour Action
PRAS	Private Recruitment Agencies
UAERA	Uganda Association of External Recruitment Agencies
URSB	Uganda Registration Services Bureau
UCCA	Uganda Consortium on Corporate Accountability
VFL	Voices For Labour

EXECUTIVE SUMMARY

This study examines the range and effectiveness of government services provided to Ugandan domestic migrant workers externalized to the Gulf States throughout the migration cycle. It evaluates both formal and informal fees imposed at different stages from recruitment and deployment to return and how these costs shape migrants' vulnerability. The analysis further identifies key protection gaps within Uganda's regulatory and institutional frameworks responsible for safeguarding Ugandan migrant workers' rights. It also assesses the accessibility, responsiveness, and effectiveness of the available justice mechanisms both in the host Gulf states and Uganda as a country of origin for migrant domestic workers who experience abuse, exploitation, or contract violations among others. Conclusively, the study puts forward a series of interventions and recommendations aimed at enhancing government services and strengthening the welfare and protection of Ugandan domestic migrant workers in the Gulf States.

The findings reveal that Uganda's Labour migration continues to grow, with remittances reaching USD 1.42 billion by January 2024, driven largely by Ugandan migrant workers in the U.S, U.K and the Middle East/ Gulf states. While labour migration significantly supports household welfare, education, healthcare, and local development, the recruitment system exposes workers especially women domestic workers to high and often illegal fees, debt bondage and misinformation. Many Ugandan migrant domestic workers pay excessive recruitment and placement fees, face hidden costs, rely on brokers, and accumulate debt before departure. Despite formal pathways and pre-departure training, information gaps persist, oversight of foreign recruitment agencies is weak, and support from Ugandan embassies is limited due to inadequate staffing, capacity, and funding. Digital tools such as EEMIS exist but are poorly utilized, and migrant workers often lack awareness of their rights, complaint mechanisms, and available protection services. Women migrant domestic workers face additional vulnerabilities linked to gender-based abuse, limited consular support, and inadequate gender-responsive provisions in laws and bilateral labour agreement.

Uganda's legal and policy framework for labour migration remains fragmented and insufficient. Key international conventions including ILO Conventions 189, 181, and 97 are not ratified, and the existing laws, BLAs, and regulations have weak enforcement mechanisms and limited practical impact in protecting domestic migrant workers. Although regional and global frameworks call for comprehensive, gender-sensitive, rights-based migration governance, Uganda has only partially incorporated these standards in its national laws and migration policy,

leaving major gaps in oversight, accountability, and protection. Reintegration support remains largely absent, with no national framework to guide return, readmission, and long-term reintegration. Ongoing institutional challenges such as underfunded government agencies, lack of labour attachés, poor coordination with foreign agencies, and systemic barriers in destination countries like the Kafala system continue to hinder effective access to justice, monitoring, and protection for Ugandan migrant workers, particularly domestic workers in the Gulf. This research therefore recommends the following measures;

- i. The Government needs to allocate significantly more resources to the Ministry of Gender, Labour and Social Development (MGLSD), Ugandans embassies, and other labour migration institutions to strengthen staffing, monitoring, and the overall protection of Ugandan migrant workers in the Gulf.
- ii. Government should also enforce strict oversight of recruitment agencies, penalize illegal fees, ratify key ILO conventions, and enact a comprehensive labour migration law.
- iii. Establishment of a standalone Ministry of Labour or a semi-autonomous external employment authority.
- iv. Government should reclaim its role of conducting pre-departure training, rather than reliance on only profit-driven private institutions.
- v. Integration of digital literacy into pre-departure orientation programmes.
- vi. Expand and enforce mandatory bank guarantees or insurance schemes for foreign employers and recruitment agencies to ensure compensation when violations occur.
- vii. Strengthen pre-departure and post-arrival orientation, ensure comprehensive rights-based training, and establish a national reintegration framework for returnees.
- viii. Improve Embassy Support by increasing funding for missions abroad, deploy more labour attachés, and ensure accessible, proactive consular assistance.
- ix. Develop multilingual, user-friendly digital platforms with secure channels, offline features, and simplified navigation to support migrant reporting.
- x. Increase migrant workers' rights awareness, gender-responsive training, and outreach through government and civil society actors, including social media and community networks.
- xi. Integrate strong safeguards for women migrant workers, including measures addressing GBV, sexual violence, and access to shelters, legal aid, and psychosocial support.
- xii. Set up Migrant Workers' Resource Centres in Gulf states to provide legal aid, interpretation, victim support, gender-responsive services, and data collection.

- xiii. Strengthen BLAs with explicit protection clauses, dispute mechanisms, timelines, and compensation schemes, and make all agreements publicly accessible to improve transparency.
- xiv. Integrate mental health protections into labour migration regulations and BLAs.
- xv. Introduce mandatory insurance coverage for all Ugandan migrant workers deployed to Gulf States.
- xvi. Facilitate migrant workers with ongoing complaints or legal cases to remain in destination countries through temporary permits and protection from deportation.
- xvii. Push for the presidential assent to the Employment (Amendment) Bill, 2022 already passed by Parliament.
- xviii. Expand EEIMIS to capture returnee data and complaints, and improve coordination with CSOs.
- xix. Strengthen border monitoring and tracking systems.
- xx. Establish a specialized tribunal to handle Ugandan migrant worker complaints and disputes.
- xxi. Government should restrict labour externalization to only countries that demonstrably uphold labour rights.
- xxii. Establish a migrant welfare fund to support crisis response and reintegration.

i. Introduction

Uganda is a land locked country located in the East of Africa with a population of 45,905,417 million persons with females at 23,440,016 and males at 22,495,030. Uganda has the second youngest population in the world according the findings of the National Population Household Census (NPHC) in 2024. The NPHC census of 2024¹ revealed that half of Uganda's population (50.5 percent) are children aged 17 and under and the youth demographic (18 - 30 years) constitutes 22.7 percent of the total population indicating that more than three quarters of its citizens are below the age of 35 with a projection of the same doubling in the next 25 years². The census further revealed that 5 in every 100 persons are aged 60 years and above. The working age group as of 2024 was 25,494,490 persons (57.4%) of the population and the unemployment rate was 12.3%. Moreover, the share of youths aged 15-24 not in employment, education or any training was 4,000,528 persons (42.6%) (UBOS,2024). The demographic surge in Uganda's youth population, coupled with persistently high unemployment rates, has

¹ UBOS(2024) : National Population &Household Census(NPHC); <https://www.ubos.org/wp-content/uploads/2024/12/National-Population-and-Housing-Census-2024-Final-Report-Volume-1-Main.pdf>

² <https://www.unicef.org/uganda/what-we-do/u-report>

positioned Labour migration as a defining socio-economic trend. Uganda is both a country of origin and destination with a current record of being Africa's largest refugee host with over 1.5million refugees from different countries³

Though Labour migration is an old phenomenon that has existed for ages, in the recent years, Uganda has witnessed a significant outflow of its citizens particularly domestic workers, nurses, teachers, and construction workers seeking employment and improved livelihoods in the Gulf countries and the wider Middle East (**Nampewo, 2022**). IOM indicates in its policy brief that in 2015, the Ugandan community living abroad(diaspora) was composed of approximately 3 million Ugandans, with top countries of destination being Kenya, Rwanda, South Sudan, the United Kingdom and the United States of America⁴. However, over the past decade, Labour migration to the Gulf States and middle east has significantly increased. There are thousands of Ugandan migrant workers leaving Uganda annually to work in Saudi Arabia, Jordan, Oman, Qatar, and the United Arab Emirates (UAE)in low- skilled or semi-skilled jobs. (**Namaganda & Laiboni (2019), Nampewo 2021, & UCCA 2023**). As already highlighted the principal factors driving labour migration from Uganda to the Gulf are the high levels of unemployment at home and the comparatively higher wages offered abroad. For instance, domestic workers in Saudi Arabia typically earn between USD 225 and 500 per month, while factory workers in Qatar, the United Arab Emirates (UAE), and Saudi Arabia earn between USD 350 and 700 per month. These earnings are higher than the salaries of skilled professionals in Uganda's public service, where nurses, theatre practitioners, laboratory and dental assistants receive an average of about USD 85, and even the highest-paid primary school teacher earns only USD 264 per month. (**Nampewo 2021, Nampewo 2022**). It is particularly unfortunate that Uganda does not have an effective minimum wage regime, with the last official rate having been fixed in 1984 at UGX 6,000 (approximately USD 1.50) per month. The absence of a viable minimum wage, combined with persistently high unemployment, has exacerbated the prevalence of low and exploitative wages in the labour market. (**UCCA, 2023, Kagoye.R.2022**). According to the 2021 National Labour force survey, the median monthly cash earnings for the employed population was Uganda shillings 200,000/= (Approx. \$57 USD) per month and 42% of those employed reported earning less than two thirds of national average earning of Uganda shillings 200,000/= (Approx. \$57 USD) (UBOS, 2023) per month. (**UBOS, 2021**)

³ UNCHR(2021): Uganda Employment Policy Brief: Using Socio-economic evidence to promote solutions for refugees in Uganda. <https://www.unhcr.org/61371d364.pdf>

⁴ IOM (2022) : strengthening recruitment and information provision between Uganda and the kingdom of Saudi Arabia

Currently, Uganda also grapples with a large informal economy with the majority of its citizens engaged in vulnerable employment. Moreover, the formal economy is also tainted with many decent work deficits and high levels of informalized wage employment. For instance, over 66 percent of employed persons are orally engaged without written contracts of employment and 22% are exposed to occupational hazards and the wages remain very low for both skilled, semi-skilled and non- skilled workers. (UBOS, 2021). All these push and pull factors have escalated the exodus of many young Ugandans especially women to the Gulf countries to seek for greener pastures. Whereas, some gains have been recorded in terms of remittances and non- tax revenue for the government of Uganda, there is overwhelming literature evidencing the daily exploitation and abuse of the Ugandan migrant workers in the gulf countries especially those in the domestic or care sector⁵.

This research report highlights both the formal and informal financial flows of labour externalization in Uganda including payments made by migrant workers and recruiters to the government and the overall economic benefits of remittances. It further examines the services provided to migrant workers by the government and recruiters both under normal circumstances and in response to abuse. The legal protections governing Ugandan migrant domestic workers are also examined highlighting the gaps between their existence and actual implementation. Finally, the report examines the access to justice mechanism for the Ugandan migrant domestic workers in the gulf both in the host states and Uganda as a sending state exploring the remedies the workers actually use and those available in theory but underutilized.

ii. Research Questions

The main research questions are as follows;

1. What formal and informal financial payments are made by migrant workers and Labour recruiters to government institutions in Uganda?
2. What fees are paid by migrant workers to recruitment agencies, and how transparent and regulated are these transactions?
3. What is the overall economic contribution of remittances to Uganda's national and local economies, and how is this impact measured?

⁵ See ; Nampeewo (2021) : The illusion of greener pastures: Violence and justice for female Ugandan migrant workers in the Middle East: Strathmore Law Journal, 1, June 2021; UCCA Advocacy brief 2023: Between Exploitation & Work: Realizing the right to work of Ugandan Migrant Workers in the Middle East; Namaganda & Laiboni (2019) Women's Labour Migration, the Africa-Middle East Corridor: Experiences of Migrant Domestic Workers From Uganda , Koogler (2024): Ugandan Labor Migrants to the Middle East: Labor Conditions.

4. What services do government institutions provide to migrant workers throughout the migration cycle?
5. How effective are these services in responding to cases of abuse or exploitation faced by migrant workers abroad?
6. What legal protections exist in Uganda's legal and policy frameworks to safeguard the rights of migrant workers, and how are they implemented in practice?
7. What gaps exist between the legal protections on paper and their actual enforcement and realization in practice?
8. What formal remedies and complaint mechanisms are available to migrant workers experiencing abuse or exploitation?
9. To what extent do migrant workers utilize existing justice mechanisms, and what barriers hinder access to justice?

METHODOLOGY

The study employed a qualitative research design, beginning with an extensive desk review of secondary sources, including academic literature, news articles, national laws and policies, government publications, and reports from international organizations and civil society. This was complemented by semi-structured in-depth interviews to capture lived experiences and institutional perspectives on Ugandan domestic workers migration to the Gulf. The primary participants included Ugandan domestic returnees and the currently deployed Ugandan domestic workers working in Saudi Arabia, Qatar, Jordan, and Kuwait, as well as key informants from government institutions, civil society, trade unions, recruitment agencies, pre-departure training institutions, and political actors. In total, 10 returnees (MR1–MR10), 10 current migrant workers (MW1–MW10), 15 CSOs and trade unions, five Members of Parliament, three workers' councilors, five recruitment agencies, and four training institutions participated.

An anonymous online survey targeting migrant workers, CSOs, and relatives also yielded 68 responses. Snowball sampling facilitated mainly through CSOs and private recruitment agencies was used to reach migrant workers, while government institutions were engaged through formal written requests and email communication. Data analysis followed a thematic content analysis approach involving transcription, coding, categorization, and interpretive synthesis to generate core themes and insights. A research validation meeting involving stakeholders from policy makers, civil society organizations, trade unions, policy makers,

migrant workers associations/organizations was also conducted on the 22nd of December, 2025 to validate the findings of the study.

FINDINGS

Summarily, the key findings arising from this report are highlighted below;

- i. Uganda ranks among the top ten Sub-Saharan African countries in remittance inflows, which have steadily grown over the past decade to \$1.42 billion by January 2024. About 40% of these remittances come from the U.S. and U.K, mainly from healthcare, finance, and education workers, while the Middle East (Gulf states) contributes roughly 35%, largely from domestic workers, security personnel, and construction laborers.
- ii. Labour migration remittances contribute significantly to household welfare, poverty alleviation, and local economic development in Uganda. They support education, healthcare, housing, and investment in businesses, agriculture, and real estate, while also promoting financial inclusion through bank account usage and formal financial services.
- iii. Although the Employment (Employment of Ugandan Migrant Workers) Regulations limit administrative fees for recruitment to UGX, 20,000/= (about \$6 USD) domestic workers report paying between UGX 200,000 – 500,000/=
- iv. Domestic workers are charged for passports, visas, medical checks, and certificates despite regulations requiring these costs to be covered by the employer.
- v. High recruitment and placement costs push many workers into high-interest loans or the sale of assets, increasing their vulnerability to debt bondage. While abroad, some workers repay these fees through salary deductions.
- vi. Labour externalisation contributes significant non-tax revenue to the Government of Uganda through licence fees, application fees, job order approval fees, and vacancy fees, collectively generating about UGX 30 billion each year. Despite this substantial contribution, the Employment Services Programme—under which the labour externalisation agenda falls—receives only around UGX 2.299 billion from the entire approved annual budget of the Ministry of Gender, Labour and Social Development (MGLSD) highlighting a clear mismatch between its revenue contribution and the funding it receives.
- vii. Many Ugandan migrant workers have limited or inaccurate knowledge of their rights and obligations regarding recruitment costs. This lack of awareness, combined with complex formal processes and reliance on fee-charging recruitment agencies, increases their vulnerability to exploitation.

- viii. Although the government has established digital tools (like EEMIS and Labour Migration Digital Tool) to facilitate access to information on licensed recruitment agencies and grievances reporting, qualitative evidence indicates that domestic migrant workers rarely use or are unaware of these platforms.
- ix. While most migrant workers receive mandatory pre-departure orientation, this training is minimalistic, rushed, and focused on compliance rather than skills development moreover the rights component is often neglected. Corruption and collusion between training institutions and recruitment agencies sometimes allow workers to bypass or shorten training entirely.
- x. Embassy support is largely ineffective and limited. Ugandan embassies in the Gulf region provide reactive and case-dependent support, with many migrant workers reporting no assistance when needed. Staffing, funding, and institutional capacity gaps, combined with limited embassy presence, hinder effective protection and oversight.
- xi. The External Employment Management Information System (EEMIS) enhances transparency, traceability, and coordination in migrant recruitment. However, local-level adoption is limited, integration with consular services is weak, and informal migration pathways remain untracked, creating persistent data gaps.
- xii. The MGLSD Migrant Support Centre provides information, legal guidance, psychosocial support, and reintegration assistance, but its reach and operational capacity are still developing, limiting its impact on migrant welfare.
- xiii. Uganda lacks a comprehensive reintegration policy. Existing government efforts are limited, and support is largely delivered by NGOs, civil society, and international agencies, focusing mostly on distressed returnees. Successful returnees often receive minimal guidance on financial literacy, investment, or business formalization, and family/community involvement is largely neglected.
- xiv. Uganda lacks a single comprehensive statute governing labour migration. Protections for migrant domestic workers are spread across various laws, regulations, bilateral agreements, and international instruments, leading to gaps in coverage and enforcement.
- xv. Uganda has not ratified critical conventions such as the ILO Domestic Workers Convention (No. 189), ILO Private Employment Agencies Convention (No. 181), and ILO Migration for Employment Convention (No. 97), limiting the formal legal safeguards for migrant domestic workers, particularly in recruitment, working conditions, and protection against exploitation abroad.

- xvi. While Uganda has ratified instruments like the ICRMW (1995) and ILO Migrant Workers Convention (No. 143), and some provisions are reflected in national laws, there remain gaps in translating international standards into enforceable national protections for migrant domestic workers.
- xvii. Although bilateral labour agreements and regional frameworks exist to protect migrant workers, implementation is inconsistent, and Uganda's oversight of domestic workers in Gulf countries is weak due to limited embassy presence, monitoring capacity, and enforcement of recruitment and employment standards.
- xviii. While African Union and IGAD migration policies emphasize rights-based, gender-sensitive, and comprehensive approaches to labour migration, Uganda has only partially incorporated these strategies in its current national migration policy.
- xix. The increasing feminization of labour migration in Africa is recognized across AU and IGAD frameworks, highlighting the heightened vulnerability of women, especially domestic workers, to exploitation, abuse, and discrimination. However, the existing Ugandan BLAs, policies and regulations largely lack gender-specific provisions, reflecting a critical gap in protecting women migrant workers.
- xx. There is limited participation of the civil society and trade unions in the drafting, monitoring, and implementation of the Bilateral Labour Agreements including limited access to the same.
- xxi. AU guidelines stress access to social protection, welfare, and reintegration support for migrant workers, including emergency, health, and retirement benefits. Uganda currently lacks structured migrant welfare programs and standardized procedures for return, readmission, and reintegration, although some ad hoc support services exist through migrant support centres.
- xxii. The Employment Act Cap 226 provides protections for Ugandan workers locally (wages, leave, severance, protection from harassment, discrimination, and forced labour), but its application largely excludes employment outside Uganda, leaving migrant workers vulnerable.
- xxiii. The Employment Act cap 226 and its 2011 Regulations do not clearly define recruitment agencies, differentiate between internal and external recruitment, or provide robust oversight for agencies placing workers abroad, contributing to risks of exploitation in labour externalization.
- xxiv. The Employment (Employment of Ugandan Migrant Workers Abroad) Regulations 2021 provide for a complaint mechanism but this mechanism mainly allows the

aggrieved migrant workers to lodge a complaint against the Ugandan recruitment agencies, excluding foreign agencies and employers. The regulations also lack clarity on court jurisdiction.

- xxv. Despite some regulatory improvements brought about by the Employment (Employment of Ugandan Migrant Workers Abroad) Regulations 2021, enforcement is hindered by limited MGLSD staffing, inadequate funding, weak monitoring of foreign agencies and no structured oversight in destination countries, undermining protection for migrant workers in practice.
- xxvi. Despite the existence of some formal justice mechanisms in Gulf countries, migrant domestic workers face systemic barriers for example language barriers, restricted access to phones, poor internet connectivity, low digital literacy, restricted movements and restrictive legal frameworks like the Kafala system. The recent abolition of Kafala in Saudi Arabia in October, 2025 and adoption of contract-based employment gives some hope however, the actual impact is yet to be felt among the Ugandan domestic migrant workers.
- xxvii. Although Uganda has established formal protection mechanisms—including the Ministry of Gender, Labour and Social Development, the CEEMIS app, and the Uganda Human Rights Commission—their practical effectiveness remains limited. Respondents consistently pointed to systemic constraints such as inadequate staffing, chronic underfunding, and the absence of labour attachés in some key destination countries.
- xxviii. The access to justice mechanisms excludes irregular and undocumented migrants.

1. Overview of Labour externalisation in Uganda

In 2005, the government of Uganda began the Labour externalization Programme implemented by its Ministry of Gender, Labour and Social development with a main objective of providing safe, orderly and regular channels for Ugandans who choose to seek employment abroad⁶. Prior to this, there was no legal and institutional framework regulating Labour externalization in the country. Ugandans were migrating to other countries for work but with no legal or institutional framework in place. In 2005, the government enacted the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations whose objectives were to promote full employment and equality of employment opportunities for all and to uphold the dignity and rights of Ugandan migrant workers; to allow deployment of Ugandans to countries which have

⁶ ILO (2024): Return and reintegration in Uganda: Lessons from the FAIRWAY Programme



existing Labour and social laws or are signatories to international agreements protecting the rights of migrants and to protect every Ugandan desiring to work abroad by securing the best possible terms and conditions of employment and to provide a mechanism for issuing licenses to recruitment agencies. Accordingly, the External Employment Unit was also established and operationalized in 2005 to implement and enforce the provisions of the said regulations. In 2021, the said regulations were repealed and replaced by the Employment (Employment of Ugandan migrant Workers Abroad Regulations), 2021.

Since the inception of this Programme, the number of Ugandan migrant workers especially to the gulf and middle east countries has significantly grown and continues to increase. Between 2016 and 2024, about 293,973 Ugandan migrant workers were placed for work abroad, mainly in the gulf states, many of whom were placed for work in the care sector. However, it is worth noting that these statistics only reflect the number of Ugandan migrants moving through the legally established channels captured in the government external employment management information system (EEMIS)⁷. Therefore, they do not represent the actual number of the Ugandan Migrant workers working in the Gulf States. These statistics are summarized in the tables below;

Table 1: Number of Externalized Migrant Workers by Gender from 2016 to 2024

Year	Female	Male	Total
Y2016	504	2,035	2,539
Y2017	2,991	2,126	5,117
Y2018	14,982	6,630	21,612
Y2019	17,605	7,758	25,363
Y2020	5,449	3,577	9,026
Y2021	77,606	10,947	88,553
Y2022	84,623	8,773	93,396
Y2023	25,150	1,913	27,063
Y2024	19,656	1,646	21,304
Total	248,568	45,405	293,973

Source of Data: Ministry of Gender, Labour and Social Development⁸

⁷ ILO (2024): Return and reintegration in Uganda: Lessons from the FAIRWAY Programme

⁸ Ibid , National Migration Policy, 2025, https://www.immigration.go.ug/sites/default/files/NATIONAL%20MIGRATION%20POLICY%202025.15th%20August%202025_CL%20-%20Final_signed%20copy.pdf
<https://www.monitor.co.ug/uganda/business/markets/the-middle-east-rewriting-uganda-s-labour-export-and-trade-story-5122026>

Table 2: Number of Ugandan Migrant Workers per Country of Destination in the Gulf and Middle East from 2016 to 2024.

