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Spotlight interview with Mamadou Niang (CGTM-Mauritania)

"We want to give migrants the tools they need to defend their rights"

Brussels, 17 December 2009 (ITUC OnLine): Mauritania is more than familiar with migration, both as a host country for migrants from western Africa and a transit point for migrants heading to the European Union. Mamadou Niang, coordinator of the joint Senegalese and Mauritanian project to build capacity amongst the trade unions to help defend the rights of migrant workers (1), discusses the encouraging results of the partnership between unions in both countries. Gathering data, offering legal assistance, developing a partnership with migrants' associations and combating the trafficking and exploitation of domestic servants are just some of the areas of work the Centre for Migrants in Nouakchott is involved in and has helped the union gain recognition as a key player in managing migration and promoting decent work for migrants of both genders.

What is different about the approach taken to migration by your trade union?

The many attempts to manage migration almost all rely on a security-based or administrative approach. As trade union members, we want an approach based on migrants' rights and which hinges on the fundamental right to freedom of choice about where you want to work, and the struggle for decent jobs.

What concrete actions have been taken since January 2007, when the project began?

We have organised information and awareness-raising sessions in both Mauritania and Senegal. A welcome, information and guidance centre for migrants has been opened in Nouakchott. Two local centres have been set up, one in Nouadhibou, a port city in northern Mauritania, where many illegal migrants leave the country, and the other in Dakar, the capital of Senegal. We have also started gathering statistical data on migration and we have been distributing a leaflet on migrants' rights. Our approaches to various institutions and key figures in civil society have helped us to be seen as major players in migration in both our countries.

What is the scale of the Mauritanian diaspora abroad?

It represents 10% of the total population, or an estimated 250,000 people. The main destinations are Ivory Coast (50,000), the Gulf states (24,000), Mali (20,000), Gambia (20,000), France (20,000) and Senegal (10,000). The level of emigration is partly the result of Arab populations being drawn to the livestock and retail trade in neighbouring countries, and partly Negro-African populations from the river valley who have developed immigration networks based on family relationships (Soninkés and Pouls) heading for Europe, and more recently North America.

How has the phenomenon of migrants settling in and passing through Mauritania changed?

For a long time Mauritania was unaware of immigration as an issue: for many years its effects went practically unnoticed in a country that consists of a large desert region with highly permeable borders and a 700 km long Atlantic coast. The rare waves of visible migration were made up of incoming and outgoing Malians and Senegalese who had come from these two neighbouring countries to work in Mauritania. During the four decades that followed independence, it was not an area of concern, and legislation remained unchanged apart from a number of bilateral agreements reached with the neighbouring countries concerned. In recent years, however, increased border controls in North Africa have meant that previous immigration routes, which used to go from Morocco, Algeria, Tunisia and Libya to Europe through Spain and Italy, have been diverted. This new situation has resulted in migration shifting to the Saharan and sub-Saharan regions. Talking to migrants from India, Pakistan and Bangladesh in northern Mauritania on the edge of the western Sahara has revealed the existence of significant levels of migration that had not been suspected until now. The new reality of the transit zone from Mauritania to southern Europe has been accentuated by the new road between Nouakchott and Nouadhibou, linking North Africa to West Africa, and the existence of the "route of hope" between Néma (on the border with Mali) and Nouakchott, which crosses the country from east to west. The terrible images and stories of young men and women who have died at sea have raised awareness of the phenomenon and the necessity of getting involved to provide information on illegal emigration by young people, who are often blinded by a so-called European Eldorado.

Besides the increase in the number of migrants transiting through Mauritania to Europe, why have more and more of them come to settle in the country?

Mauritania is attracting more migrant workers because of its economic development, which is primarily based on exploiting the country's mining, fishing and more recently oil resources. The estimated 300,000 workers who live there come from other African countries but also from Asia, primarily because the Chinese are also investing in various developing sectors. The causes of migration are violence, war, hazardous climatic conditions and the attraction of a blinkered view of the magnificence of the Mauritanian economy, but above all systemic poverty. The proliferation of recruitment agencies is another factor that drives the influx of migrant workers of both genders. In addition, access to employment in Mauritania is relatively easy for migrants, because the authorities (employment agencies and the labour inspectorate) do not have the resources to ensure any real level of control.

What types of work do migrants do in Mauritania?

Nouakchott is a big building site. Immigrants work as labourers in the construction industry, but also in cleaning and maintenance, garages, sheet-metal working, carpentry, trade or road transport, as waiters in restaurants and also as domestic servants. They are also drawn to agriculture, fishing and the emerging oil sector. Nouadhibou, the economic capital, also attracts large numbers of workers.

What is the proportion of women migrants?

In fact migration into Mauritania is primarily female: the proportion of migrant women workers is estimated at around 60%. These women work long days and have to abandon their children, who suffer high levels of abuse. They have no protection if they become pregnant, and they are the target of endless harassment by the administrative authorities and the police.

What is your perception of Mauritanian legislation on migration?

