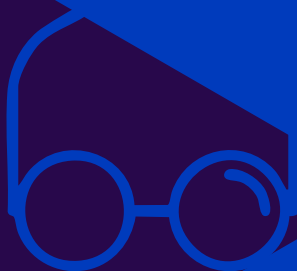




International
Labour
Organization

Fair
Recruitment
Initiative

► Technical report on fair recruitment of migrant workers with disabilities



► **Technical report on fair
recruitment of migrant
workers with disabilities**

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The International Labour Organization (ILO) is committed to advancing fair recruitment practices that respect human rights and promote decent work for all. Since its launch in 2014, the ILO Fair Recruitment Initiative (FRI) has sought to ensure that recruitment processes are conducted in a fair, transparent, and inclusive manner, guided by international labour standards and rooted in the principles of equality and non-discrimination.

This technical report on fair recruitment of persons with disabilities, with a specific focus on migrant workers, represents an important step toward filling a critical knowledge gap at the intersection of disability inclusion, migration, and recruitment. While the ILO's General Principles and Operational Guidelines for Fair Recruitment underscore the importance of non-discrimination, explicit guidance on the inclusion of persons with disabilities, particularly migrant workers, remains limited.

By examining existing literature, identifying key challenges and good practices, and situating these within the framework of relevant ILO standards, this brief seeks to lay the groundwork for more inclusive recruitment policies and practices.

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► Abbreviations and acronyms

ACTRAV	ILO Bureau for Workers' Activities
AFML	ASEAN Forum on Migrant Labour
BLMAS	Bilateral Labour Migration Agreements
CEARC	Committee of Experts on the Application of Conventions and Recommendations
CGF	Consumer Goods Forum
CRPD	Convention on the Rights of Persons with Disabilities
DMN	Disability Migration Network
DTM	Displacement Tracking Matrix
ELA	European Labour Authority
FRI	Fair Recruitment Initiative
GBDN	Global Business and Disability Network
GBNFL	Global Business Network on Forced Labour
GCM	Global Compact on Migration
GDPR	General data protection regulations
GPOG	General Principles and Operational Guidelines for Fair Recruitment and definition of recruitment fees and related costs
GPSDD	Global Partnership for Sustainable Development Data
HI	Humanity & Inclusion
HR	Human resources
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and their Families
IDA	International Disability Alliance
ILO	International Labour Organization
IOE	International Organization of Employers
IOM	International Organization for Migration
IRIS	International Recruitment Integrity System
ITUC	International Trade Union Confederation
JAN	Job Accommodation Network
K-SBSI	Confederation of Indonesian Prosperity Trade Union
M&E	Monitoring and Evaluation
MOU	Memorandum of Understanding
MRC	Migrant Worker Resource Centre
MSME	Micro, small and medium enterprises

MTUC	Malaysian Trades Union Congress
OSH	Occupational safety and health
RCPs	Regional Consultative Processes on Migration
RLI	Responsible Labour Initiative
S2S	Southeast Asia Regional Programme on Labour Migration in the Fishing Sector - Ship to Shore Rights SE Asia
SMEs	Small and medium enterprises
SOPs	Standard operating procedures
SSA	Social Security Agreement
TVET	Technical and vocational education and training
UN	United Nations
UNGP	UN Guiding Principles on Business and Human Rights
WEC	World Employment Confederation
WG-SS	Washington Group of Disability Statistics short set of questions
ZiCTU	Zimbabwe Congress of Trade Unions



► Executive summary

In 2014, the ILO launched the global Fair Recruitment Initiative (FRI) as part of the ILO Director-General's call for a [Fair Migration Agenda](#), reflecting the importance of recruitment in labour market functioning and to reduce exploitative recruitment practices. Without effective regulation and enforcement, migrant workers, as well as refugees and other forcibly displaced workers can be vulnerable to exploitative practices across the recruitment cycle, including: deception about the nature and conditions of work; overcharging for recruitment-related costs; illegal wage deductions; debt bondage linked to repayment of recruitment fees; retention of passports; and threats, if workers want to leave their employers, compounded by migrants' fears of subsequent expulsion from a country if they complain. These abuses leave migrants in situations of extreme vulnerability, and can amount to human trafficking and forced labour.

The FRI's vision, reiterated in the FRI Strategy (2019-2025), is to ensure that domestic and international recruitment practices are grounded in international labour standards; are developed through social dialogue; and ensure gender equality. However, the Initiative and its Strategy do not explicitly mainstream disability inclusion, leaving gaps in the visibility of the specific challenges faced by persons with disabilities and in their effective coverage.

The inclusion of migrant, refugee and displaced workers with disabilities in fair and equitable recruitment systems is a critical aspect of policy. Migrant workers with disabilities face the same challenges as all migrant workers, in addition to barriers created by society on the grounds of their disabilities, plus the layered effects of migration status, gender, race, nationality, language and age. These challenges span the recruitment cycle, from access to information about jobs, experiences of discrimination and lack of accommodation in interviews and medical assessments, lack of accessible transport, and challenges on arrival around administrative processes, accessible workplaces and accommodation. These barriers are compounded by gaps in national systems including exclusionary medical assessment protocols, inadequate access to and portability of social protection benefits, and limited accessibility of health and social services for migrants with disabilities. Exploitative practices in recruitment applicable to all migrants can be intensified for persons with disabilities, and given discriminatory practices, many persons may choose not to disclose disabilities, or seek support services where they exist, which can negatively impact on their health.

Migrant workers with disabilities are more likely to be pushed into precarious, low-wage, and informal work, and informal migration channels where they are at risk of abuse, low pay, and dangerous and precarious work. In some cases, medical assessments bar persons with disabilities from labour migration, and in others discrimination means persons with apparent disabilities cannot get past the initial encounter with a recruiter, leading many to migrate through irregular channels, or work informally. Even for those in regular situations, a lack of social protection coverage and of clarity around insurance for accidents and injuries in transit or outside the workplace can leave migrants with no health or medical coverage, exacerbating existing conditions, and adding risks to those who experience sickness or injury resulting in disability during migration.

To achieve meaningful inclusion of migrant workers with disabilities, governments and recruiters will need to address complex practical questions. These include how to approach medical testing in line with human rights principles; who bears the cost of reasonable accommodations; whether inclusive recruitment quotas should apply for international migrants; and how to design accessible complaint mechanisms. The brief explores these issues and proposes ways forward, recognising the need to balance national employment objectives with inclusive migration policies.

This technical brief focuses on the importance of fair recruitment practices and the need to ensure that future initiatives are disability inclusive. The report highlights the barriers faced by international migrants, including migrant workers, refugees and forcibly displaced persons with disabilities and offers examples of good practices, lessons learned, and proposals for action based on emerging good practices for making fair recruitment systems more disability-inclusive, aiming to create more fair recruitment pathways and practices for all individuals, including those with disabilities migrating across international borders. Findings are based on a rapid desk review and a series of interviews with representatives from government, employers' organizations, trade unions, organizations of persons with disabilities (OPDs), recruitment and human resource (HR) professionals, and development partners (Annex 1). Findings were crystallised into a series of lessons learned, grouped under the four pillars of the Fair Recruitment Initiative Strategy with associated challenges, good practices and proposals for action addressed to the ILO, summarised here:



Pillar 1: Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes

Lesson learned 1: Data collection and analysis, as well as sound monitoring and evaluation, are essential to improve disability-inclusive recruitment practices.