Years	2016	2017	2018	2019	2020	2021	2022	2023	2024	Total
IRAQ	646	217	2,206	485	36	677	885	196	-	5,331
Afghanistan	342	416	228	414	50	0	0	0		1,450
Saudi Arabia	175	1,621	12,109	13,537	4,538	79442	85,928	21520	19560	238,987
Qatar	487	520	923	256	1,148	4136	3695	2,391	142	13,698
UAE	383	303	2,556	10,182	2,585	3110	2076	2381	1593	25,169
Bahrain	410	451	23	6	183	24	6	0	2	1,105
Somalia	96	162	745	139	172	832	700	408	1	3254
Kuwait	0	0	0	38	109	21	95	167	7	437
Jordan	0	1,427	2,582	306	205	0	0	0	-	4,520
Total	2,539	5,117	21,004	25,363	9,026	88,242	93,385	27,063	21,305	293,044

Source: Ministry of Gender, Labour and social Development, 2024⁹

The statistics in Table 1 indicate that Ugandan female migrant workers are considerably more compared to their male counterparts highlighting a gendered dimension in migration. This trend can be linked to the existing Bilateral Labour Agreements with the Gulf countries, which primarily focus on domestic work, coupled with the high demand for domestic and care workers in these host countries. The data also show that between 2021 and 2022, the number of Ugandan migrant workers deployed to the Gulf increased significantly. This period followed the COVID-19 pandemic, which led to widespread layoffs and job losses in Uganda, prompting many Ugandans to seek employment opportunities abroad in the Gulf states.

2. Formal and Informal Financial flows linked to Uganda’s External Labour Migration

2.1 Financial flows from Ugandan migrant workers.

i. Remittances

Uganda ranks among the top ten Sub-Saharan African countries receiving remittances from its migrant workers across the world (IFAD, 2021). From Labour externalization, Uganda has seen a consistent rise in remittance inflows over the past decade, reaching a record \$1.42 billion by January 2024. According to a 2023 World Bank report, about 40% of these remittances come

<https://www.monitor.co.ug/uganda/business/markets/84-of-ugandan-job-seekers-in-the-middle-east-are-women--4706012>

⁹ National migration policy 2025, Interview with MGLSD

from the U.S. and U.K, where many Ugandans work in sectors like healthcare, finance, and education. The Middle East, especially Saudi Arabia, the UAE, and Qatar accounts for roughly \$500 million (35%), largely from domestic workers, security personnel, and construction laborers. Intra-regional migration is also growing, with Kenya contributing around \$100 million (7%) to Uganda’s remittance inflows¹⁰.

Table 3: Remittances from 2016 to 2024

Year	Amount in USD
2016	1.14 billion
2017	1.16 billion
2018	1.33 billion
2019	1.42 billion
2020	1.06 billion
2021	1.15 billion
2022	1.25 billion
2023	1.51 billion
2024	1.42 billion

Source: IFAD 2021-2023, Bank of Uganda, Macro-economic Indicators October 2025

ii. **Administrative Costs**

The Employment (Employment of Ugandan migrant workers abroad) Regulations, 2021 allow recruitment agencies to charge a fee not exceeding UGX 20,000 (approximately US\$6) for administrative costs of recruitment (Regulation 26(1)¹¹. The previous Regulations of 2005 allowed domestic workers to be charged a standard fee of UGX 50,000 (US\$13) Regulation 29(1)¹². However, qualitative data reveals that the Ugandan migrant domestic workers pay more than the permitted statutory charge. Among the 20 Migrant domestic workers interviewed, 80% of them claimed to have paid between UGX 200,000/= to 500,000/= as administrative fees¹³.

iii. **Placement Fees**

If the Ugandan recruitment agency is not paid by the foreign recruitment agency for the job placements, they are allowed charge placement fees. These fees, which must first be approved

¹⁰ Sebuliba. J. (2025): Harnessing the Potential of Uganda’s Growing Diaspora Remittance Flows : <https://eprug.org/blog/harnessing-the-potential-of-ugandas-growing-diaspora-remittance-flows/#:~:text=Uganda%20has%20experienced%20a%20steady,%2Dterm%20socio%2Deconomic%20mobility>.

¹¹ The Employment (Recruitment Of Ugandan Migrant Workers) Regulations, 2021. Statutory Instruments 2021 No. 47. <https://mglsd.go.ug/wp-content/uploads/2023/11/Employment-Recruitment-of-Ugandan-Migrant-Workers-Regulations-2021.pdf>

¹²Ibid

¹³ MR1,MR3,MR4,MR5,MR6,MR8,MR10,MW2,MW2,MW5,MW6,MW7,MW8,MW9,MW10

by the Ministry of Gender, Labour and Social Development (MGLSD), are supposed to be collected only after the migrant worker signs the employment contract and are intended to cover costs for; trade or skill testing, pre-departure orientation seminar, medical examination and inoculation, acquiring a passport and processing the required visa, and notarization of documents according to Regulation 26 (3) a, b, c, d, and e) of the Employment (Employment of Ugandan migrant workers abroad) 2021¹⁴. The costs for these services typically range from US\$800 to US\$2000¹⁵, depending on the job category, country salary, and agent fees¹⁶. For domestic workers, the foreign recruitment agency is supposed to cover all costs for recruitment and placement (Regulation 26(3))¹⁷.

However, in practice, domestic workers often pay for registration, medical, Interpol certificates and passport fees including visas and tickets including other related costs charged by the recruitment agencies¹⁸. In her research “*The Illusion of Greener Pastures: Violence and Justice for Female Ugandan Migrant Workers in the Middle East*”, Nampewo found that many migrant domestic workers were paying fees to agencies for Interpol certificates, passport applications, medical check-ups, and yellow fever certificates. This occurs despite these costs being “supposedly covered by the employer in the receiving country”, indicating that some recruitment agencies continue to exploit workers’ lack of information to charge these fees¹⁹. Qualitative data from the 20 migrant workers interviewed (both returnees and those still working in the Gulf states) reveals that some recruitment agencies charge migrant domestic workers fees ranging from UGX 300,000/= to as high as 5,000,000/= depending on the country of destination. Those externalized to Saudi Arabia paid between UGX 300,000/= to 2,000,000/= while for Qatar and UAE, the range was from UGX 2,000,000/= to 5,000,000/= ²⁰. Some recruitment agencies are therefore violating the provisions of the Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021 that limit fees and particularly prohibit them from charging migrant domestic workers recruitment fees.

¹⁴ Ibid note 11

¹⁵ Guloba, Madina M./Aliro, Elizabeth Birabwa et. al. (2022). Labour externalisation in Uganda : implications for the Agro-Industrialisation Agenda. Kampala, Uganda : Economic Policy Research Centre P.8.

¹⁶ Nampewo, 2021: “The illusion of Greener Pastures, Violence and justice for female Ugandan Migrant Workers <https://doi.org/10.52907/slj.v5i1.139> 5 Strathmore Law Journal, 1, June 2021. P.27

¹⁷ The Employment (Recruitment Of Ugandan Migrant Workers) Regulations, 2021. Statutory Instruments 2021 No. 47. <https://mglsd.go.ug/wp-content/uploads/2023/11/Employment-Recruitment-of-Ugandan-Migrant-Workers-Regulations-2021.pdf>

¹⁸ Lutwama, Ibrahim. (2022, September 15). *Exorbitant fees entrap Ugandan workers in the GCC*. Retrieved from <https://www.migrant-rights.org/2022/09/exorbitant-fees-entrap-ugandan-workers-in-the-gcc/> Accessed on 21st/08/2025

¹⁹ Nampewo (2021), “The Illusion of Greener Pastures,” 18.

²⁰ MR1-10 and MW1-10

High recruitment costs contribute to exploitation/ vulnerability of the Migrant domestic workers in form of high debt burden.²¹ The Majority of the Respondents stated that they had to acquire high interest loans from money lenders to cover the recruitment fees charged by the recruitment agencies. Others sold off their properties for-example land to cover the same²². The migrant domestic workers are therefore forced to accept abusive conditions to repay loans. Qualitative data also revealed that some of the Migrant workers who failed to pay the required costs or fees were externalized on condition their salaries would be deducted to cover the recovery of the recruitment costs. Indeed, some of the Respondents who are still working in the gulf States are still paying the said debts through salary deductions²³. Over 70% of the surveyed migrant workers paid these irregular and exorbitant recruitment fees to licensed recruitment agencies while 30% paid to brokers. 60% of these interviewed workers received receipts for the fees charged, however the amount indicated on the receipts was extremely lower than what they actually paid. One of the Respondents stated;

“I paid one million and five hundred thousand shillings to the agency but I only received a receipt reflecting 50,000/=. When I asked why, I was only given a receipt of 50,000/=. I was informed that this was a government charge which required a receipt and that the other monies I had paid catered for my passport, visa, Interpol and medical and I did not require a receipt”²⁴.

This reveals that receipts often reflect only legally permissible fees, while actual payments are higher²⁵.

Agencies claim they need to charge fees to meet expenses incurred in securing job orders from foreign recruitment companies, including commissions paid abroad (US\$500-US\$1000 per worker) for visa processing, and covering interviewers` flights and accommodation²⁶. The lack of clarity on what constitutes a migration versus a recruitment expense often burdens workers with all costs²⁷. One of the respondents from the recruitment agencies expressed her frustration as follows;

²¹ U.S. Department of Labor, Bureau of International Labor Affairs, *Ugandan Labor Migrants to the Middle East: Labor Conditions. Final Report*, prepared by Holly Koogler (Washington, DC: U.S. Department of Labor, February 2024) p. 13, <https://www.dol.gov/sites/dolgov/files/ILAB/reports/Uganda-FL-Labor-Report-FINAL-508.pdf>.

²² MW1, MR4 & MR7

²³ MW3, MW4, MW10

²⁴ MR 2

²⁵ Open Working Group, *Recruitment Fees & Migrants` Rights Violations*, p.13

²⁶ Migrant Rights, "Exorbitant fees entrap Ugandan workers in the GCC."

²⁷ Ibid

“Recruitment agencies face significant financial burdens due to government charges like job order fees, passport and visa processing, medical checks, and potential losses if a candidate is unfit or fails probation. Recruitment agencies are required to refund recruitment fees to Saudi partners if a worker fails to complete probation”²⁸.

2.2 Fees/Levies paid by Recruitment agencies to the Ugandan government

i. License Fees

Each licensed private recruitment company pays UGX 2,000,000 (approximately US\$535) in license fees every two years. If 30 days elapse after expiry of a license, the recruitment Agency is to pay a fine of UGX 2,000,000 for late renewal (Regulation 10(2, 4, 5²⁹); Amongi, 2022, p. 5³⁰).

ii. Non-refundable Application Fee

An application for a recruitment agency license requires a non-refundable fee of UGX 100,000 (Regulation 7 (2)³¹).

iii. Job Order Approval Fees

A Ugandan recruitment agency pays UGX 200,000 (Approximately 55 USD) to the MGLSD for the approval of every job order (Regulation 27)³².

iv. Foreign Recruitment Agency Fee

Foreign recruitment agencies seeking to recruit Ugandan migrant workers through a job order must pay US\$30 to the MGLSD for every vacancy (Regulation 21(5)³³).

The Non-Tax Revenue which includes job vacancy fee of US\$30, job order approval fees of UGX, 200,000/=, License and application fees is intended to support externalization activities, accommodation shelters, and consular services, including deploying Labor Attachés³⁴. Altogether, this non-tax revenue is estimated to be approximately UGX 30 billion annually³⁵.

v. Bank Guarantees

Recruitment agencies are required to maintain a bank guarantee, which was increased from UGX 50,000,000 (US\$14,055) (Regulation 29 (1)³⁶ to UGX 100,000,000 (US\$28,110)

²⁸ Interview with PRA 1

²⁹ The Employment (Recruitment Of Ugandan Migrant Workers) Regulations, 2021. Statutory Instruments 2021 No. 47.

³⁰ Betty Amongi Ongom, "Statement: Externalization of Labour," Uganda Media Centre Blog, September 8, 2022, <https://ugandamediacentreblog.wordpress.com/2022/09/08/statement-externalization-of-labour-betty-amongi-ongom/>.
interview with MGLSD

³¹ The Employment (Recruitment Of Ugandan Migrant Workers) Regulations, 2021. Statutory Instruments 2021 No. 47, PRA 3.

³² Ibid

³³ Ibid

³⁴ Betty Amongi, 2022, "Statement: Externalization of Labour"

³⁵ Interview with MGLSD, also see the National Migration Policy, 2025

³⁶ Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005. Statutory Instrument No. 62

(Regulation 7 (5) (c))³⁷. This fund is meant to cover claims from migrant workers against the agency and provide support for immediate intervention or repatriation in cases of danger³⁸.

Table 4: A summary of formal fees paid by recruitment agencies to government

Fees	Amount in Uganda Shillings/USD
Licence fees renewable after 2 years	2,000,000/=
Penalty for late renewal	2,000,000/=
Application fee	100,000/=
Job order approval	200,000/=
Job vacancy fee	30 USD per vacancy

Overall, the Ugandan government earns revenue of between UGX 25 to 30 billion annually from the fees and levies paid from the labour externalization programme³⁹.

2.3 Informal or unofficial payments.

i. Sub-agent Fees.

Sub-agents, who are informal and unlicensed individuals, often operate in rural areas and are the first point of contact for job seekers⁴⁰. They charge an introduction fee of approximately US\$100–200 per job seeker they connect with a recruitment agency, with this fee paid by both the job-seeker and the agency⁴¹. This creates an incentive for quantity over quality in applicant selection, based on ability to pay⁴².

ii. Inflated Costs.

As already stated, Agencies often inflate fees for standard documents, such as charging up to UGX 120,000 (US\$33)⁴³ for an Interpol certificate that officially costs UGX 79,450 (US\$22) inclusive of bank charges⁴⁴. Some agencies inflate the medical fees (US\$42-56) double the official cost under the guise of fast-tracking the process⁴⁵. Some agencies offer jobs on credit,

³⁷ The Employment (Recruitment Of Ugandan Migrant Workers) Regulations, 2021. Statutory Instruments 2021 No. 47.

³⁸ Betty Amongi, 2022, "Statement: Externalization of Labour"

³⁹ Uganda's National migration policy 2025, <https://www.parliament.go.ug/news/630/govt-urged-reinvest-revenue-labour-export#:~:text=Thursday%2C%2018th%20May%202023,for%20in%20the%202023/2024.>

⁴⁰ International Organization for Migration (IOM), *Strengthening Recruitment and Information Provision between Uganda and the Kingdom of Saudi Arabia*, September 2023, pg 13

<https://eastandhornofafrica.iom.int/sites/g/files/tmzbd1701/files/documents/2023-09/strengthening-recruitment-and-information-provision-between-uganda-and-the-kingdom-of-saudia-arabia.pdf>.

⁴¹ IOM, *Strengthening Recruitment and Information Provision*. P. 14

⁴² Ibid

⁴³ Migrant Rights, "Exorbitant fees entrap Ugandan workers in the GCC, 2022

⁴⁴ Uganda Police Force, Directorate of Interpol and International Relations, "Certificate of Good Conduct Fees Adjusted," accessed August 27, 2025, <https://upf.go.ug/certificate-of-good-conduct-fees-adjusted/>.

⁴⁵ Migrant Rights, "Exorbitant fees entrap Ugandan workers in the GCC."

allowing workers to pay balances later with “small interest,” trapping them in debt bondage where initial earnings go towards repaying the loan⁴⁶.

2.4 Existing monitoring or accountability mechanisms that track financial flows in the migration process

Uganda has established some mechanisms to track financial flows and ensure accountability and they include the following

i. External Employment Unit (EEU)

The External Employment Unit (EEU) within the Department of Employment Services under the Ministry of Gender Labour and Social Development (MGLSD) bears the mandate of regulating and enforcing compliance with established structures governing the recruitment of Ugandan migrant workers for foreign employment. The department enforces the payment of all statutory fees governing recruitment of Ugandan migrant workers.

ii. External Employment Management Information System (EEMIS)

EEMIS is an online system that digitalizes processes, including license applications and issuance, and clearance of migrant workers,⁴⁷ facilitating real-time information transmission to Ugandan Missions abroad to aid consular services. It also provides a list of approved agencies and jobs⁴⁸. This online license application digitally tracks payment of the license and application fees.

iii. Job Order Approval

Jobs sourced by recruitment agencies must be approved by the MGLSD to verify their existence⁴⁹. This serves as an accountability measure, as it regulates fees, tracks financial flows, and highlights any discrepancies that may signal exploitation, thereby strengthening transparency. As already highlighted, the Regulations require every recruitment agency seeking a job approval to pay UGX 200,000/=.

iv. Labor Migration Digital Tool:

The Ministry launched a digital tool featuring a complaints mechanism and management system integrated with EEMIS, a 24-hour help desk (SUI 116), and a return data collection tool. This tool facilitates reporting of grievances, including financial abuses⁵⁰.

v. Receipts for Fees Paid

⁴⁶ Migrant Rights, "Exorbitant fees entrap Ugandan workers in the GCC."

⁴⁷ Betty Amongi, 2022, "Statement: Externalization of Labour"

⁴⁸ IOM, *Strengthening Recruitment and Information Provision*. P. 15

⁴⁹ Guloba et al., *Labour Externalisation in Uganda*. P. 8

⁵⁰ UBC Television Uganda, "Ministry Launches Labour Migration Digital Tool to Support Migrant Workers," YouTube video, 3:48, July 11, 2025, <https://www.youtube.com/watch?v=IGV1WIKip-4>.

Recruitment agencies are required to **issue receipts to migrant workers for any fees paid**, a measure intended to ensure accountability (Regulation 26(5)). However, the receipts given by the recruitment agencies often reflect only legally permissible fees, while actual payments are higher⁵¹

vi. Financial Scrutiny for Licenses

For license renewal, companies must provide evidence of receipt of placement and documentation fees where appropriate, and bank statements for the last two years⁵².

vii. Suspension/Revocation of Licenses:

The MGLSD can suspend or revoke licenses for various violations, including charging unauthorized fees or failing to deploy workers after collecting fees Regulation 13(a), 20(2)). In 2021, 11 recruitment companies were suspended for breaching standards⁵³.

viii. External Employment Help-desk at Entebbe International Airport

Established in December 2019, this 24-hour desk verifies clearances to curb irregular externalization and forgeries⁵⁴.

Despite these mechanisms, challenges exist, such as inadequate monitoring capacity, limited staffing, and insufficient budgetary allocations⁵⁵. The recruitment agencies frequently violate fee limits as already highlighted above⁵⁶.

2.5 Migrant worker's awareness of the rights and obligations regarding recruitment costs.

Migrant workers have limited or inaccurate awareness of their rights and obligations regarding recruitment costs, leaving them vulnerable to exploitation⁵⁷. Information provided by agencies is sometimes inaccurate or incomplete, focusing only on high wages⁵⁸. The dominance of fee-charging recruitment agencies makes the practice the norm, and prospective migrants who encounter ethical recruiters promising no fees are often skeptical⁵⁹. While aware of the risks of informal channels⁶⁰, many still resort to them due to complex formal processes and high costs⁶¹. Prospective migrants struggle to find trustworthy information on genuine agencies, required

⁵¹ Open Working Group, *Recruitment Fees & Migrants' Rights Violations*, p.13

⁵² Migrant Rights, "Exorbitant fees entrap Ugandan workers in the GCC."

⁵³ C. Okafor, "Thousands of Ugandans are Migrating to the Middle East in Search of Menial Jobs," *Business Insider Africa*, September 25, 2023, <https://africa.businessinsider.com/local/markets/thousands-of-ugandans-are-migrating-to-the-middle-east-in-search-of-menial-jobs/zetmez0>.

⁵⁴ Betty Amongi Ongom, "Statement: Externalization of Labour," Uganda Media Centre Blog, September 8, 2022, <https://ugandamediacentreblog.wordpress.com/2022/09/08/statement-externalization-of-labour-betty-amongi-ongom/>.

⁵⁵ Guloba et al., *Labour Externalisation in Uganda* p.8.

⁵⁶ U.S. Department of Labor, *Ugandan Labor Migrants to the Middle East*. P.13

⁵⁷ IOM, *Strengthening Recruitment and Information Provision*. P.13

⁵⁸ Ibid

⁵⁹ Open Working Group, *Recruitment Fees & Migrants' Rights Violations*, p.16

⁶⁰ Guloba et al., *Labour Externalisation in Uganda*. P.8

⁶¹ IOM, *Strengthening Recruitment and Information Provision*. P.13

payments, age limits, and suitable destinations, often wary of social media due to fraud⁶² moreover workers often have a weak bargaining position and limited understanding of their contractual rights, leading to exploitation⁶³. Qualitative findings indicate that Ugandan domestic migrant workers have very limited awareness of the digital platforms established by the government to facilitate access to information on licensed recruitment agencies and essential migration-related guidance⁶⁴.

2.6 Contribution of Labour Externalisation remittances to Uganda's Economy.

Remittances are defined as private current transfers sent by migrant workers who have lived in a host country for over a year regardless of their immigration status to beneficiaries in their home country⁶⁵.

Remittances serve as an important source of foreign exchange, stabilizing the Ugandan shilling. They assist in financing the current account and support foreign-exchange reserves, cushioning shocks when capital inflows are weak⁶⁶. They have also contributed to an improvement in household welfare especially in the rural areas and development of human capital through supporting educational needs, health care, housing needs of many families. This in essence contributes to poverty alleviation. A lot of literature indicates that many Ugandan domestic workers move to the gulf to improve the livelihoods of their families, support education of their children and dependants, medical and other basic needs.(Nampewo, 2021, Nampewo 2022)⁶⁷ Some returnees use remittance income to invest in businesses, real estate, agriculture, and other sectors creating jobs and fueling local economic development. Indeed both literature and qualitative data reveals that remittances have also been vital in boosting local investments and small medium enterprises including the creation the jobs⁶⁸. Some migrant workers remit money back in the country to start local investments or businesses as a way promoting self-reliance when their employment contracts in the gulf come to an end⁶⁹.

⁶² Ibid

⁶³ Eria Wambi, Cornelius J König, Nida ul H Bajwa, and Martin M Baluku,(2025) : "Personality Characteristics as Predictors of Temporary Labor Migration Intentions and The Moderating Role of Family Influence: A Case of Prospective Ugandan Female Migrant Domestic Workers to Saudi Arabia," *Journal of International Migration and Integration* (2025): 1–26, <https://doi.org/10.1007/s12134-025-01260-2>.

⁶⁴ Interviews with the Migrant returnees

⁶⁵ Zerihun, Mulata F.. (2020). Remittances and Economic Growth: Evidence from Ethiopia, Kenya, and Uganda. *African Human Mobility Review*, 6(3), 6-27. Retrieved September 02, 2025, from http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2410-79722020000300001&lng=en&tlng=en.

⁶⁶ Namazzi, Sandrah Elizabeth (2024): An Investigation into the Role of Remittances in Supporting the Growth of Small and Medium sized Enterprises in Uganda. Masters thesis, Dublin, National College of Ireland.

