



FOR INFORMATION

FOURTH ITEM ON THE AGENDA

**Implementation of the ILO Plan of Action
for Migrant Workers****I. Background**

1. The ILO has a constitutional mandate on the protection of migrant workers. The resolution and conclusions concerning a fair deal for migrant workers in a global economy, adopted by consensus at the 92nd Session of the International Labour Conference, called upon the Office and constituents to carry out a Plan of Action for Migrant Workers with seven components. The conclusions also instructed the Office to keep the Governing Body and any other relevant ILO committees informed of progress in the implementation of the Plan of Action. This note presents an overview of Office-wide activities related to the Plan since June 2004.
2. The overall goal of the Plan of Action is to promote labour migration policies and practices that serve to maximize benefits from labour migration and minimize its adverse effects for both source and destination countries and for migrant workers themselves. The Plan recognized the cross-cutting nature of labour migration and adopted an integrated approach covering labour standards, employment, social protection and social dialogue. Gender is taken up as a cross-cutting theme. Most elements of the Plan relate to ongoing activities of the ILO. The resolution called on the ILO to intensify and expand these activities for greater impact. These are areas in which the Office has accumulated distinctive expertise and which are clearly not within the purview of other international agencies.
3. The Office has been implementing the various components of the Plan of Action in close cooperation with the tripartite constituents and with relevant international organizations since mid-2004 based on both regular budget and extra-budgetary resources. The Office was successful in mobilizing extra-budgetary resources in the last few years for activities in Africa, Asia, Europe, including the Commonwealth of Independent States (CIS), and South America. Most technical cooperation (TC) projects have been decentralized to the field structure with headquarters providing technical backstopping support as needed.
4. This information follows a thematic structure based on the components of the Plan of Action.

II. Implementation of the Plan of Action

1. Development of a non-binding multilateral framework for a rights-based approach to labour migration

5. The Multilateral Framework on Labour Migration was discussed and adopted by a Tripartite Meeting of Experts on the ILO Multilateral Framework on Labour Migration from 31 October to 2 November 2005. It consists of a set of non-binding principles and guidelines for assisting member States to develop more effective labour migration policies. An annex to the Framework features a compilation of best practices on labour migration. The Governing Body in its March 2006 session authorized the Director-General to publish the Multilateral Framework. The decision of the Governing Body carried with it authorization for the Office to disseminate and promote the Framework.
6. The Framework has now been published in several major languages (English, French, Spanish, Arabic, Chinese and Russian), and more translations are planned. It is serving as a major tool to guide both ILO action and national policies. The Office has responded to government requests for technical assistance in developing labour migration policy, and administration based on the Framework. It is promoting the Framework with employers' and workers' organizations, and with agencies of the UN system through the High-Level Committee on Programmes. The Framework is included in all TC activities.

2. Wider application of international labour standards and other relevant instruments

7. Annex 1 of the Multilateral Framework has identified the most relevant instruments for migrant workers. It may be recalled that the 2004 resolution stated: "The Office shall undertake to identify the impediments to the ratification of these Conventions The ILO may take appropriate steps to better promote the ratification of Conventions Nos 97 and 143, and the application of the principles they contain pertaining to the protection of migrant workers." (Paragraph 27).
8. The Office has drawn up legislative profiles for 55 countries based on the main principles contained in Conventions Nos 97 and 143. These profiles provide a snapshot of the degree of correspondence between these principles and national legislation, and thereby help identify main obstacles to their ratification and implementation.
9. In 2005–07, ILO technical support contributed to five additional ratifications of Convention No. 97 (Albania, Armenia, Montenegro, Republic of Moldova and Tajikistan) and five ratifications of Convention No. 143 (Albania, Armenia, Montenegro, Philippines and Tajikistan). In addition, ILO advice supported ratification of the 1990 International Convention for the Protection of the Rights of All Migrant Workers and Members of their Families on migrant workers by several countries (Albania, Algeria, Argentina, Chile, Lesotho and Mauritania) and also contributed to revising draft legislation and/or national policy directives on migration in Albania, Armenia, Lao People's Democratic Republic, Jordan, Kazakhstan, Mauritania, Moldova, Mongolia, Syrian Arab Republic, Uganda and Viet Nam.

