



International  
Labour  
Organization

**MEDIA-FRIENDLY  
GLOSSARY ON MIGRATION  
FAIR RECRUITMENT  
AND FORCED LABOUR**

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*Uganda Edition*

April 2022

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***Media-Friendly Glossary on Migration, Fair Recruitment and Forced Labour - Uganda Edition***

ILO Country Office for the United Republic of Tanzania, Burindi, Kenya, Rwanda and Uganda.

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This glossary contributes to the Alliance 8.7 global partnership committed to achieving Sustainable Development Goal 8.7 to “eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour” worldwide. It further contributes to the realization of the Sustainable Development Goals 8.8 and 10.7 with regard to the protection of labour rights and promotion of safe and secure working environments of all workers, including migrant workers, as well as to the facilitation of orderly, safe, and responsible migration and mobility of people.

This document was developed by Denis Jjuuko and Charles Autheman, Media Consultants, and reviewed by ILO staff Jesca Angida, National Programme Coordinator, Theodoor Sparreboom, ILO Labour Migration Specialist and Grace Sebageni, Project Manager-FAIRWAY Africa.

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The authors of this glossary and the authors of the various sources mentioned are solely responsible for the content of this glossary and the opinions expressed in this publication do not reflect the official position of the ILO.

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## INTRODUCTION

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This glossary lists down the common terminologies regarding labour migration, forced labour and unfair recruitment. This is intended to avoid confusion or misunderstandings while journalists are doing their work. Some of these terminologies are legally defined in international instruments while others are listed in Ugandan laws and regulations. Understanding how words are defined and, more importantly, how they can be interpreted by the audience, is part of the preparatory work that should be done before any journalistic reporting. For a journalist to report accurately and to challenge the discourse of the sources of information, there is need to understand the context under which the words are used. Although this glossary may not contain all the words, it lists the most common ones.

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## A

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### **APPLICABLE LAWS**

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Applicable Law means any and all laws, ordinances, constitutions, regulations, statutes, treaties, rules, codes, licenses, certificates, franchises, permits, principles of common law, requirements and Orders adopted, enacted, implemented, promulgated, issued, entered or deemed applicable by or under the authority of any Governmental Body having jurisdiction over a specified Person or any of such Person’s properties or assets<sup>1</sup>.

## B

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### **BACUBA/BAKYUBA**

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Term used to refer to target workers mainly men as well as irregular migrant workers.

### **BONDED LABOUR (DEBT BONDAGE)**

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*Source: ILO, 2012. Indicators of forced labour.*

Forced labour may entail working in an attempt to pay off an incurred or sometimes even inherited debt. The debt can arise from wage advances or loans to cover recruitment or transport costs or from daily living or emergency expenses, such as medical costs. Debts can be compounded as a result of manipulation of accounts, especially when workers are illiterate. Debt bondage may also arise when children are recruited in exchange for a loan given to their parents or relatives. Employers or recruiters make it difficult for workers to escape from the debt, by undervaluing the work performed or inflating interest rates or charges for food and housing.

**Debt bondage – or bonded labour** – reflects an imbalance in power between the worker-debtor and the employer-creditor. It has the effect of binding the worker to the employer for an unspecified period of time, anything from a single season, to years, or even successive generations. It bears no resemblance to taking a “normal” loan from a bank or other independent lender for repayment on mutually agreed and acceptable terms.

## C

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### **CLAIM**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021.*

This means a claim for compensation or benefits arising from an employer-employee relationship or for any personal injury, illness or death, within the terms and conditions of employment of a migrant worker.

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<sup>1</sup> Accessed from <https://www.concurrences.com/en/dictionary/applicable-law> on 11 November 2021

## CASUALIZATION OF LABOUR

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Source: *National Employment Policy for Uganda 2011*.

Work of a daily or hourly basis where payment of wages is due at the completion of each day's work.

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## CHILD LABOUR AND WORST FORMS OF CHILD LABOUR

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Source: *ILO Worst Forms of Child Labour Convention, 1999 (No. 182)*.

The term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by:
- depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

Not all work done by children should be classified as child labour and targeted for elimination. Children's or adolescents' participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as something positive. This includes activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children's development and to the welfare of their families; they provide them with skills and experience and help to prepare them to be productive members of society during their adult life.

In its most extreme forms, child labour involves children in forced labour, separated from their families and/or exposed to serious hazards and illnesses often at a very early age. Whether or not particular forms of "work" can be called "child labour" depends on the child's age, the type and hours of work performed, the conditions under which it is performed, and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.

Forced labour is considered one of the worst forms of child labour in the Worst Forms of Child Labour Convention, 1999 (No. 182).

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## CHILD TRAFFICKING

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Source: *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000*.