⁶⁷ Also see ; Solome, N. (2014). The Labour Migration and Development Nexus: The Contribution of Ugandan Migrant Workers to Development in Their Country. Germany: Lap Lambert Academic Publishing GmbH KG.

Abdalla, M. A. (1983). The Role of Migrants Remittances in the Economic Development of Labour Exporting Countries: The Case of the Sudan. Sudan: Economic and Social Research Council, National Council for Research

⁶⁸ Namazzi, Sandrah Elizabeth (2024) An Investigation into the Role of Remittances in Supporting the Growth of Small and Medium sized Enterprises in Uganda. Masters thesis, Dublin, National College of Ireland.

⁶⁹ Interview with MR

As it is a requirement for the migrant workers to open up bank accounts both in Uganda and the countries of destination, this has facilitated financial inclusion. Moreover the recipients often open bank accounts to receive funds, which boosts savings and access to formal financial services⁷⁰.

3. Government services and Support.

The government plays a vital role in providing various services to Ugandan migrant domestic workers in the Gulf region. However, qualitative findings reveal that these services remain inadequate and, in many cases, inaccessible to some Ugandan migrant workers. Moreover, a significant number of Ugandan migrant domestic workers are unaware of the existence of such services. The following section examines some of these services in detail.

3.1 Pre- departure orientation training

There is a mandatory requirement for pre-departure orientation training to all the Ugandan migrant workers leaving the country through formal pathways under the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021⁷¹. As of June 2023, the Ministry of Gender, Labour and Social Development had accredited 54 pre-departure orientation and training institutions across Uganda, with a combined training capacity of 10,642 and 21,284 trainees per fortnight and per month, respectively⁷². According to the Regulations, all pre-departure training institutions must be accredited by the Ministry and are required to conduct orientation sessions lasting not less than fourteen days. Furthermore, recruitment agencies are mandated to deploy migrant workers within thirty days following the completion of the pre-departure orientation.

Currently, there is some standardized curricula on pre-departure orientation training issued by the MGLSD with support from IOM, covering aspects like cultural orientation, basic cooking skills, rights and obligations of a migrant worker and discipline observance, basic Arabic language, use of domestic appliances like gas cookers and washing machines among others⁷³. Previously, this training was conducted within a period of 7 days but the same has since been increased to 14 days according to 2021 Regulations. Qualitative data from interviews and the

⁷⁰ Zerihun, Mulata F. (2020). Remittances and Economic Growth: Evidence from Ethiopia, Kenya, and Uganda. *African Human Mobility Review*, 6(3), 6-27. Retrieved September 02, 2025, from

http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2410-79722020000300001&lng=en&tlng=en.

⁷¹ Reg 58

⁷² <https://development.finance.go.ug/sites/default/files/DECEMBER%202023%20MIND%20REPORT.pdf> ; IOM 2022 : Strengthening recruitment and information provision between Uganda and the Kingdom of Saudi Arabia

⁷³ Interview with Labour College of East Africa, <https://uganda.iom.int/stories/improve-safety-labour-migration-iom-supports-training-ugandas-migrant-worker-trainers>

anonymous survey indicates that approximately 80% of the migrant domestic workers interviewed had received pre-departure training prior to leaving the country.

Whereas this pre-departure orientation training is beneficial to the migrant workers⁷⁴ and their employers in terms of acquiring basic skills training including information sharing on the foreign environment and culture, its effectiveness is still minimal. Initially, the cost of training was as high as USD 100 per worker, creating barriers to participation, but over time this cost has become negotiable though some recruitment agencies still claim that the cost is still high⁷⁵. Qualitative accounts further reveal concerns about quality and depth. Trainers face high trainee volumes and limited time, leading to a “tick-box” approach that compromises individualized learning⁷⁶. Workers from rural backgrounds, who may never have encountered modern household equipment or foreign cultural norms, struggle to fully absorb this compressed training. The result is a minimalistic, compliance-driven training system that emphasizes procedural approval over comprehensive skill development.

The qualitative findings further reveal pervasive corruption among recruitment agencies, training institutions, and certain government actors, which significantly undermines the integrity and effectiveness of pre-departure training. Some respondents reported that some agencies collude with training centers to shorten the mandatory training period or, in some cases, pay to completely bypass the process and obtain fraudulent completion certificates for Ministry clearance. Notably, some of the interviewed migrant workers confirmed that they were deployed abroad by licensed recruitment agencies without ever attending the required pre-departure orientation training.

3.2 Embassy support

Ugandan embassies and missions abroad play a crucial role throughout the labor migration cycle. According to the Ministry of Foreign Affairs, Ugandan missions provide consular assistance and protection to Ugandan migrant workers, including issuing emergency travel documents for those stranded or who have fled their employers without valid papers⁷⁷. The embassies also collaborate with the Ministry of Gender, Labour and Social Development (MGLSD) in verifying and accrediting foreign recruitment agencies in the Gulf states, while offering emergency support such as temporary shelter and facilitating repatriation

⁷⁴ <https://uganda.iom.int/stories/improve-safety-labour-migration-iom-supports-training-ugandas-migrant-worker-trainers>

⁷⁵ Interview with PRA 1

⁷⁶ Interview with Kyeyo initiative, Uganda, External Labour Power house, PRA 1

⁷⁷ Interview with MOFA

arrangements⁷⁸. In certain instances, embassy officials actively mediate disputes by engaging with employers, recruitment agencies, or local authorities to address urgent issues like confiscation of passports or non-payment of wages⁷⁹. However, the assistance offered by these missions tends to be reactive and highly case-dependent⁸⁰.

Qualitative data from the interviews and the survey however, reveals very limited to no embassy support extended to the Ugandan Migrant domestic workers in the Gulf States. From the survey, none of the migrant workers who answered the survey received assistance from the Ugandan embassy or consulate. Some claimed to have sought assistance but were never assisted. One of the survey respondents stated; “ *on several attempts, I called the helpline but no one answered. when the call was finally picked, I was told to go the embassy physically and yet my movements were restricted. I had no permission to go out*”. The other survey respondent simply stated; *my case was captured but I did not receive any help, no assistance nor feedback on the case I reported*’.

Existing literature also highlights significant institutional and capacity gaps within Uganda’s diplomatic presence in the Gulf region. As noted by **Nampewo (2021)**, Uganda maintains embassies in only three Gulf countries; Saudi Arabia, the United Arab Emirates, and Qatar leaving out other major destinations such as Jordan, Kuwait, and Oman. Even where these embassies exist, they often operate with limited staffing, technical expertise, and financial resources, constraining their ability to provide adequate and comprehensive support to Ugandan migrant workers. This observation was reinforced by several interview respondents, including an official from the Ministry of Foreign Affairs, who acknowledged that inadequate funding and limited staffing significantly constrain the Ministry’s ability to effectively support Ugandan migrant workers in the Gulf region. The challenge of inadequate financial resources is particularly concerning given that Uganda receives over USD 1.4 billion annually in remittances and collects approximately over UGX 30 billions as Non-tax revenue from the Labour externalization process annually as already highlighted in the earlier sections. One respondent emphasized this contradiction, noting that while the Ugandan government benefits significantly from the recruitment industry, it fails to reinvest in the protection and welfare of its migrant workforce⁸¹. These insights illustrate the disconnect between the state’s financial

⁷⁸ Interview with Ministry of Foreign affairs

⁷⁹ Z.Nampewo, 2022 : The pursuit of a livelihood: women migrant workers and gendered experiences of migration from Uganda to the gulf countries

⁸⁰ Z.Nampewo, 2022 : The pursuit of a livelihood: women migrant workers and gendered experiences of migration from Uganda to the gulf countries

⁸¹ Interview with External Labour Power House

gains from labor externalization and its limited reinvestment in the welfare and protection of migrant workers abroad.

The absence of Ugandan missions in many destination countries further means that there is no formal governmental body to register, monitor, or assist Ugandan workers upon arrival, nor any institutional mechanism to which they can turn in times of distress. This vacuum also weakens oversight and enforcement of bilateral labour agreements, leaving many Ugandan migrant domestic workers exposed to heightened risks and vulnerabilities in their host countries.

Qualitative data further reveals that the majority of the Ugandan missions in the Gulf states have no Labour attaches to assist in extending protection of the Ugandan migrant domestic workers. It was revealed that there is only one labour attache stationed in Riyadh and other Gulf states have none⁸². In 2023, the Government of Uganda, through the Ministry of Gender, Labour and Social Development (MGLSD), initiated plans to deploy Labour Attachés to Saudi Arabia, Qatar, and the United Arab Emirates as part of a broader effort to strengthen monitoring and protection mechanisms for Ugandan migrant workers in the Middle East. According to the MGLSD, these attachés were expected to oversee the welfare of migrant workers and supervise at least two Sharia lawyers recruited as local embassy staff to provide legal assistance and representation in cases involving Ugandan nationals abroad. However, the implementation of this initiative has stalled due to inadequate funding, leaving a critical gap in the government's capacity to provide consistent oversight, legal aid, and protection to its migrant workforce in the region⁸³.

Some testimonies from some interviewed migrant workers reveal lack of awareness about the existence and functions of Ugandan embassies, as well as their role in migrant worker protection indicating that more efforts are needed in the pre- departure-orientation training stage to make them aware of consular protection and role in the event they face exploitation or find themselves in distress. Additionally, post arrival orientation with the Ugandan embassies or consulates would also complement in making the migrant domestic workers aware of consular support and assistance. Embassy support therefore remains largely ineffective, hindered by financial, institutional, and structural constraints.

⁸² Interview with Kyeyo Initiative, External Labour power house, PRA and MGLSD

⁸³ Interview with MGLSD,

<https://development.finance.go.ug/sites/default/files/DECEMBER%202023%20MIND%20REPORT.pdf>

3.3 Digitalisation through the External Employment Management Information System (EEMIS)

Uganda's Ministry of Gender, Labour and Social Development (MGLSD) has undertaken significant steps to improve the collection, management, and analysis of Labour migration data. A major milestone in this effort was the development of the External Employment Management Information System (EEMIS), launched in 2018. EEMIS is part of a broader Labour Management Information System (LMIS) which was formally inaugurated on May 1, 2025, by H.E. the President of Uganda⁸⁴. LMIS aims to enhance evidence-based Labour market planning. LMIS collects information all over the country regarding the Labour market and everything entailed in it while the EEMIS system captures Ugandan migrant data including job orders and information concerning licensed and de-licensed recruitment agencies. The data from EEMIS feeds into the LMIS.

The introduction of EEMIS marked a shift towards digitalized monitoring of migrant worker recruitment, deployment processes, and the enforcement of bilateral Labour agreements. EEMIS is designed to centralize data and enhance coordination between recruitment agencies and the MGLSD. It enables the tracking of migrant worker flows, improves the transparency of recruitment processes, and streamlines administrative functions such as license issuance. As a result, the system has contributed to increased efficiency, reduced licensing time frames, and better access to real-time Labour market information. The system has also increased transparency in recruitment agencies. It is now easy to know their addresses, contacts and their licensing status. Registration of the migrant workers' bio data and other relevant information on this portal is one of the requirements before clearance for them to travel out of Uganda.

Despite these advances, the system's practical impact has been mixed. While it has improved traceability and data availability, many stakeholders particularly at the local government level have yet to fully adopt or utilize EEMIS. Its limited integration with consular services abroad and reintegration support structures hinders its capacity to offer comprehensive, end-to-end migrant tracking. Moreover, the system does not capture Ugandans who migrate for work through informal or unregulated pathways, leaving a significant data gap.

To maximize the impact of EEMIS, there is a clear need to extend access to district local governments. This would enhance oversight at the community level and allow for more

⁸⁴ <https://lmis.mglsd.go.ug/>

effective identification of both formal and informal recruitment activities. It would also help protect vulnerable individuals from exploitation and facilitate better reintegration support for returning migrants. Continuous monitoring, evaluation, and system upgrades are essential to address these gaps and adapt to emerging challenges within the external Labour migration sector.

3.4 The Migrant support Centre

In March 2025, the Ministry of Gender, Labour, and Social Development established migrant support Centre to address the information and educational needs of migrant workers⁸⁵. The Centre now serves as a one-stop information hub for Labour migration, specifically targeting aspiring migrant workers. The Centre offers pre-employment and pre-departure orientation information, information on migrant worker rights, access to legal assistance, and guidance on the necessary documentation. The Centre also supports return and reintegration of the migrant workers in vulnerable conditions, such as depression and post-traumatic stress disorder. However, the centre is in its infancy stage and not fully operational.

3.5 Repatriation

According to the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2021, the primary legal responsibility for repatriation lies with private recruitment agencies which are mandated to organize with the Employers in the host countries and fund the return of migrant workers who encounter abuse, illness, contract termination, or other distressing conditions. However, in practice, this obligation is often unevenly implemented, and many repatriations are only triggered after prolonged delays or external pressure. (Nampewo,2021)

Usually, the Ugandan embassy notifies the Permanent Secretary, MGLSD of the death of a Ugandan migrant worker or one in distress and in urgent need of repatriation. The MGLSD, is then expected to inform the recruitment agency in Uganda and the next of kin or family members of the deceased migrant worker or the one in distress and further provide the details of the next of kin to the Ugandan Embassy to enable preparation of the necessary documentation to aid repatriation of the body in case of a deceased migrant⁸⁶. One Respondent stated;

⁸⁵ <https://uganda.iom.int/news/iom-supports-uganda-government-set-migrant-workers-support-centre>

⁸⁶ <https://www.watchdoguganda.com/news/20241110/174221/uganda-ramps-up-repatriation-of-distressed-migrant-workers-from-the-gulf-amid-new-agreements.html#:~:text=In%20a%20significant%20move%20to,and%20Iran%2C%20among%20other%20destinations.>

“You find that in Saudi Arabia, Ugandan nationals are the most difficult to be returned home in case of any emergency or issue as compared to other nationalities, and yet it’s only Uganda that charges job vacancies at \$30 per head. The government never buys a return ticket for any stranded Ugandan worker or caters for emergencies that may arise while these girls are working abroad. This is a very big challenge to recruitment companies. The only time the Ugandan government intervenes is when the Saudi authorities communicate incidences of migrant workers’ deaths, in which case it assists only with documentation and repatriation paperwork.”⁸⁷

Upon arrival at Entebbe International Airport, returnees are received by a mix of actors; family members, representatives from CSOs, and occasionally MGLSD staff. In instances where the returnee presents with medical or legal emergencies, immediate interventions are made by some CSOs, who may offer short-term shelter, psychological counselling, or legal referrals, particularly in cases of trafficking, sexual violence, or extreme abuse.

3.6 Reintegration

Uganda currently lacks a dedicated policy or strategic framework that comprehensively addresses the return and reintegration of migrant workers. Existing government efforts particularly within the Labour Externalization Programme remain heavily oriented toward the recruitment and deployment of Ugandan workers to foreign labour markets. As a result, the return phase of the migration cycle receives limited institutional attention, leaving many returnees without structured support mechanisms, psychosocial assistance, or pathways for sustainable reintegration. From the survey, none of the migrant returnees received any reintegration support from the government. Some of them who had some savings ventured in informal small-scale businesses. Some few were contemplating on returning back to the Gulf States having failed to get meaningful employment ever since their return.

The adoption of the National Migration Policy (2025) marks a significant shift in this landscape. The policy introduces proposals for developing targeted programmes aimed at facilitating the reintegration of migrant returnees, promoting skills transfer, and fostering an environment that encourages their investment and economic participation. If fully operationalized, these policy commitments have the potential to substantially strengthen Uganda’s reintegration framework by providing clearer coordination, more predictable support services, and enhanced socio-economic opportunities for returnees.

⁸⁷ PRA 1

There is also some positive development with recent opening of a Migrant Worker Support Centre under the External Employment Services department. This Centre as already highlighted is tasked with offering a range of services including financial literacy, career guidance, psychosocial support, repatriation, reintegration, and crisis response⁸⁸. The MGLSD, has also set up a learning and coordination platform for migrant returnees but the same is not yet in operation⁸⁹.

Reintegration assistance for Ugandan migrant workers is also delivered through a patchwork of non-governmental initiatives led by workers' and employers' organizations, civil society groups, and international agencies such as the ILO, IOM, and other UN entities. These actors implement a range of interventions, with notable contributions from organizations such as FIDA, PLA, WPI, Kyeyo Initiative, LASPNET, and VFL among others. Their efforts primarily focus on supporting returnee women to access justice both by pursuing accountability against recruitment agencies implicated in abuse and exploitation, and by providing legal remedies in cases of exploitation by the said recruitment agencies and employers in the gulf including cases of domestic violence perpetrated by spouses or intimate partners of the migrant returnees. These interventions highlight the critical role of non-state actors in filling gaps left by the absence of a comprehensive, government-led reintegration framework.

However, the support provided remains limited in scope and coverage. Services overwhelmingly target migrant workers who return in distress or who have survived trafficking, leaving out those who come back after successful migration journeys but still require assistance. Such individuals often need support in areas including financial literacy, investment of savings, and the formalization or expansion of small enterprises. Moreover, reintegration efforts rarely engage families and communities, despite their central role in shaping the return experience. Strengthening their involvement is essential for managing expectations, preventing misuse of remittances, and enabling more sustainable reintegration outcomes.

In sum, while isolated reintegration efforts exist, the current response remains insufficient in scope and coordination. There is an urgent need for a comprehensive, gender-responsive national reintegration framework; one that addresses the social, economic, and psychological challenges facing repatriated workers/ migrant returnees. Without such a framework, the cycle

⁸⁸ Interview with MGLSD

⁸⁹ <https://www.ilo.org/resource/article/building-robust-labour-market-systems-and-supporting-returned-migrants>

of exploitation and vulnerability is likely to persist, undermining the potential gains of Uganda's Labour externalization programme.

4. Analysis of the existing Legal protections that safeguard the rights of Ugandan domestic workers in the Gulf.

There are many international and regional instruments extending protection to Ugandan migrant domestic workers some of which Uganda has ratified and domesticated. Nationally, Uganda does not have a single comprehensive statute on labour externalisation but there are regulations in place underpinning the same. Uganda has also signed bilateral labour agreements with some countries in the Gulf providing some safeguards for the Ugandan domestic migrant workers. Some of these legal instruments including policies and guidelines are examined below.

a) International Framework.

4.1. International Convention on the protection of the Rights of All Migrant Workers and Members of their Families) ICRMW)90.

This instrument is the most comprehensive international treaty in the field of migration and human rights with the primary objective to foster respect for human rights. It emphasizes that migrants are not just workers, but also human beings. It thus establishes minimum standards that state parties should apply to migrant workers and members of their families, irrespective of their migratory status. It is applicable to all migrant workers and members of their families without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status. It covers the entire migration process of migrant workers and members of their families.

It places an obligation on state parties not to discriminate against migrant workers in respect of rights, freedom of movement of migrant workers, right to life⁹¹, prohibition of torture or cruel, inhuman or degrading treatment or punishment⁹², Prohibition of slavery, forced or compulsory Labour⁹³, right to equality with nationals of the state concerned before the courts and tribunals⁹⁴, prohibition of imprisonment of a migrant worker or member of his or her family on ground of failure to fulfill a contractual obligation⁹⁵, prohibition against confiscation, destruction or any attempt to destroy identity documents, documents authorizing entry to or stay, residence or

⁹⁰ <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>

⁹¹ Article 9

⁹² Article 10

⁹³ Article 11

⁹⁴ Article 18

⁹⁵ Article 20

establishment in the national territory or work permits⁹⁶, the right to have recourse to the protection and assistance of the consular or diplomatic authorities of their State of origin or of a State representing the interests of that State whenever the rights recognized in the present Convention are impaired⁹⁷ and obliges States to ensure that Migrant workers enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and other conditions of work⁹⁸.

Furthermore, the convention extends to migrant workers associational rights which include the right to take part in meetings and activities of trade unions and of any associations including joining them⁹⁹, right to social security¹⁰⁰, right to medical care¹⁰¹ and the right to be fully informed by the State of origin or the State of employment, as appropriate, of all conditions applicable to their admission and particularly those concerning their stay and the remunerated activities in which they may engage as well as of the requirements they must satisfy in the State of employment and the authority to which they must address themselves for any modification of those conditions¹⁰² among other protections.

Uganda ratified this convention on the 14th of November 1995 and some of the aforementioned protections have been domesticated in its national laws¹⁰³ for instance Uganda's National Constitution, Employment Act among others.

4.2. ILO Domestic Workers Convention 2011(NO.189)

This convention is premised on the ILO's commitment to promote decent work for all through the achievement of the goals of the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization and recognition of the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries and special consideration that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to

⁹⁶ Article 21

⁹⁷ Article 23

⁹⁸ Article 25

⁹⁹ Article 26

¹⁰⁰ Article 27

¹⁰¹ Article 28

¹⁰² Article 37

¹⁰³ https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=182&Lang=EN

discrimination in respect of conditions of employment and of work, and to other abuses of human rights.

The convention applies to all domestic workers and obliges all member states to take measures to ensure the effective promotion and protection of the human rights for all domestic workers. Some of these rights and protections include; freedom of association and effective recognition of the right to collective bargaining¹⁰⁴, protection from all forms of forced or compulsory Labour¹⁰⁵ as well as all forms of abuse¹⁰⁶, effective abolition of child Labour¹⁰⁷, elimination of discrimination in respect of employment¹⁰⁸ and occupation, harassment and violence¹⁰⁹; fair terms of employment and decent living conditions that respect their privacy¹¹⁰; being availed information relating to their terms and conditions of employment in a manner that is appropriate, verifiable and easily understood, preferably, where possible, through a written contract as per the applicable regulatory frameworks in which case should the contract be for domestic work performed outside the borders of the country in which the contract is entered into¹¹¹, this information has to be shared before the employee in question sets off from the source country¹¹²; the right to keep, in one's possession one's travel and identity documents¹¹³; right to a minimum wage¹¹⁴, equal treatment between domestic workers and workers generally in relation to normal hours of work, overtime compensation, periods of daily and weekly rest and paid annual leave in accordance with national laws, regulations or collective agreements, taking into account the special characteristics of domestic work¹¹⁵, the right to a safe and healthy working environment¹¹⁶, social security protection¹¹⁷, and effective access to justice¹¹⁸.

Further, this convention requires Member States to ensure protection of domestic workers, including migrant workers, recruited through private recruitment agencies by establishing conditions for governing the operations and curtailing malpractices of such agencies or foreign employers for whom such agencies procure domestic workers¹¹⁹. Furthermore, Member States

¹⁰⁴ Article 3(2)(a)

¹⁰⁵ Article 3(2)(b)

¹⁰⁶ Article 5

¹⁰⁷ Article 3(2)(c)

¹⁰⁸ Article 3(2)(d)

¹⁰⁹ Article 5

¹¹⁰ Article 6

¹¹¹ Article 8

¹¹² Article 7

¹¹³ Article 9

¹¹⁴ Article 11

¹¹⁵ Article 10

¹¹⁶ Article 13

¹¹⁷ Article 14

¹¹⁸ Article 16 & 17

¹¹⁹ Article 15

should consider entering into agreements (bilateral, regional or multi-lateral) in order to protect domestic workers employed in foreign countries against the possible abuses and fraudulent practices meted out during recruitment, placement or employment¹²⁰.