3. Implementation of the Global Employment Agenda

- 10.** Labour migration is a clear example of the global dimensions of the employment challenges. Several TC projects address the issue of employment and labour migration. Two TC projects funded by the Government of Spain are designed to give practical effect to the promotion of decent work through expanding legal avenues for migration, skills development, and labour market absorption of returnees including through small and medium-sized enterprise (SME) development. A TC project on effective governance of labour migration in the Russian Federation, the Caucasus and Central Asia is carrying out a number of activities relating to employment and the Decent Work Agenda.
- 11.** The Office has recently reviewed good practices on skills training for labour migration, and recognition of qualifications. In the Asia-Pacific region, the Office implements a regional Strategic Framework for Skills Development, which recognizes labour migration as one of the principal areas to be addressed. The paper on skills portability for the Committee on Employment and Social Policy at the March 2007 session also dealt with migrant workers.¹ Issues relating to skills migration will also form part of the Office report being prepared for the general discussion on skills for improved productivity, employment growth and development at the 97th Session of the International Labour Conference, 2008.
- 12.** The Office participates in the Inter-agency Task Force on remittances, steered by the World Bank and the UK Department for International Development (DFID). The Governing Body in November 2005 adopted a policy on microfinance for decent work, which has implications for Office work on remittances. With a view to making financial policies more employment intensive, and better linking remittances to domestic financial sectors, the Office is reviewing regulatory and policy frameworks in a number of countries, and also carrying out training programmes. The Office is also exploring the involvement of workers' organizations with the International Trade Union Confederation (ITUC) in advising migrant workers on remittance options. The Office has been invited to participate in an inter-agency task force on the promotion of migrant remittances to be set up by the G8 countries.
- 13.** The Office has committed to support the implementation and follow-up to the subregional Poverty Reduction Strategy Paper (PRSP) for West Africa, jointly formulated by the Economic and Monetary Union for West Africa (UMEOA) and the Economic Community of West African States (ECOWAS). This strategy recognizes labour migration as a factor of economic growth and poverty reduction. Linkages with national PRSPs on this subject in the subregion will be explored.
- 14.** The ILO supported a number of field offices in the preparation of inter-agency project proposals for submission to the Spain-UNDP Millennium Development Goals Achievement Fund (MDG-F) thematic window on youth, employment and migration based on strong inter-sectoral cooperation within the Office.

4. Social protection of migrant workers

- 15.** Action in social protection covers the governance and management of labour migration, anti-discrimination and migrant integration, social security, terms and conditions of employment, occupational safety and health of migrant workers, and dealing with

¹ GB.298/ESP/3.

HIV/AIDS in the workplace. A proactive approach to the protection of migrant workers lies in assistance in the formulation and implementation of gender-sensitive labour migration policies, setting up effective labour migration institutions, and adoption and enforcement of legislation and policies guided by international labour standards.