It is crucial to enhance data collection on migration and disability to enable evidence-based policymaking and targeted interventions. Monitoring and evaluation systems used in relation to the Fair Recruitment Initiative (FRI) strategy need to systematically include disaggregated disability indicators; and in all cases, it is necessary to take into account data protection and privacy.

Lesson learned 2: Enhancing tripartism and building effective networks and partnerships improves recruitment outcomes for migrant workers with disabilities.

Collaboration among governments, employers, trade unions, organizations of persons with disabilities, and migrant organizations enhances recruitment practices for migrants with disabilities. Building multi-stakeholder platforms and networks has been seen to foster the exchange of knowledge and enable participants to enhance mutual understanding, break down siloes between migration and disability actors and develop shared strategies promoting inclusion.



Pillar 2: Improving laws, policies and enforcement to promote fair recruitment

Lesson learned 3: Strengthening legal and policy frameworks for disability inclusion in recruitment is key.

Legal and policy frameworks need to align to international human and labour rights standards relating to disability, as well as to equality and non-discrimination in the workplace. This can be achieved by mapping of legal and policy coherence, and amendments to legislation and policy, to increase alignment with normative standards, as well as further ratification of ILO Conventions.

Lesson learned 4: Bilateral Labour Migration Agreements (BLMAs) are a key instrument in the regulation, promotion and monitoring of fair recruitment practices.

Bilateral agreements should be developed and implemented by tripartite partners, with efforts made to include persons with disabilities in discussions, and disability-inclusive provisions incorporated in the provisions of BLMAs to protect international migrant workers with disabilities. Tripartite mechanisms to monitor recruitment practices through these agreements are vital to ensure effective implementation.

Lesson learned 5: Ensuring long-term sustainability of disability-inclusive recruitment requires a systems approach to policymaking and policy coherence.

A systems approach is essential for embedding disability inclusion into national and regional policies across sectors. This requires integrating disability-related provisions into broader socio-economic policymaking, including on education, training and transport.

Pillar 3: Promoting fair business practices

Lesson learned 6: Conducting a disability-sensitive analysis of the recruitment process to identify and remedy barriers to inclusion empowers persons with disabilities to participate.

Recruitment processes should be assessed for disability-sensitivity to identify and eliminate barriers. Engaging migrants with disabilities in this process would ensure their needs are effectively understood. The analysis can be used to target trainings and information for particular stages of recruitment, as well as tailored to relevant actors at each stage.

Lesson learned 7: Strengthening the understanding of the business-case for disability inclusion, and the capacity of recruitment actors, including recruiters and employers, to handle disability inclusion in recruitment has a high return on investment.

Increasing understanding on the business benefits of disability inclusion improves willingness to adopt inclusive practices among recruitment actors, including employers and recruiters. This can be achieved by increasing generation of evidence on the benefits of workforce diversity, and the true cost of accommodation, as well as by providing training, with particular emphasis on trainings for micro, small and medium enterprises (MSMEs).

Lesson learned 8: Human rights due diligence is an emerging component of responsible business conduct and legal compliance frameworks

The Fair Recruitment Initiative has supported and tested models which undertake human rights due diligence. These need to be assessed for disability inclusion, and if necessary, adapted and piloted. In addition, human rights due diligence can be supported through extension of codes of conduct for recruitment companies to foster accountability.



Pillar 4: Empowering and protecting workers

Lesson learned 9: Voice and agency of migrant workers with disabilities should be central in designing disability-inclusive recruitment programmes.

A baseline requirement for disability inclusion is inclusion of persons with disabilities at all stages. Migrant workers with disabilities must be involved in policy design and implementation of fair recruitment initiatives. Providing platforms for voice and agency enables migrant workers with disabilities to shape the policies that affect them. This means increasing representation of migrants with disabilities in government, employers' organizations and trade unions, migrant worker associations, and CSOs, and increasing partnerships between those actors and organizations of persons with disabilities.

Lesson learned 10: Empowering migrant workers with disabilities through targeted training and support builds awareness of rights and capacity to self-represent.

It is essential to collaborate with trade unions and civil society actors to support organization of migrant workers, including migrants with disabilities. Training on rights, dispute resolution and self-advocacy is empowering to migrant workers with disabilities when navigating recruitment processes, and supports trade unions and civil society in better representing the interests of this group of workers.

Lesson learned 11: Tailored skills development for migrants with disabilities improves their ability to access employment; building in career guidance and financial planning promotes better long-term outcomes.

Providing tailored skills development programmes improves employment prospects for migrants with disabilities. Including career guidance and financial planning support ensures they are better prepared for sustainable employment after migration. These programmes help migrants with disabilities achieve long-term career and financial goals by addressing both technical and soft skills.



► 1. Introduction

Overview

Key points

Migration is a critical component of global economic and social dynamism. Most migrants are labour migrants, but displacement has been growing overall since 2010. Global data on migration of persons with disabilities is severely lacking. Globally, there are now:

- 304 million international migrants
- 167.7 million international labour migrants
- 38 million refugees
- 8 million asylum seekers
- 6 million other persons in need of international protection
- 1.3 billion persons with disabilities

More women (19 per cent) than men (12 per cent) have disabilities.

Well-governed labour migration has economic and social wins for migrant workers and their families, and countries of origin and destination.

- US\$ 831 billion: value of international remittances in 2022 - an all-time high.
- As displacement is growing and increasingly protracted durable solutions for refugees and the communities that host including entry into the job market and access to decent work are key.

Disability and international migration

Persons with disabilities account for 1.3 billion of the global population, and an unknown number of persons with disabilities migrate internationally, for work or due to forced displacement. Anyone can be born with, or acquire, a disability, although it is estimated that more women (19 per cent) than men (12 per cent) have disabilities. To date, there is no reliable global data on disability in the context of migration or forced displacement. However, there is evidence that in some cases migrants have a comparative “health advantage”, in part due to selection bias towards younger people deemed fit to work under medical requirements that some need to fill before departure. Migrants as a group are indeed typically younger than the general population – almost 70 per cent of international migrants of working age are estimated to be migrant workers, and it is known that the likelihood of acquiring a disability increases with age. However, in some subgroups of migrants and displaced populations, disability rates may be higher than the global estimate of 16 per cent; for example, migrants working in hazardous occupations with high rates of occupational accident and injury, as well as those taking very hazardous migratory routes. For example, it is estimated that 29 per cent of internally displaced persons in Syria have a disability. We also know that all labour migrants, refugees and people in need of international protection face a range of challenges – economic, legal, cultural and physical – in accessing decent work, and, because of barriers in society, these challenges can be amplified for those with disabilities. Across all discussions on this subject, it is important to take an intersectional approach, as disability, migration status, gender, race, ethnicity, caste, class, age, marital status, sexuality, gender identity and many other characteristics affect individuals’ experiences and their ability to access their rights.

Disability can be a push and pull factor for migration, and inform decisions on which countries to migrate to, in terms of access to health care and services, as well as existence of social support networks. In some cases, individuals may acquire a disability as a direct result of a conflict or crisis situation prior to migration. In crisis contexts, persons with disabilities are subject to more risks than their peers without disabilities, and in the event of a disaster, for example are two to four times more likely to die. Obstacles include challenges to move quickly,

or access shelter, and ability to see, hear or understand evacuation orders, warnings or signs for assistance and shelter. For some individuals, the process of migration, whether for work or in flight from a crisis, can enhance existing disabilities, or lead to the acquisition of impairments, in transit or in countries of destination; others may face difficulties accessing necessary medication, services or assistive equipment negatively impacting their health. In the country of destination, the nature of work or difficulties in accessing services and healthcare can be challenges. Yet, while the intersecting roles of gender, race, nationality, age and education in migration outcomes have been well studied, the influences of disability on migration and work outcomes have received less attention.