It is based on concepts that are now out of date. The decree of 1964-65 was based on the concerns of the newly independent public authorities to assert internal sovereignty, but that is now out of step with Mauritania's international commitments, given that the country ratified the international UN convention (1990) on the rights of migrant workers and their families. Its repressive approach to illegal migrants and its silence on its protective duty towards migrants contrast with the actual practices of the public authorities, which acknowledge that migrants have a number of fundamental rights in accordance with the Constitution. The Employment Code (2004) ensures that immigrant workers with a valid work permit are protected by the principle of non-discrimination: this means they have the same rights as Mauritanian workers, particularly in terms of social security. As far as trade union rights are concerned, all foreign workers are free to join or form a trade association. To take on a management role in a union, however, they must have worked in Mauritania for at least five consecutive years in the profession represented by the union. Illegal employment of migrant workers is covered by the 2003 law on the suppression of people trafficking. We are raising awareness amongst the authorities so that they do not only focus on security measures but also take migrants' rights into account by ratifying Conventions 97 and 143 of the ILO and making changes to national legislation. Given the current lack of synergy between the various bodies involved (primarily the three ministries concerned), we are asking for a tripartite organisation to be set up to manage migration in the form of a national monitoring and research centre.

How does your cooperation with the trade unions in Senegal work?

There is a natural movement of people back and forth between our two countries, which also act as host countries for migrants from numerous other nations, most of whom are employed in the informal sector. A significant minority of immigrants cross the border between Senegal and Mauritania on foot. These are generally agricultural workers, domestic servants recruited by intermediaries and adventurers looking for employment who swim along the river or travel in dugout canoes. The Marabout brotherhoods also contribute to the movement of workers by encouraging illegal border crossings during pilgrimages or religious processions. In the fishing sector, it is fishermen from Saint Louis in Senegal who make up the largest group in Mauritania. We have set up a liaison committee to ensure active monitoring of the partnership between our unions on both sides. Our main partner on the ground is the CNTS (Senegal). We both took part in a seminar on the issue in Dakar, along with several of the Senegalese ministries and representatives from the ILO and the IOM. We also ran a joint project in Saint Louis in September. There have been some tangible results from this project, including a centre for migrants in Dakar, which acts as a crossroads for the sub-region, and a centre in Nouakchott, which is a transit point for migrants coming to settle in Mauritania and those who are heading off overseas from the Mauritanian coast.

What are the aims of the trade union centre for migrants in Nouakchott?

The centre is also supported by the Spanish trade union UGT (ISCOD) and by the Spanish International Cooperation agency and aims to provide information to migrants so that they can take the right decisions and understand what good practices are; this is also the case with similar centres set up on the same basis in Morocco (with the FDT) and in Senegal (with the CNTS). Our awareness-raising initiatives target certain areas of activity in particular, such as transport and the construction sector, which employ significant numbers of immigrant workers. We have published an information leaflet on migrants' rights and how to look for work. We have also been involved in numerous activities providing information on the European job markets, to explain who is eligible to work in Europe and what formalities have to be completed, because they often arrive relying on inaccurate information and false promises made by the traffickers. We have carried out our awareness-raising work in conjunction with other organisations in civil society that specialise in migration and it has earned us a significant amount of media coverage. The next step in the short term will be to set up a Mauritanian network for managing the rights of migrant workers with the human rights associations and other national NGOs. It is important to emphasise the significant role played by women and young people within the CGTM as part of our awareness-raising campaign on migrants. The Centre has also broadened the scope of its activities at a sub-regional level by taking part in the session on migration at the Maghreb Social Forum.

How do you mitigate the lack of reliable statistical data?

Many migrants are resistant to the idea of being "put on file" so it's a matter of building confidence. Migrant workers are primarily employed in the informal sector, so they can be reluctant to get involved with the unions, particularly if their papers are not in order and they are living in fear. The direct contacts made through the welcome centre in Nouakchott are invaluable for gathering statistical data. We have set up a database on the rights, working conditions and employment of migrant workers. The database is useful at the centre for identifying migrants' needs as accurately as possible and obviously to ensure they have access to more information about their rights. We provide them with information, and then it's down to them to get organised and fight to ensure their rights are respected. Our philosophy as a union is based on capacity building, i.e. giving people the tools to defend their rights themselves. We can't fight on their behalf: they have to make things happen for themselves. Our campaign to unionise the informal sector is also very important in helping migrants to defend their rights.

In addition to providing information, what tangible actions is the centre involved in?

We have opened a dispute resolution office for migrant workers. Any migrant who has a problem at work can have their case taken to the labour inspectorate and we will go to the employment court if necessary. The main problems are related to obtaining work permits, employment contracts and unfair dismissal. We have intervened, for example, in the cases of domestic servants who have not been paid by their employers. It is important to point out that the embassies and consulates of the countries concerned came to the

opening of the centre and understood what we were trying to achieve. One example was the sad case of a migrant who died in a mine in Akjouj. The CGTM alerted the Senegalese consulate, which didn't even know who he was. Thanks to the union network we were able to provide the consulate with the relevant information about this individual so that they could take care of repatriating his body. Now, the consulates themselves send us workers who are in difficulty, proving that we have asserted ourselves as a union. We also work on getting migrants access to the housing loans that the Banque de l'Habitat du Sénegal (BHS) grants to Senegalese people living abroad. Many migrants, most from Saint Louis in Senegal, are victims of the money they send to their relatives to fund their building projects being embezzled. Along with the CNTS, we would like to help migrants to access home savings accounts.