16. The Office is assisting several countries in preparing migration policies, institutions, legislation and statistics including Sri Lanka, Nigeria, Uganda, Jordan, Kuwait, Bahrain, Afghanistan and the United Arab Emirates.
17. The ILO has been invited to play a leading role in the organization and conduct of the Second Gulf Forum on Temporary Contractual Labour; a Partnership for Development, convened by the Ministry of Labour of the United Arab Emirates and by the Gulf Cooperation Council's (GCC) Executive Bureau, in Abu Dhabi, 23–24 January 2008.
18. In Asia, the Office has been assisting the national authorities in evaluating and rationalizing their current legislation, structures, and procedures on labour emigration, especially on recruitment (e.g. Afghanistan, Indonesia and Sri Lanka). The ILO is supporting Lebanon in implementing the national action plan to improve the situation of women migrant domestic workers, The Office also produced a booklet on rights and duties of women migrant domestic workers in Lebanon. ILO activities in Thailand strengthened the capacity of the Federation of Trade Unions of Burma to assist Myanmar migrant workers and their workers' organizations.
19. The Office is continuing work in Albania, Moldova and Ukraine on the prevention of trafficking through awareness creation, decent work generation and access to training and microcredit schemes. Major TC projects have covered West Africa, and selected countries in Europe.
20. The Office addresses the protection of the safety and health of migrant workers through strengthening labour inspectorates and training of labour inspectors in receiving countries. TC projects of ILO–AIDS contain components on migrant workers. Regarding HIV/AIDS, the Office has prepared, together with UNAIDS and IOM, a “Policy Brief on HIV and International Labour Migration”, and is finalizing a paper on “Mobility, HIV and AIDS: Developing a common UN-system framework for a comprehensive, rights-based approach.” The Office will address the issue of migrant workers in a special session of the XVIII World Congress on Safety and Health at Work, to be held in Seoul, Republic of Korea, from 29 June to 4 July 2008.
21. In matters of social security, the Office addresses equality of treatment in coverage and entitlement for migrant workers in relation to national workers. Social security components are being integrated into new TC projects on labour migration. The Office technically supported Bahrain in adopting a social security law that covers migrant workers. The Office is assessing possibilities for a multilateral framework agreement on social security (especially for old-age benefits) among the Association of South-East Asian Nations (ASEAN) countries, based on a survey of ASEAN social security systems. A feasibility study on electronic money remittance to extend social security and national health insurance coverage to Filipino migrant workers abroad has been completed. The feasibility of a pilot project on health insurance for migrant worker families in Bangladesh is being explored in cooperation with the Organisation for Economic Co-operation and Development (OECD) and the German Agency for Technical Cooperation (GTZ).
22. In June 2007, the ILO participated in Government of Qatar consultations on developing an adequate health financing and protection system for Qatari citizens, which also covers the large group of migrants/expatriates working in various economic sectors and as domestic workers in the country. The ILO provided advice on designing a social health protection

scheme aiming at universal coverage and involving subsidies for the poor, including domestic workers.

5. Capacity building, awareness raising and technical assistance

23. The ILC resolution stated that “A high priority should be given to capacity building and technical assistance, in line with this plan of action.”
24. In this respect, the Multilateral Framework on Labour Migration is a major toolkit at the disposal of member States. The Office has also produced *Labour Migration Policy and Management* (with translations into several national languages) for training courses in Asian countries, especially in China, Cambodia, India, Lao People’s Democratic Republic, Mongolia and Viet Nam. In collaboration with the Organization for Security and Cooperation in Europe (OSCE) and the International Organization for Migration (IOM), the Office produced two regional editions of a comprehensive *Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination*, one in English and one in Russian for the CIS region in 2006 and a Mediterranean edition launched in December 2007, in English and Arabic. The Bureau for Workers’ Activities produced a manual on migrant workers for use by the trade union movement and others. The Office is supporting the International Organisation of Employers (IOE) in producing a manual on labour migration for employers.
25. In 2004–06, the ILO implemented a comprehensive project to support social partner engagement on migrant discrimination and integration in Europe by disseminating effective practice, producing practical guidance toolkits, identifying indicators of integration, developing evaluation tools, and convening social partner networking. An information web portal² and a database of anti-discrimination and integration practice profiles in the workplace were developed, as well as a handbook, *Equality in Diversity: Migration and Integration*, and toolkits and motivational pamphlets on integration for employers and trade unions.
26. Nationwide discrimination practice testing was carried out in France and Sweden utilizing the ILO methodology; these studies prompted announcements of new measures by government and social partners to reduce workplace discrimination and enhance integration of workers of immigrant origin. ILO advice and materials assisted Ireland’s resolve to act on discrimination and integration in the new National Social Partnership Accord on social partner–government policy cooperation.
27. The International Training Centre of the ILO in Turin, in close cooperation with MIGRANT, is also contributing to capacity building. A regular training course on labour migration was initiated in April 2007 as part of the Turin curriculum targeted at constituents and international organizations, and will be offered in several languages on a regular basis. It covers protection of migrant workers, employment, labour standards, gender and social dialogue, among others.
28. The Office is contributing to capacity building on labour migration through a number of TC programmes. The European Commission (EC)-funded project on labour migration as an instrument for development and integration in East Africa, West Africa and North African countries contributed to capacity building of selected countries in governance, legal and regulatory frameworks, migration statistics, and research on migration