Labour force trends and access to decent work

Globally, over 80 per cent of persons with disabilities live in lower income and developing countries. This, combined with the high incidence of informal jobs in low- and middle-income countries, means it is likely that many persons with disabilities who are active in the labour market are engaged informally. This is reflected in an ILO finding that persons with disabilities are more likely to be self-employed than their counterparts without disabilities, noting that eight of ten of all self-employed workers operate informally in developing countries. HI reports that persons with disabilities are significantly more likely to work in agriculture (50.3 per cent) than their peers without disabilities (27.2 per cent), a sector which has relatively low formalization, or coverage by social security.¹

Economically active persons with disabilities are overrepresented among low-paid workers. They are most overrepresented in low and lower-middle income countries, where 35 per cent of employees with disabilities are in the lowest wage distribution quintile, compared to 30 per cent globally. Where data is disaggregated by sex, women with disabilities appear to earn less on average than their male counterparts. In addition, it has been found that there is a high and widening migrant pay gap, whereby migrant workers earn on average 13 per cent less than national workers, with the gap as high as 42 per cent in some countries, and reaching 71 per cent among low-skilled workers. Migrant women face a double penalty, with the pay gap in high income countries between male nationals and female migrants at 20.9 per cent. This is also apparent at the sectoral level in the care industry, which is predominantly staffed by women, and where the aggregate pay gap is 19.6 per cent between migrant and non-migrant care workers. Given the lack of data on disability, it has not yet been possible to make reliable cross comparisons on gendered differences among migrant workers with disabilities; an important area for future study.

There is a severe lack of data on disability and migration. Data on the higher likelihood of persons with disabilities working in informal, low-paid and dangerous jobs do not disaggregate by migration status. However, it is clear that the risk for migrants, and particularly migrant workers in irregular status, is higher than for non-migrants, due to a lack of social networks, language barriers, and potential discrimination on the basis of race and nationality, as well as the risks of arrest, detention and deportation for migrant workers in irregular status as well

¹ Without global data disaggregated by migration status, this trend may not apply to migrant workers with disabilities or be as marked. Often, family agriculture catches many people during economic downturns when urban and non-agricultural jobs are lost. For example, during the Covid-19 pandemic times a large number of returning migrants, both domestic and international were absorbed in the agricultural sector, with subsequent knock-on effects on underemployment rates (see [Migration Data Portal](#) and World Bank (2020)). Covid-19 crisis through a migration lens: Migration and Development Brief 32. April 2020. Available at: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/989721587512418006>

as forcibly displaced persons.² Migrant workers with disabilities lacking work and visa documentation, or without recognized refugee status, are among the most vulnerable in informal sector work, as they have least coverage under law and least access to social services and support networks. In many contexts, the Refugee Status Determination process takes time, and the intervening period can be very challenging for asylum seekers who often have fewer rights than recognized refugees, including on access to labour markets. There are many examples of the impacts of this situational vulnerability. In Peru, for instance, the wages of Venezuelan refugees and immigrants with disabilities were in some cases so low that they were 25 per cent more likely to have unmet food needs compared to counterparts without disabilities. In the United States, 49 per cent of working age immigrants with disabilities had low incomes, compared to 26 per cent of non-immigrants with disabilities, and 36 per cent of all immigrants.

The types of work migrants engage in can carry a higher risk of workplace accident and injury resulting in disability and death. A review of 13 countries showed that 22 per cent of immigrant workers in agriculture, domestic work and other, mainly low-paid, work had experienced at least one occupational accident or injury, while 47 per cent had an occupational health problem. Similarly, in a study of migrant workers returning to Nepal, between 7-11 per cent of returnees cited sickness, injury or disability as their main reason for return. Mexico's Population Council (Consejo Nacional de Poblacion – CONAPO) and the Migration Policy Unit (Unidad de Política Migratoria – UPM) of the Secretariat of Government, found that some 22 per cent of Mexican returnees from the United States had a disability or impairment.

Gendered labour market segregation has been intensifying since the early 2010s, and impacts the type of workplace risks all workers, including migrants with disabilities, are exposed to. Male migrants are increasingly working in industry (up from 20 per cent in 2013 to 36 per cent in 2019), and female migrants increasing in the service sector (up from 74 per cent to 80 per cent). Persons with disabilities have been found to be more likely to experience violence and harassment in the workplace, and women with disabilities more so. Within this context, it is essential that migrants are aware of their rights in access to social security, health care and social services in their country of residence, which in practice may be limited by their migration status, and that they can also access accurate information on how to use entitlements they have.

Migration, disability and fair recruitment

Well-governed labour migration includes fair-recruitment practices, and expansion of decent work opportunities in the formal economy, both of which support the upward spiral of benefits from labour migration. In 2014, the ILO launched the global Fair Recruitment Initiative (FRI) as part of the ILO Director-General's call for a [Fair Migration Agenda](#), reflecting the importance of recruitment in facilitating good labour market functioning and reducing the risks of labour exploitation. Without effective regulation and enforcement, migrant workers can be vulnerable to exploitative practices across the recruitment cycle, many of which are shared by refugees, asylum seekers and other internationally displaced persons in need of international protection in host countries, including: deception about the nature and conditions of work; overcharging for recruitment-related costs; illegal wage deductions; debt bondage linked to repayment of recruitment fees; retention of passports; and threats, if workers want to leave their employers. This last point can be compounded by migrants' fears of subsequent expulsion from a country if they complain, with particular concerns for refugees and other persons

² This may include labour migrants who entered the country of destination without the correct visa and work permit documentation, or whose documentation lapsed or became invalid during their stay. It may also include refugees and asylum seekers, and forcibly displaced persons where the law does not grant them the right to work.

in need of international protection who fled situations of war, violence or persecution. These abuses leave migrant workers in situations of extreme vulnerability to labour exploitation, including human trafficking and forced labour.

In addition to bureaucratic hurdles associated with migration and recruitment in obtaining visas and work permits, or recognized refugee status, migrants (including labour migrants and forcibly displaced persons) with disabilities face the additional hurdle of obtaining official recognition of their disability status. In some cases, official disability status can be a gateway to medical and health services, as well as reasonable accommodation in the workplace. It is important that migrants with disabilities be made aware of the benefits of official certification in these contexts. Programmes for inclusion of refugees in some contexts provide additional support to access labour markets, with tailored services for refugees with disabilities in some contexts. For persons with disabilities who are labour migrants in regular situations, or refugees and persons in need of international protection, rights and services are also in place, which can be paired with active labour market policies. Examples include under the European Union's [Action Plan on the Integration and Inclusion of Migrants](#) (2021-2027), and the [European Strategy on the Rights of Persons with Disabilities](#) (2021-2030) which promote intersectional perspectives to address barriers and needs for social, economic and labour force inclusion at the intersection of different identities and characteristics.³

To draw out the potential benefits of migration for persons with disabilities, a disability-inclusive approach is needed to examine and enhance the recruitment cycle, which encompasses advertising of jobs, information dissemination, selection of candidates, transport, placement into employment and – for migrant workers – return to the country of origin where applicable. Taking into account the challenges faced by the diverse group of individuals who are “migrant workers with disabilities” as well as recruitment actors, and identifying emerging solutions, will enable better policy, practice and outcomes.