Child trafficking is defined in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. Child trafficking is a violation of children's rights, their well-being and denies them the opportunity to reach their full potential. The Protocol defines a child as any person under the age of 18.

Child trafficking slightly differs from adult trafficking as only two components are required for a definition of trafficking in persons - act and purpose, as opposed to the definition of trafficking in persons for adults which includes; the act, the means, and the purpose.

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## COLLECTIVE BARGAINING

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Collective bargaining refers to all negotiations which take place between an employer (or a group of employers or an employers' organization) and one or more workers' organizations for the purpose of determining working conditions and terms of employment, or regulating relations between employers and workers or their respective organizations. At the international level, the development of mechanisms for voluntary negotiations on employment conditions between employers' and workers' organizations was first encouraged by an ILO convention adopted in 1949, referred to as the [Right to Organize and Collective Bargaining Convention](#), 1949 (No. 98).

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## COMPLAINT

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*Source: English Oxford Dictionary*

A statement that something is unsatisfactory or unacceptable.

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## COMPLAINTS MECHANISM

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*Source: ILO, 2019. General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs.*

A complaint mechanism is a formalized mechanism to give survivors and witnesses of misconduct by an organization or individual a chance to report cases, and for organizations to deal with these complaints in a structured manner. Complaints are an expression of dissatisfaction or discontent about misconduct. In the context of labour migration, a complaints mechanism commonly refers to the mechanism that migrant workers can use to make complaints about misconduct or violation of their legal or contractual rights in the migration process – whether by recruitment agencies, overseas employers, brokers, intermediaries or other persons.

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## CONTRACT SUBSTITUTION

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*Source: Migrant Forum in Asia, 2017. [Zero Tolerance for Contract Substitution](#).*

Contract substitution refers to the practice of changing the terms of employment to which a worker had originally agreed, either in practice, in writing or verbally. This change of working conditions typically affects migrant workers and occurs after their arrival in the Country of destination/destination. Usually, contracts are substituted with another contract with less favourable terms – such as lower pay, poorer working and living conditions, and even a different worksite or job.

Contract substitution can take a number of different forms, including:

- Workers signing a contract in the country of origin as well as a new contract with different conditions in the country of destination
  - Workers agreeing verbally on a contract in the country of origin and signing a written contract with different conditions in the country of destination
  - Workers signing a written contract in the country of origin with conditions that do not correspond to the terms of their work permit or visa.
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## **COUNTRY OF DESTINATION/DESTINATION**

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Either “country of destination”, “destination country” or “destination” is the most neutral and accurate term to refer to the country in which a migrant worker intends to live and work.

These are preferable to “host country” or “receiving country” which connotes that migrants are merely guests and that their stay is dependent on the invitation and at the expense of hosts. “Host country” also feeds the perception that migrants take advantage of benefits and services, but do not make contributions. To ensure that discussion of migration is consistent with human rights, it is essential to recognize that benefits, like social security, and services, like education, health care or shelter, are a right, and not simply a gesture of good-will. Migrants are not merely recipients of hospitality; their stay contributes to the economy and society of the country of destination/destination. Moreover, in many destinations the response of the destination country may not be hospitable but instead may impose conditions on the migrant worker that are restrictive and deny them equal rights to nationals.

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## **COUNTRY OF ORIGIN**

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“Country of origin” is a neutral and accurate term to refer to the country from where a migrant worker originated. It is preferable to “sending country” or “home country”.

“Sending country” carries the connotation that the state takes an active part in making workers leave the country to find employment and residence abroad.

“Home” carries certain connotations: it is a place where one lives and a place that creates a feeling of belonging. For many migrants, home is their place of residence in the destination country; they may no longer have a physical residence, family or social unit in their country of origin.

The term “home country” may discount the experience of migrants who migrated when they were very young and have little or no memory of their country of origin, its language, etc. It is also based on the idea that all migrant workers could eventually go “home” regardless of how long they have stayed or conditions in the country of origin. The term in some cases, undermines efforts to promote equal labour rights for migrants and implies the highly damaging assertion that migrants could not, or should not, feel a sense of belonging in the country to which they have migrated. Consequently, caution should be exercised in using the term to ensure that it does not fuel racist and anti-migrant sentiment.

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## **CURRENCY POINT**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021.*

A currency point has the value assigned to it in the schedule to the Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021.

## D

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### **DEBT BONDAGE**

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*Source: Uganda Prevention of Trafficking in Persons Act 2009.*

The status or condition arising from a pledge by the debtor of his or her personal services or labour, or those of a person under his or her control as security or payment for a debt, when the length and nature of services is not clearly defined or when the value of the services as reasonably assessed is not applied towards the liquidation of the debt.