² www.ilo.org/migrant/equality

development links. This represented the first stage of a long-term comprehensive approach to labour migration, development and regional integration, in cooperation with regional economic communities. Two major projects on labour migration have been launched in Asia: the ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration and the ILO/Japan Regional Programme on Managing Cross-border Movement of Labour in Southeast Asia. These have carried out a number of training courses, meetings, and provided capacity-building support to tripartite partners. The TC project on sustainable partnerships for governance of labour migration covers the Russian Federation, the Caucasus and Central Asia. A major TC project on strengthening the capacity of Afghanistan for reintegration and temporary migration of Afghan workers and their protection is being carried out. Activities are due to be launched in 2008 in the GCC States on building an information and knowledge base for policy support on international migration, and in Central Asia on regulating labour migration for development and regional cooperation.

29. Two projects supported by Spain address capacity building in Bolivia, Colombia, Ecuador and Peru, and Senegal. The Irish-supported project on labour migration institutions and in anti-trafficking covering Albania, Moldova and Ukraine also has a strong capacity-building component.
30. At the request of the Republic of Korea, the ILO initiated a technical assistance project to build capacity of labour sending countries to effectively benefit from the Korean Employment Permit System (EPS) to send workers to the Republic of Korea. The project helps the Korean Government to establish a “model” system where the labour migration is organized government-to-government with full protection of the rights of workers.
31. The effective action for labour migration policies and practice project launched with DFID core support has a strong capacity-building and awareness-raising component on a variety of labour-migration related issues, ranging from the promotion of the Multilateral Framework to technical capacity building for strengthening migration-development linkages, labour migration statistics and good practice profiles.

6. Strengthening social dialogue

32. Social dialogue is promoted in all activities related to labour migration undertaken by the Office. In addition to the direct involvement of social partners in all TC activities, the Bureaux for Employers’ and Workers’ Activities have greatly contributed to enhancing social dialogue on labour migration issues, both as a tool and a strategic objective of the Organization. International employer and worker organizations – the IOE and the ITUC – are now directly engaged with the Office on labour migration issues. The ITUC has pledged support to the promotion of migrant worker Conventions and the ILO rights-based approach.
33. Fifteen countries in Africa (in East Africa, West Africa and Maghreb subregions) established national tripartite consultative forums and/or focal points for labour migration, as outcomes of ILO TC and advisory services, followed by tripartite subregional action plans on labour migration management in the three subregions. A Road Map for Action on Labour Migration and Development in Africa was adopted at the ILO–EC–Africa–Europe Inter-regional Dialogue in managing Labour Migration for Integration and Development, Brussels, 4–6 April 2006, which emphasized the role of social dialogue.
34. The Office provided support for a number of trade union events on labour migration in different regions. Most of these events led to the adoption of action plans and

commitments by participating organizations for the promotion and protection of rights of migrant workers.

