



International
Labour
Organization

ILO Regional Strategy on Labour Migration and Human Mobility in Latin America and the Caribbean 2023-2030



EXECUTIVE SUMMARY



► Presentation

Labour migration and human mobility are important issues in Latin America and the Caribbean, and although migration can bring economic and social benefits, its governance and protection present complex challenges. This has called the International Labour Organization (ILO) to elaborate a Regional Strategy for Labour Migration and Human Mobility in Latin America and the Caribbean 2023-2030, in the framework of ILO's normative mandate for the governance of labour migration and protection of migrant and refugee workers' rights, as part of the overall pursuit of decent work and social justice.

The Regional Strategy seeks to provide an illustration, within one document of the strategic horizon for ILO's action in the region and to guide the organization's technical cooperation on labour migration and mobility. The document was created from an up-to-date analysis of the trends, flows and characterizations of the migrant and refugee population in the main migratory corridors, both intra-regional and extra-regional, as well as the observation of the weaknesses and key challenges in the areas of protection, migration governance and development.

► Trends, flows and characterization of the migrant and refugee population

Migration is a prominent phenomenon in Latin America and the Caribbean, with millions of people migrating both within and outside the region. The migration flows vary in terms of legal status and modes of arrival, with identified corridors leading to destinations in South America, Central America, the Caribbean, as well as North America.

Most migrants and refugee workers are economically active adults, although families and unaccompanied minors are also present. Women's migration is on the rise, with almost half of migrant workers being women who actively participate in the workforce, and the care economy is a significant sector for women migrant workers. One-third of people on the move in 2020 were refugees, asylum seekers or other forcibly displaced people, often fleeing violence or political crises, with high numbers living in countries like Panama, Ecuador, Peru, and Colombia.

The search for job opportunities, higher income, and the impact of climate change are major drivers of migration in the region. Climate change is increasingly contributing to migratory movements, with estimates suggesting that millions of people could migrate in the coming years due to the loss of habitat and/or livelihood in areas affected by droughts or heavy rains. Migration policies face the challenge of addressing and managing these complex migration patterns, which are expected to persist or intensify in the future.

► ILO's mandate, strategic objectives and added value

The ILO's comparative advantage in working with labour migration and mobility rests upon a number of strengths: its constitutional mandate, since 1919, for the protection of migrant workers' rights; its normative nature and the importance of its international labour standards; its tripartite structure which allows actors of the real economy to take a leadership role in matters that pertain to the world of work, its technical experience and capacity to support Member States in establishing concrete policies and legal solutions; its expertise in highly technical relevant subjects such as social security and labour market institutions, labour market analysis and socioeconomic and labour integration issues with a human-rights and labour-rights approach; the ability to contribute to the achievement of the Sustainable Development Goals (SDGs); its work on the "humanitarian-development-peace (HDP)" nexus; and its focus on promoting decent work with the underpinning principles of non-discrimination and equal treatment.



► Key challenges

The labour market in the region is characterized by **high informality**, including in feminized economic sectors such as domestic work, for example, which especially affects migrant and refugee workers. Labour informality leads to low wages, exclusion of rights and labour exploitation. It is necessary to put decent work at the centre of public policies and guarantee labour rights to include migrants and refugees in the labour market.

The challenges faced by migrant and refugee workers in the region are intimately related to this broader context of widespread informality and further exacerbated by the often-irregular nature of migration movements. Irregular migration is a difficult phenomenon to quantify, but it is estimated as a significant feature of migration and mobility in the region. **The lack of regular migration status** affects migrants' ability to access formal employment, public services, and social protection, putting workers at higher risk of exploitation and abuse. Although some countries have implemented regularization measures, migrant workers can have difficulties in accessing such channels as they lack the requested documentation to comply with regularization requirements.

Another major challenge relates to widespread abusive and sometimes **exploitative recruitment practices** of private employment agencies, informal labour recruiters and other operators acting outside the applicable legal and regulatory framework. The promotion of fair recruitment practice is essential for migrants to access decent work, income opportunities and essential goods and services necessary to a dignified life.

The **difficulty in gaining the recognition of skills and qualifications obtained** in the country of origin is another major challenge. Likewise, migrant and refugee workers face barriers in accessing vocational training programmes and active labour market policies.