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### **DECEPTION**

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*Source: ILO, 2012. Indicators of forced labour.*

Deception relates to a failure to deliver what has been promised. In the context of labour migration, it often refers to misrepresentation of work or condition to the worker, either verbally or in writing. Victims/survivors of forced labour may be recruited with promises of decent, well-paid jobs. But once they begin working, the promised conditions of work do not materialize, and workers find themselves trapped in abusive conditions without the ability to escape. In these cases, workers have not given free and informed consent. Had they known the reality; they would never have accepted the job offer.

Deceptive recruitment practices can include false promises or advertising regarding working conditions and wages (see contract substitution), but also regarding the type of work, housing and living conditions, acquisition of regular migration status, job location or the identity of the employer. Children may also be recruited through false promises, made to them or their parents, concerning school attendance or the frequency of visits by or to their parents.

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### **DECENT WORK**

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*Source: ILO, 2020. [Decent work](#).*

Decent work sums up the aspirations of people in their working lives. Decent work is work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives. It involves equality of opportunity and treatment for all women and men. Decent work is a key element to achieving fair globalisation and poverty reduction. To achieve decent work requires job creation, rights at work, social protection and social dialogue, with gender equality as a crosscutting objective.

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### **DEROGATORY RECORD**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

Information such as illegal recruitment, falsification of documents, illegal solicitation of money or conviction for crimes involving moral turpitude.

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## **DISCRIMINATION**

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Source: *ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*

Discrimination in employment can be direct or indirect. Indirect discrimination occurs where rules or practices appear to be neutral but in practice lead to exclusions. For example, training courses organized outside normal working hours are likely to exclude workers with caregiving responsibilities. Workers who receive less training are then likely to be disadvantaged in subsequent job assignments or promotion prospects.

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## **DOMESTIC WORK AND DOMESTIC WORKER**

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Source: *ILO Domestic Workers Convention, 2011 (No. 189)*

Preferred term: “Domestic worker”

The terms “domestic work” and “domestic worker” are both defined in the Domestic Workers Convention, 2011 (No. 189), Article 1:

- The term domestic work means work performed in or for a home;
- The term domestic worker means any person engaged in domestic work within an employment relationship;
- A person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

A domestic worker is an individual who performs domestic duties such as cleaning, gardening, guarding, cooking and providing care for children or elderly people in the home, for which he or she is paid. This individual often lives and works at the employer’s residence. The gender-neutral term “domestic worker” is preferred to “domestic helper” or “maid” or “house girl/boy” because it underscores that this individual is a worker with labour rights. Domestic worker can either be male or female.

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## **E**

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### **ECONOMIC MIGRANT**

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(Preferred term: migrant worker)

‘Economic migrant’ is not a legal classification, but rather an umbrella term for a wide array of people that move from one country to another to advance their economic and professional prospects. The term is used to distinguish ‘economic’ migrants from refugees, asylum seekers and forcibly displaced persons within broader mixed migration flows. It most often refers to the unskilled and semi-skilled people from less developed or conflict affected countries. It might at times have a generally negative connotation – aiming to distinguish ‘deserving’ and ‘undeserving’ people within mixed migration flows.

“The prevailing discourse associates irregularity with criminality, and views migrants in an irregular situation as a security issue. Migrants in an irregular situation are frequently subject to harassment, arrest, detention and deportation and are at risk of forced labour and trafficking. Without legal status in their country of employment they have no or very few avenues for seeking legal redress if their rights are violated. The term irregular is preferable to illegal because the latter carries a criminal connotation, will often be legally incorrect and is seen as denying migrants’ humanity. In the case of asylum seekers and refugees, it also fails to acknowledge the protection afforded by international refugee law against penalization for unauthorized entry or stay to those fleeing conflict or persecution.”

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## EMPLOYMENT

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Source: *National Employment Policy for Uganda 2011*.

The state of gainful engagement in any economic activity.

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## ETHICAL RECRUITMENT

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The terms “ethical recruitment” or “responsible recruitment” are sometimes used instead of the term “fair recruitment”. Where the term ethical recruitment is used – particular attention should be paid to what recruitment practice or practices are being described. Recruitment practices that are described as “ethical”, may not equate to the same standards that “fair recruitment” entails.

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## EXPLOITATION

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Source: [UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, 2000](#);

Uganda Prevention of Trafficking in Persons Act 2009.

There is no definition of the term “exploitation” in any legal instrument. Exploitation can be understood as being the act of taking advantage of another for one’s own benefit (such as: sexual exploitation, labour exploitation or the removal of organs).