Whereas this convention comprehensively extends protections to domestic workers including migrant domestic workers, neither Uganda or any of the destination countries in Gulf and middle East has ratified this convention¹²¹. It would extend more protection and safeguards to Ugandan migrant female domestic workers in the Middle East, if Uganda ratifies this convention. This is because, most of the said protections in the convention would be domesticated in Uganda's National laws in favour of domestic workers including Ugandan migrant domestic workers abroad and Uganda would be brought under the ILO supervisory mechanisms in regard to the implementation of this Convention. Without ratification, Uganda is not obliged to comply and report on its compliance with this convention. However, there is an ongoing campaign by the civil society organisations and Labour Unions to have Uganda ratify this convention¹²².

4.3. The ILO Private Employment Agencies Convention No. 181

This convention recognises the role of private employment agencies in the Labour market and applies to both the employment agencies that assign workers to clients and recruitment agencies that place them with an employer. It establishes a comprehensive framework for the registration, licensing, and effective regulation of private employment agencies and the protection of workers that use their services. It requires ratifying member States to take measures to protect national and migrant workers from abuses¹²³ and applies to all private employment agencies, economic sectors, and categories of workers, with the exception of seafarers¹²⁴.

It prohibits private employment agencies from charging recruitment fees or costs to workers, except in specified circumstances¹²⁵, protects workers who use these agencies against discrimination in terms of minimum wages, working time and conditions, social security benefits, training, and access to occupational safety and health and sets forth specific protections

¹²⁰ Article 15(1)(d)

¹²¹ see ILO ratifications for Uganda.

https://normlex.ilo.org/dyn/normlex/en/?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103324

¹²² <https://ugandaradionetwork.net/story/mps-insist-on-international-regulations-for-domestic-workers>

¹²³ Article 8

¹²⁴ Article 2

¹²⁵ Article 7

for migrant workers, including those engaged in domestic work, temporary work in the construction sector and seasonal agricultural work.

It further stipulates that where workers are recruited in one country for work in another, the concerned states should consider concluding bilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment¹²⁶.

Uganda has not ratified this convention. However, some of the provisions in this convention are already domesticated in Uganda's Employment Act cap 226 and the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021. Notably, it is still paramount that Uganda ratifies the same so that it is obliged to comply with this convention and annually report on its compliance to the ILO.

4.4. ILO Migration for Employment Convention (Revised), 1949 (No. 97)

This convention obliges members to maintain, or satisfy themselves that there is maintained, an adequate and free service to assist migrants for employment, and in particular to provide them with accurate information, take all appropriate steps against misleading propaganda relating to emigration and immigration¹²⁷, take appropriate measures to facilitate the departure, journey and reception of migrants for employment¹²⁸, appropriate medical services responsible for ascertaining, where necessary, both at the time of departure and on arrival, that migrants for employment and the members of their families authorized to accompany or join them are in reasonable health¹²⁹ and ensuring that migrants for employment and members of their families enjoy adequate medical attention and good hygienic conditions at the time of departure, during the journey and on arrival in the territory of destination¹³⁰. Uganda hasn't ratified this convention but some of the provisions are minimally provided for in Uganda's Employment Act Cap 226 and the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021.

4.5. ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)

This convention was ratified by Uganda on the 31st March 1978. Every member that ratifies this convention undertakes to respect the basic human rights of all migrant workers, adopt all necessary and appropriate measures, both within its jurisdiction and in collaboration with other Members to suppress clandestine movements of migrants for employment and illegal

¹²⁶ Article 8(2)

¹²⁷ Article 3

¹²⁸ Article 4

¹²⁹ Article 5(a)

¹³⁰ Article 5(b)

employment of migrants, and against the organisers of illicit or clandestine movements of migrants for employment departing from, passing through or arriving in its territory, and against those who employ workers who have immigrated in illegal conditions, in order to prevent and to eliminate the abuses¹³¹, declare and pursue a national policy designed to promote and to guarantee, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, of social security, of trade union and cultural rights and of individual and collective freedoms for persons who as migrant workers or as members of their families are lawfully within its territory¹³².

Whereas Uganda ratified this convention as already noted and some of the provisions have been domesticated in Uganda's Employment Act, and the Anti-trafficking of persons Act and the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021 for instance on the suppression of clandestine movements of migrants for employment and illegal employment of migrants among others, to date, Uganda lacks a national migration policy that is designed to regulate labour migration and promote some of the safeguards listed in the convention in favour of migrant workers. There only exists a draft national migration policy which was last amended in 2023.

4.6. The Global Compact for Safe, Orderly and Regular Migration

The Global Compact for Safe, Orderly and Regular Migration (2018) is a non-binding international cooperation framework designed to address migration in all its dimensions while respecting state sovereignty. It outlines a wide range of objectives, including improving the collection and disaggregation of migration data to inform policymaking, promoting fair recruitment practices, and strengthening decent work protections for migrant workers.

A key focus of the Compact is ensuring that migrants receive clear, accessible, gender-responsive information about their rights and obligations, including guidance on how to file complaints when those rights are violated. It emphasizes that immigration detention should only be used as a measure of last resort and within a rights-based framework.

The Compact also calls for strengthening institutional capacities. Labour inspectors and regulatory authorities are encouraged to enhance their monitoring of the recruitment sector and enforce labour standards effectively. Migrant workers regardless of whether they are in countries of origin or destination should have access to gender-responsive complaints mechanisms, independent legal assistance, and representation at no or low cost.

¹³¹ Article 3

¹³² Article 10



Moreover, the Global Compact highlights the critical role of consular authorities in identifying and responding to situations of vulnerability, exploitation, and abuse. It urges states to build the capacity of consular officials to take gender-sensitive action and to collaborate with local authorities and stakeholders in referring and assisting migrant workers, including through legal aid.

Overall, the Compact promotes a coordinated global approach that strengthens protection mechanisms, enhances access to justice, and ensures that migrant workers are supported throughout the migration cycle.

Table 5: Summary of key conventions ratified and not ratified by Uganda

No.	Convention/Treaty	Status of ratification
1.	ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	Ratified, on 31 st March 1978.
2.	International Convention on the protection of the Rights of All Migrant Workers and Members of their Families) ICRMW)	Ratified on 14 th of November 1995
3.	ILO Domestic Workers Convention 2011(NO.189)	Not ratified
4.	The ILO Private Employment Agencies Convention No. 181	Not yet ratified
5.	ILO Migration for Employment Convention (Revised), 1949 (No. 97)	Not yet ratified
6.	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Ratified in 1985

b) Regional Frameworks

4.6. African Union Migration Policy Framework For Africa.

The AU policy framework serves as a guide for member states on migration, outlining strategies to protect migrants across all stages of migration and urging their integration into national migration policies. For labour migration, key strategies include incorporating ILO Conventions No. 97 and 143 and the International Convention on the Protection of the Rights of All Migrant Workers into national legislation, establishing transparent and accountable recruitment systems aligned with immigration and labour laws, and building national capacity through dedicated migration policies and administrative structures.

The framework emphasizes the participation of social partners and civil society, harmonization of national laws with international labour standards, and the adoption of gender-sensitive approaches to reflect the growing feminization of labour migration. It advocates for the



protection of migrants' rights, combating discrimination and xenophobia through awareness-raising, and promoting access to trade unions, community organizations, and labour market integration, including education and training.

Additionally, it calls for enhanced data collection and exchange on migrant workers' conditions, access to legal and social protection, provision of social security benefits such as unemployment insurance, compensation for work injuries, and pensions. It also highlights the need for supervised employment contracts, alignment with host country regulations, and financial support or assistance for migrants facing job loss to ensure safe return and reintegration in their countries of origin.¹³³

However, Uganda has incorporated a handful of the above the strategies in its national migration policy.

4.7. The African Common Position (2006) on Migration

The African Common Position (ACP) of 2006 identifies migration as a multidimensional phenomenon driven by deeply rooted structural factors. It highlights poor socioeconomic conditions, persistent poverty, limited opportunities, weak governance, and corruption as key forces prompting people to move. These pressures are compounded by rapid population growth and inadequate resources to sustain expanding communities. The ACP also notes that the perception of improved prospects abroad further fuels mobility across the continent. A central concern expressed in the ACP is the dominance of security-focused approaches in addressing irregular migration. The document cautions that policies framed primarily around border control and criminalization risk overshadowing the broader developmental and human rights dimensions of migration. It argues for a more balanced and comprehensive migration management system that places human rights at the centre of policy and practice.

The ACP further recognizes that migration in Africa is increasingly feminized, making women migrants especially those engaged in domestic work particularly vulnerable to exploitation and abuse. This demographic shift underscores the need for gender-responsive protection mechanisms that safeguard both the labour rights and human rights of women on the move. Ensuring such protections requires stronger enforcement of relevant regional and international human rights instruments.

At the national level, the ACP recommends proactive strategies such as public awareness campaigns, strengthened data collection systems, and improved measures to prevent and

¹³³ AU Migration Policy Framework for Africa

combat human trafficking. These interventions aim to address root causes while enhancing migrants' safety and wellbeing. At the regional and continental levels, the ACP calls for deeper cooperation through bilateral and regional agreements, as well as stronger adherence to human rights norms that protect migrants across borders.

Overall, the ACP advocates a rights-based, gender-sensitive, and development-oriented approach to migration governance one that moves beyond security concerns to address structural drivers, protect migrants' dignity, and strengthen collaborative regional responses.

4.8. The IGAD Regional Migration Policy Framework

This policy document places emphasizes on strategies for realizing systematic and harmonized migration management within the IGAD region, but also encourages Member states to take into consideration the national specificities. In regard to Labour migration, the policy document reiterates the strategies in the AU migration Policy frame work for Africa.

4.9. The Djibouti Declaration on Labour, Employment, and Labour Migration in the IGAD Region

The Djibouti Declaration on Labour, Employment, and Labour Migration, adopted on 21 October 2021 by Ministers of Labour and Employment from IGAD Member States, responds to persistent gaps in the region's labour market governance. The Declaration acknowledges that many IGAD countries lack sufficient institutional capacity to effectively regulate labour markets, manage labour migration, and uphold workers' rights. These weaknesses hinder compliance with International Labour Organization (ILO) labour standards and compromise the protection of both local and migrant workers.

A central commitment of the Declaration is the development of a comprehensive Plan of Action to translate its provisions into concrete measures. This strategic plan is intended to strengthen labour market institutions, improve coordination among Member States, and enhance the overall governance of employment and labour mobility across the region. It also emphasizes the need for states to ratify and implement ILO conventions, signaling a broader commitment to international best practices in labour protection.

The Declaration further calls for harmonization of domestic legal frameworks with international labour standards, particularly in the area of labour migration. This alignment is crucial for ensuring that migrant workers benefit from fair recruitment, decent work conditions, and effective access to justice mechanisms. Additionally, the Declaration encourages Member States to implement the objectives of the Global Compact for Safe, Orderly and Regular

Migration, reinforcing global principles of migrant protection and responsible migration management.

Another notable provision is the promotion of alternative dispute resolution (ADR) mechanisms. By strengthening mediation and arbitration processes, IGAD Member States aim to improve the resolution of labour disputes in ways that are faster, less costly, and more accessible especially for migrant workers who may face legal or linguistic barriers.

Finally, the Declaration places significant emphasis on gender mainstreaming in all labour-related legislation, policies, and programmes. This reflects growing recognition that women migrant workers face unique vulnerabilities and require targeted interventions to ensure their safety, rights, and equal participation in the labour market. Through these collective commitments, the Djibouti Declaration seeks to create a more coordinated, rights-based, and gender-responsive labour migration system across the IGAD region.

4.9. AU Guidelines on developing Bilateral Labour Agreements (BLAs)

The objectives of these guidelines are ; to provide a model template and guidance for developing Bilateral Labour Agreements (BLAs) and MOUs that are grounded in international and African human and Labour rights standards, as well as global and regional frameworks. They aim to address existing gaps in migrant protection and Labour migration governance by proposing measures to strengthen the rights of migrant workers. Additionally, the Guidelines support the implementation of the AU Protocol on Free Movement and regional economic community systems, promoting regional integration and Labour mobility in Africa.

According to these guidelines, the development and implementation of Bilateral Labour Agreements (BLAs) by the AU member states should be guided by principles that ensure *the protection of migrant workers' rights, promote gender equality, and involve all relevant stakeholders*. These agreements must be rights-based, gender-sensitive, and cover all stages of the BLA process from preparation to monitoring. They should reflect shared responsibility between countries of origin and destination, ensuring both take active roles in protecting migrant workers. Furthermore, decisions must be based on accurate, gender-disaggregated data, with respect for privacy and data protection standard.

The basic content of each Bilateral Labour Agreement (BLA) element is to be informed by African and international Labour and human rights standards, including ILO conventions. While BLAs are formal treaties between sovereign states, the ILO can offer technical support if requested. Agreements should have clear titles and preambles outlining their purpose, scope,

and principles, including respect for human rights, gender equality, and cooperation to prevent abuse. They should specify which migrant workers and sectors are covered, define key terms to avoid misunderstandings, and reference applicable national and international laws. The roles and responsibilities of each party must be clearly laid out, including enforcement and monitoring by designated authorities and social partners. Regular exchange of accurate, relevant information between origin and destination countries is crucial to support transparency, fair recruitment, and protection of migrant workers throughout the migration cycle.

The guidelines also emphasize that migrant worker recruitment must be fair, transparent, and regulated, with costs borne by employers, not workers. Recruitment processes should be overseen by licensed agencies and involve gender-sensitive information and safeguards against malpractice. Migrants must receive free or low-cost rights-based pre-departure and post-arrival information and support, including on working conditions, legal rights, and health and safety. Employment contracts should be enforceable, provided in a language the worker understands, and include clear terms on wages and working conditions. Overall, the framework promotes ethical recruitment, informed migration, and protection of migrant workers' rights.

Further the Bilateral Labour Agreement (BLA) should include a Standard Employment Contract (SEC) that formalizes the employment relationship and sets out key terms like wages, working hours, accommodation, and social security, ensuring contracts are explained and signed pre-departure to prevent abuse. It should guarantee migrant workers' rights to entry, residence, and employment, and allow job changes under specific conditions, including in cases of abuse. The agreement must prohibit discrimination and ensure equal treatment in wages, working conditions, and trade union rights. It should enforce occupational safety and health standards, gender-sensitive protections, and secure wage payment practices including bank transfers and pays lips. Adequate living conditions must be ensured, including decent housing, nutrition, and cultural respect. Finally, migrant workers must have equal access to social protection, including health coverage and portability of benefits, with provisions for support during health emergencies or upon return to their home country.

The AU Guidelines further recommend that Bilateral Labour Agreements (BLAs) include ; strong, rights-based provisions to protect migrant workers, especially women. Articles emphasize gender-responsive policies that ensure non-discriminatory treatment throughout the migration and employment process, with particular safeguards for women domestic workers, including protection against violence, harassment, and exploitation.

The BLA's should further provide mechanisms for proper supervision of working and living conditions through Labour inspections, freedom of association and collective bargaining, access to civil society support, and robust dispute resolution mechanisms. Migrant workers must be guaranteed access to legal aid, complaint systems in languages they understand, and consular assistance. Training and skills development, as well as recognition of acquired skills, are also prioritized, with equal access for women and a shared responsibility for costs between origin and destination countries.

Further, the guidelines call for secure and low-cost remittance systems, protection of migrants' rights to repatriation and compensation regardless of status, and special provisions for return in cases of death, illness, or emergencies. Articles should also cover family reunification rights, responses during crises (e.g., pandemics), and establishment of Joint Committees to oversee agreement implementation. These committees should meet regularly and include gender experts and social partners. The BLA must include clear procedures for dissemination, monitoring, and evaluation involving all stakeholders, with independent evaluations before renewal. Finally, operational details such as amendment procedures, dispute settlement, language versions, and signature formalities must be clearly defined to ensure enforceability and clarity.

The AU operational guidelines for Bilateral Labour Agreements (BLAs) outline four key stages: preparation, negotiation and adoption, implementation and follow-up, and monitoring and evaluation. Effective preparation is crucial and includes establishing a coordination unit within the lead ministry (usually Labour), forming a multi-agency Steering Committee for inter-ministerial alignment, and creating an inclusive Advisory Committee representing social partners and civil society. These structures ensure policy coherence, preserve institutional memory, and promote participatory, transparent, and well-informed development and implementation of BLAs.

Applying the above guidelines to Uganda's BLA's, there have been some positive components adopted with Saudi Arabia, Qatar, Jordan and UAE. However, to a large extent, many components are missing. The BLA's with Saudi Arabia, Qatar and Jordan provide for standardized/ model employment contracts which align with the AU model's emphasis on clear, written, and pre-departure employment terms. Regarding recruitment costs, the existing BLA's require these fees to be covered by the employer, explicitly stating that no fees should be levied for recruitment or passport expenses. Ugandan 2021 regulations also stipulate that if a foreign agency covers all costs, Ugandan agencies cannot charge fees, allowing only a minimal

administrative fee of US\$ 20,000 (\$5-\$6) otherwise. This aligns with the AU model's principle of workers not bearing recruitment costs. Furthermore, they provide for mechanisms to resolve Labour disputes and renew contracts, a crucial provision consistent with the AU model's advocacy for accessible grievance and dispute resolution mechanisms for workers.

However, a significant gap lies in the composition of the Joint Technical Committees (JTCs), which are tasked with monitoring and reviewing BLA implementation. These committees are only composed of officials from the ministries responsible for Labour of both the sending and host countries with no single representation of the civil society, worker's representatives and other key stakeholders¹³⁴. This is compounded by limited to no stakeholder consultation during the drafting stage and negotiation of the BLA'S. This directly contradicts the AU Model's explicit promotion of a cooperative and multi-stakeholder approach which advocates for comprehensive inclusion of government, recruitment agencies, and crucially, civil society, worker representatives, and other key stakeholders in all phases of BLA governance. The exclusion of diverse stakeholders, particularly civil society organizations and worker representatives, from BLA committees and drafting stages creates an "echo chamber" effect. Policy decisions may be made based on governmental and industry perspectives, potentially overlooking the critical lived experiences, specific vulnerabilities, and practical priorities of migrant workers themselves. Civil society organizations and worker unions often have direct, on-the-ground contact with migrant workers and can provide crucial information on exploitation patterns, enforcement gaps, and effective protective measures that might otherwise be missed. This lack of inclusive governance mechanisms can lead to BLAs that, despite good intentions or even progressive not being fully responsive or effectively implemented in addressing migrant workers' realities.

The existing BLA's also lack gender specific provisions to extend special protection to the migrant women. This is a critical omission given that Ugandan migrant women are currently over represented in the Gulf countries as reflected in the statistics in the earlier sections. The absence of gender specific clauses is a direct contradiction to the AU guidelines, which emphasize that the BLA's should bear such clauses and advocate for gender-sensitive measures, gender impact assessments among others.

¹³⁴ Interview with Kyeyo Initiative

4.10. Draft AU Statute of the Africa-Arab Centre On Migration¹³⁵

The draft statute establishes the Africa-Arab Centre on Migration as a joint initiative between the African Union (AU) and the League of Arab States (LAS) to improve migration governance between the two regions. Motivated by shared concerns over irregular migration, human trafficking, and transnational criminal networks, the Centre aims to foster cooperation through research, capacity building, data collection, policy development, and the exchange of migration-related information. It will operate with full legal personality, governed by a Board of Directors and a Secretariat, and headquartered in a host AU or LAS Member State. The Centre will function based on principles of sovereignty, human rights, and regional cooperation, and it will be supported financially by AU, LAS, Member States, development partners, and other sources. The Statute outlines its governance structure, operational rules, privileges, and commitments to ethical conduct and independence from political interference. When operationalised, this initiative will positive step towards the protection African migrant workers in the gulf region including Ugandan migrant domestic workers.

4.11. Doha Declaration on Labour Mobility between Gulf Cooperation Council, Lebanon and Jordan and African Member States, 21st - 22nd May 2024, Doha, Qatar¹³⁶.

The Doha Declaration on Labour Mobility (May 21–22, 2024) brings together Labour ministers from Gulf Cooperation Council (GCC) countries, Jordan, Lebanon, and 25 African Union member states, including Uganda, to strengthen cooperation on Labour migration governance. The Declaration acknowledges the growing African Labour mobility to the Gulf and emphasizes the mutual benefits for origin and destination countries. It affirms shared goals of fair and ethical employment, improved Labour mobility management, skills development, and protection of migrant workers' rights especially women. Key recommendations include ; launching the Doha Dialogue as a voluntary, consultative platform for ongoing regional cooperation, data sharing, social dialogue, and collaboration with trade unions and recruitment agencies to ensure decent work and sustainable development outcomes.

The protection clauses in the Doha Declaration reflect a strong commitment to a rights-based approach to Labour migration between African countries and Gulf states, Jordan, and Lebanon.

¹³⁵ During the 5th Ordinary Session of The Specialized Technical Committee (STC) On Migration, Refugees, And Internally Displaced Persons, Johannesburg, South Africa 09 – 13 December 2024 Under the Theme: Protecting Human Rights and Dignity of African migrants in the context of humanitarian challenges And Free Movement

¹³⁶ Fifth Ordinary Session of the Specialised Technical Committee on Social Development, Labour and Employment (STC-SDLE-5) 29 July- 02 august 2024 Addis Ababa, Ethiopia under the theme: social agenda 2063: promoting social and solidarity economy (SSE) ecosystems

They seek to address long-standing vulnerabilities faced by migrant workers particularly in informal and low-wage sectors through a focus on decent work, ethical recruitment, and regulated employment.

The Declaration prioritizes safeguarding migrant workers from abuse and exploitation, ensuring access to justice, improving occupational safety and health standards, and leveraging technology to enhance oversight and outcomes. It also recognizes the specific vulnerabilities of female migrant workers and commits to addressing their socio-economic needs. The emphasis on skills development, mutual recognition of qualifications, and collaboration with social partners such as trade unions and employers' associations further strengthens the protection framework. Collectively, these measures aim to create a more just, transparent, and cooperative migration system that benefits both origin and destination countries while centering the dignity and rights of migrant workers.

However, the Doha Declaration does not explicitly address the kafala system and its exploitative structures. It further lacks binding commitments and omits any call for legal reforms to abolish employer-tied visas or exit restrictions, and fails to address the systemic power imbalance between employers and migrant workers.

4.12. Draft Standard Operating Procedures on Return, Readmission and Reintegration of Returning Migrants for AU Member States, May 2024

This Standard Operating Procedures (SOP) document outlines guidelines for AU Member States to facilitate the return, readmission, and reintegration of return migrants, ensuring a harmonized and consistent approach. Adapted from existing best practices, including the IOM's SOP for Reintegration of Returnees in Ghana, this document defines key concepts like voluntary and forced return, assisted voluntary return and reintegration (AVRR), evacuation, and large-scale returns. It also emphasizes critical principles such as confidentiality and data protection, the handling of administrative detention, and the specific needs of migrants in vulnerable situations.