35. The Office is undertaking an action programme on the supply side of the international migration of health-care workers in partnership with WHO and the IOM. Tripartite national steering committees have been set up to promote social dialogue on the issue in addition to active involvement of the IOE and Public Services International (PSI).
36. Together with the Programme for Workers' Activities in Turin, the Office has contributed to the organization of regional and subregional trade union seminars on the issues affecting migrant workers in Damascus (December 2007), Moscow (June 2007), Jakarta (August 2007) and Kathmandu (September 2007). The Kathmandu meeting adopted the trade union declaration on the rights of migrant workers from South Asia. In addition the Programme for Workers' Activities at the Turin Centre has now integrated a module on a "rights-based approach to labour migration" in its training programmes for trade unionists. The Office has contributed to helping trade union organizations at global and regional levels to strengthen their policies aimed at promoting the rights of migrant workers. Two South American trade union seminars on women migrant domestic workers, in Montevideo in December 2005, and Asunción, Paraguay, in November 2007, are further examples of social partner-led initiatives. Both seminars adopted declarations to promote and protect the rights of migrant women domestic workers.
37. The Office is promoting cooperative action among trade unions and NGOs in the ASEAN countries to protect the rights of migrant workers, especially women domestic workers. It provided support to the Migrant Forum in Asia in cooperation with the ASEAN Trade Union Council to undertake consultations on promoting the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (November 2007).
38. The Office is providing support to employer initiatives on migrant workers. The ILO contributed to a meeting convened by the Employers' Associations of Central and Eastern Europe to take stock of ways in which a mutually beneficial regime of migratory flows could be established. The Office also contributed to the Round Table Colloquium on enforcing workers' rights in Israel in November 2006, sponsored by the Friedrich Ebert Stiftung (FES) of Germany and the Industrial Relations Research Association of Israel. The Office developed a methodology for migrant workplace integration and is providing training for enterprises in early 2008 under the auspices of the Irish Management Institute. On request from the International Hotel and Restaurant Association (IH&RA), it is exploring the feasibility of setting up a temporary labour migration scheme in the industry.
39. Social dialogue was an integral part of tripartite forums and conferences that discussed agendas for future action on labour migration and combating discrimination and the integration of migrant workers, under TC projects implemented by the Office. The Office will continue plans for activities related to strengthening or setting up labour migration institutions, with the involvement of social partners, as part of labour administration in developing countries. In its May 2007 session the Senior Labour Officials Meeting of ASEAN accepted ILO advice in establishing an ASEAN Forum on Labour Migration.

7. Improving the information and knowledge base

40. The 2003 International Labour Migration Survey indicated the high demand for Office activities on improving the knowledge base on migration, including statistics on labour migration. This was confirmed by the 2004 International Labour Conference resolution.

41. The Office has developed an active research and information dissemination programme on labour migration through regular policy-oriented research disseminated through monographs, working papers and the web site. The main focus areas being progressively addressed are: globalization, migration and migrant protection, skilled labour migration, skilled diaspora and their contributions, labour market discrimination against migrant workers, deskilling of women migrants in Switzerland, integration of migration issues in development, migration and development in southern Africa, women migrant domestic workers, youth and irregular migration in West Africa, irregular employment of migrant workers in Austria and the Czech Republic, and private recruitment agencies. The Office has produced three sets of studies on migration data, law and practice and migration and development for East Africa, the Maghreb region and West Africa, respectively. It also published research on the profile and the labour market impact of the displaced Afghan population in the Islamic Republic of Iran and Pakistan and reintegration of Afghan returnees.
42. The decent work research programme of the International Institute for Labour Studies published research outputs on international labour migration, particularly skilled labour migration and migrant worker recruitment agencies. Current research on the internationalization of labour markets explores the links between mobility, employment and development.
43. The online International Labour Migration Database has been restructured and integrated into the mainstream LABORSTA (labour statistics) database of the ILO Bureau of Statistics from January 2008. A labour migration statistical module has been developed for attachment to existing household surveys on the labour force, and tested in Armenia, Egypt, Ecuador and Thailand. The Office contributed to the first Biennial Regional Report on Arab Labour Migration produced by the League of Arab States in 2006.
44. TC projects have expanded the knowledge base on specific regions through policy-oriented research and publications on labour migration policy, legislation, migration and development and migration statistics in Africa and Asia including special issues of the International Migration Papers on Africa. Integration projects in Europe have produced practical guidance toolkits, practice profiles, research reports on integration and a handbook for social partners.
45. The profiles of best practices contained in the Multilateral Framework on Labour Migration and those on anti-discrimination have been posted on the web site. The Office has also produced video clips on migrant workers, trade union rights and migrant domestic workers.