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000 notes that the term “exploitation” as used in the Protocol: “shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

According to the Uganda Prevention of Trafficking in Persons Act (2009), exploitation includes at a minimum, sexual exploitation, forced marriage, child marriage, forced labor, harmful child labour, use of a child in armed conflict, use of a person in illegal activities, debt bondage, slavery or practices similar to slavery or servitude, human sacrifice, the removal of organs or body parts for sale or for purposes of witchcraft, harmful rituals or practices. There are also other practices that can be categorized as exploitation such as illegal profiting from false representation, forced begging, forced surrogacy.

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## EXPLOITATION

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Source: *The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*.

Forced labour, sexual abuse, use of a person in illegal activities, servitude and child labour or non-fulfillment of the terms of the contract of a migrant worker.

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## F

## FAIR RECRUITMENT

Source: ILO, 2019. *General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs.*

Fair recruitment refers to processes of recruitment and placement of workers, both nationally and internationally, in a way that protects their human and labour rights while meeting labour market and employers' needs. Generally, a fair recruitment process exhibits a number of elements that differentiate it from a recruitment process that does not fully respect the human and labour rights of the worker. These include – among others – the principles that: workers should not be charged any recruitment fees or related costs; workers should understand and voluntarily agree to the terms and conditions of their employment; workers should be free to move within a country or leave a country; and workers should have access to remedies in case of alleged abuse of their rights. If recruitment is fair for all those involved, workers are less vulnerable to exploitation and abuse, including forced labour, and labour market needs are more likely to be met. The term fair recruitment has been defined in the ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs adopted in 2019 by the government, workers and employers' representatives of the ILO's Governing Body.

## FORCED LABOUR

Source: [ILO Forced Labour Convention, 1930 \(No. 29\)](#).

Forced labour is defined by the ILO Forced Labour Convention, 1930 (No. 29) as “all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.” This definition includes three important elements:

- Work or service: refers to all types of work occurring in any activity, industry or sector including in the informal economy.
- Menace of any penalty: refers to a wide range of penalties used to compel someone to work – such as: through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities.
- Offered voluntarily: refers to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted.

When we talk about forced labour in Uganda, we tend to think of only Ugandans. However, stories abound that Asian employees in factories in Uganda are usually a subject of forced labour with passports withheld by their employers, threatened with deportation as many don't have work permits, and forced to live in unsafe conditions. Refugees are trafficked by sometimes people who are supposed to protect them.

For more information on the indicators of forced labour, please visit the link below: [https://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_203832/lang--en/index.htm](https://www.ilo.org/global/topics/forced-labour/publications/WCMS_203832/lang--en/index.htm)

## FOREIGN RECRUITMENT AGENCY

Source: *The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021.*

An agency based outside Uganda which is accredited by a Ugandan Mission abroad, to recruit Ugandans to work abroad.

## **FREEDOM OF ASSOCIATION**

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Freedom of association is a fundamental human right. In the area of employment, it is the right of workers and employers without distinction whatsoever, and subject only to the rules of the organizations concerned, to form and join organizations of their own choosing without previous authorization. Organizations that work to further and defend workers' interests are known as trade unions. In some countries, certain categories of workers, such as public servants, workers in Special Economic Zone (also known as export processing zones or qualified industrial zones), domestic workers or migrant workers, are denied the right to freedom of association; workers' and employers' organizations are illegally suspended or interfered with; and in some extreme cases, trade unionists are arrested or killed. Workers should be protected from anti-union discrimination, and in particular against refusal to employ them because of their union membership or participation in trade union activities. At the international level, the right for workers and employers to establish and join organizations is enshrined in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

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## **FULL EMPLOYMENT**

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*Source: National Employment Policy for Uganda 2011.*

A situation in which everyone who is available for work, and is willing to work has access to work.

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## **G**

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### **GENDER-BASED VIOLENCE AND HARASSMENT**

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Violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes sexual harassment. Gender-based violence refers to any act against a person on the basis of gender or perceived gender that results in, or is likely to result in, physical, sexual or psychological harm including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life. Migrant workers are particularly vulnerable to sexual- and gender-based violence at the hands of employers, recruitment agencies, spouses and family members, law enforcement authorities, including policy and customs officials and judicial officers, and human traffickers.

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### **GROOMING**

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In the Ugandan labour migration context, this means the process whereby victims are prepared unknowingly to be trafficked. The trafficker pretends to be doing something in the interest of the person who is being prepared for trafficking.

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## H

## HUMAN TRAFFICKING

Source: UN, 2000. *Protocol to Prevent, Suppress and Punish Trafficking in Persons; Uganda Prevention of Trafficking in Persons Act (2009)*

Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines **Trafficking in Persons** as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. According to the Uganda Prevention of Trafficking in Persons Act (2009), exploitation includes at a minimum, sexual exploitation, forced marriage, child marriage, forced labor, harmful child labour, use of a child in armed conflict, use of a person in illegal activities, debt bondage, slavery or practices similar to slavery or servitude, human sacrifice, the removal of organs or body parts for sale or for purposes of witchcraft, harmful rituals or practices.