The SOP details the processes and procedures involved in the migration cycle, starting with Return, which encompasses information registration, nationality ascertainment, psychosocial support, vulnerability assessment, and pre-departure briefings. It highlights the importance of providing emergency travel documents, protecting the rights of returnees, and clearly defining the responsibilities of both the returning country and the country of origin. This initial phase ensures that migrants are prepared and their rights are upheld before their journey back.

Following the return, the SOP addresses Readmission, focusing on the reception of migrants at various entry points and immediate post-arrival assistance, including stipends and onward transportation. Finally, it outlines strategies for Reintegration, emphasizing inter-agency collaboration, robust referral mechanisms to connect returnees with necessary services, and the involvement of local actors to build synergies. Reintegration support can range from basic psychosocial assistance and counselling to tailored support for vulnerable individuals, ensuring their sustainable re-inclusion into their communities and minimizing the likelihood of irregular re-migration.

Uganda considers some of these SOP principles for instance, it has established a migrant support centre under the MGLSD to offer reintegration support services to migrant returnees including psychosocial assistance and counseling. However, it has no policy on reintegration neither are there standard operating procedures on return, readmission and reintegration of returning Migrants.

4.13. Declaration on the Protection and Promotion of the Rights of Migrant Workers, May, 2024.

In their Fifth Ordinary Session under the theme; “Social Agenda 2063: Promoting Social and Solidarity Economy (SSE) Ecosystems”, African Union Ministers responsible for Social Development, Labour, and Employment reaffirmed the universal human rights of all migrants, including migrant workers and their families, and committed to eliminating all forms of discrimination, exploitation, and abuse in both formal and informal Labour markets. They recognized that all migrants are rights-holders regardless of status and resolved to ensure equality of treatment in employment, access to social protection, and availability of redress mechanisms for violations. Special emphasis was placed on protecting women migrant workers, combating xenophobia, and addressing vulnerabilities such as child Labour, trafficking, and lack of access to healthcare and social security.

Notably, the Ministers expressed grave concern over the exploitation of African migrant workers, particularly in the Gulf region and other non-African countries, and committed to redoubling efforts to protect their rights. They resolved to strengthen cooperation with destination countries such as those in the Gulf Cooperation Council and the European Union through dialogue, bilateral and multilateral agreements, and the enforcement of international Labour standards. They also pledged to ensure ethical recruitment, supervision of employment contracts, and the elimination of practices such as contract substitution and forced Labour. To this end, they agreed to pursue joint responsibility among countries of origin, transit, and

destination to safeguard migrant workers at every stage of migration from recruitment to reintegration. This is a positive step towards the protection of the migrant women. However, the success of this declaration requires consistent political will and commitment of the member states for the said protections to be achieved.

4.14. AU Guidelines on the development of A Model Migrant Welfare Programme/System

The AU Guidelines on the Development of a Model Migrant Welfare Programme/System address the significant challenges African migrant workers face in accessing social security and welfare support, both abroad and upon return. These barriers stem from issues like limited social security access and portability, legal and immigration status, weak bilateral agreements, inadequate recruitment, and exclusion of informal and domestic workers. Despite international and regional instruments advocating for the social protection and equal treatment of migrant workers, the reality often falls short, with many African migrants experiencing exploitation and limited access to formal social protection, particularly in Gulf countries due to systems like Kafala.

Recognizing these shortcomings and the inadequacy of existing bilateral and multilateral arrangements, countries of origin are increasingly implementing unilateral measures to protect their citizens abroad, such as constitutional guarantees, dedicated welfare arrangements, and voluntary social insurance. While these unilateral efforts are impactful, covering many migrants where destination country protection is lacking, they are not a substitute for comprehensive measures in destination countries or robust bilateral agreements.

The Guidelines, informed by international and African human and labor rights instruments and good practices, aim to provide a flexible model template for countries of origin. They offer guidance to establish migrant welfare programs, implement insurance-based arrangements, extend support services, and address gaps in existing policies to better protect migrant workers and their families, acknowledging that these measures are voluntary and serve as a “last resort” when other protective frameworks are absent.

The AU Guidelines emphasize several guiding principles. Social protection is recognized as a fundamental human right for all, including migrant workers and their dependents, as enshrined in international and AU instruments. The guidelines require AU Member States to provide access to a minimum level of social security benefits, covering essential healthcare, housing, food, and education, with a focus on full realization for all, including through social insurance.

Furthermore, diplomatic and consular support is crucial, with missions tasked with protecting nationals' interests, providing assistance, and arranging legal representation abroad, a demand that has grown with increased migration.

Uganda does not currently have a migrant welfare program for its migrant workers. However, the proposed Labour externalisation bill, 2024 makes provisions for social protection and establishment of a Uganda migrant workers' welfare fund.

5. National/Domestic Law

5.1 The Employment Act Cap 226

This law regulates individual employment relationships. It provides for substantive protections and benefits to employees under a contract of service, for instance entitlement to wages, protection from unfair termination and dismissal, protection from discrimination, sexual harassment, forced Labour, entitlement to severance pay, sick pay, overtime pay, repatriation allowance, maternity and paternity leave and annual leave among others.

Section 38(1) of the Act prohibits any person or his or her agent or messengers from engaging in the business of operating a recruitment agency unless he or she is in possession of a valid recruiting permit issued by the Commissioner. The Act does not define a recruitment agency but defines recruitment to include all operations undertaken with the object of obtaining or supplying the Labour of persons who do not continuously offer their services at the place of employment. Further, the requirement of a recruitment permit does not extend to those who recruit non-manual Labour and domestic servants. The permit is to be issued subject to such terms and conditions as given by the Commissioner for instance the commissioner has to satisfy himself or herself on; whether the applicant is an authorized agent of the employer, adequate provision has been made safeguarding the safety, health and welfare of the recruits and that all the necessary measures will be taken by the applicant for the acclimatization and adaption of recruits.

Additionally, section 37 of the Employment prohibits illicit movement of migrants for purposes of employment, for purposes of departing from, passing through or arriving in Uganda.

It is an observation that the Employment Act contains a very narrow provision on recruitment agencies and their role in placement of Ugandan migrant workers abroad. In fact, it does not differentiate between internal and external supply of Labour. The term recruitment agency as used in the Act is not defined neither do the Employment Regulations, 2011 define the same. The language of both the Act and its accompanying regulations seems to implicitly regulate internal recruitment of workers as opposed to the external recruitment of the same. This gap is

complicated more by section 3(5) of the Employment Act which provides that; *“unless where the contrary is provided, nothing in this Act applies to employment outside Uganda”*.

Section 94 of the Employment Act empowers the minister responsible for Gender, Labour and Social Development to make regulations for the better carrying into effect the provisions of the Act. In 2021, the Ugandan government enacted the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 . Before then, there was *the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005* which had been enacted under the old Employment Act cap 219 and whose objectives were to promote full employment and equality of employment opportunities for all and to uphold the dignity and rights of Ugandan migrant workers; to allow deployment of Ugandans to countries which have existing Labour and social laws or are signatories to international agreements protecting the rights of migrants and to protect every Ugandan desiring to work abroad by securing the best possible terms and conditions of employment and to provide a mechanism for issuing licenses to recruitment agencies.

The 2005 regulations defined Recruitment agency as a partnership or company duly licensed by the Administration to recruit and deploy Ugandan migrant workers for employment abroad and a recruitment license was only limited to a partnership or company¹³⁷. The grant of a license was conditioned on some requirements for instance the financial status and history of the applicant; the competence and integrity of the proposed management; the adequacy of the applicant’s capital structure; whether the directors, shareholders or employees have a criminal record; and any other matter, which the Administration may regard as relevant to the application¹³⁸. The license fee was UGX 500,000/= and the bank guarantee was stipulated to be UGX 50,000,000/=.

Furthermore, the Regulations set a limit of chargeable fees on the migrant worker as Uganda shillings fifty thousand and this placement fee was to be collected only after the said migrant worker has signed an employment contract and he or she was entitled to a refund upon failure by the recruitment agency to place him or her¹³⁹. The regulations also provided for standard employment contracts and the terms and conditions to be contained in the said contracts, pre-orientation seminars conducted by the recruitment agencies themselves, MGLSD if the said workers were being externalized by the government and further non-governmental

¹³⁸ Reg.8

¹³⁹ Reg. 29.

organizations, embassies/consuls/diplomatic attaches, associations of licensed agencies were also given mandate or permission to carry out pre-orientation seminars¹⁴⁰.

They further provided for recruitments conducted by government through the MGLSD. Particularly, Regulation 56 (1) & (2) provided that the “administration shall recruit and place workers primarily on Government-to-Government arrangements and may also recruit and place workers for foreign employers in such sectors as policy may dictate. This indicates that these regulations allowed both public and private recruitment agencies to externalize workers. There was also provision for establishment of Labour assistance centers at international airports and exit points in the country¹⁴¹.

Under part ix, employment standards were stipulated wherein the administration was mandated to review, review employment standards in accordance with the welfare objectives of the overseas employment program and the prevailing market conditions¹⁴². The duties and obligations of Ugandan migrant workers were also highlighted and conclusively the regulations provided for a complaints procedure for migrant workers who had grievances against the recruitment agencies wherein they were permitted to lodge the said complaints in writing to the administration and the administration would resolve the same through mediation with the aim of reaching a settlement. If the said complaint was beyond the mandate of the administration, the administration was empowered to refer the complaint to other government institutions with such mandate to resolve the same¹⁴³.

However, these regulations were recently revoked by the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021.

5.2 The Prevention of Trafficking in Persons Act, 2009

The Prevention of Trafficking in Persons Act, 2009 criminalizes all forms of human trafficking, including recruitment, hiring, or transfer of a person through force, coercion, or deception for purposes such as forced labour, slavery, or involuntary servitude. A victim’s consent is legally irrelevant. The Act also defines aggravated trafficking, which involves more severe circumstances such as organized syndicates, removal of body organs, or situations where the victim suffers mutilation or becomes of unsound mind. Penalties are severe: trafficking attracts

¹⁴⁰ Regulation 70-77

¹⁴¹ Regulation 54

¹⁴² Reg. 66

¹⁴³ Reg. 84

up to fifteen years' imprisonment, while aggravated trafficking carries a sentence of life imprisonment.

The law extends liability to companies, including recruitment agencies, which may face fines, closure, deregistration, or disqualification from operating if found guilty. Individuals who recruit, transfer, or harbour persons for domestic or overseas employment with the intent to traffic also commit an offence, punishable by up to five years' imprisonment, a fine, or both. In addition to criminal penalties, the Act requires convicted offenders to pay restitution to cover costs such as medical care, psychological support, rehabilitation, transportation, temporary housing, childcare, and reintegration. Courts may also order additional compensation for physical injury, emotional suffering, and other harms experienced by the victim¹⁴⁴.

The Act further imposes a legal duty on all community members to report suspected trafficking to the police, with failure to report constituting an offence punishable by six months' imprisonment. It also criminalizes knowingly hiring a trafficked person, with a penalty of up to ten years in prison.

Importantly, the law provides for extraterritorial prosecution of foreign employers or recruitment agencies responsible for trafficking Ugandan nationals, provided the Attorney General consents and no prosecution has occurred elsewhere¹⁴⁵. Non-Ugandan offenders may also be extradited for trial, ensuring broader accountability for trafficking crimes involving Ugandan migrant worker.

5.3 The Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021.

These Regulations were enacted to address increasing cases of abuse and exploitation of Ugandan migrant workers. The reforms were prompted by the need to promote full employment, protect workers' rights, and ensure decent work conditions for Ugandans seeking employment abroad.

The objectives of these regulations are; to regulate the recruitment and placement of migrant workers by providing a mechanism for regulating the activities of recruitment agencies and to uphold the dignity and rights of migrant workers by prescribing the appropriate terms and conditions of their employment¹⁴⁶. The Regulations define exploitation to mean forced Labour,

¹⁴⁴ Section 15 and 16

¹⁴⁵ Section 19 and 20

¹⁴⁶ Reg.2

sexual abuse, use of a person in illegal activities, servitude and child Labour or non-fulfilment of the terms of the contract of a migrant worker; a recruitment agency to mean a company licensed by the Ministry to recruit migrant workers for employment abroad, recruitment and placement to mean canvassing, contracting, transporting, utilising, hiring, or procuring workers, and includes referrals, contract services and advertising for employment for migrant workers, whether for profit or not and a migrant worker to a Ugandan citizen who is to be engaged, or is engaged in remunerated employment abroad¹⁴⁷.

They require any person who wishes to transact business as a recruitment agency in Uganda to apply to the Ministry for a license¹⁴⁸ and further requires recruitment agencies to be companies¹⁴⁹ and all the shareholders and the directors of the said company to be Ugandans. The company applying for a recruitment license is also required to have a minimum authorised capital of fifty million Uganda shillings and where the company has been in existence for a year or less, to have an account balance of not less than ten million Uganda shillings and furthermore where the company has been in existence for more than one year, to have a verified financial statement, income tax returns for the preceding one year and an account balance of not less than ten million Uganda shillings¹⁵⁰. The new regulations remove partnerships as entities that can carry on a business of recruitment agency as it was before in the old regulations.

The Regulations further prohibit some entities from being licensed as recruitment agencies. These entities include travel agencies or sales agencies of airline companies, companies whose directors or shareholders are engaged in the business of operating travel agencies, political, religious or cultural organizations, companies that have been declared insolvent; and companies whose directors have a criminal record related to illegal recruitment or trafficking in persons¹⁵¹. These restrictions are designed to protect Ugandan migrant workers from exploitation.

Interestingly, in addition to the requirements of applying for a recruitment licence, the applicant for a licence is obliged to provide a verified undertaking stating that the applicant shall; provide to the migrant workers, pre-departure orientation on recruitment policies and procedures, terms and conditions of employment and other relevant information; where applicable, confirm that any migrant worker recruited or deployed by the recruitment agency is qualified and holds the documents necessary for the job concerned; confirm that the contract of employment signed by

¹⁴⁷ Reg 3

¹⁴⁸ Reg 4

¹⁴⁹ Reg 5

¹⁵⁰ Reg 5

¹⁵¹ Reg.6

a migrant worker is in accordance with the standard employment contract and other applicable laws, regulations and collective bargaining agreements; inform or cause a migrant worker to be informed of his or her rights and duties under his or her contract of employment and the articles of the agreement before or during the process of engagement¹⁵², make arrangements for a migrant worker to examine his or her contract of employment before he or she signs the contract and avail the migrant worker a copy of the contract after he or she signs the contract, be fully responsible for all claims and liabilities which may arise as result of the use of the licence, guarantee compliance with the applicable international Labour standards, assume full responsibility for all the acts of its officials, employees and representatives, done in relation to recruitment and placement; and deploy at least fifty migrant workers within one year of issuance of the licence¹⁵³.

These requirements extend protection to female Uganda migrant workers especially those who face challenges related to unlawful and inadequate employment contracts which do not fully stipulate their basic rights as workers while others are denied a chance to examine their employment contracts before acceptance. The requirement also places liability on the recruitment agencies for all claims that arise as a result of the use of the licence and commit the agencies to comply with the applicable international Labour standards.

The grant of a licence is further conditioned to some additional factors for instance; the financial history and status of the applicant; analyse the proposed management system of the applicant, for competence and integrity, the capital structure of the applicant, for adequacy, the assessment that the directors, shareholders or employees do not have a criminal record and any other matter, which the Ministry may regard as relevant to the application¹⁵⁴. These conditions promote ethical recruitment of Ugandan migrant workers especially in safeguarding them against fraudulent recruitment agencies that are set to only take advantage of their vulnerabilities and exploit them.

The Regulations also grant the Ministry responsible for Gender, Labour and social development the discretion to refuse the grant of a licence to a company that has a derogatory record¹⁵⁵ held by the Internal Security Organization or the Ministry, to a company whose shareholders, directors or employees are guilty of carrying out illegal recruitment of a migrant worker; or to

¹⁵² This is in conformity with provisions of the international convention on rights of migrant workers and their family members, ILO Convention 143, the domestic workers convention 189 e.t.c

¹⁵³ Reg. 7(6)

¹⁵⁴ Reg.8

¹⁵⁵ A derogatory record according to these regulations means information such as illegal recruitment, falsification of documents, illegal solicitation of money or conviction for crimes involving moral turpitude.

a company whose directors or shareholders were involved with a recruitment agency whose licence was previously revoked by the Ministry for contravention of these Regulations¹⁵⁶. The Ministry may further suspend the licence of a recruitment agency where the Ministry receives information that there is exploitation of a migrant worker and conducts investigations to verify the information, and determines that the continued operation of the recruitment agency may lead to further exploitation of the migrant worker; or a recruitment agency contravenes these Regulations.

Apart from suspension, the Regulations further empower the Ministry to revoke the licence of a recruitment agency where the agency; contravenes these Regulations, does not carry on business of recruitment of migrant workers for a period of six months or more, engages in acts of misrepresentation, in relation to the recruitment and placement of migrant workers, such as the publication or advertisement of deceptive notices or information or the submission to the Ministry of documents which are fraudulent or contain false information, induces or attempts to induce an already employed migrant worker to transfer from, or to leave his or her employment for another employment unless the transfer is designed to relieve the worker from oppressive terms and conditions of employment; influences or attempts to influence any person or entity not to employ any migrant worker who applies for employment through the recruitment agency, substitutes or alters employment contracts and other documents approved and verified by the Ministry without the approval of the Ministry, falsifies or alters travel documents for a migrant worker; coerces a migrant worker to accept prejudicial arrangements in exchange for certain benefits that rightfully belong to the migrant worker, withholds the salary of a migrant worker or his or her remittances, without justifiable reasons; engages in acts of misrepresentation for purposes of securing a renewal of its licence, engages in the recruitment or placement of migrant workers in jobs which are harmful to public health or morality; or is suspended at least three times during the period of validity of its licence.

The Regulations furthermore grant the Ministry or a person authorised by the Ministry to inspect during working hours, with or without prior notice, inspect the premises, documents and equipment of the recruitment agency and the premises where the pre - orientation seminars are conducted. The Ministry may also upon receipt of a complaint or a report of violation of these Regulations, conduct periodic or spot inspections, at any hour of the day or night and inspect

¹⁵⁶ Regulation 11

the premises, documents and the equipment of the recruitment agency and the premises where the pre- orientation seminars are conducted.

They also provide for accreditation of foreign recruitment agencies before the Uganda mission responsible for the country where the foreign recruitment agency is located¹⁵⁷. The foreign recruitment agency that wishes to recruit Ugandan migrant workers shall do so through a recruitment agency and is required to submit the English translation of the documents of incorporation of the foreign recruitment agency; valid trade licence of the foreign recruitment agency, or its equivalent; the Labour licence of the foreign recruitment agency, or its equivalent; the names and contacts of the officials of the foreign recruitment agency; the physical address and contacts of the foreign recruitment agency, the physical address of the accommodation centres where the migrant workers are accommodated on arrival or where the migrant workers in distress are accommodated, proof of availability of a complaints handling mechanism including the personnel and the office premises and the name and contact of the complaints handling officer of the foreign recruitment agency, who shall preferably be a Ugandan¹⁵⁸.

Notably, whereas these Regulations provide for complaints handling between any person aggrieved with the decision or conduct of a Recruitment Agency to file complaint with the MGLSD and with regard to Foreign Recruitment Agencies, the complaint mechanisms are left to themselves and not foreign missions. This is subject to abuse as the migrant workers are left to handle their complaints with foreign entities moreover in a foreign country.

The Uganda mission is granted power to revoke the accreditation of the foreign recruitment agency where it does not carry on business of recruitment of migrant workers for a period of six months or more, contravenes regulation 18, charges, imposes or accepts directly or indirectly any amount of money, goods, services, fee or bond for any purpose, before obtaining employment for a migrant worker; charges fees higher or contrary to the fees prescribed under these Regulations; obstructs or attempts to obstruct inspection by the Uganda Mission of publishes or causes to be published in Uganda, a job order in violation of these Regulations¹⁵⁹.

To avoid illicit movement of migrants for employment abroad as prohibited under section 37 of the Employment Act, Regulation 23 provides for clearance of migrant workers. It stipulates that a recruitment agency that wishes to place migrant workers abroad shall seek clearance from

¹⁵⁷ Reg. 17

¹⁵⁸ Reg. 18

¹⁵⁹ Reg. 19

the Ministry by submitting; for each migrant worker, a certificate of good conduct from Interpol, a pre-departure orientation training report, the approved job order, for each worker, a copy of his or her passport and a copy of the contract of employment.

It is also a requirement of the Regulations that recruitment agency presents the migrant worker to the Directorate of Industrial Training for a trade test¹⁶⁰.

Additionally, the Regulations also provide for fees chargeable from migrant workers and they set it at a fee not exceeding twenty thousand Uganda shillings as administrative costs of the recruitment¹⁶¹. This is lower than the Fifty thousand shillings that was previously charged under the revoked regulations of 2005.

They further more require all pre-departure training institutions to be accredited by the Ministry¹⁶² and further require that the pre-departure orientation to be conducted for a period of not less than fourteen days and additionally require a recruitment agency to deploy the migrant worker within thirty days after the pre-departure orientation.

A complaints procedure is also provided for under the Regulations and they stipulate under Reg. 33 that a person who is aggrieved by any action or a decision of a recruitment agency, may file a complaint, in writing, with the Ministry and the Ministry shall on receipt of a complaint, summon the person who files the complaint and the recruitment agency against which the complaint is made and resolve the matter. The Regulations further provide for the bank guarantee submitted to the ministry to be used to clear any claims that may arise as a result of any complaint filed under these Regulations. This a positive clause in regard to facilitation of access to justice.

Where the Ministry fails to resolve the matter, the Ministry shall advise the complainant to seek redress from court. However, it is unclear whether Court here means the industrial court of Uganda which specializes in Labour claims or the magistrate or high court. The jurisdiction to handle matters of Labour externalization ought to be specific. Even though, the High Court of Uganda has unlimited original jurisdiction in both civil and criminal matters, it is faced with a high backlog of cases and it involves strict rules of procedure and evidence which may make the already vulnerable Ugandan migrant workers more vulnerable.

¹⁶⁰ Reg 24

¹⁶¹ Reg 26

¹⁶² Reg 28

It is essential to also highlight that the complaints mechanism only permits workers to file grievances against the actions of Ugandan recruitment agencies, and not against foreign recruitment agencies or employers. As a result, any misconduct or exploitation occurring abroad including cases may not be addressed through this process. Likewise, the bank guarantee may be applied solely to compensate for violations committed by the Ugandan agency.

Furthermore, the language of the regulation implies that once a complaint is filed, the migrant worker must appear in person before the Ministry. As a result, a worker still in employment abroad who wishes to bring a complaint before the MGLSD may effectively be denied access to justice if they are unable to travel. The regulation also fails to provide any entitlement to translation services or representation, whether by a lawyer, trade union, or any other advocate, during proceedings before the Ministry or in subsequent court processes. This lack of representation and language assistance substantially undermines a migrant worker's ability to meaningfully advance or defend their complaint.