This Technical Brief serves as a first step to address disability inclusion in the context of fair recruitment, focusing particularly on international migrant workers with disabilities. It addresses recruitment for work of persons with disabilities who have undertaken different forms of international migration – economic migration for work, as well as refugees, asylum seekers and forcibly displaced persons, noting that the issues faced by these populations differ according to their legal status in the country of residence. Findings of the Technical Brief are based on a rapid desk review and a series of interviews held with key sets of actors in the recruitment process, including representatives from government, employers’ organizations, trade unions, organizations of persons with disabilities, recruitment and HR professionals, and development partners (Annex 1). The brief focuses on recruitment practices involving migrant workers with disabilities (both in countries of origin and of destination) as well as practices of private employment agencies and other labour recruiters, including those that act through digital platforms. It provides a rapid overview of relevant international legal frameworks and guidance; looks into gaps in international guidance and how these could be filled; examines practices in the recruitment of migrant workers with disabilities and challenges faced both in countries of origin, transit and destination. Promising practices of fair recruitment of migrants with disabilities are highlighted; and proposals for action made on how the ILO could further support its constituents to ensure fair recruitment of migrant workers with disabilities.

³ The term “migrant” is used in this brief to refer to labour migrants, refugees, asylum seekers and internationally displaced persons, in line with the UNDESA statistical definition of international migrants as *any person who changes his or her country of usual residence*. The term “migrant worker” is used to refer to any international migrant engaged in work.

► 2. Overview of relevant international legal framework and guidance

2.1 International labour standards and human rights

International frameworks have been established to uphold the rights of persons with disabilities, migrants, and all workers within the context of recruitment and employment. A normative international framework comprising international human rights law and labour standards provides instruments by which governments can set inclusive labour migration and recruitment policy and practice, including in relation to crisis situations.

The 1948 Universal Declaration of Human Rights holds that everyone, without distinction, has the right to freedom of movement, and to leave any country and return to their own; to free choice of employment, and equal pay for work of equal value. These rights are further detailed in the 2006 Convention on the Rights of Persons with Disabilities (CRPD), which underscores the rights to: equality and non-discrimination (Article 5); to proactive measures to ensure accessibility, enabling persons with disabilities to live independently and participate fully in all aspects of life (Article 9); to protection and safety in situations of risk and humanitarian emergencies (Article 11); to liberty of movement (Article 18); to work and employment (Article 27); and to an adequate standard of living and social protection (Article 28). In the area of employment, the 2003 International Convention on the Protection of the Rights of All Migrant Workers and their Families (ICRMW) holds that migrant workers should be treated equally to nationals in terms of remuneration and conditions of work (Article 25) and, where they meet requirements, in access to social security (Article 27). In addition, the 1951 Convention Relating to the Status of Refugees provides for the right of refugees to work, and equal treatment to nationals in conditions of work and access to social security (Article 24). The ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) holds that “Members should develop and apply active labour market policies and programmes with a particular focus on disadvantaged and marginalized groups and population groups and individuals who have been made particularly vulnerable by a crisis, including, but not limited to, persons with disabilities, internally displaced persons, migrants and refugees, as appropriate and in accordance with national laws and regulations.”

ILO standards set international labour rights. A key principle in examining the intersection of disability and migration is that all ILO Conventions, Protocols and Recommendations apply to all workers, regardless of their nationality or disability status. Three broad sets of international labour standards cover disability inclusion in recruitment of migrant workers:

1. Standards specifically related to labour migration and to persons with disabilities

- Migration for Employment Convention (Revised), 1949 (No. 97)
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)
- Migration for Employment Recommendation (Revised), 1949 (No. 86)
- Migrant Workers Recommendation, 1975 (No. 155)
- Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) and Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168)

- Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)

2. Fundamental principles and rights at work

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29); Forced Labour (Indirect Compulsion) Recommendation 1930 (No. 35)
- Protocol of 2014 to the Forced Labour Convention (P29); Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

3. Standards related to recruitment, including of migrants

- Labour Inspection Convention, 1947 (No. 81); and Labour Inspection Recommendation, 1947 (No. 81)
- Employment Service Convention, 1948 (No. 88)
- Private Employment Agencies Convention, 1997 (No. 181)

2.2 Overview of ILO guidance and initiatives on fair recruitment

The ILO has developed guidance to support implementation of international legal standards on labour migration and recruitment of workers. As these guiding documents and principles are grounded in labour standards, they apply to all people, including persons with disabilities, through application of principles of equality and non-discrimination. These include the [Multilateral Framework on Labour Migration: Non-binding Principles and Guidelines for a Rights-Based Approach to Labour Migration](#); and the [Guiding Principles on the Access of Refugees and Other Forcibly Displaced Persons to the Labour Market](#). The [General Principles and Operational Guidelines for Fair Recruitment and definition of recruitment fees and related costs](#) (GPOG) set out guidance specific to recruitment and outline the responsibility of different actors in the economy to design and implement fair recruitment policies and practices, including with regards to the elimination of workers' payment of recruitment fees and related costs.

The FRI supports ILO constituents in realizing recruitment practices which respect principles enshrined in international labour standards, and which maximize the benefits of migration. The FRI's vision, reiterated in the FRI Strategy (2019-2025), is to ensure that recruitment practices within and across international borders are grounded in international labour standards;

are developed through social dialogue; and ensure gender equality. Recruitment practices should: 1) be transparent and effectively regulated, monitored, and enforced; 2) protect all workers' rights, including fundamental principles and rights at work, and prevent human trafficking and forced labour; and 3) efficiently inform and respond to employment policies and labour market needs, including recovery and resilience. Since its launch, the FRI has contributed to wide-reaching changes: at least 110 countries have adopted legislation to regulate or prohibit recruitment fees and related costs; and there have been an additional 133 ratifications of International Labour Standards related to recruitment. However, the Initiative and the Strategy do not explicitly mainstream disability inclusion, leaving gaps in the visibility of the specific challenges faced by persons with disabilities and in their effective coverage.

The [Fair Recruitment Initiative Strategy 2021 – 2025](#) builds on the work of the FRI conducted since 2014. Keeping tripartism at its heart, and grounded in normative standards, the strategy aims to “develop and disseminate knowledge, promote rights, build capacities, foster social dialogue, reform regulations, and build partnerships to advance fair recruitment.” The vision has four pillars:

Pillar 1: Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes, by:

- Generating and updating statistical data on recruitment fees and related costs;
- Launching a [Knowledge Hub](#) to develop and exchange research, data good practices, and to highlight areas with deficits against fair recruitment principles;
- Engaging with journalists to support quality journalism on forced labour and fair recruitment.

Pillar 2: Improving laws, policies and enforcement to promote fair recruitment, by:

- Working on regulatory reform, including promoting the ratification and effective implementation of international labour standards at the national and bilateral level, in consultation with social partners to promote employment creation and protect workers throughout the recruitment process;
- Working with constituents to integrate fair recruitment components into national strategies to eradicate forced labour and human trafficking;
- Linking fair recruitment practices to development of ILO guidance on Bilateral Labour Migration Agreements (BLMAs);
- Promoting effective engagement of workers' and employers' organizations in bipartite and tripartite dialogue on recruitment.