## I

## INTERNATIONAL LABOUR STANDARDS

Source: ILO Website: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/lang--en/index.htm>

Since 1919, the International Labour Organization has maintained and developed a system of international labour standards aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity. In today's globalized economy, international labour standards are an essential component in the international framework for ensuring that the growth of the global economy provides benefits to all.

## IRREGULAR MIGRATION

Source: UNAOC, 2014. *Media-Friendly Glossary on Migration*.

Irregular migration is a cross-border movement that takes place outside the regulatory norms of the countries of origin and destination. From the perspective of the country of destination/destination, it is entry, stay or employment in a country without the necessary authorization or documents required under the laws of that state.

From the perspective of the country of origin, the irregularity is, for example, seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country.

Migrant workers can be considered to be in an irregular situation from the time of unauthorized entry into a transit or destination country, or they can acquire irregular status after lawful entry. A migrant worker with regular status in a country may stay in the country after expiration of their work or other permit, or may leave the employment of an unscrupulous employer to whom the work permit was tied. In other situations, migrants whose entry is subject to restrictions not to work or only to work in a specific occupation may later engage in unauthorized remunerative activity. Migrants who are smuggled or trafficked across an international border have, in most cases, effected an unauthorized entry and thus are in irregular situations.

## **IQAMA**

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The right to remain in a foreign country in line with the immigration/administrative legal framework.

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## J

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### **JOB ORDER**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

Written communication from a foreign recruitment agency to a recruitment agency indicating the number of Ugandan workers required for specified jobs abroad and their skills and the wages to be paid to the migrant workers.

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## K

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### **KHADAMA**

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(Arabic word)

This term is used to refer to domestic work. The preferred word is “domestic worker.”

### **KAFALA/KAFEEL**

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(Arabic word)

Kafala is commonly interpreted in English as “sponsorship”, although in classical Arabic the meaning is closer to connotations of “guarantee” (daman) and to “take care of”(kafl). Kafala is described in the Arab States as having stemmed from a tradition of hospitality, where strangers were considered guests of a local who took legal and economic responsibility for their welfare, as well as for the consequences of their actions. Today, kafala sponsorship is used as a means to regulate migrant labour in many Arab countries. Under kafala, a migrant worker’s immigration and legal residency status is tied to an individual sponsor (kafeel) throughout his or her contract period in such a way that the migrant worker cannot typically enter the country, resign from a job, transfer employment, nor leave the country without first obtaining explicit permission from his or her employer. Kafala has been criticized as being both an indicator of and creating situations akin to forced labour.

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### **KIYUMBA**

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(Luganda word)

Originally meant holding houses for domestic workers in the process of being transported to work abroad. Recently, it has also been used to mean domestic work particularly done abroad.

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## **KIBALUWA**

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(Luganda word)

Workers doing jobs without appropriate documentation. They are usually under paid and sometimes exploited.

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## **KYEEYO**

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(Luganda word)

Kyeeyo is commonly interpreted in English to mean the work Ugandans do abroad. It usually connotes odd casual jobs. However, of recent, many Ugandans involved in gigs or temporary work including professional consultancy services within the country refer to the work they do as Kyeeyo.

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L

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## **LABOUR EXPLOITATION**

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The term covers a broad spectrum of working conditions and practices that are short of decent work and thus unacceptable. They range from extreme exploitation including forced labour and trafficking in persons at one end, to other unacceptable working conditions such as delayed or non-payment of wages. There is no definition of exploitation in international law.

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## **LABOUR EXTERNALISATION**

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This is the process of sourcing, recruitment and placement for employment, of Ugandan workers abroad through a legalized process by individual migrant workers or recruitment agencies licensed by the Ugandan Ministry of Labour, Gender and Social Development (MoLGSD).

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## **LABOUR MARKET**

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*Source: ILO and UNAOC, 2017. Media-Friendly Glossary on Migration.*

A labour market concerns the activities of hiring and supplying certain labour to perform specific jobs, and the process of determining how much shall be paid to whom in performing what tasks. In addition, the definition covers the way in which wages move and the mobility of workers between different jobs and employers. The expression labour market does not mean that there is a physical market place; rather, the labour market is to be seen as a 'place' in economic theory where labour demand and supply interact. The labour market as a whole is divided into a number of submarkets, including regional and sectorial markets, as well as markets for specific trades, skills and categories of persons.

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## LABOUR MIGRATION

Source: ILO, 2018. *Global Estimates on International Migrant Workers – Results and Methodology*.