Lastly, the Regulations provide for a number of offenses and penalties¹⁶³ for instance operating as a recruitment agency without a licence issued by the Ministry, operating where it the licence is expired, or suspended or revoked, advertising jobs vacancies for a manpower pool without the approval of the Ministry, operates as a pre-departure training institution without accreditation by the Ministry, operating as a pre-departure training institution where its accreditation is suspended or revoked, receiving or charging fees in contravention of these regulations, misleading a migrant worker on the terms and conditions of service of the employment of the migrant worker, substituting a contract approved by the Ministry with another contract, collecting fees from a migrant worker but without valid reason fails to deploy the migrant worker abroad within one hundred and twenty days after clearance of the migrant worker by the Ministry among others. All these offences attract a conviction **to imprisonment not exceeding five years or a fine not exceeding one thousand currency points, or both.**

Notably, the old Regulations had lesser sanctions. The sanction in terms of commission of an offence under the old regulations was limited to only three months imprisonment which was very light a sentence and wasn't taken seriously by the recruitment agencies and all actors involved. The sanction did not include a penalty of monetary payment. 1000 currency points is equivalent to UGX 20,000,000/= (Uganda Shillings, Twenty million shillings approximately USD 5,555\$). The presence of stronger sanctions prompts Recruitment agencies and other

¹⁶³ Reg 38

Actors in Labour externalization to take caution and engage in ethical recruitment which in the end minimizes exploitation of the migrant women.

5.4 Reforms/changes introduced by the Employment (Recruitment of Migrant Workers) Regulations, Statutory instrument No. 47 of 2021.

- i. The new Regulations remove partnerships from being licensed as recruiting agencies and only leave companies to operate as so moreover with the shareholders and directors all being Ugandan citizens. This could be attributed to the fact that companies are seen as having more established and accountable structures compared to partnerships making it easier to track their activities and ensure compliance with regulations.
- ii. The Regulations further add companies that have been declared insolvent on the list of the entities ineligible to be licensed as recruitment agencies.
- iii. The monetary requirement of a bank guarantee was also increased from UGX 50,000,00/= (Approx. USD 13,888\$ to UGX 100,000,000/= (Approx. USD 27,777\$). This heightened financial threshold represents a deliberate strategy by the MGLSD to enhance financial accountability and worker protection. The underlying principle is that by ensuring agencies possess substantial capital, the government can better hold them responsible for their operations and provide recourse for exploited workers.
- iv. The licence fee was increased from UGX 500,000/= (Approx. 139 USD to UGX 2,000,000/= (Approx. 555 USD)
- v. The processing time for licence applications was also expanded from 30 days to 45 days from the receipt of the applications.
- vi. The new regulations further provide for accreditation of the foreign recruitment agencies by the Ugandan missions in the host countries as opposed to the 2005 regulations where accreditation was by the MGLSD with verification of the embassies/Ugandan missions. The new regulations further subject the foreign recruitment agencies to the detailed compliance standards as already highlighted above including having a Ugandan complaints officer resident in their countries of operation.
- vii. They also provide for a pre-licensing seminar. Applicants for a recruitment license must now provide a certificate of attendance of a representative at a pre-licensing seminar conducted by the Ministry¹⁶⁴. This is a new requirement aimed at ensuring agencies are well-versed in the regulations.

¹⁶⁴ Regulation 7(5)(g))

- viii. The 2021 Regulations explicitly state that a licence can be suspended if there is information about exploitation of a migrant worker and investigations determine continued operation may lead to further exploitation (Regulation 13(1)(a)). This provides a direct link between worker protection and agency operation.
- ix. The 2021 Regulations provide a specific definition of "exploitation" to include forced Labour, sexual abuse, use in illegal activities, servitude, and child Labour or non-fulfilment of contract terms¹⁶⁵. This provides a clearer basis for action against exploitative practices.
- x. The 2021 Regulations introduce a dedicated section (Part VII) for the accreditation, suspension, and revocation of pre-departure training institutions (Regulations 28, 30, 31). This signifies a formalization and quality control mechanism for pre-departure training, which was less explicitly regulated in the 2005 version. However, it removes recruitment agencies from the list of entities required to conduct pre-orientation training. Previously, the recruitment agencies were directly conducting the pre-orientation seminars. The new regulations also remove NGO's, associations of licensed agencies from the organizations eligible to conduct the pre-orientation training. The training is left purely to companies limited by shares. The removal of NGO's from conducting pre-orientation training is a shortfall because it denies an opportunity to migrant domestic workers who may not afford the higher training costs of the profit-making companies that are added to their placement fees. Secondly, NGOs tend to offer a rights-based approach to the pre-orientation training. The pre-orientation training period is also increased from 7 days to 14 days. This extended training, explicitly covered by the 2021 regulations, is intended to better equip migrant workers with essential information regarding recruitment policies, procedures, and the terms and conditions of their prospective employment. However, as already highlighted in this report, this period is still inadequate.
- xi. Regarding fees, the 2021 regulations provide that Migrant workers may be charged a maximum of UGX 20,000 (approximately USD 5.50) for administrative costs associated with recruitment reducing it from UGX 50,000/= (Approx. USD 14). Further, Regulation 25(3) excludes domestic workers from recruitment and placement fees where in it provides that; where a foreign recruitment agency seeks to recruit domestic workers, the foreign recruitment agency shall cover all the costs for recruitment and placement of each domestic worker.

¹⁶⁵ Reg. 3

- xii. There is also an introduction of fees to be paid by the recruitment agencies for approval of every job order amounting to UGX 200,000/= (Approx. 55.5 USD) and a payment of thirty dollars to the Ugandan government by foreign recruitment agencies for every migrant worker externalized.
- xiii. The complaints procedure for complaints against the recruitment agency is expanded from the MGSLD to Court though court is not defined and therefore it is unclear which court has jurisdiction over the same. However, constitutionally, in the absence of the such a definition, it would imply the High Court since it has unlimited original jurisdiction in all civil and criminal matters.
- xiv. Most importantly, the Regulations expand offences and penalties from the three months imprisonment in the previous regulations of 2005 to five years and further stipulates a monetary penalty of 1000 currency points translating into UGX 20,000,000/= (Approx. 5,555 USD).

Conclusively, the new Regulations comprehensively provide a clearer process of recruitment of Ugandan migrant workers abroad right from pre-departure, departure and arrival and further offer some protection in terms of promoting ethical recruitment and placing liability on the recruitment agencies or persons involved in the event of unethical practices that are contrary to the regulations.

Since the enforcement of the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2021, there have been some notable improvements, particularly in the documentation of migrant workers and enhanced compliance among recruitment agencies. Court has also relied on these regulations to make an award in favour of some migrant workers. In the case of **Namale Desire & Anor v Horeb Services Uganda Ltd & Anor HCC Miscellaneous Cause No. 0021 Of 2023**, the court relying on the 2021 regulations held that licensed recruitment companies bear full responsibility for the safety and life of migrant workers. Namale Desire, daughter of the late Milly Namutamba, sued Horeb Services Uganda Ltd and its Director, Mr. Ezra Mugisha, for violating her mother's right to life while she was employed as a domestic worker in Saudi Arabia. Namale stated that her mother, who was in good health and medically cleared before departure on 19th August 2018, maintained regular contact with her for about five months before suddenly going silent. Despite repeatedly visiting Horeb's offices over a two-year period to seek answers, the company remained unresponsive. In September 2022, Namale's uncle learned from external sources that her mother had died. When they confronted the company, Horeb confirmed the death but failed to provide any official explanation regarding the cause. The High Court issued a landmark ruling, holding that Horeb

Services Ltd and its Director had violated the right to life of Ms. Namale Desire's mother, protected under Article 22 of the Constitution of Uganda. The Court further affirmed that a licensed recruitment agency bears full and absolute responsibility for all actions of its officials, employees, and agents arising from the recruitment and placement. It accordingly ordered Horeb services Ltd and its director shall pay to the Ms. Namale Desire and her uncle paid a sum of UGX 200,000,000/= (Uganda Shillings Two Hundred Million only) as general damages and a sum of UGX 50,000,000/=(Uganda Shillings Fifty Million only) in exemplary damages including the taxed costs of the case.

Compared to the repealed 2005 regulations, the 2021 framework introduces a more structured regulatory environment and affords Ugandan migrant workers relatively stronger protections. Out of approximately 406 registered private recruitment agencies, about 286 remain active, with many having their licenses revoked for non-compliance and worker exploitation.

The Ministry of Gender, Labour and Social Development (MGLSD), as the key regulatory body, is mandated to monitor recruitment practices, inspect agency operations, and resolve complaints. However, its effectiveness is severely limited by staff shortages, inadequate funding, and logistical constraints¹⁶⁶.

Regulation 33, which provides for complaints to be escalated to court when unresolved by the Ministry, lacks clarity regarding which court has jurisdiction to handle complaints arising from MGLSD. The absence of clarity between the Industrial Court, magistrates' courts, or the High Court creates confusion for complainants. The High Court, although has unlimited original jurisdiction in both civil and criminal matters, it is burdened by case backlog and complex procedural rules; factors that may discourage vulnerable migrant workers from seeking justice.

The complaints mechanism only permits workers to file grievances against the actions of Ugandan recruitment agencies, and not against foreign recruitment agencies or employers which limits the number of remedies the migrant workers may explore to attain justice.

In cases involving foreign recruitment agencies, particularly in the Gulf region, the Regulations fall short. While they require foreign agencies to be accredited by Ugandan missions, they do not establish external oversight mechanisms or independent complaints procedures through the missions. Instead, grievance redress is left to the agencies themselves posing a significant conflict of interest and denying workers access to impartial forums, especially when the

¹⁶⁶ Interview with MGLSD

violations involve wage theft, work overload, denial of access to medical care, sexual violence, or confinement.

The regulations do not provide a framework for regular overseas monitoring which further limits the enforcement of migrant workers' rights. In the absence of a sufficient number of diplomatic or Labour attaches tasked with worker welfare and monitoring, unscrupulous employers continue to confiscate passports, restrict movement, isolate worker and substitute their contracts.

Another gap is the lack of a reintegration framework for migrant returnees with in the Regulations. The Regulations place the responsibility of repatriation on recruitment agencies but fail to articulate a state-led process for post-return reintegration, psychosocial support, or legal redress.

Crucially, the Regulations do not also extend protections to undocumented workers or those trafficked through informal channels, despite the high incidence of irregular migration. They are designed solely for those who migrate through licensed agencies, excluding a significant and vulnerable population of workers from legal protection.

Finally, the Regulations are gender-neutral and do not address the specific vulnerabilities of female migrant workers, particularly those employed in domestic work. The absence of provisions on sexual violence, reproductive health rights, maternity protections, or gender-sensitive complaint procedures leave female workers who face the most severe forms of abuse with limited protection. Without gender-specific safeguards, the Regulations fail to acknowledge or respond to the gendered nature of exploitation in domestic and care work. (Nampewo, 2022).

5.5 National Migration Policy, 2025

Uganda's National Migration Policy is a comprehensive framework aimed at managing internal and international migration to support national development. It acknowledges migration's potential benefits such as remittances and skills transfer while addressing challenges like limited coordination, unreliable data, and weak legal frameworks. The policy outlines strategies across Labour migration, border management, and diaspora engagement, with key interventions including licensing recruitment agencies, deploying Labour attachés, negotiating bilateral agreements, and facilitating pre-departure training. However, despite aligning with regional and international frameworks, the policy lacks a concrete action plan, a defined budget, clear

implementation timelines, and effective monitoring mechanisms, raising concerns about its practical impact.

Critically, the policy is gender-blind and fails to address the unique vulnerabilities of Ugandan female domestic migrant workers who form a large part of the external labour force. It generalizes migrant experiences, overlooking the specific risks women face such as gender-based violence, exploitation, and lack of access to justice. It also lacks clarity on enforcement of ethical recruitment and the operationalization of protective strategies. Without a clear gender-responsive framework, an effective implementation plan, and dedicated funding, the policy risks becoming symbolic rather than transformative. To be effective, it must urgently integrate gendered migration considerations and provide actionable, well-resourced mechanisms for the protection and empowerment of all Ugandan migrants, especially women.

5.6 The Employment Amendment bill, 2022

This bill was drafted in 2022 and first passed by parliament of Uganda in 2023. When the bill reached the President's desk, he declined assent and returned to parliament in 2024 with comments for consideration before he could assent to the same. The president's concerns why he declined assenting to the bill pertained to the accreditation of the foreign recruitment agency by the Ugandan Ministry of Gender, Labour and Social Development. He proposed that the said foreign recruitment agencies be accredited by the Ugandan mission responsible for the country of the agency. The other concern was on the protective clause that extended protection casual workers. He proposed that the said clause be removed as it would discourage investors from investing in Uganda. Early this year 2025, the President's concern was addressed by parliament and the same was passed and forwarded to his desk again for his assent.¹⁶⁷ He has not assented to the same yet as of the time of making this report.

This bill extensively provides for regulation of recruitment agencies dealing in labour externalization including stipulation of some protective clauses on the rights of Ugandan migrant workers abroad. It in fact reiterates many provisions of the 2021 employment of Ugandan migrant regulations.

According to clause 39C of the bill, only companies registered under the Companies Act cap 106 can be granted a licence to operate as recruitment agencies. Licensed agencies must submit annual operational reports to the Commissioner for Employment Services. The Minister is also

¹⁶⁷ <https://parliamentwatch.ug/news-amp-updates/employment-bill-passed-as-mps-remove-casual-labour-provision/#:~:text=Parliament%20has%20passed%20the%20Employment,permanent%20employment%20after%20six%20months.>

empowered to set regulations on licensing procedures, operations, and applicable fees. Clause 39E governs job orders. Recruitment agencies are prohibited from hiring workers without a job order approved by the Commissioner. Violating this results in a fine or imprisonment. While job orders are typically issued by destination countries, the Commissioner's role may involve vetting and approving them. The requirement of job order approval ensures that Ugandan migrant domestic workers are placed in actual, pre-vetted employment opportunities rather than being sent abroad without a clear or secure job protecting them from fraud and irregular migration

The other key aspect of the bill pertains to due diligence to be conducted by recruitment agencies. Agencies must verify the credibility and legal compliance of prospective foreign employers. This reduces the risk of workers being sent into abusive, unsafe, or exploitative environments. However, the bill lacks specific guidelines on what constitutes due diligence, which could weaken enforcement¹⁶⁸. The bill also provides for aspects of worker orientation and accountability under clause 39G. Accordingly, Agencies must orient job seekers on their rights and employment terms before contract signing, ensure job and contract compliance with Ugandan and host country laws, and maintain detailed records. This empowers workers to understand their contracts and working conditions, helping them assert their rights and seek help if abused.

Agencies are liable for claims arising and related to the use of their license making them jointly and severally liable for any claims that may arise as a result of exploitation of the migrant workers. The bill further places an obligation on the recruitment agencies to ensure employment contracts include provisions for repatriation at the employer's cost under specific conditions, such as upon the expiry of the period of service stipulated in the contract of employment; upon the termination of the contract of employment by reason of the inability of the employee to perform the contract; and upon the termination of the contract of employment by agreement between the parties; or upon the termination of the contract of employment by a competent court¹⁶⁹. All these clauses are a positive step towards the protection of Ugandan migrant women dealing in domestic worker.

While some provisions reiterate existing 2021 regulations, incorporating them into the main law will strengthen their enforcement. Once signed by the President, this amendment would mark significant progress in safeguarding to a certain extent the rights of Ugandan migrant

¹⁶⁸ Clause 39F

¹⁶⁹ Clause 39 H

workers abroad. However, the bill still does not contain, gender specific clauses that extend special protection women domestic migrant workers abroad neither does not provide for a strong supervisory and monitoring framework in the destination countries. Finally the bill that does not amend section 3(5) of the principal Act to include its application to employment outside Uganda or consider the same with exceptions of labour externalisation.

5.7 The Labour externalization bill, 2024

This Labour Externalization Bill, 2024 is a private member's bill fronted by the Workers member of parliament Hon. Abdul Byakatonda and is soon appearing on the order paper of Parliament

It seeks to establish a comprehensive legal framework for regulating and managing the externalization of Ugandan Labour. It empowers the Ministry responsible for Labour to oversee recruitment agencies, accredit pre-departure training institutions, maintain a register of migrant workers, and enforce worker protection measures.

A key feature is the creation of a Joint Technical Committee on Labour externalization and social protection for Ugandans working abroad matters. According to the bill, the Joint Technical Committee shall comprise a technical staff from the Ministry responsible for the regulation and administration of; employment, social protection; international relations; movement of Ugandans abroad; and a representative of Labour externalization companies nominated by the registered associations of Labour externalization companies and appointed by the Minister. The joint technical committee is tasked with providing technical guidance and advise to the Minister on implementation of the policy and laws relating to Labour externalization for Ugandan workers; advising on new markets for workers or on expansion of existing markets; addressing protection gaps of the human rights and dignity of Ugandan workers abroad; promoting the welfare of Ugandan workers in overseas employment and promotion of cooperation in areas of skills development, vocational training and capacity building. Additionally, the drafting and conclusion of the bilateral Labour agreements is supposed to be done in consultation with the Joint Technical Committee. The bill also provides for requirements to be considered when drafting and concluding the bilateral Labour agreements. The agreements must safeguard workers' rights, ensure ethical recruitment, promote social protection, and provide access to justice and repatriation. The bill also lays out detailed licensing procedures for recruitment agencies, including financial, legal, and operational requirements, and mandates agencies to conduct due diligence, provide pre-departure orientation, and ensure proper employment contracts and repatriation terms.

The bill introduces stringent measures against illegal recruitment, deceptive practices, and unauthorized recruitment advertising. It criminalizes unlicensed operations and stipulates heavy penalties for violations, including imprisonment and fines up to 100,000 currency points. The proposed legislation also establishes the Uganda Migrant Workers Welfare Fund, financed through recruitment agency bank guarantees, to support workers in distress, disability, or death while abroad. Furthermore, pre-departure training is made mandatory and must be conducted by accredited institutions following a curriculum covering laws in countries of destination, financial literacy, cultural orientation, and reintegration e.t.c.

It further provides for a dispute resolution mechanism where any person who is aggrieved by the decision of the Minister may appeal to the high court. It also places an obligation on the government to maintain an electronic copy of the Ugandan migrant workers' register and send a copy of the same to the Ugandan missions in the receiving countries.

It explicitly provides for the rights of Ugandan migrant workers such as; interpretation of the contract of service before signing; accessing information; holding a working permit during employment abroad; accessing his or her mobile phone during employment abroad; retaining and keep his or her travel document; medical checkup before and after employment abroad; medical care and attention during employment abroad; accessing a Uganda foreign mission in the country of employment abroad; counselling services and other social support during employment abroad; repatriation; and access justice in case of distress.

Overall, the bill provides important safeguards for Ugandan migrant workers by promoting enhanced accountability and transparency, across the Labour migration process. However, a critical gap remains in terms of worker representation within the Labour migration governance framework. Notably, the Joint Technical Committee, which is entrusted with significant responsibilities under the bill, lacks representation from workers' organizations or associations of migrant workers. This exclusion raises concerns that the committee may formulate policies and decisions that fail to reflect the genuine interests, perspectives, and lived experiences of migrant workers. The bill does not also stipulate the time framework within which the pre-departure training is supposed to be conducted and further the curricula provided for in the bill is not gender-responsive as it does not reflect the specific needs and risks of women, especially in domestic roles. The curricula do not also provide for training on the rights of the migrant

workers in destination countries and the procedures to take in the likely event of distress or abuse including coping mechanisms or strategies.

The bill also falls short of putting in place effective monitoring mechanisms such as an independent complaints body to monitor recruitment agencies and worker welfare, which weakens the enforcement of the provisions in the bill. While the bill includes penalties for misconduct by recruitment agencies in Uganda, it lacks enforcement tools for violations that occur after the worker leaves Uganda. In addition, consular services are not well defined in the bill. There is no detailed framework for how embassies and consulates should assist migrant workers in distress.

A summary of the changes/reforms proposed by the Labour externalization bill in comparison to the Employment Act cap 228 and the Employment (Employment of Ugandan Migrant workers abroad) Regulations.

- i. The creation of a joint technical committee assigned with a mandate of providing technical guidance and advise to the Minister on implementation of the policy and laws relating to Labour externalization for Ugandan workers among other tasks. The current legislation does not provide for this.
- ii. The bill also provides for requirements to be considered when drafting and concluding the bilateral Labour agreements wherein they must safeguard workers' rights, ensure ethical recruitment, promote social protection, and provide access to justice and repatriation. The current legislation makes no mention of BLA's.
- iii. It explicitly provides and expands the rights of Ugandan migrant workers such as; interpretation of the contract of service before signing; accessing information; holding a working permit during employment abroad; repatriation, medical care and attention, accessing his or her mobile phone during employment abroad; retaining and keep his or her travel document; medical checkup before and after employment abroad; accessing a Uganda foreign mission in the country of employment abroad; counselling services and other social support during employment abroad; and access justice in case of distress. These underlined rights are not currently provided for in the current legislation.
- iv. It criminalizes unlicensed operations and stipulates heavy penalties for violations, including imprisonment and fines up to 100,000 currency points translating to UGX2,000,000,000/= (approximately 555,555 USD). This is quite excessive and way higher than what is provided for in the current regulations of 2021 where the monetary penalty is 100,00 currency points.
- v. The proposed legislation also establishes the Uganda Migrant Workers Welfare Fund, financed through recruitment agency bank guarantees, to support workers in distress,

disability, or death while abroad. The current legislation does not provide for a welfare fund for Ugandan migrant workers.

d. Bilateral Labour Agreements (BLAs)

Uganda has signed bilateral Labour agreements with a few countries in the Gulf and these include; Saudi Arabia, Jordan, the UAE and Qatar. The agreements outline rights, responsibilities, and dispute resolution mechanisms. These agreements are discussed below in terms of their effectiveness and application.

5.8 The Revised Agreement on recruitment of Domestic Workers between the Ministry of Human Resources and Social Development of The Kingdom of Saudi Arabia and the Ministry of Gender, Labour and Social Development of the Republic of Uganda, 2023.

The Revised Bilateral Agreement on the Recruitment of Domestic Workers between Uganda and Saudi Arabia, signed on 29th March 2023, aims to establish a structured legal framework for the safe recruitment, deployment, employment, and repatriation of Ugandan domestic workers in Saudi Arabia. It mandates both parties to adopt a Standard Employment Contract outlining terms and conditions in line with international Labour standards, prohibits salary deductions related to recruitment, and calls for ethical practices by recruitment bodies licensed in both countries¹⁷⁰. The agreement also outlines clear responsibilities: Saudi Arabia must ensure workers' rights, timely salary payments, exit visa processing, and protection under Saudi law¹⁷¹, while Uganda must verify the fitness, training, and readiness of workers and ensure proper orientation on Saudi laws and culture¹⁷².

