

Examining the attraction of national legal frameworks on movement of workers within East African community: case of Rwanda.

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This research was conducted in Rwanda, precisely in Kigali City. The assessment was on attractiveness of Rwandan legal frameworks on movement of workers, in the context of East African Community (EAC) common market framework. The assumption was that, despite the efforts made by Rwanda to liberalize its labour market, there is a need to amend legislations and improve implementing institutions, in order to guarantee the full protection of worker's rights, and to attract EAC highly skilled workforce. Using library, interview, and observation research methods, the research found out a certain shortage of labour skills in Rwanda. This was due to destruction of human capital by the 1994 Genocide against Tutsi. The research confirmed the efforts made by Government to rebuild its workforce through the accession to EAC labour market, and the set up of laws and institutions regulating recruitment of foreigners. Rwanda also abolished work permit fees for workers from EAC Partner States. However, the practice of labour market test, by which a foreign worker may only be recruited in the absence of a qualified national, the integrated system of a residence/work permit which requires valid employment contract to reside in Rwanda, the delay of employment disputes settlement mechanisms resulting from the insufficiency of the institutions in charge among others, were found to affect attractiveness of Rwandan labour market in the region. The study recommends among others, amendment of Article 95 of the Constitution of Rwanda to restore the precedence of international law, amendment of special pass provisions to include overstay for employment purpose, and separation of a residence permit from a working permit.