Another challenge is the **low financial inclusion** of migrant and refugee workers and their **restricted access to social protection**, due to the low degree of development of social protection frameworks and mechanisms in the different countries of Latin America and the Caribbean, and migrants' informal labour insertion.

Finally, the **lack of policy coherence** to address the problems faced by migrants is noticeable. Greater synergy between development policy frameworks, employment and migration policies and governance frameworks are needed to improve policy coherence in the region. The lack of statistics on certain groups of migrants makes them invisible and hinders their protection by laws and public institutions.



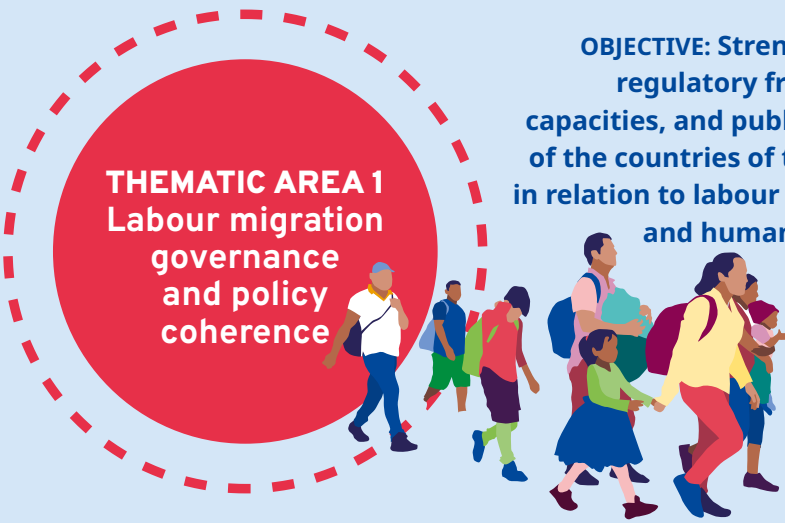
Strategic Priorities



To address the above-mentioned multi-layered challenges, and integrated policy response is essential. The ILO Strategy proposes **9 strategic priorities**, divided into **5 thematic areas** and **4 cross-cutting approaches**, for the period between from 2023 to 2030. Under each thematic areas specific outputs have been identified. These are based on three underling principles:

- ▶ **Tripartism and social dialogue:** the strategy is designed and implemented with constituents through tripartite dialogue and capacity building.
- ▶ **Policy oriented approach:** the strategy seeks to influence and contribute to the design of public policies.
- ▶ **Context specificity:** the strategy reflects and addresses the specific socioeconomic and institutional context and capacities of the countries of Latin America and the Caribbean.

► Thematic Areas



THEMATIC AREA 1 Labour migration governance and policy coherence

OBJECTIVE: Strengthen the regulatory framework, capacities, and public policies of the countries of the region in relation to labour migration and human mobility.

- 1.1** **Migration and human mobility have been mainstreamed** in relevant national policies and institutions, and labour migration issues have raised in importance and visibility in the policy agenda of Latin American and Caribbean countries.
- 1.2** The **capacity of ILO constituents to address labour migration and human mobility** issues has been enhanced, with a particular focus on the rights and obligations of migrant and refugee workers.
- 1.3** Social dialogue processes have been strengthened, and the capacities of social partners and Ministries of Labour to integrate the issue of **labour migration in existing tripartite social dialogue spaces** have been enhanced.
- 1.4** Cooperation with and among Chancelleries and Ministries of Foreign Affairs, as well as with Ministries of Labour, Security or Interior, Social Development, and Women has been strengthened with a view to ensure **policy coherence on labour migration related issues**, improve migration governance, enhance protection of migrant and refugee workers' rights, and enhance their effective access to justice.

1.5 Existing policies and legislative frameworks, particularly those related to **job creation, reducing informality, and expanding social protection**, have been supported.

1.6 Labour migration has been better integrated into the **programmatic actions of various ILO offices and teams** to increase the involvement of specialists and national officials in implementing interventions aimed at addressing the specific needs of migrant and refugee population.

1.7 The capacity of governments in the region to address the **opportunities and challenges of return migration** has been improved.