Labour migration is defined as the movement of persons from one geographical location to another, in order to find gainful employment. International labour migration involves the crossing of a border for the same purposes. In terms of economic theory there is no difference between internal (such as: rural to urban) and international labour migration. Differences stem from legal issues that arise if someone wishes to take up employment in a country other than their country of origin or when an employer recruits a worker across a border.

Growth in the number of international migrants has been robust over the last two decades, reaching 281 million people living outside their country of origin in 2020, up from 173 million in 2000 and 221 million in 2010. Currently, international migrants represent about 3.6 per cent of the world's population<sup>2</sup>.

Migration today is largely linked, directly or indirectly, to the world of work. Besides individuals crossing borders in search of employment, there are also accompanying family members who may end up in the labour market of the destination country; and training and education opportunities abroad may lead to employment.

## LOW-WAGE OR LOW-SKILLED WORKER

See: ILO, 2011. [What do we know about low-wage work and low-wage workers.](#)

Preferred term: “low-wage worker” rather than “low-skilled worker” or “unskilled worker”

The term “low-wage worker” is sometimes used to define workers in certain employment sectors – where they perform undervalued labour – by the amount they are paid. Other common terms are “low-skilled labour” or “unskilled worker”. These terms should be used with caution because they imply a negative value judgment regarding the workers' experience, proficiency and capacity for growth. It also does not take into account that there are a variety of skill levels within the general rubric of “low-skilled worker”, that workers have training as well as knowledge, competency and efficiency in their work. Caution is also required when using this term in relation to migrant workers. Many migrant workers are confined to particular sectors regardless of their skills due to the lack of recognition of their skills or prior learning by the employer in the countries in which they work. Women, in particular, are subject to discrimination that confines them to low-wage sectors.

## M

### MANPOWER POOL

Source: *The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

A databank of a recruitment agency, of potential migrant workers.

### MIGRATION CORRIDOR

A migration corridor is the migratory pathway between two countries in which there is established migration links.

<sup>2</sup> Accessed on 11 November 2021 from <https://www.un.org/en/desa/international-migration-2020-highlights>

## **MIGRANT WORKER**

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*Source: ILO, 2019. General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs.*

Preferred term: “migrant worker” rather than “alien worker”, “economic migrant”, “guest worker” or “foreign worker”.

Migrant worker means a person who migrates or has migrated to a country of which he or she is not a national with a view to being employed.

To generate more comprehensive insights, a new definition of international migrant worker was adopted in 2018 by the International Conference of Labour Statisticians, which includes all persons of working age in the country who are either usual residents or not usual residents, but are presently in the country and are either in employment or seeking employment.

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## **MIGRANT WORKER**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

A Ugandan citizen who is to be engaged, or is engaged in remunerated employment abroad.

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## **MINISTRY**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

This means the Ministry in Uganda responsible for labour.

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## **MODERN SLAVERY (→ SLAVERY)**

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*Source: ILO, 2017. Global Estimates of Modern Slavery.*

Although modern slavery is not defined in law, it is used as an umbrella term that focuses attention on human trafficking and elements of trafficking: including coercive or forced labour, debt bondage, forced marriage, slavery and slavery-like practices. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.

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## **P**

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### **PLACEMENT FEES**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

An amount of money charged by a recruitment agency from a worker for recruitment and placement services

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## **PRIVATE EMPLOYMENT AGENCY/PRIVATE RECRUITMENT AGENCY**

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Source: [ILO Private Employment Agencies Convention, 1997 \(No. 181\)](#)

Private employment agencies in international recruitment are defined in the ILO Convention on Private Employment Agencies, 1997 (No. 181) as any natural or legal person, independent of public authorities, which provide one or more of the following market services:

- Matching offers of and applications for employment
- Employing workers for the purpose of the worker performing work in and as part of a third party's business or undertaking ("user enterprise")
- Other services related to job-seeking, for example the provision of information.

Private employment agencies who match offers and applications for employment, for example recruit workers on behalf of employers, are often referred to as private recruitment agencies. Whereas, agencies that recruit workers to perform work in and as part of a third party's business or undertaking are often referred to also as temporary work agencies.

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## **PRE-DEPARTURE ORIENTATION PROGRAMMES**

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The Ministry of Labour, Gender and Social Development has instituted programs where migrant workers are oriented before they leave the country. The programs are intended to provide information to the migrant worker regarding their work and country of destination.

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## **POST ARRIVAL ORIENTATION PROGRAMMES**

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These are programs to orient the migrant worker when they arrive at their country of destination before they are placed at their work stations.

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# R

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## **RECRUITMENT**

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Source: *ILO, 2019. General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs.*

Recruitment includes the advertising, information dissemination, selection, transport, placement into employment and – for migrant workers – return to the country of origin, where applicable. This applies to both jobseekers and those in an employment relationship.

