



WHAT ARE LABOUR PROVISIONS?

"...any standard which addresses labour relations or minimum working terms or conditions, mechanisms for monitoring or promoting compliance, and/or a framework for cooperation" (ILO, 2016: :11, cited in Engen, 2017)



AfCFTA DOES NOT INCLUDE ANY FORM OF LABOUR PROVISIONS



So, what can we do? Where do we start?



BUILD YOUR ARGUMENT

Get to know the arguments for and against the inclusion of labour provisions and always remember, without labour provisions in AfCFTA, stakeholders cannot be held accountable.



DECIDE WHICH STANDARDS AND COMMITMENTS SHOULD BE INCLUDED

Reference to ILO norms, Decent Work Agenda, mutually agreed standards, domestic standards, clause not to weaken labour law to attract investment etc.



DEMAND THAT LABOUR SHOULD NOT ONLY BE INCLUDED AS AN ADDITIONAL SECTION BUT AS AN INTEGRAL PART OF AfCFTA

AfCFTA negotiations are still ongoing and unions must demand that labour is included and recognised in all sections in addition to a dedicated labour section.



MAKE CLEAR DEMANDS FOR THE INCLUSION OF GENDER IN LABOUR PROVISIONS



ENCOURAGE PROMOTIONAL COMPLIANCE MECHANISMS

- Promoting labour standards through knowledge sharing, dialogue, capacity building and technical assistance.
- Strengthening of domestic labour institutions.



TAKE CAUTION OF THE WORDING USED!

"shall strive to ensure that its laws provide for labour standards consistent with the internationally recognized labour rights"

VS

"shall not fail to effectively enforce its labour laws"



UNIONS AND CIVIL SOCIETY AS MONITORING AGENTS IS THE ONLY WAY TO ENSURE SUCCESS

Trade unions and civil society should take on the responsibility of monitoring agents. The inclusion of any form of labour provisions in AfCFTA will not necessarily translate to any positive impact on decent work creation in a country. It will need to be taken as a tool through which trade unions can demand accountability and monitor progress.