Additionally, the agreement establishes a Joint Technical Committee to monitor implementation, review contracts, and resolve disputes¹⁷³. It promotes coordination between Uganda's EEMIS and Saudi's MUSANED systems for better data sharing, and mandates collaboration to combat unethical recruitment and human trafficking¹⁷⁴. While the agreement is valid for five years (renewable)¹⁷⁵, any disputes or amendments must be addressed through diplomatic consultation¹⁷⁶. Overall, the agreement represents a major step toward safeguarding the welfare of Ugandan domestic workers, though its effectiveness depends on enforcement, monitoring, and continued bilateral cooperation.

¹⁷⁰ Article 3

¹⁷¹ Article 4

¹⁷² Article 5

¹⁷³ Article 6

¹⁷⁴ Article 3(11)

¹⁷⁵ Article 10

¹⁷⁶ Article 7

In practice, however, its effectiveness remains constrained by systemic and structural gaps. Enforcement and monitoring mechanisms are weak, particularly once workers are deployed. While the agreement outlines employer obligations and Saudi Arabia's responsibility to uphold domestic worker rights, enforcement on the ground is inconsistent due to the continued influence of the Kafala system, which severely limits workers' mobility and access to justice¹⁷⁷. Additionally, Uganda's capacity to monitor recruitment agencies, provide sufficient pre-departure training, and offer consular support in Saudi Arabia is limited, especially considering the small number of diplomatic missions in the Gulf and limited financial resources. Although the agreement promotes data-sharing through EEMIS and MUSANED, interoperability between the systems has not been fully operationalized, which affects traceability and real-time monitoring.

Moreover, the gendered realities of domestic work are insufficiently addressed. While women make up the majority of Ugandan domestic workers in Saudi Arabia and face unique vulnerabilities as highlighted in the earlier sections, the agreement lacks explicit gender-sensitive protections, such as guaranteed access to gender-responsive support services or specialized consular assistance. Furthermore, dispute resolution is framed as a diplomatic consultation process, which makes it rather a soft law as opposed to a legally binding framework. To enhance its effectiveness, both Uganda and Saudi Arabia must invest in practical enforcement, stronger institutional collaboration, deployment of more Labour attachés, and real-time monitoring tools, while incorporating gender-responsive measures and ensuring workers have direct and accessible grievance redress mechanisms.

5.9 Analysis of the standard employment contract for domestic service workers externalized to the Kingdom of Saudi Arabia.

Arising from the Bilateral agreement between Uganda and Saudi Arabia, there exists a standard employment contract with some rights and obligations of the domestic migrant workers. The standard Employment Contract is between the Employer based in a city in Saudi Arabia represented in the Kingdom of Saudi Arabia by a Saudi recruiting agency and a domestic service worker (DSW) represented in his or her country by a recruitment agency in Uganda. The name, address, national identity card number, mobile and telephone contact of the Employer is to be stipulated in the contract and the same applies to the Saudi recruiting agency and the Ugandan one along with their license numbers. The personal bio details of the domestic service worker

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are also included in the contract including her telephone contact and passport number. This identity of the four parties in the contract is a positive step in terms of tracking and monitoring. The contract stipulates the city of work where the domestic service worker will be deployed¹⁷⁸ and the contract duration which is usually for a period of two years and the same commences from the date of arrival of the DSW in the Kingdom of Saudi Arabia¹⁷⁹ and accordingly, the migrant worker's monthly wages are to be calculated for payment from such date. The minimum wages negotiated in the standard employment contract is 900 SAR(240 USD)¹⁸⁰ and the DSW is subject to a probationary or trial period of 90 days starting from the date of her/his commencement of work upon which the Employer shall be entitled to terminate the contract during this period without notice or compensation¹⁸¹. The Employer is obliged to assist the DSW to open up a bank account in the Kingdom of Saudi Arabia subject to the rules and the wages shall be deposited regularly at the end of every month in the said account¹⁸². The Employer is further required to assist the DSW to remit her/his wages through proper banking channels. Article 6 grants the DSW continuous and undisturbed rest of at least nine (9) hours per day and the DSW shall be entitled to one-day rest per week and if he/she works on her holiday with mutual consent, he or she shall be provided with another day of rest¹⁸³. Whereas, it is commendable that the domestic workers are given a one-day rest per week, there is still a gap when it comes to observing the internationally recognized maximum working hours of eight. First, the contract does not stipulate the maximum working hours but inference from this provision suggests that when 9 hours of undisturbed rest are deducted, it implicitly means, the maximum working hours of a domestic service worker in Saudi Arabia are 15 which is far beyond the 8-hour rule. Article 8 places a duty of transportation and repatriation of the DSW on the Employer of the DSW and such repatriation must be done in time. The Employer is further obliged to provide the DSW with suitable and sanitary living quarters as well as adequate food, clothing and daily usable¹⁸⁴. The DSW is also granted a right to rest on an account of acceptable medical reasons and during this period of rest, she or he is entitled to receive his or her regular wage and the Employer shall bear all expenses incurred in such medical treatment¹⁸⁵. After two years of service, if the DSW and the employer agree to extend employment contract, the DSW is entitled to return to Uganda to spend his or her paid vacation leave of thirty days for every

¹⁷⁸ Article 1

¹⁷⁹ Article 2

¹⁸⁰ Article 3.

¹⁸¹ Article 4

¹⁸² Article 5

¹⁸³ Article 7

¹⁸⁴ Article 9

¹⁸⁵ Article 10

two years of service with a round-trip economy class ticket provided by the Employer without charging the DSW¹⁸⁶. In case of death of the DSW, the Employer and the Saudi recruitment agency have an obligation to inform the Ugandan competent authorities and DSW's next of kin and the Employer is responsible for repatriation of the DSW's remains and personal belongings to Uganda as soon as legally possible and without undue delay and the in the event repatriation is not possible, the employer should obtain approval of the DSW's family or the Uganda Embassy for the suitable form of burial¹⁸⁷ and the employer through the Saudi recruitment agency is responsible for making necessary procedure in pursuing compensation if any for the DSW's next of kin as per Saudi's laws and regulations. The contract lays out a dispute resolution mechanism where the parties are mandated to first resolve the dispute amicably through the ministry of Labour and if the same cannot be resolved amicably, the parties may then refer the same to the appropriate Saudi Authorities for conciliation and/or resolution¹⁸⁸. In the event, the DSW runs away or refuses to work without valid causes, the Uganda recruitment agency shall be responsible in having him or her replaced or in returning the accrued cost of recruitment to the his or her employer¹⁸⁹. The Employer is required to notify the Ugandan Embassy of the runaway of the DSW¹⁹⁰. On termination of the contract, the Employer may terminate the contract by giving a written notice of 30 days to the DSW and termination shall only take effect after the expiry of the said notice period and the domestic worker shall be entitled to her wages during this notice period¹⁹¹. However, if the termination is intended to take immediate notice before the expiry of the 30 days, the notice shall state the same and shall be accompanied with wages of one month. The Employer is also required to pay for the expenses incurred on obtaining exit papers and air ticket to Uganda to effect the departure. The domestic service worker may also terminate the contract by giving a written notice of 60 days to the employer and shall pay an amount of two months' wage before departure. However, if the DSW terminates the contract with immediate effect, he or she shall pay an amount equivalent to three months before departure and the Employer on payment of the said amount shall provide necessary papers to effect exit of DSW from Saudi Arabia¹⁹². In this arrangement, the domestic service worker requires to bear the costs of her return to her country if the contract is terminated for no legitimate reason. This provision displays a structural power imbalance between the domestic service worker and the employer exposing the worker to vulnerability and exploitation. This is

¹⁸⁶ Article 11

¹⁸⁷ Article 12

¹⁸⁸ Article 13

¹⁸⁹ Article 14

¹⁹⁰ Article 15

¹⁹¹ Article 16(a)

¹⁹² Article 16(b)

evident in the difference between the notice periods. Whereas the Employer only gives a 3-day notice, the migrant worker is required to give 60 days' notice and even after working during the said notice period, she is required to pay her employer a 2 months period on top of facilitating her own return to the country of origin and moreover should the notice take immediate effect, a payment of 3 months is required. Whereas the payment of 3 months in lieu of notice is justified, the payment of two months after working during the said notice period is unfair and unreasonable.

Additionally, the contract also has general provisions such as the duty of the employer to repatriate a DSW in case of war, civil disturbance or major calamity, serious illness or work injury, proof of payment of all wages upon the expiry of contract, renewal of the contract upon mutual consent between the domestic service worker and the employer and prohibition and nullification of contract substitution.

The standard employment contract extends some protection to Uganda domestic migrant workers. However; it is also tainted with some structural power imbalances. Some elements of the Kafala sponsorship system are still re-inforced in this contract for-instance the control of the exit process is still left the hands of the employer. The standard employment contract does not also extend the right to social protection to the domestic service workers.

5.10 Agreement between the Government of the State of Qatar and the Government of the Republic of Uganda Concerning the Regulation of employment of workers from the Republic of Uganda in the State of Qatar.

The Bilateral Labour Agreement between Uganda and Qatar, signed on April 1, 2024, aims to regulate the recruitment and employment of Ugandan workers in Qatar. It outlines procedures for recruitment¹⁹³, specifies the roles of both governments¹⁹⁴, and mandates the use of a model employment contract aligned with Qatari Labour laws¹⁹⁵. The contract must include essential employment terms such as wages, accommodation, medical treatment, and end-of-service benefits¹⁹⁶. Qatar is responsible for submitting job requests to Uganda¹⁹⁷, while Ugandan authorities ensure that workers are qualified, medically fit, and oriented on Qatari laws and customs¹⁹⁸. The Qatari employer bears the costs of travel (except in cases of resignation or

¹⁹³ Articles 2,4&5

¹⁹⁴ Article 6

¹⁹⁵ Article 7

¹⁹⁶ Article 5

¹⁹⁷ Article 7

¹⁹⁸ Article 6

dismissal)¹⁹⁹, and all employment contracts must be issued in both Arabic and English, with Arabic prevailing in legal matters²⁰⁰.

The agreement also mandates a joint committee to coordinate implementation, resolve disputes, and review job opportunities and skills needs in Qatar²⁰¹. Disputes related to contracts are first referred to Qatar's Ministry of Labour and, if unresolved, to the courts²⁰². Provisions are also made for workers' repatriation and savings transfers²⁰³. Notably, the agreement establishes a mechanism for contract ratification by both countries' authorities and affirms that workers cannot be subjected to contract changes unless beneficial to them²⁰⁴.

Although the agreement sets an administrative framework for Labour migration, its success rests on implementation, especially in monitoring working conditions, preventing abuse, and ensuring the rights of Ugandan migrant domestic workers are upheld in practice. Its effectiveness is limited by several factors. First, the enforcement of worker protections relies heavily on Qatari authorities, especially the Ministry of Labour and judicial bodies. Given the power imbalance between migrant workers and employers in the Gulf, and the persistence of restrictive Kafala system, workers often have limited access to justice, even when formal procedures exist. Although the agreement stipulates that employers cannot change contracts unless it benefits the worker, this safeguard is undermined in practice. Secondly, the lack of a strong monitoring system to track worker conditions after deployment limits Uganda's ability to intervene when rights are violated.

Moreover, while a joint committee is provided to oversee the agreement's implementation and review employment trends, its effectiveness depends on political will, funding, and transparency factors that often fall short in bilateral Labour relations. Importantly, the agreement does not specifically address gender-specific vulnerabilities.

5.11 Bilateral Agreement between the Government of Uganda and the Hashemite Kingdom of Jordan.

The Agreement on Employing Ugandans Workers in Jordan was signed on 08th November, 2016²⁰⁵. The provisions of the said agreement are discussed below.

¹⁹⁹ Article 9

²⁰⁰ Article 17

²⁰¹ Article 14

²⁰² Article 15

²⁰³ Article 16

²⁰⁴ Article 13&12

²⁰⁵ <https://uganda.iom.int/news/iom-supports-uganda-jordan-consultations-labour-migration#:~:text=Jordan%20and%20Uganda%20entered%20into,Jordan%20recruited%20through%20informal%20channels>

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The objective of the agreement is to establish a mechanism to ensure the protection and promotion of the fundamental rights of Ugandan workers and enforce their rights as workers in the Hashemite Kingdom of Jordan²⁰⁶ and in this agreement, the two countries agree to facilitate recruitment of Ugandan workers in the domestic sector²⁰⁷. Article 4 provides for consultation and exchange visits between the two countries regarding the aspect of labour migration. Under the agreement the government of Uganda undertakes to supply labour while that of Jordan undertakes to supply the Ugandan government with contact information for Employers²⁰⁸. The terms and conditions of employment of Ugandan workers in the Hashemite Kingdom of Jordan must be specified in the employment contract drafted in accordance with the unified employment contract approved by the Ministry of Labor in the Kingdom of Jordan and Ministry of Gender, Labor and Social Development of the Republic of Uganda²⁰⁹.

The employment contract must be signed by both the employer and the recruitment company in Jordan and the worker and recruitment company in Uganda²¹⁰. Interestingly, the agreement places joint and several liability on the Employer in Jordan, the recruitment company in Jordan and recruitment company in Uganda for matters relation to recruitment and distribution of migrant workers including full implementation of the employment contract²¹¹.

The employment contract must clearly specify, the parties to the contract, the contract period, probation/trial period, termination procedures, wages to be paid and the employer is responsible for paying the costs of a round-trip ticket for the worker and further is obliged to provide suitable housing and health care²¹². The agreement also provides for accreditation of recruitment companies in both countries before embarking on any activity aimed at distributing Ugandan workers in the Hashemite Kingdom of Jordan and both parties commit to take all measures to prevent the unauthorized operations in relation to employment of Ugandan migrant workers.

The Agreement furthermore places an obligation on the employer to repatriate the body of the Ugandan worker to Uganda in the event of death and if the Ugandan worker completes the full term of the contract, the employer is obligated to bear all her travel expenses to Uganda.

Article 10 pertains to payment of wages and transfers. Accordingly, employer must open a bank account for the worker in a commercial bank and must deposit the worker's wages into this

²⁰⁶ Article 1

²⁰⁷ Article 2

²⁰⁸ Article 5

²⁰⁹ Article 5

²¹⁰ Article 5. In essence, it is a four-party employment contract.

²¹¹ Article 5

²¹² Article 5

account on the last day of each month. The employer must provide the employee with the deposit notice and a statement of account on a monthly basis based on and furthermore allow the worker a reasonable time each month to obtain his bank statement from the bank. Ugandan workers have the right to transfer their wages to Uganda in accordance with the financial laws in force in both countries.

Any work application issued by the Hashemite Kingdom of Jordan must be approved by the embassy Ugandan²¹³ and the two parties jointly agree to combat illegal recruitment activities and human trafficking their countries²¹⁴. Additionally, the agreement provides for establishment of a joint technical committee composed of equal representatives from each party²¹⁵. Furthermore, the agreement places an obligation on the Ministry of Gender, Labor and Social Development of the Republic of Uganda to ensure all Ugandan workers heading to the Hashemite Kingdom of Jordan receive training and orientation programmes²¹⁶.

Just like the one between Uganda and Saudi Arabia and Qatar, the agreement offers some protection to the Ugandan migrant workers. However, the sanctions against employers who exploit these workers are not stated and provisions prohibiting the employer from retaining or confiscating travel documents and furthermore those that restrain the Employer from objecting to the exit visas of the migrant workers are not stated.

Generally, the agreement does not lay down a strong enforcement strategy or mechanism for the implementation of its provisions. The other challenge is that some of the strategies of implementation for instance accreditation of foreign recruitment agencies require the Ugandan Embassy. However, Uganda has no diplomatic mission in Jordan, the closest embassy being in Riyadh, Saudi Arabia. The weak enforcement mechanism of this agreement indeed can be corroborated with the fact that Uganda one time suspended this labour agreement in 2019 due to the poor working conditions of Ugandans in Jordan though the suspension was eventually lifted in 2024²¹⁷.

²¹³ Article 11

²¹⁴ Article 12

²¹⁵ Article 13

²¹⁶ Article 15

²¹⁷ <https://www.watchdoguganda.com/news/20230901/159076/controversy-surrounds-renewal-of-labor-agreement-between-uganda-and-jordan.html>

5.12 Memorandum of Understanding between the government of Uganda and United Arab Emirates (UAE).

This agreement was signed on 26th June 2019. It establishes a mechanism to discuss and exchange views on labour related problems and to resolve any outstanding issues relating to workers and their rights²¹⁸. It further creates mutual understanding between the Governments of the two countries to protect all workers, with special consideration to the specific vulnerabilities of female migrant workers²¹⁹. Additionally, it promotes healthy cooperation and exchange of information on best practices between the two states on labour migration for mutual benefits and establishes a mechanism to discuss and exchange views on labour related problems and any outstanding issues relating to workers wellbeing and their rights²²⁰.

The terms and conditions of employment of Ugandan worker in the United Arab Emirates are to be defined by an individual employment contract between the worker and the employer. The written text of the employment offer is to be delivered to the prospective worker in English and Arabic and explained by the Ugandan recruitment agency to the recipient where unclear²²¹. According to the agreement, all recruitment, hiring and placement activities of workers in both countries are to be permitted only under recruitment companies licensed by both Governments.

The agreement also requires the Ugandan worker upon arrival in the United Arab Emirates to sign an employment contract that will clearly state the rights and obligations of the worker and employer, in conformity with the labour laws of the United Arab Emirates, and the contract is to be duly filed with the Ministry of Human Resources and Emiratization in the UAE to constitute the sole binding contract document for the purpose of enforcement in the United Arab Emirates.

The terms and conditions of employment, as stated in the contract, are not supposed to vary from those contained in the employment offer except for alterations that are favorable to the worker²²². The agreement also places an obligation on the Employer to incur all recruitment fees and stipulates that none shall be levied on the worker. This means that placement fees are not supposed to be charged on the Ugandan migrant domestic workers.

²¹⁸ Article 3

²¹⁹ Article 6(4)

²²⁰ Article 3

²²¹ Article 4

²²² Article 4

The agreement defines the measures of recruiting and employment of the Ugandan labour. Only the private, registered recruitment agencies; which are licensed in the UAE, shall be allowed solely to submit the applications of recruiting the Ugandan domestic labour; which are provided by the employers in the UAE. The private, registered recruitment agencies; that are licensed in Uganda, shall be allowed solely to submit the names and data of the Ugandan domestic labour nominated for the available and accredited vacancies²²³.

The agreement provides that the termination and expiration of the contract shall be in accordance with the law and legislations on domestic labour and according to the conditions of the standard contract²²⁴. Moreover, dispute settlement shall be in accordance with the provisions of the Law on Domestic Labour and the conditions of the employment contract.

The BLA also extends several other protections to the Ugandan migrant domestic workers for example; protection from discrimination, health insurance²²⁵, repatriation in the event of death & compensation to the legal heir of the deceased worker²²⁶.

The 2019 Bilateral Labour Agreement (BLA) between Uganda and the UAE presents key strengths such as creating mechanisms for dialogue and dispute resolution on labour issues, protecting all workers with special attention to female migrants, and promoting cooperation and exchange of best practices between the two governments. It further ensures that employment contracts are written in both English and Arabic, prohibits recruitment fees for workers, obliges employers to cover placement costs, and requires contracts to be filed with UAE authorities for enforceability. Additional safeguards include protections against discrimination, access to health insurance, and provisions for repatriation and compensation in case of a worker's death. However, the agreement's loopholes lie in its reliance on individual employment contracts under UAE law, which may limit Uganda's enforcement powers and potential gaps in monitoring and implementation that could leave workers vulnerable to exploitation despite the formal protections outlined

²²³ Article 5

²²⁴ Article 9

²²⁵ 11

²²⁶ 12

6 Analysis of the access to justice mechanisms available to Ugandan domestic workers in the Gulf States.

6.1 Access to Justice Mechanisms in the Host Gulf States.

The formal remedies and complaint mechanisms exist in both the host countries in the gulf and Uganda as the sending country but with many limitations or barriers.

The host countries under the existing bilateral agreements already discussed above have a duty to facilitate expeditious dispute resolution mechanisms between employers and the Ugandan domestic workers. For instance, Article 4(7) and 4(8) of the BLA between Uganda and Saudi Arabia places an obligation on Saudi Arabia to establish a mechanism which will provide 24-hour assistance to the domestic workers and to endeavor to facilitate the expeditious settlement of cases of violation of the employment contract and other cases filed before appropriate Saudi authorities/courts²²⁷. As of **3rd October 2024**, Saudi Arabia's Ministry of Human Resources and Social Development (MHRSD) requires all domestic workers labour dispute complaints to be filed **online** through its website. The Ministry is meant to first attempt an **amicable settlement**, and if this fails, cases are then referred to the **labour courts under the Ministry of Justice** for adjudication²²⁸. The move was intended to streamline government roles: the MHRSD to handle dispute mediation, while the Ministry of Justice to handle adjudication of the cases.

According to Migrant Rights Organisation, this development builds on Saudi Arabia's broader digitisation of labour-related services. In 2021, the Ministry of Human Resources and Social Development (MHRSD) introduced an online complaints system via the Musaned platform, enabling employers to lodge complaints against recruitment agencies without physically visiting labour offices. However, that system did not extend to domestic workers, leaving them excluded from its protections and now despite the appearance of greater accessibility with this new online filing system in 2024, domestic workers face significant barriers to using the same. Many are denied access to mobile phones by employers, while those who do have devices often struggle with poor internet connectivity, language barriers, limited digital literacy, and the risks of retaliation if they attempt to file complaints from within the employer's household. Stepping out to do so may even expose them to accusations of "absconding or the used term "run away case"²²⁹."

²²⁷ Article 4(8)

²²⁸ <https://www.migrant-rights.org/2024/10/saudi-arabia-requires-online-submission-of-domestic-work-complaints/>

²²⁹ <https://www.migrant-rights.org/2024/10/saudi-arabia-requires-online-submission-of-domestic-work-complaints/>

Qualitative insights from interviews with Ugandan migrant domestic workers currently employed in Saudi Arabia reveal a significant gap in awareness and accessibility of formal complaint mechanisms. The majority of respondents reported that they were not aware of the existence of the online complaint-filing system provided by Saudi authorities. This lack of awareness reflects broader information gaps during the pre-departure and post-arrival phases, where workers often receive limited orientation on rights, available protections, and channels for redress.

For the few workers who had heard about the online complaint system, its practical use remained extremely limited. Respondents described the platform as complex and difficult to navigate, largely due to language barriers with most systems accessible only in Arabic. Without translation support or user-friendly guidance, migrant domestic workers find it challenging to lodge complaints, follow up on case progress, or understand required documentation. This results in many cases of abuse, contract violations, and wage disputes going unreported.

Furthermore, workers expressed fear of retaliation from employers, uncertainty about the confidentiality of complaints, and limited trust in the system's ability to deliver timely protection. These perceptions further discourage engagement with formal mechanisms. The findings underscore the need for accessible multilingual complaint channels, targeted rights awareness programmes, and stronger support structures both at origin and destination to ensure that migrant domestic workers can effectively claim their rights and seek justice when violations occur.