8. Policy cooperation and dialogue

46. At the inter-agency level, the Office is a founding member of the Geneva Migration Group (GMG) which has now become the Global Migration Group (GMG), and collaborates with most GMG members in specific technical activities. There are active partnerships with the IOM, UNHCR, UNIFEM and the Office of the UN High Commissioner for Human Rights (OHCHR), exchanging information, initiating collaborative projects and jointly organizing meetings. It also has regular contacts and consultations with the World Bank and the UN Department of Economic and Social Affairs (DESA), with which the ILO is the leading agency at the High-Level Committee on Programmes on issues of migration. The Office organized the ECOSOC round table on globalization and labour migration in Geneva, July 2006. The ILO contributed actively to the process of the UN High-Level Dialogue on International Migration and Development held at the UN General Assembly in September 2006. It also provided its full support to the Global Forum on Migration and Development

(GFMD) convened by the Government of Belgium as a follow-up to the UN High-Level Dialogue. It provided technical papers on gender and migration and rights and migration, and also made technical contributions to several round tables. It is also working closely with the Government of the Philippines for the second GFMD to be held in Manila in 2008. The Office is collaborating with several UN agencies and the IOM in the EC–UN–IOM Joint Initiative on Migration and Development to assist developing countries in promoting benefits from migration. In October 2007, the ILO jointly organized a global seminar on migration and human rights with the Inter-Parliamentary Union (IPU) and the OHCHR.

47. At the regional level, the Office has expanded exchange and policy dialogue with the EC, establishing migration as a priority area for cooperation under the new EC–ILO Strategic Partnership agreement, provided expert opinion on a number of migration-related communications, maintained dialogue and information exchange with the OECD, and continued active participation in the Parliamentary Assembly of the Council of Europe Committee on Migration. It is also collaborating with the International Centre for Migration Policy Development in Vienna on European migration issues. In Africa, the ILO provided extensive inputs to the African Union Strategic Framework for a Policy for Migration in Africa adopted in July 2006. It collaborated with the ECOWAS, Central Africa (CAEMC), East Africa (EAC) and Southern Africa (SADC), ASEAN, the Gulf Cooperation Council, the League of Arab States the UN Economic and Social Commission for Western Asia, and the UN Economic Commission for Africa.
48. The Office has continued cooperation and exchange with key academic institutions and centres of excellence on migration, and served on advisory committees of regional and global research networks. The Office has also contributed to policy debate and public awareness in activities organized by professional and civil society entities such as the ITUC, Caritas Europa, the International Association of Labour Inspection, the West African Women’s Association and the Migrant Forum in Asia, among others.

III. Resource implications of the Plan of Action

49. The Plan of Action covers all areas in the mandate of the ILO. Growing requests for Office interventions reflect a confidence in the Organization and in the rights-based approach to labour migration articulated by the International Labour Conference in 2004. Requests stem from tripartite constituents, international and regional organizations and the research community.
50. The Office responds to requests in an integrated manner using resources under the regular budget and TC projects. Extra-budgetary resources from multilateral and bilateral donors have been crucial to making substantial progress in realizing the objectives of the Plan of Action. The close collaboration with constituents and partnerships beyond the ILO have expanded the capacity of the Office. Additional resources would allow greater response to demands and a confirmation of the ILO’s role and position in debates and policy on labour migration.

Geneva, 18 February 2008.

Submitted for information.