Recruitment of migrant workers happens through informal and formal networks that seek to match labour supply and demand. Often, private employment agencies play this role and negotiate the terms of employment with employers on behalf of the migrant worker. The ILO Private Employment Agencies Convention, 1997 (No. 181), Article 8 establishes that "where workers are recruited in one country for work in another, the members concerned shall consider concluding bilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment." Public employment services may also provide recruitment services for migrant workers and are required to meet a number of minimum standards to operate – including those specified in the ILO Migration for Employment Convention (Revised), 1949 (No. 97).

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Private and public employment agencies play a legitimate role in the labour market. However, there are concerns about the proliferation of informal labour brokers, which at times can exacerbate the risk of abuse and exploitation of migrant workers.

In a fair recruitment arrangement, private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers. Similarly, public employment agencies should also offer their services to migrant workers without cost in accordance with Article 1 of the ILO Employment Service Convention, 1948 (No. 88).

Recruitment can also happen online

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## **RECRUITMENT AGENCY**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

A company licenced by the Ministry to recruit migrant workers for employment abroad.

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## **RECRUITMENT AND PLACEMENT**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

Canvassing, contracting, transporting, utilizing, hiring, or procuring workers, and includes referrals, contract services and advertising for employment for migrant workers, whether for profit or not.

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## **RECRUITMENT FEES**

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*Source: ILO General principles and operational guidelines for fair recruitment*

Recruitment fees refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.

ILO conventions prohibit fees charged for recruitment purposes, but the Ugandan regulations provide for a minimum administrative fee of Shs20,000 (Twenty Thousand Uganda Shillings).

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## **REMITTANCES**

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*Source: ILO Media-Friendly Glossary on Labour Migration*

Remittances are monies earned or acquired by migrant workers that are transferred back to their country of origin. Remittances may be sent through formal bank or quasi-bank transfer systems, often at considerable expense, or through informal money transfer systems, including hand carry or mobile money systems or online payment applications. The opportunity to earn high wages and send remittances home is often the primary motivation of migrant workers from countries of origin. Remittances can also be in material form such as computers, clothing etc.

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## **RETURN AND REINTEGRATION**

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*Source: ILO, 2006. ILO Multilateral Framework on Labour Migration.*

Return and reintegration of migrant workers refers to the process whereby migrants return to their country of origin and reintegrate economically and socially. It can be temporary or permanent, as many migrants may return to country of origin for a period (sometimes dictated by the terms of their employment contracts) before migrating abroad again. Return and reintegration policies may include measures to capitalize on the new skills and experience workers have developed abroad; to assist returning workers in setting up small enterprises; or to encourage productive investment of savings. Migrant workers who have faced exploitation, abuse and other traumatic experiences will require psychosocial, health and legal services.

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## **RUN-AWAYS (ABSCONDERS)**

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Migrant workers who run away from their contracts in their country of destination.

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## **RECEPTION CENTRE**

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A place where migrant workers are received upon arrival in their country of destination.

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## **RETURNEE**

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A migrant worker who has returned to their country of origin.

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# S

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## **SEXUAL EXPLOITATION**

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*Source: UN, 2017. Glossary on Sexual Exploitation and Abuse.*

Actual or attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual exploitation and abuse constitute acts of serious misconduct and are therefore grounds for disciplinary action including summary dismissal, and criminal proceedings.

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## **SEXUAL HARASSMENT**

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*Source: UN, 2017. Glossary on sexual exploitation and abuse.*

Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, including at work. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Men and women can be either the victims or the offenders.

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Sexual harassment can be physical (physical touching, unnecessary close proximity), verbal (comments and questions about appearance, lifestyle or sexual orientation), or non-verbal (whistling, sexually-suggestive gestures, display of sexual materials).

Sexual harassment in the workplace may manifest in situations where a job benefit – such as pay rise, promotion, or even continued employment – is made conditional on the victim acceding to demands to engage in some form of sexual behaviour. A hostile working environment in which the conduct creates conditions that are intimidating or humiliating to the victim is another form of sexual harassment in the workplace. The latter often reflects the power dynamics between the employer/manager and the employee, or between different employees.

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## **SLAVERY (→ MODERN SLAVERY)**

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Source: OHCHR, 1926. [Slavery Convention](#).

Preferred term: “forced labour”, “labour exploitation”, “human trafficking”, “debt bondage”, or “forced marriage” depending on the circumstances.

The status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

The use of the terms “slavery” or “slave” should be avoided. These terms should not be used as they may imply that workers have no agency. The terms are often used to describe situations of and people in exploitation, forced labour, or trafficking.

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## **SMUGGLING**

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Source: UN, 2000. [Protocol against the Smuggling of Migrants by Land, Sea and Air](#).