Article 13 of the Memorandum of Understanding between Uganda and the United Arab Emirates establishes a structured process for resolving disputes between migrant workers and their employers. According to this provision, any grievance must first be submitted to the UAE Ministry of Human Resources and Emiratization, which is mandated to facilitate an amicable settlement between the parties. This initial step reflects an intention to resolve conflicts through dialogue and administrative intervention before resorting to formal litigation.

If no agreement is reached within two weeks of filing the complaint, Article 13 requires that the matter be forwarded to the competent judicial authorities in the UAE for formal adjudication. Importantly, Article 13(3) guarantees that Ugandan workers shall access these judicial bodies at no financial cost. While workers may choose to seek additional legal assistance, this is optional and undertaken at their own expense. This provision significantly enhances migrant workers' access to justice by removing the major barrier of court-related costs; a challenge that

often deters workers from pursuing legitimate claims. Consequently, the dispute resolution framework under Article 13 represents a comparatively positive mechanism for safeguarding the rights of Ugandan migrant workers when amicable administrative solutions fail.

Whereas for Qatar, the BLA with Uganda under Article 14 (2) also provides for a mechanism of a complaint first being lodged at the Ministry of Labour of the State of Qatar for amicable settlement and if the same fails then the dispute is to be referred to the competent judicial authorities in the State of Qatar. The aspect of whether the migrant worker will bear the cost in accessing the said judicial authorities is not mentioned as it is in the MOU between Uganda and UAE.

Bahraini law specifies that an exemption from legal costs applies to all labour cases initiated by workers or their beneficiaries. However, despite this formal provision, the extent to which migrant domestic workers can actually initiate and pursue such recourse is doubtful due to the restrictive Kafala system, which can confine and isolate workers, preventing them from accessing complaint mechanisms.

The other government channel used to access justice in the host countries is the support from the Ugandan embassies or consulates in the Gulf countries. Embassies are also mandated to provide information on labour regulations and host country laws, offer shelter, issue new passports, and assist with repatriation. They are required to verify job orders and accredit foreign recruitment agencies. With this mandate, embassies act as emergency contacts for distressed migrant workers. However, as already highlighted in the earlier sections, embassy support is constrained by limited financial resources and lack of adequate staffing including the absence of labour attaches and legal professionals in most of the host countries. This is escalated with the absence of Ugandan embassies in many host countries in the Gulf. As of now as earlier highlighted, Uganda has only embassies in Saudi Arabia, Qatar and UAE²³⁰.

Research by the Uganda Human Rights Commission found that, despite the availability of the redress mechanisms mentioned above, migrant workers in the Middle East remain inadequately protected. This is largely because many national laws in the region do not safeguard them from human rights abuses. For example, the Kafala system grants employers' extensive control over workers, leaving migrants with minimal protection and highly vulnerable to exploitation. Consequently, many suffer various forms of abuse with little or no recourse. The study highlighted barriers such as limited access to police stations, lack of awareness of rights, and

²³⁰Interview with Ministry of foreign affairs, External Labour Power House, Kyeyo Initiative

language challenges. In addition, discriminatory practices in some countries further disadvantage female migrant workers, who are often unable to report abusive employers due to male-dominated police structures. Distrust in the justice system was another deterrent, with many workers reluctant to file complaints. Fear of being exposed as undocumented since many lacked proper papers also prevented them from seeking help, as this often led to arrest and criminalization²³¹.

However, a significant positive development recently emerged in October 2025 when Saudi Arabia officially abolished the decades-old Kafala (sponsorship) system, a regime that had governed migrant labour for over 50 years. Under the previous system, employers exercised extensive control over a worker's residency status, job mobility, and ability to travel. The abolition of Kafala marks a fundamental shift in the governance of labour migration, granting migrant workers greater autonomy and legal protection.

Under the new contract-based employment framework; first announced in June 2025 and formally implemented in October 2025, migrant workers now have the freedom to change employers upon completion of their contracts, travel outside the country without seeking employer permission, and retain possession of their passports. These changes dismantle some of the most restrictive aspects of the former system, enabling workers to exercise mobility rights and reduce dependency on individual employers. In addition, the government has introduced standardized employment contracts and established dedicated labour courts supported by digital complaint-filing portals. These institutional reforms aim to enhance transparency, improve access to justice, and strengthen accountability for labour rights violations. Collectively, the new measures represent a major step forward in empowering migrant workers, promoting fair treatment, and creating a more rights-respecting environment within the Saudi labour market.

6.2 Access to justice mechanisms in Uganda as a country of origin.

The Ministry of Gender, Labour and Social Development (MGLSD) is the primary government institution mandated to regulate labour externalization in Uganda. Its broader mandate encompasses the promotion of rights, gender equality, equity, and women's empowerment, as well as the enhancement of labour productivity and access to decent employment. Within this framework, the Ministry plays a central role in overseeing the governance of labour migration.

²³¹ UHRC annual report, 2021: <https://uhrc.ug/download/24th-annual-report/?wpdmdl=1696&refresh=6893ba3f3d2dd1754511935>

MGLSD government is responsible for licensing and supervision of recruitment agencies including accreditation of foreign employers through its External Employment Unit (EEU)²³². Migrant workers dissatisfied with the actions or decisions of the Uganda recruitment agencies can submit their complaints to the Ministry.²³³ The MGLSD through the EEU which is responsible for external Labour management, operates an online external employment Management information system with a support portal where individuals can raise a ticket for assistance.²³⁴

The Ministry of Gender, Labour and Social Development has also recently launched CEEMIS, an app-based mechanism accessible via mobile application, enabling migrant workers to file complaints²³⁵. When complaints are lodged by the migrant workers to the MGLSD, the ministry writes a notification letter to the Ugandan private recruitment agency giving it a period within which the complaint should be resolved. When the complaint is not resolved within the stipulated period, the Ministry summons the recruitment agency for a meeting and after may make certain orders for example compensation, repatriation of the distressed migrant worker among others and should the recruitment agency fail to adhere, the bank guarantee is used to settle the migrant worker and its licence may be revoked.

Aggrieved Ugandan domestic workers may also resort to the Ugandan Courts of judicature for remedy. Some have filed these cases in the High Court of Uganda which has original unlimited jurisdiction in both criminal and civil matters against the recruitment agencies in Uganda. Some causes of action center around recovery of wages, compensation arising out of the injuries, trauma among others. While some are brought under the enforcement of human rights Act citing several violations of fundamental human rights enshrined under Uganda's Constitution. One of such examples is *Namale Desire & Anor v Horeb Services Uganda Ltd & Anor*²³⁶ already highlighted in the earlier sections where the daughter of the deceased Ugandan domestic worker sued on behalf of the deceased mother on account that her right to life had been violated and the recruitment agency in Uganda was responsible.

²³² Martin Luther Manu: Accessing the Role of employers in improving Labour migration on Governance in Uganda

²³³ Interview with MGLSD, Assessment of the Legal Framework for Access to complaints and remedy procedures by migrant workers in and from Kenya and Uganda Pg 34

²³⁴ [Mglsd.go.ug](https://mglsd.go.ug)

²³⁵ [Ceemis.mglsd.go.ug](https://ceemis.mglsd.go.ug) Accessed on August 27, 2025

²³⁶ https://media.ulii.org/media/judgment/111197/source_file/d5330f588bd1daee/NAMALE_DESIRE_ANOR_V_HOREB_SERVICES_U_LTD_ANOR.pdf, <https://womenprobono.org/namale-desire-anor-v-horeb-services-ltd-anor-miscellaneous-cause-no-0021-of-2023/>

Ugandan migrant workers also have an avenue of petitioning or filing complaints before the Uganda Human Rights Commission for violations of their rights since the commission holds a constitutional mandate to hear such complaints and make awards against the perpetrators²³⁷.

Local and international civil society organizations (CSOs) are also some of the non-government channels through which the Ugandan domestic workers in the gulf access justice. They contribute by documenting cases of abuse, offering legal and psychosocial support to affected migrant workers, and running advocacy and awareness campaigns that call for the system's abolition. These organizations also push for policy reforms in both Uganda and destination countries. At the local level, several Ugandan CSOs such as Kyeyo Initiative, Migrant Workers' Voice, Platform for Labour Action (PLA), Voices for Labour (VFL), Avocats Sans Frontières Uganda, Legal Aid Service Providers Network (LASPNET), Uganda Women's Network (UWONET), Women Probono Initiative, Uganda Christian Lawyers Fraternity, External Labour power house and FIDA-Uganda, have been actively engaged in extending justice to the Ugandan migrant domestic workers. Some of their work includes community education on safe migration, advocacy and awareness raising, supporting returnees and survivors of trafficking, documenting rights violations and deaths abroad, operating call centres to support Ugandan migrant women in distress and offering legal aid and representation.

At the international level, organizations such as Human Rights Watch, Amnesty International, Migrant-Rights.org, the International Domestic Workers Federation (IDWF), and the International Trade Union Confederation (ITUC) have taken the lead in global campaigns against exploitation of migrant workers working in the Gulf states. They have submitted shadow reports to UN treaty bodies like CEDAW, CAT, and the Universal Periodic Review (UPR), and filed formal complaints before the ILO²³⁸. Their advocacy has helped to build international pressure on Gulf countries to implement reforms. For example, ahead of the 2022 FIFA World Cup, global advocacy forced Qatar to adopt Labour reforms and led to the ILO establishing an office in the country. Recently, trade unions through Building and Wood Workers' International and ITUC filed a complaint against Saudi Arabia at the ILO, urging reform of its kafala system that hinders migrant domestic workers from accessing justice ahead of the 2034 World Cup²³⁹.

²³⁷ <https://uhrc.ug/about/uhrc-mandate/>

²³⁸ [https://www.hrw.org/report/2024/12/04/die-first-and-ill-pay-you-later/saudi-arabias-giga-projects-built-widespread#:~:text=Human%20Rights%20Watch%20has%20been,\(employers%20in%20Saudi%20Arabia\).](https://www.hrw.org/report/2024/12/04/die-first-and-ill-pay-you-later/saudi-arabias-giga-projects-built-widespread#:~:text=Human%20Rights%20Watch%20has%20been,(employers%20in%20Saudi%20Arabia).)

²³⁹ https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/@ilo-qatar/documents/publication/wcms_859843.pdf , <https://www.ituc-csi.org/qatar-statement-march-2023>

However, the civil society organisations are constrained with limited financial resources and lack of effective collaboration and referral mechanisms among themselves hindering access to justice.

Direct complaints to the Private Recruitment Agencies is also another non- government channel through which Ugandan workers access remedy. These agencies sometimes act as the initial contact for grievance reporting. Some licensed private recruitment agencies create platforms for migrant workers abroad to lodge complaints and share information, such as WhatsApp groups. In cases of abuse or exploitation, private recruitment agencies in Uganda contact the partner agencies in the Gulf countries to resolve the complaints and give them feedback on the outcome and way forward.

The Police and anti-trafficking units under the Ministry of Internal Affairs also resolve many complaints of the Ugandan Migrant domestic workers and some recruitment agencies and their directors have been criminally prosecuted as a result²⁴⁰.

6.3 The role of courts and quasi-judicial tribunals in resolving migrant worker disputes.

The Ugandan courts of judicature and quasi- judicial tribunals play an important role in resolving the Ugandan migrant worker's disputes through the mandate given to them by the constitution of Uganda.

The Uganda Human Rights Commission (UHRC), as Uganda's National Human Rights Institution, is also at the centre of ensuring that rights of migrants are protected and promoted²⁴¹. The mandate of the Uganda Human Rights Commission (UHRC) is to protect and promote fundamental human rights and freedoms in Uganda through functions including investigating complaints of human rights violations, educating the public about their constitutional rights, monitoring government compliance with international human rights obligations, and publishing periodic and annual reports to Parliament²⁴². The UHRC also possesses some powers similar to a court, including the ability to summon witnesses, compel testimony, make awards and any other suitable legal remedy including committing individuals for contempt of its orders. According to Article 53 (2) of the Constitution, the Commission may, if satisfied that there has been an infringement of a human right or freedom, order; (a) the release of a detained or restricted person; (b) payment of compensation or (c) Any other legal remedy or redress. The

²⁴⁰ <https://www.monitor.co.ug/uganda/news/national/middle-east-consultants-managers-committed-to-high-court-1859516#:~:text=Saturday%2C%20November%2016%2C%202019%20%E2%80%94,employee%20of%20the%20same%20company.>

²⁴¹ <https://www.uhrc.ug/wp-content/uploads/2024/03/UHRC-Handbook-on-Migration-and-Human-Rights-GIZ-2022.pdf>

²⁴² <https://uhrc.ug/about/uhrc-mandate/>

commission also monitors the government's compliance with international treaty and convention obligations on human rights. The role of Uganda Human Rights commission is complemented by the Human Rights enforcement Act 2009, which was enacted pursuant to Article 50 of the Constitution of Uganda.

The UHRC has published several annual reports on the state of human rights and the rights of Ugandan migrant workers in the gulf has featured in many of their publications. It has documented and continues to document the human rights violations of the Ugandan migrant workers especially the domestic workers highlighting recommendations for government to take action²⁴³. In its annual report of 2021, The Uganda Human Rights Commission recommended that the Ministry of Gender, Labour and Social Development extend pre-departure training for migrant workers from one week to at least three weeks, with curricula covering rights, responsibilities, and available redress mechanisms. It further called for better facilitation of district labour officers to monitor recruitment agencies, the rapid deployment of labour attachés and consular offices in major destination countries, and the establishment of complaint-handling offices both in Uganda and abroad. Additionally, the government was urged to create a tracking system to monitor migrant workers and strengthen their protection throughout the migration cycle. All these recommendations are intended to improve the wellbeing and promote the rights of the Ugandan migrant workers abroad.

Where as UHRC has received and heard many cases of human rights violations and made awards, there is scanty literature highlighting specific cases and petitions involving Ugandan migrant domestic workers in the gulf. In 2022, Migrant Workers' Voice petitioned the Uganda Human Rights Commission to halt the externalization of Ugandan domestic workers to the Middle East citing grave human rights breaches²⁴⁴. The outcome of this petition is not known yet. Qualitative data is needed to establish the number of cases and petitions that been handled and their outcome.

As already highlighted, the Ugandan courts of judicature also play an important role in promoting access to justice for the Ugandan migrant workers abroad. The 2021 employment of Ugandan migrant workers abroad regulations allow ugandan migrant workers whose complaints have not be resolved to their satisfaction by the MGLSD to go to court though court is not defined as already highlighted in the earlier sections. However, the high court has already

²⁴³ <https://uhrc.ug/download/24th-annual-report/?wpdmdl=1696&refresh=6893ba3f3d2dd1754511935>

²⁴⁴ <https://www.business-humanrights.org/en/latest-news/migrant-workers-voice-calls-on-ugandan-govt-to-stop-sending-workers-to-the-middle-east-citing-abuses-such-as-organ-trafficking-and-torture/>

received and heard several civil and criminal cases concerning Ugandan migrant workers against the recruitment agencies in Uganda. The constitutional court of Uganda also has mandate to receive petitions seeking interpretations of the provisions of some laws, regulations, policies including practices as being inconsistent and in contravention of the articles of the constitution that extend protection to persons including the Ugandan migrant domestic workers working in the gulf states.

7 Conclusion and Recommendations.

Uganda benefits significantly from labour externalisation through high remittance inflows, tax revenue, and non-tax revenue collections. However, only a small portion of these financial gains is reinvested into protecting Ugandan migrant domestic workers in the Gulf. Despite regulations capping recruitment fees at modest amounts, Ugandan domestic migrant workers routinely pay far higher charges, including UGX 200,000–500,000 in administrative fees and US\$800–2,000 in placement fees that should be covered by employers. Workers also shoulder costs for passports, visas, medical tests, and certificates. Many recruitment agencies charge between UGX 300,000 and 5,000,000 far beyond legal limits forcing workers into high-interest loans or asset sales and increasing vulnerability to debt bondage.

Embassy and consular services remain severely under-resourced, while pre-departure trainings are too brief and fail to adequately equip workers with knowledge of their rights and coping mechanisms. Support services provided by the Ministry of Gender, Labour and Social Development such as the Migrant Support Centre and EEMIS are limited by inadequate funding, staffing, and lack of decentralization, leaving many workers uninformed, especially those from remote areas. Additionally, Uganda lacks a national reintegration framework, and current government efforts focus more on deployment than on return and post-return support. Uganda's legal and policy framework, including existing Bilateral Labour Agreements, remains insufficient to protect migrant domestic workers in the Gulf. Weak enforcement, failure to ratify or domesticate key international and regional labour instruments, and the non-binding nature of many BLAs limit their effectiveness. These agreements also lack strong mechanisms to counter the Kafala sponsorship system, rendering them largely theoretical rather than practical tools of protection.

Although access to justice systems exist both in Uganda and the destination countries, they remain difficult for migrant workers to use due to numerous barriers. These include limited access to legal aid, language obstacles, workers' limited awareness of their rights, and structural constraints imposed by the Kafala system. Practical hurdles such as restricted mobility,

difficulties accessing police stations, and limited institutional support further prevent migrant workers from reporting abuses or seeking remedies when violations occur.

It is therefore recommended as follows;

i. Allocate more funding to government institutions responsible for extending protection to Ugandan migrant worker in the Gulf States.

The greatest barrier to the effectiveness of government services for Ugandan migrant workers in the Gulf is the severe lack of adequate funding. With the substantial remittances, as well as significant tax and non-tax revenue from labour externalisation, Uganda has the capacity to allocate more resources to the MGLSD, Ugandan embassies, and other institutions involved in the labour migration process. Increased funding would strengthen staffing, improve monitoring and enforcement of regulations and BLAs, and ultimately enhance the protection of vulnerable Ugandan domestic workers in the Gulf.

ii. Strengthen regulatory oversight and legal frameworks.

Uganda should strictly monitor and penalize recruitment agencies that overcharge workers beyond legally permitted fees. Uganda should further ratify the ILO Conventions No. 181, and 189 to enhance protections for migrant domestic workers and regulate private employment agencies. There is also need to enact a single comprehensive statute governing labour migration integrating international standards, bilateral agreements, and national protections for domestic workers.

iii. Strengthen the current bank guarantee system and extend its application to foreign employers and/or foreign recruitment agencies.

There is also need to strengthen the current bank guarantee system and explore mandatory insurance schemes to cover repatriation, wage recovery, and emergency support. Foreign employers should be required to provide a bank guarantee or security bond when signing employment contracts with migrant workers. These funds should compensate workers for any employer violations, with mandatory enforcement, systematic data collection, and public reporting to ensure transparency and accountability²⁴⁵.

iv. Enhance Pre-Departure, Post-Arrival, and Reintegration Support

Uganda should strengthen its Pre-Departure Orientation by extending the training duration to at least a month, include comprehensive modules on rights, complaint mechanisms, financial literacy, and gender-sensitive protection, and ensure monitoring to prevent bypassing or corruption. Post arrival orientation should also be introduced at the Ugandan missions in the Gulf States. Additionally, Uganda should establish a national framework for returnee support,

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including financial management, business and skills training, psycho-social assistance, and family/community reintegration support.

v. Improve Embassy support and Consular Services:

More funding should be allocated to the Ugandan missions abroad to increase staffing levels, establish labour attachés in key destinations, provide proactive support, and ensure accessible emergency services for migrant workers abroad.

vi. Establish Multilingual and User-Friendly Complaint Systems

There is need to improve digital platforms (e.g., CEEMIS, MUSANED) by providing multiple language options, simplified navigation, offline support, and secure channels to reduce fear of retaliation.

vii. Promote Awareness and Capacity Building

Both government institutions and non- state actors need to intensify information dissemination Campaigns to inform migrant workers about their rights, complaint mechanisms, embassy services, and financial obligations throughout the migration cycle. Ugandan migrant workers should receive consistent, proactive information about their rights and available complaint mechanisms both before departure and in destination countries. Training programmes must clearly cover rights, emergency procedures, and sector-specific, gender-responsive guidance, while recruitment agencies, employers, and local officials should also be regularly informed of their obligations. NGOs, CBOs, and worker support groups need strengthened capacity to disseminate this information widely, including through social media.

viii. Gender-Specific Measures

Gender-Sensitive Protections that include explicit safeguards for female migrant domestic workers in BLAs, national policies, and training programs, addressing sexual violence, reproductive health, discrimination, and GBV risks should be embraced. Targeted Support Services for instance helplines, shelters, legal aid, and psychosocial support tailored to women migrants' specific vulnerabilities in destination countries should be put in place.

ix. Establishment of Migrant Workers' Resource Centres in the Host Gulf states.

Similar to the Philippines' Migrant workers' offices attached to their embassies abroad, Migrant Workers Resource Centres should be established within Uganda's foreign missions to enhance the protection of Ugandan migrant workers and improve their access to justice. These centres should provide post-arrival orientation, free language interpretation and legal aid, victim support services, gender-responsive programmes for women, and systematic mechanisms for collecting and reporting data on complaints and case outcomes.

x. Strengthen the Bilateral Labour Agreements (BLAs) and make them publicly available.

Bilateral Labour Agreements should be strengthened to provide clearer, more enforceable protections for migrant workers and ensure effective access to justice. This requires replacing broad references to international labour standards with explicit protection clauses, complaints and dispute resolution procedures, defined timelines, referral pathways, and mandatory security bonds or insurance schemes to compensate workers when violations occur. BLAs should also include detailed provisions for justice mechanisms for victims of criminal offences, including access to support services and opportunities to give evidence or submit victim impact statements. Additionally, BLAs must be made publicly available and widely disseminated to unions, employers, and recruitment agencies, as limited access currently undermines awareness, timely referrals, coordination, and overall accountability.

xi. Allow Migrant workers with pending complaints or cases to stay in the destination countries until their cases are concluded.

Specific, protective measures should be introduced to ensure migrant workers are allowed to remain in destination countries while their cases are ongoing. This may include granting temporary residence permits, suspending immigration penalties during legal proceedings, and guaranteeing freedom of movement so workers can attend hearings and access legal support. Such safeguards prevent premature deportation, reduce intimidation, and promote fair access to justice. They also ensure that migrant workers can fully participate in investigations and court processes, ultimately strengthening accountability for employers and recruitment agencies.

Uganda's labour migration programme continues to generate significant economic returns for the country, yet the protection of the very workers who sustain this system remains disproportionately underprioritised. The evidence presented in this study demonstrates that without deliberate reinvestment, stronger regulation, and coordinated institutional reform, labour externalisation will continue to expose Ugandan domestic migrant workers—particularly women—to avoidable risks and injustice.

The recommendations outlined above are achievable, and grounded in both national realities and international standards. What is required now is political will, adequate and ring-fenced financing, and a shift from a deployment-centred approach to a protection-centred migration governance model.

Labour migration must not merely be measured in remittances and revenue collections. It must be evaluated by the safety, dignity, and justice afforded to Ugandan migrant workers at every stage of the migration cycle.

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