Pillar 3: Promoting fair business practices, by:

- Raising awareness, knowledge and access to guidance and tools on recruitment practices among businesses and employers, working through the International Organization of Employers (IOE), as well as ILO networks such as the [Global Business Network on Forced Labour](#) (GBNFL), [Alliance 8.7](#), the [Child Labour Platform](#), etc.
- Promoting access of SMEs to country and sector specific tools to implement fair recruitment practices;
- Supporting private recruitment agencies and public employment services in building capacity and access to guidance and tools to implement fair recruitment practices, and align with voluntary codes of conduct.

Pillar 4: Empowering and protecting workers, by:

- Promoting trade unions' effective participation in policy discussions, and the monitoring of recruitment processes, by building capacity and access to tools to increase representation of migrant workers;
- Building trade union awareness and access to tools to expand activities related to fair recruitment;
- Empowering migrant workers through building capacity and understanding of their rights and obligations in recruitment, as well as on access to justice and remedy;
- Promoting effective access of workers to compensation and remedy through grievance mechanisms and social dialogue.

The centrepiece of the FRI is the [General Principles and Operational Guidelines for Fair Recruitment, and definition of recruitment fees and related costs](#) (GPOG), which orient principles for recruitment at all levels, and provide guidance to enable realisation of the principles for specific actors in the recruitment process. The GPOG are again founded on normative standards including the fundamental principles and rights at work, as well as the ILO's Private Employment Agencies Convention, 1997 (No. 181). However, while the principle of non-discrimination is clearly included in the GPOG, a specific link with the strategy of the Fair Recruitment Initiative is missing and the GPOG themselves make no mention of disability inclusion.

Additional tools have been developed under the FRI, including the [Fair Recruitment Roadmap: A guide for national action](#) which was developed at the request of the ILO Fair Recruitment Advisory Committee through a participatory process. The Roadmap provides a practical, step-by-step approach to implement fair recruitment at the national level, and includes actionable interventions for governments, private recruitment agencies, trade unions, the media, educational institutions and other stakeholders. The Roadmap has a dedicated section on gender-responsive and -transformative approaches in fair recruitment, affirming the need to take into account gendered dynamics in recruitment. This is further strengthened as specific entry points for gender mainstreaming are noted across the document. Disability inclusion has not received the same attention in the document, and is mentioned only once in the context of public employment services. This means there is a good opportunity to mainstream disability inclusion in the Roadmap on the basis of an updated FRI Strategy.

It is important to ensure that persons with disabilities are not left behind, or excluded from the benefits of migration. Achieving this aim will require explicit mainstreaming of disability inclusion principles in line with the [UN Disability Inclusion Strategy](#), the ILO Disability Inclusion Strategy (2024-2027), and by extension in the updated FRI.



► 3. Recruitment of migrant workers with disabilities: lessons, emerging good practices and recommendations

Factors impacting the employment of persons with disabilities can be examined from the macro, meso and micro levels. The macro level encompasses society-wide issues, including the economy, legal and policy framework, social security and social and cultural norms. The meso-level looks at factors such as employer knowledge and awareness on disability and inclusion, the job market, workplace and community acceptance of disability inclusion; and availability of accessible infrastructure and services. The micro-level includes individual experiences and background, such as educational attainment, family attitudes, as well as personal issues such as self-confidence. Within this framework, access to employment is dependent on interactions between four broad categories of actors: 1) job seekers or employees with disabilities; 2) businesses; 3) decision-makers, such as local, national or international authorities, including social partners; and 4) service providers such as recruitment agencies, training centres or chambers of commerce, all situated within the context of a given society. The employment cycle, comprising sourcing, recruitment, onboarding, development, retention and separation, should become more disability-inclusive. Figure 1 depicts a matrix situating these different elements for analysis, and can be used to structure discussion around the recruitment cycle, challenges faced in recruitment of migrants with disabilities, emerging good practice and implications for reform. In Section 3, lessons, good practices and recommendations are framed within the four pillars of the FRI Strategy for ease of reference.

► **Figure 1: Matrix of recruitment actors**

Macro Level	Meso Level	Micro Level
		
Focus on	Focus on	Focus on
Legal and policy framework	Social acceptance of disability Accessible infrastructure	Individual experiences Family attitudes
Actors	Actors	Actors
Decision makers ► Local ► National ► International authorities	► Employers organizations ► Trade unions ► Businesses ► Chambers of Commerce ► Recruiters and PES ► Training providers ► Civil society organizations	► Job seekers with disabilities ► Workers with disabilities ► Employers ► Recruiters

3.1 Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes

Under the FRI Strategy (2019-2025), the ILO has been working to expand and consolidate available data and knowledge on recruitment, including on key employment sectors, applications of standards and principles, and recruitment fees. The period was marked by the Covid-19 pandemic and resulting impacts on migratory flows, and then efforts to build back better. Collection of high-quality data strengthens evidence-driven policymaking, and it will be important to find avenues to collect better data on disability in the context of recruitment and labour migration, including in crisis contexts. The sensitivity of data on disability status requires strong general data protection regulation (GDPR) compliance. It also requires progressive sensitisation to disability inclusion at a societal level to reduce the impacts of prejudice and enable persons with disabilities to be confident that disclosure will not have a negative impact on their employment prospects.

At the same time, legal reforms to support disability-inclusive recruitment must be supported by broader labour market inclusion. This requires alignment with broader inclusion goals and the commitment of employers to long-term change. The ILO has been working with constituents and broader society to raise awareness and access to information on fair recruitment practices, and on disability inclusion through generation of data, research and information resources, and by providing training and capacity-building.

Lesson learned 1: Data collection and analysis, as well as sound monitoring and evaluation are essential to improve disability-inclusive recruitment practices

Challenges: A lack of comparable data collection and reporting mechanisms for migrants with disabilities makes it difficult to accurately assess recruitment practices, or prioritize responses.

There is no official global data on disability among people on the move. It is known that people migrate with disabilities and that disabilities can be acquired pre-departure, in transit, and in the country of destination (through work-related accidents and illness, or otherwise). Migrant workers who acquire a disability while abroad often face job loss, limited access to medical care or rehabilitation, and barriers to re-entry into the labour market, in the host country and on return. The absence of targeted reintegration or re-employment support can lead to long-term exclusion and economic insecurity for these individuals. In addition, migration and forced displacement can exacerbate existing impairments. However, data are not collected systematically; and definitions and collection methods are not standardized. Even where data is collected, the need to rely on voluntary disclosure, as for example in response to the Washington Group set of questions, which is an ethical necessity, can impact on undercounting. Individuals may not disclose, because they fear negative consequences, and with reason, as disability remains one of the most common forms of discrimination in migration and naturalization laws and policies.

Accurate data collection and analysis is important to enable effective policymaking and responsive service provision, and may also assist in providing reasonable accommodation. Developing and agreeing on relevant indicators across the specific risk factors involved in labour exploitation enables understanding of the layered risks faced by migrant populations with disabilities, taking into account discrimination based on the intersectional grounds of gender, disability status, migration status, nationality, race, age group, etc and how best to address needs (see Box 1).