Smuggling is defined as the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a country of which the person is not a national or permanent resident. In contrast to trafficking in persons, a person is smuggled if there is no force, fraud or coercion, with the aim of exploiting the person.

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## **SOCIAL SECURITY**

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Source: ILO, 2020. [International Labour Standards on Social Security](#).

Social security, or social protection, is defined as the set of policies and programmes designed to reduce and prevent poverty and vulnerability. Social protection includes nine main areas:

- Child and family benefits,
- Maternity protection,
- Unemployment support,
- Employment injury benefits,
- Sickness benefits,
- Health protection,
- Old-age benefits,
- Disability benefits

Survivors’ benefits. Social protection systems address all these policy areas by a mix of contributory schemes (social insurance) and non-contributory social assistance financed through taxation.

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## **SOURCING**

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The practice in Uganda of recruiting migrant workers for placement in countries of destination.

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## **SURVIVOR**

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A survivor is a person who has experienced violence or other trauma. The term “survivor” is generally used in the psychological and social support sectors because it implies resilience of the person who experienced violence and may be the preferred term for the survivor. “Victim” is a term often used in the legal and medical sectors, recognizing that many forms of gender-based violence, human trafficking and forced labour are crimes.

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## **T**

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### **TORTURE**

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*Source: ILO: The Prevention and Prohibition of Torture Act, 2012*

Any act or omission, by which severe pain or suffering whether physical or mental, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of any person whether a public official or other person acting in an official or private capacity for such purposes as— (a) obtaining information or a confession from the person or any other person; (b) punishing that person for an act he or she or any other person has committed, or is suspected of having committed or of planning to commit; or (c) intimidating or coercing the person or any other person to do, or to refrain from doing, any act.

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### **TRADE TEST**

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*Source: The Employment (Recruitment of Ugandan Migrant Workers) Regulations, 2021*

A test of a person’s proficiency in a particular trade or occupation.

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### **TRAFFICKING IN PERSONS (--> HUMAN TRAFFICKING)**

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*Source: [UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, 2000.](#)*

Trafficking in persons is defined as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

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## U

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### **UNDEREMPLOYMENT**

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*Source: National Employment Policy for Uganda 2011.*

Refers to a situation where working individuals aged 14-64 years are not fully utilized in terms of hours of work, skills and earnings.

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### **UNEMPLOYMENT**

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*Source: National Employment Policy for Uganda 2011.*

A situation whereby persons aged 14-64 years, who during a reference period are without work but are available for paid employment or self-employment.

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## V

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### **VACATIONERS**

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(Also commonly known in Uganda as Basamas)

Is a migrant worker who still has a subsisting contract and returns to the country of origin for a holiday or annual leave.

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### **VICTIM BLAMING**

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“Victim blaming” exists to a certain degree with all forms of violence. In order not to question the safety of the world around us when we hear of a violent or exploitative incident, we may examine the behaviour of the survivor and assure ourselves that if we avoid such risks and behaviour (for example, being out late alone, venturing into certain areas, leaving our door unlocked, dressing in a “provocative” way) we will avoid similar situations. This natural act of psychological self-defence, however, focuses our attention on the perceived responsibility of the survivor, and may neglect to fully question the conduct of the perpetrator. By shifting the blame to the survivor in violence against women, the focus is on the survivor and her behaviour, rather than on the structural causes and inequalities underlying the violence perpetrated against her.

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### **VICTIM**

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Preferred term: “survivor” or “victim” – dependent on the preference of the survivor/victim.

A person harmed as a result of crime, accident, or another event or action, for example a victim of human trafficking or assault. Survivors of human trafficking should always be asked how they would like to be referred to, when writing about their experiences, as people may prefer to be referred to as survivors rather than victims.

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## W

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### **WORK PERMIT**

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*Source: ILO: Media-Friendly Glossary on Labour Migration*

A work permit is a legal document issued by a government to non-citizens allowing them to work in the respective country under a set of prescribed conditions. To emigrate for employment, migrant workers may be required to obtain a work permit. The cost of obtaining this work permit is a related cost of recruitment and should not be borne by migrant workers.

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## X

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### **XENOPHOBIA**

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*Source: ILO: Media-Friendly Glossary on Labour Migration*

Xenophobia is a fear or hatred of people from other countries/others that are foreign or originate from outside the community or nation.

The Media-Friendly Glossary on Migration Fair Recruitment and Forced Labour – Uganda Edition serves as a guide for journalists, researchers, trainers, and other actors in Uganda. Globally, the debate on migration has become increasingly negative and our words count more than ever. This glossary is intended to support writers to make sure that their remarks are not discriminatory or inflammatory and that they examine all the issues relevant for the various aspects of migration on which they are writing about.

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