OBJECTIVE: Improve capacities in the countries of the region to advance in the effective application of the ILO Fair Recruitment Principles and Guidelines.

2.1 **Legislative and regulatory frameworks have been revised** to have labour intermediation services promote ILO fair recruitment principles and guidelines and in consultation with social partners, observing the specific needs of migrant and refugee working women.

2.2 Effective enforcement mechanism of recruitment regulations has been enhanced, including the capacities of **labour inspection services** to monitor abuses and provide effective means of redress, with a special attention of the most vulnerable migrant and refugees workers (in domestic work or sex work).

- 2.3** National public employment services have been strengthened to enhance support for migrant and refugee workers, including **training and capacity building on labour migration and human mobility**, in accordance with the Fair Recruitment principles and guidelines for: (i) government officials and Public Employment Services' officials; and (ii) employers' and workers' organizations.
- 2.4** Trade unions awareness and access to knowledge, guidelines, and tools have been improved with a view to increase the **representation of migrant and refugee workers among their members**.
- 2.5** Independent, relevant, understandable, and practical information has been provided to workers regarding their **rights and obligations with regards to fair recruitment**, including access to justice and remedies.
- 2.6** The capacities of enterprises and employers' organizations have been enhanced to enable the effective application of **Fair Recruitment principles and guidelines**, including through self-assessment and due diligence practices.



OBJECTIVE: Promote public policies to create employment and reduce informality in the context of labour migration and human mobility, as well as to facilitate migrants' access to decent work.

- 3.1** Improved **legal and administrative protection** for migrant and refugees workers' rights.
- 3.2** Improved **access of migrant and refugee workers to labour justice and judicial institutions**, such as ordinary courts and specialized labour courts, as well as non-judicial institutions that provide labour inspection, conciliation, mediation, and arbitration services.
- 3.3** Constituents' capacities of discussing and designing policies and programmes to promote **job creation and reduce informality** have been enhanced, with a specific focus on addressing the needs of migrant and refugee workers.
- 3.4** Policies and processes to promote **employment formalization** (employees) **and enterprises regularization** (self-employed workers) have been supported with a view to improve the transition of migrant workers from the informal to the formal economy.
- 3.5** Information campaigns targeting migrant and refugee workers have been conducted and the cooperation with employers' and workers' organizations have been put forward to **ensure decent working conditions for migrants**.
- 3.6** **Awareness campaign among employers' and workers' organizations** has been raised about the issues of forced labour, discrimination, and harassment in the workplace, as well as human trafficking and labour exploitation.
- 3.7** Prevention and response policies in the region that give **greater visibility to forced labour** and allocate funds to combat its eradication have been adopted and implemented in line with international labour standards.
- 3.8** **Occupational health and safety measures in workplaces** for migrant and refugee workers and their host communities have been improved.

3.9 Protect of migrant children and prevention of child labour, with special attention to unaccompanied minors and particularly vulnerable sectors (e.g., domestic work) have been designed and effectively implemented.

3.10 Measures to effectively guarantee freedom of association for refugee and migrant workers as well as their representation and organization within trade unions have been promoted.

THEMATIC AREA 4
**Labour mobility,
training,
certification, and
recognition of skills,
including prior
learning**

OBJECTIVE: Strengthen the capacities of ILO's constituents to promote measures that favour labour mobility, training and recognition of skills and qualifications of migrant and refugee workers.

4.1 Economic integration of migrant workers and refugees has been facilitated through measures such as labour intermediation services, entrepreneurship, and microcredit schemes, strengthening of migrant support networks, etc.

4.2 Processes aimed at **simplifying bureaucratic procedures** regarding the recognition and equivalence of credentials and/or certification of labour competencies have been supported in cooperation with social actors. This includes promoting administrative simplification, as well as digitalization and the use of Information and Communication Technologies (ICTs) for certifying and recognizing the credentials and prior learning of migrants.