What is your relationship with the associations for migrants that already exist in Mauritania?

We have developed relationships with all the migrants' associations for different nationalities that exist in Mauritania (people from Senegal, Mali, Gambia, Guinea and Burkina Faso). Last June, for example, the 23 Malian associations in Mauritania held their annual general meeting at our centre in the presence of the Malian consul. It's important for us that migrants should feel at home in our centre. We also run an outreach programme and hold mini-meetings at the places where different communities meet. Increasing our level of involvement with migrants' associations in both Nouakchott and Nouadhibou through our local liaison committee is a priority. We also work with the churches, which play an important role in assisting migrant workers.

How do you approach the problem of human trafficking?

It's important to include areas such as human trafficking, prostitution and forced labour in our work on migration, particularly as far as female domestic servants are concerned. They have told us some very moving stories, such as that of a 25 year-old woman who was held in a house at the mercy of a drugs courier. Everyone was in tears when they heard her story, as they realised that terrible things like this happen here, at home, and not in Europe! Many women migrants arrive through networks that pick them up as soon as they arrive and to whom they are forced to pay money for months of work. The influence of the networks hinders the visibility of the migrants. We encourage migrants to participate in our marches precisely to increase their visibility.

What are the specific difficulties faced by female migrants who work in domestic service?

The demand for domestic workers amongst the upper and middle classes in Mauritania attracts female migrants and the traffickers who take advantage of them. In general terms, the nature of the job makes it easy for domestic workers to be exploited: they are isolated, poorly paid and at the mercy of their employers. Diplomatic immunity also leads to significant amounts of abuse. Cases of terrible abuse of domestic workers behind the closed doors of embassies and consulates have been reported to us. We are currently dealing with the case of a Senegalese domestic worker who was the victim of unfair dismissal by a Frenchman working abroad in cooperative aid work. We

took her case to the labour inspectorate, which summoned the parties to attend a conciliation meeting. We went to her employer's house with her, but when we were just a few metres away she asked to get out of the car because she was so afraid: she was really traumatised. There are many cases of foreigners working abroad in cooperative aid work whose employment practices are abusive. As they are protected by diplomatic immunity, it makes things difficult. But in the case of this Senegalese woman, we are conducting the case on her behalf to win damages from her employer.

The ITUC is continuing to support your bilateral projects on migrants for the next few years. On the basis of your initial experience, what are your development objectives for the project?

We want to carry on building on the initial results we have achieved, continue gathering data and increase the visibility of our actions at national borders, because that's where too many migrants are left to their fate and find themselves at the mercy of networks that take advantage of their vulnerability. At a strategic level, we want to strengthen the coordination mechanisms that have already been put in place between activities related to awareness-raising and defending migrants overall, protecting and organising the informal sector, which covers settled migrants, and finally defending domestic workers, as a specific sector that's linked to the problems of people trafficking and forced labour.

Interview by Natacha David.

- See the complete report on the Mauritania/Senegal bilateral trade union project, Mauritania-Senegal Defending the rights of migrants (16 pages)
http://www.ituc-csi.org/IMG/pdf/VS_migrant_EN.pdf

-See the [interview with N'diouga Wade (CNTS-Senegal) "Faced with the tragedy of irregular migration, people must be informed and given alternative employment opportunities"

<http://www.ituc-csi.org/spotlight-interview-with-n-diouga.html>

-See the interview with Moulkheiry Sidiel Moustapha (CGTM- Mauritania) "Combating silence and impunity in order to help migrant domestic workers"
http://www.ituc-csi.org/spotlight-interview-with_4763.html

-See the[interview with Fatou Bintou Yaffa (CNTS- Senegal) "Training is a priority objective for improving the situation of domestic workers."
<http://www.ituc-csi.org/spotlight-interview-with-fatou.html>

- (1) As part of the Special Action Programme on defending the rights of immigrant workers and strengthening trade union solidarity in the southern hemisphere, the ITUC has launched three partnership agreements between affiliated organisations in different regions. With the support of LO/TCO-Sweden, these three pilot projects are being run in Indonesia (SPSI) and Malaysia (MTUC), Nicaragua (CST, CUS, CUSa) and Costa Rica (CTNR) as well as Mauritania (CGTM) and Senegal (CNTS). Migrants' information and support centres have been opened in Malaysia by the TUC, in Mauritania by the CGTM and in Costa Rica by the CTRN.

- More information on the pilot project in Malaysia supported by the ITUC, in the interview with G. Rajasekaran (MTUC) "Helping migrant workers is also

about helping Malaysian workers"

<http://www.ituc-csi.org/spip.php?article3858&lang=EN>

-More information about the pilot project in Costa Rica supported by the ITUC in the Union View report "Helping migrants to get organised"

http://www.ituc-csi.org/IMG/pdf/VS_Costa_Rica_EN.pdf

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