► Box 1: Risks across the recruitment cycle

- Discriminatory practices across the recruitment cycle including in: job adverts, medical assessments, interviews, or accommodation of needs; and based on disability, gender, race, ethnicity, nationality, age language and migration status.
- Inadequate access to timely, accurate and reliable information about job placement, recruitment process, transit procedures and requirements, rights and access to services.
- Overcharging of fees for recruitment and associated costs.
- Inappropriate and expensive pre-departure and on-arrival training programmes.
- Exploitation and abuse while waiting for the job (e.g., being detained in “collection centres”).
- Deception with regard to the nature and conditions of employment.
- Falsification of documents.
- Cheating and extortion by recruitment agencies, brokers and employers.
- Inefficiency and abuse of authorities on both sides of the migration channel in processing documentation for migration, work and disability status.
- Hazardous journey.
- Physical, psychological and sexual abuse.
- Lack of information and access to services and redress mechanisms.
- Debt bondage, forced labour and trafficking.

Adapted from: ILO. (2007). International Labour Standards on Migrant Workers' Rights: Guide for policy-makers and practitioners in Asia and the Pacific.

Good practices: The CRPD and Sustainable Development Goals (SDGs) both call for collection of comparable disability data to enable tracking of progress, as well as identification of services needed. The Washington Group on Disability Statistics developed the short set (WG-SS) of questions for use in censuses and surveys, and to enable cross-nationally comparable data. In 2021, 111 countries reported they had included the WG-SS in a census or survey since 2009, and an additional 34 planned to do so in the coming year. Where censuses also collect data on migration status, and 87 per cent of censuses collect some information on immigrant populations, progressive adoption of the WG-SS can give scope for improving data collection on migrants with disabilities. National surveys on demographics, health and labour can also provide further insights where sample sizes are large enough, as well as specific surveys of migrant populations, although all depend on reduction of discrimination and negative consequences of disclosure.

Humanitarian agencies in conflict and disaster settings make use of rapid assessments where they collect data on displaced persons with disabilities to identify service needs. Over 70 stakeholders including States, UN entities and civil society organizations have endorsed the [Charter of Inclusion of Persons with Disabilities in Humanitarian Action](#) committing to “[a]dopt policies

and processes to improve quantitative and qualitative data collection on persons with disabilities" and to "[e]nsure that data collected on persons with disabilities is disaggregated by age and sex (...)" The 2019 [IASC Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action](#) includes advice on tools for the collection of disability data. In addition, the [DTM Partners Toolkit-Field companion on Disability Inclusion](#) covers common needs for disability data collection to support access to goods and services. The tool is applied to the International Organization for Migration's (IOM) Displacement Tracking Matrix (DTM) methodology.

The [Global Partnership for Sustainable Development Data \(GPSDD\)'s Inclusive Data Charter](#) (IDC) developed in 2018 aims to "advance the availability and use of inclusive and disaggregated data so that governments and organizations better understand, address, and monitor the needs of marginalized people and ensure no one is left behind." Development agencies are increasingly including disability-related metrics in programme performance indicators, and monitoring tools. For example, the ILO has started to collect data on the disability status of project beneficiaries as part of Monitoring, Evaluation and Learning (MEL) in projects such as TRIANGLE in ASEAN. In addition, TRIANGLE, along with the Southeast Asia Regional Programme on Labour Migration in the Fishing Sector - Ship to Shore Rights Southeast Asia (S2SR) project, included the WG-SS questions in their endline survey in 2024 of over 1,800 returning migrants.

In addition, the ILO's *Partnership for improving prospects for forcibly displaced persons and host communities* (PROSPECTS) project has put in place disability targets and indicators in all M&E in Phase II of its implementation in Jordan, and in project training and activities aims to ensure that four per cent of participants and beneficiaries are persons with disabilities, reflecting Jordan's quota of four per cent in businesses with over 50 employees. In Ethiopia, PROSPECTS has also provided skills training for host communities, refugees and internally displaced persons with disabilities, in preparation for employment opportunities. Drawing from this experience, and in consultation with refugees with disabilities, the ILO is developing guidance on how to meaningfully include disability and gender in projects within situations of forced displacement.

In Türkiye, under the ILO's *Project on Promoting Decent Jobs for Syrians under Temporary Protection and Turkish Citizens*, a Work-Based Learning Programme (iSMEP)⁴ has incorporated targets to include at least 30 per cent women and 10 per cent persons with disabilities in labour force participation opportunities; these groups are provided additional financial support to take on jobs, and childcare services provided for women. The iSMEP supports employment of Syrians and Turkish citizens by providing employers with monthly wages, social security premiums and work permit fee support.

To ensure information, knowledge and data on recruitment is shared, the ILO set up a [Knowledge Hub](#) under the FRI as an interactive online platform sharing resources on fair recruitment, and providing access to discussions, live-streamed events, and enabling members to network.

Since 2024, TRIANGLE has worked with Life Haven Centre for Independent Living, an organization of persons with disabilities (OPD) based in the Philippines, to establish the ASEAN-wide Disability Migration Network (DMN). Among other activities, the DMN are currently conducting a ground-breaking *Study on the experiences of persons with disabilities in the context of labour migration within the ASEAN region (forthcoming)*. Field research for the study involved interviews with prospective, active and former migrant workers with disabilities, migrant workers with acquired disabilities and other stakeholders in Cambodia, Malaysia, Myanmar, the Philippines,

4 Temporary Protection in Türkiye is a domestic legal framework developed in response to the Syrian crisis. While not equivalent to refugee status under the 1951 Convention, it provides access to rights including work permits, healthcare, and education.

and Thailand. Findings show the resilience of migrants who start their journeys with disabilities and of those who acquire disabilities while abroad. Tentative findings noted some migrants with disabilities were initially deemed “not-fit to work” during pre-migration medical checks, and were then only able to migrate with support from the employer, and issuance of a waiver, showing the exceptional rather than rights-based approach taken. In addition, the study noted a set of challenges following acquisition of disabilities during the migration period in: a) securing compensation following accidents and injuries at work resulting in disability; b) automatic return home following acquisition of a disability due to inability to access medical treatment, or challenges in being provided reasonable accommodation to do the same or similar work; c) difficulties on return to the country of origin in accessing services related to the disability or psychosocial trauma of accident and injury, and in accessing work due to the newly-acquired disability and associated trauma.

CIERTO is a leading ethical recruiting and consulting company, recruiting workers from Mexico and Guatemala to work in Canada, Spain and the US. It is one of four recruitment companies globally to have received International Recruitment Integrity System (IRIS) certification.⁵ One standard practice adopted by CIERTO is a three-step survey, whereby CIERTO conducts interviews with workers prior to departure, at the job site, and after the worker has returned home to ensure workers understand the terms of their contract, and that conditions at the worksite are acceptable and in line with contractual expectations. These surveys have enabled CIERTO to identify and address problems in a timely way, including by supporting conflict resolution, and providing training and tailored guidance for employers and workers. During the Covid-19 pandemic, the CIERTO survey findings led to the set-up of a programme for psychosocial support, as employees were struggling with social distancing, or quarantine in cases of positive Covid-19 tests. CIERTO partnered with the University of Zacatecas, Mexico, enabling migrant workers in quarantine to receive a one-hour call daily with trainee psychologists. The partnership has continued and supports migrants with commonly observed issues, including alcoholism and depression.