- 4.3 Changes in **vocational training services** have been promoted and supported to provide training programmes that align with market demand, with specific strategies to attract women and consider their employability in non-traditional occupations.
- 4.4 Regional efforts have been promoted and supported to establish schemes for the **recognition of competencies and qualifications**.
- 4.5 Dialogue with employers' organizations has been strengthened to determine **labour needs and occupational profiles**.
- 4.6 **Cooperation with the Inter-American Centre for Knowledge Development in Vocational Training** (CINTERFOR) has been enhanced to improve the labour skills of migrant and refugee workers.
- 4.7 **Regional and bilateral cooperation** strengthened through systematic contact and exchanged on labour migration and formal labour agreements (BLA), considering emerging needs (for example, due to a crisis situation).
- 4.8 The strengthening of **transnational networks between workers' organizations** promoted to ensure that migrant and refugee workers are informed and can access services.
- 4.9 Strengthened channels for migrant workers and diasporas to **contribute to the development of their countries of origin**.



THEMATIC AREA 5 Social protection and social cohesion

OBJECTIVE: Improve social protection systems and public policies in the region by promoting the inclusion of migrants and refugee workers.

- 5.1** Promoted and strengthened work with civil society organizations (migrant associations, neighbourhood associations, NGOs) to **improve social cohesion and prevent xenophobia and racism.**
- 5.2** Increased **cooperation with governments to address the challenges of irregular migration**, to ensure safe, orderly migration with full respect for human rights.
- 5.3** Promoted **financial inclusion and access to credit programmes** for migrant and refugee workers.
- 5.4** Multilateral or bilateral agreements on **provision of social security coverage and benefits** revised or established, as well as **portability of benefits and entitlements** for all workers regardless of status.
- 5.5** **National social protection floors** established to ensure access to essential healthcare and basic social protection to all, including migrant and refugee workers and their families.

► Cross-cutting Approaches



OBJECTIVE: Improved capacities of countries in the region to generate knowledge, statistics and data on labour migration and mobility to inform decision-making.

- 1.1** Strengthened cooperation with the **National Statistics Institutes** of countries in the region, as well as other institutions (e.g., Ministries of Labour, Social Development, Central Banks, Universities, Migration Observatories, among others) that **produce labour migration data**.
- 1.2** Increased **cooperation with ECLAC, IOM, UNFPA, and other agencies** working on labour migration statistics.
- 1.3** Enhanced coordination for **methodological harmonization of labour migration statistics**: (i) within each country and (ii) among countries in the region.

- 1.4** Sectoral and **thematic regional/subregional and comparative studies conducted on different aspects of labour migration** (e.g. contribution of migrant and refugee workers to the development, growth, and revitalization of the economy), and successful experiences in this area of intervention
- 1.5** Increased **cooperation with ITC-ILO in Turin, CINTERFOR, and other relevant regional entities** to disseminate and transform knowledge and data into training and capacity building, and update training materials on labour migration and human mobility.
- 1.6** Promoted the **use of new information technologies**, and massive data analysis (big data) to address the issue of labour migration and human mobility.

**CROSS-CUTTING
APPROACH 2**
Capacity-building,
partnerships and
development
cooperation

OBJECTIVE: To strengthen ILO's technical capacities in the different countries of the region and to expand the ILO's cooperation in Latin America and the Caribbean with other actors working in the field of labour migration and human mobility.

- 2.1 Interagency cooperation and partnerships with other UN agencies** (UNHCR, IOM, WFP, FAO, UNDP, OHCHR, PAHO/WHO, UN Women) has been strengthened and the United Nations Cooperation Frameworks for Sustainable Development in countries of Latin America and the Caribbean better reflect labour migration and human mobility issues and foster implementation of concrete measures and actions.

2.2 Resource mobilization strategies, have been designed and effectively pursued, including the establishment of “innovative” cooperation modalities (South-South and Triangular Cooperation, Trust Funds, Public-Private Partnerships, etc.).

2.3 Partnerships with other international agencies and cooperation actors (NGOs, migrant organizations, etc.) working in the field of labour migration and human mobility have been expanded.