[Incluyeme.com](https://www.incluyeme.com), a social company,⁶ which provides recruitment services and guidance on inclusive recruitment in Latin America, has been working to generate data and understanding on migrants with disabilities. [Incluyeme.com](https://www.incluyeme.com) trains persons with disabilities in technology and soft skills to enhance and promote opportunities in the labour market; and works with companies to create inclusive work environments, transforming organizational cultures and hiring practices. It has conducted case studies on the experiences of Venezuelan migrants with disability in Chile and Argentina. It has also completed a wide-ranging Disability Survey of 4,007 persons with disabilities in 17 Latin American countries on the topics of disability and migratory status, as well as education, work, social media use, and connectivity. Among the survey respondents, 244 were international migrants, and among them, most were of Venezuelan origin (137), and most were women (135). The majority (71.6% f; 75.3% m) had certification of disability status in their country of residence, and only a very small minority were unaware of certification (4.2% f; 3.1% m). [Incluyeme.com](https://www.incluyeme.com) aims to conduct the survey again to track changes over time.

Proposals for action based on emerging good practice

- Provide technical advice to governments and social partners on implementation of more robust disability-specific data collection frameworks across all migration sectors, and systematic inclusion of disability indicators disaggregated by characteristics including at a minimum, gender, age, nationality and ethnicity. This is to facilitate tracking of the

⁵ See: [Iris certification.org](https://www.iriscertification.org)

⁶ Certified B Corporations are businesses that meet the highest standards of verified social and environmental performance, public transparency, and legal accountability to balance profit and purpose.

recruitment of migrant workers with disabilities in a way that is as comprehensive as possible, taking into account data protection and privacy, to inform evidence-based advocacy and policymaking.

- Provide technical advice and tools for use by governments, employers' and workers' organizations, development partners and third sector programmes on integration of robust monitoring and evaluation, to assess the effectiveness of disability-inclusive recruitment practices and identify areas for improvement.
- Systematically include disability indicators in project M&E tools, making use of the WG-SS questions where relevant, and noting whether the disability was acquired, and, if so, whether before, or at a particular stage in the migration cycle.
- Generate and share knowledge products on disability inclusion in recruitment on the Knowledge Hub, and ensure the site and materials are accessible. Specific themes for study could include the extra costs facing migrants with disabilities, and experiences of migrants with disabilities with recruitment fees and related costs.

Lesson learned 2: Enhancing tripartism and building effective networks and partnerships improve recruitment outcomes for migrant workers with disabilities

Challenges: Fragmented efforts between stakeholders can lead to gaps in services and missed opportunities for coordination. The FRI has combined global policy dialogue, knowledge and data generation, with on-the-ground partnership and capacity-building.

Collaboration among tripartite partners – governments, employers' and workers' organizations – as well as with stakeholders directly involved in recruitment, including private recruitment agencies, public employment services, employers, migrant workers' organizations and OPDs, is crucial to break down siloes between actors to address systemic barriers; provide comprehensive support for migrant workers with disabilities; and increase access to job opportunities for migrants with disabilities. To this end, it is important to consult with informal networks of migrants with disabilities, and migrants with disabilities themselves, to understand their particular challenges and lived experience.

Social dialogue is a means to achieve sustainable social and economic development and is also an end in itself. At the ILO [Tripartite Technical Meeting on Labour Migration](#) held in November 2013 experts noted that "Through social dialogue at local, national, bilateral, sub-regional, regional and international levels, the ILO's tripartite constituents can play an important role in the development of rights-based, transparent and coherent labour migration legislation and policies, taking account of labour market needs." Social dialogue at the international, regional and bilateral levels is also strongly connected to the establishment of robust mechanisms and processes at the national level. In "tripartite plus" fora, the government, employers' and workers' organizations extend dialogue to wider civil society groups, including migrant workers' organizations, OPDs, and networks of migrants with disabilities.

Good practices: The ILO [Global Business and Disability Network](#) (GBDN) is a platform for business-to-business support and peer-to-peer learning on disability issues. The network supports knowledge exchange through global, regional, and national meetings. It also supports national-level business initiatives on disability inclusion, facilitating contact and provision of advice, including through OPDs. The GBDN membership leads by example, and currently comprises 43 multinational companies, 45 National Business and Disability Networks and 7 associate non-business members, including the International Disability Alliance (IDA).

Adecco is one of the largest human resources providers in the world, specialized in workforce and recruitment solutions. It has over 25,000 employees, operates in some 62 countries, has trained and coached over 750,000 individuals, and found jobs for over 660,000 people. Adecco has made public its commitment to creating an inclusive culture for everyone at work, and to enabling refugees in the workplace. It has launched a dedicated “[Jobs for Refugees](#)” website designed to connect refugees with employment opportunities worldwide, and has placed over 30,000 refugees and committed to finding jobs for 85,000 refugees globally and to train 17,000 by 2027. To support these aims, Adecco is widely engaged in leading global partnerships, associations and initiatives, engaging with employers to develop programmes and pathways to embrace diverse talent and skills. Adecco is a member of the [ILO Global Business and Disability Network](#) (GBDN), [Valuable 500](#), and the [Tent Partnership for Refugees](#). In these fora, as well as the [World Employment Confederation](#) (WEC), Adecco champions access and rights for the world of work, fair recruitment, and social dialogue.

Tripartite plus consultations held in the garment sector in Jordan between the Ministry of Labour, the ILO, employers in the garment sector and the General Trade Union of Textile Garment and Clothing Industries resulted in the adoption of a zero-fee policy in recruitment for the Jordanian garment sector.

Türkiye is one of the countries hosting the largest number of refugees in the world, and is host to over 2.8 million Syrians under Temporary Protection (SuTP). The government is working to strengthen the resilience and self-reliance of refugees, and has designed strong systems granting their access to the labour market and social protection. To support implementation of long-term strategies through better access to jobs, the ILO is working with tripartite partners through the *Project on Promoting Decent Jobs for Syrians under Temporary Protection and Turkish Citizens* which ensures a 50/50 share of opportunities for Syrians under Temporary Protection and Turkish citizens. The project is supporting skills development to help workers and job seekers secure decent work; works with employers on formalization; and with tripartite partners on strengthening labour market governance. Examples of partnership building include a series of meetings held in 2024 on increasing the employment of persons with disabilities, bringing together public and private sectors, NGOs, international organizations, and workers with disabilities. Participants discussed the need to develop inclusive policies, as well as good practices to strengthen cooperation between institutions to boost employment of persons with disabilities, and extend supported employment practices such as individual job-coaches for employers and persons with disabilities.

The ASEAN Forum on Migrant Labour (AFML) is a regional tripartite platform to discuss issues faced by migrant workers from and within ASEAN. At the 17th AFML held in 2024, on the theme of “Care work and labour migration in ASEAN,” governments, employers’ and workers’ organizations built from the 2012 [ASEAN Human Rights Declaration](#), General Principle 4 which states that: “The rights of women, children, the elderly, persons with disabilities, migrant workers, and vulnerable and marginalized groups are an inalienable, integral and indivisible part of human rights and fundamental freedoms” and made a series of recommendations, including to “make regular pathways [for migration] more equitable and inclusive to migrant care workers by addressing discrimination, violence and restrictions based on the grounds of gender, age, disabilities, and health status.” A trailblazing recommendation as it gives explicit recognition of the need to protect migrants with disabilities from discrimination.

The Migrant Worker Resource Centre (MRC) network in the Asia Pacific region operating under ILO migration projects was found to have benefits for migrants greater than the sum of its parts. The range of specializations of the MRC operators, which include government entities, trade unions, OPDs, migrant worker organizations, and domestic worker organizations, combined with programmed regular network meetings, means that MRCs are able to seek advice or gain expertise from each other, and can refer migrants, including cross-border, to partner

members of the network. Capacity in disability inclusion has been substantially increased by the operation of two MRCs in Cambodia and Myanmar by OPDs. In addition, the DMN is bringing together a network of MRCs with OPDs across ASEAN.