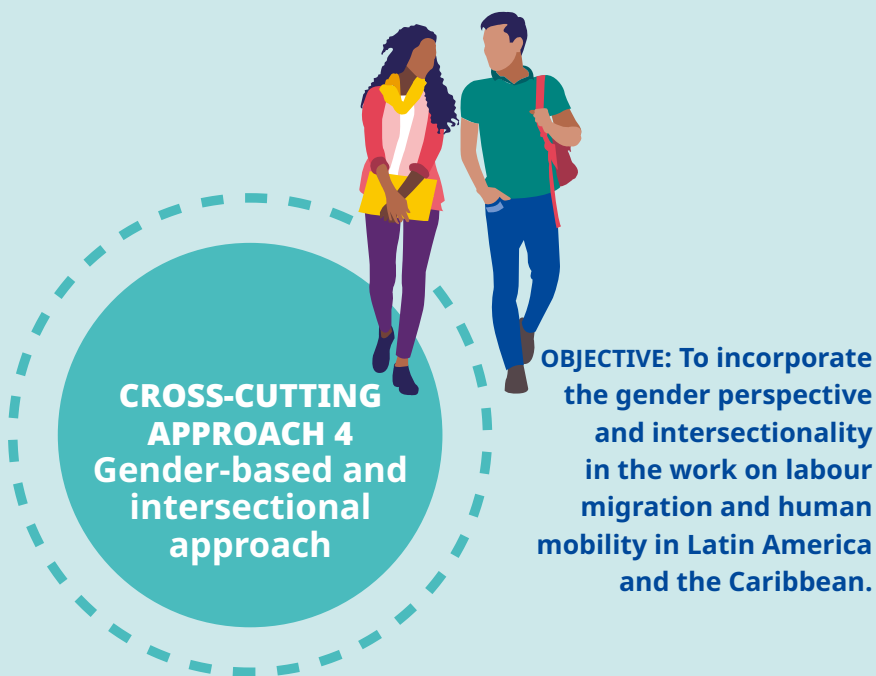
2.4 Support to **international and regional consultative spaces** (UN Migration Network, South American Conference on Migration, Regional Conference on Migration, etc.) has been provided and participation of Labour Ministries, as well as employers’ and workers’ organizations in these spaces has been enhanced.



OBJECTIVE: Harmonize and promote the alignment of national legislative framework of countries of Latin America and the Caribbean to international labour standards related to migrant and refugee workers.

3.1 Ratification and implementation of all conventions that relate to migrant and refugee workers is promoted, including ILO C97, C102, C118, C143, C157, C181, C189 and C190, in special the ones that pave the way for gender equality such as C100, C111, C156, and C183.

- 3.2** Regional cooperation is enhanced to address the **challenges of irregular migration** to ensure safe, orderly migration with full respect for human rights, while preventing crimes such as forced labour and human trafficking.
- 3.3** The effective recognition and protection of **labour rights for migrant and refugee workers** is promoted in the framework of **regional integration processes and spaces**.



- 4.1** Legislation and policies in different countries of Latin America and the Caribbean that recognize **the need to go beyond the binary concept of gender equality** to better reflect the multiple levels of discrimination are promoted.
- 4.2** Specific measures are adopted and implemented to **reduce gender gaps** amongst the migrant and refugee workers in terms of education, quality of work (informality), access to managerial positions, care work, remuneration, violence, and harassment.

- 4.3** The **gender approach and the intersectional perspective** (e.g., economic conditions; indigenous peoples; victims of violence; degree of disability; Afro-descendants) are incorporated into the design of each of the interventions.
- 4.4** Strengthened **generational approach** that addresses the opportunities and challenges faced by each age group: youth, older adults, etc., with special attention to the rights of children and adolescents.
- 4.5** Strengthened statistical institutes or other institutional counterparts to ensure that **existing migration and refugee statistics are disaggregated** by sex, allowing for comparative analysis to identify gender gaps in access to work.
- 4.6** **Migrant and Refugee women's organization and representation** supported, including through trade unions and through the development of leadership training and organization strategies directed at this population.
- 4.7** **Information and data on the gendered dimensions of labour migration:** strengthened, including feminized sectors of work, gender-based discrimination, violence and harassment at work, and gendered migration drivers and outcomes.

► Operational matters

The Regional Strategy will include components on monitoring and evaluation, communication (including wide dissemination throughout the region) and resource mobilization (including the establishment of a multi-partner trust fund for the implementation of the strategy).







International
Labour
Organization

Regional Office for
Latin America and the Caribbean
ilo.org/americas



OITAmericas



OITAmericas



oit_americas