Proposals for action based on emerging good practice

- Continue to foster multi-stakeholder dialogue and partnerships that include government, social partners, and OPDs to promote disability-inclusive recruitment practices; providing support to national, regional and international networks for sharing information and best practices on disability-inclusive recruitment, and raise the profile of disability inclusion in recruitment, by exchanging on experiences and good practice.
- Strengthen inter-agency collaboration among development partners and build networks that ensure all stakeholders understand their roles in facilitating inclusive recruitment for migrants with disabilities. As noted in the FRI Roadmap, existing national or regional coordination mechanisms may be capitalized on by mainstreaming disability-inclusive fair recruitment into their remit. Examples include the UN Sustainable Development Cooperation Framework; National anti-human trafficking committees; National committees against forced labour; Global Compact on Migration (GCM) action plans; national and regional UN Networks on Migration; and Regional Consultative Processes on Migration (RCPs).

3.2 Improving laws, policies and enforcement to promote fair recruitment

Strong international legal frameworks and guidance exist to protect the rights of migrant workers and persons with disabilities, but intersectional guidance has not yet been developed at the international level. Where these frameworks are embedded and enforced at the national level, there are clear requirements for recruitment actors to adopt inclusive recruitment practices engaging migrants with disabilities. ILO Member States are committed to uphold the fundamental rights and principles at work, irrespective of ratification status, and States which have ratified relevant international labour and human rights conventions have further opportunity to develop national law and policy on disability inclusion.

Lesson learned 3: Strengthening legal and policy frameworks for disability inclusion in recruitment is key

Challenges: There is a wide spectrum in terms of development of recruitment governance systems, ranging from States with full ratification of relevant international treaties and standards, and national legal and policy frameworks which are backed up by high-capacity labour inspectorate systems; to contexts with a limited legal framework combined with high levels of informality in employment, high levels of undocumented migration and limited or no official administrative process to recognize disability.

Common challenges to developing well-functioning disability-inclusive recruitment systems include lack of awareness of the issues, and lack of capacity or will to develop and enforce evidence-based laws and policies. This applies across the spectrum of recruitment actors, from policy and decision-makers to public employment services, and labour inspectorates, legal and judicial services, to employers and recruiters, and trade union partners. Gaps in legal protections; where, for example, a migrant experiences an illness or injury in transit or outside work that leads to disability, can lead to gaps in coverage under medical insurance, as well as problems in allocating responsibility for care, compensation, or long-term reintegration in the community.

In the absence of specific disability-inclusive recruitment regulations and guidelines for migrants, it can be challenging for recruitment actors, including employers, to know how to correctly apply relevant legislation. Layered complexities around migration and disability status (individuals in regular and irregular migration situations; with recognized refugee status or asylum seekers) and whether or not individuals have recognized proof of disability status, add further challenges to actors interpreting laws and necessitate provision of clear guidance. Of particular note in comparing the right of refugees and asylum seekers to those of labour migrants is the principle of *non-refoulement*, whereby no “state shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” (Article 33, UN Convention relating to the Status of Refugees). The principle applies to both refugees and asylum seekers, and as such, grants additional protections under international common law to all these individuals, including refugees and asylum seekers with disabilities.

Looking to the issue of reasonable accommodation, a key policy challenge is determining who bears the cost of reasonable accommodations in recruitment. In many countries, legal frameworks are silent on this issue, creating uncertainty for both employers and job seekers. Policy solutions include public subsidies, cost-sharing mechanisms or tax incentives to offset the financial burden, particularly for small and medium enterprises.

A particular issue to note concerns appropriate use of medical assessments of migrant workers prior to departure. Convention No. 97 requires ratifying States to provide appropriate medical services for “ascertaining, where necessary, both at the time of departure and on arrival, that migrants for employment and the members of their families authorized to accompany or join them are in reasonable health” and to ensure provision of “adequate medical attention and hygienic conditions at the time of departure, during the journey, and on arrival in the country of destination.” The ILO’s Committee of Experts on the Application of Conventions and Recommendations (CEARC) has noted that legislation in some countries prohibits entry or stay on medical grounds to persons with a real or perceived disability, and that this may constitute discrimination. In practice, medical assessments for blue collar work often have “fitness for work” requirements that lead to sweeping automatic exclusions of persons with disabilities.

Exclusionary medical assessments remain a significant barrier to the participation of migrants with disabilities in labour migration schemes. Medical screening protocols include tests for conditions such as mental illness or communicable diseases with limited relevance to job performance or public health risk, raising concerns about the evidence base and proportionality of these requirements. In several Gulf countries, health screening protocols as part of bilateral migration agreements exclude migrants with even minor physical or mental impairments from recruitment pipelines, despite large labour needs, leading to de facto disability-based exclusions prior to arrival. In Malaysia, the Immigration Act 1959 (Section 8(3)) mandates that any incoming migrant worker diagnosed with a communicable disease or mental disorder can be denied entry, resulting in routine rejection of applicants with conditions such as hearing or mobility impairments despite their functional capacity to perform job duties.

In Australia, Public Interest Criteria 4005/4007 allow visa refusal if an applicant is deemed “likely to incur health or community service costs exceeding average levels” even if those services have not been or will not be accessed in practice. In the United Kingdom, Rule 36 of the Immigration Rules allows refusal of entry to those deemed unable to support themselves or requiring major medical treatment, with limited appeal rights and no functional assessment of work ability. In the United States, immigration law excludes applicants diagnosed with certain “Class A conditions”, such as “mental or physical disorders” without systematic assessment

of fitness to work or scope for reasonable accommodation. These policies reinforce systemic exclusion of migrants with disabilities and underscore the need for rights-based reform of fitness-for-work medical screening protocols.

Good practices: States can adopt a range of measures to promote disability-inclusive recruitment, including adoption of non-discrimination laws in constitutional, criminal or civil law. This can be further supported through the introduction of quotas to hire a certain percentage of persons with disabilities, which in national legislations do not systematically specify nationality or citizenship requirements. The quotas can be incentive-based, leading to tax breaks or other incentives when quotas are met, or penalty based leading to fines for non-compliance. These practices must be backed up by effective enforcement, to prevent the occurrence of businesses either creating ghost contracts, or simply paying the fine for non-compliance.

Jordan's 2017 Law No. 20 on the Rights of Persons with Disabilities, is unique in the MENA region as it is applied to all people resident in Jordan, irrespective of citizenship. Jordan's Higher Council for the Rights of Persons with Disabilities (HCD) provides advice and training to government ministries and the labour inspectorate on application of the law, including fulfilment of the 4 per cent quota on hiring persons with disabilities in companies with more than 50 employees to enable the target to be progressively met. Article 3 provides for the establishment of an Equal Opportunities Committee, housed in Jordan's Higher Council for the Rights of Persons with Disabilities (HCD). The Committee oversees a complaints process on issues related to discrimination on the basis of disability. Jordanian and non-Jordanian persons with disabilities are able to submit complaints through an accessible online hotline, by telephoning the HCD directly, or by visiting the HCD in person and has been widely advertised to maximize outreach. To date, 215 complaints have been raised, all by Jordanian citizens, with most resolved informally.

Türkiye's Labour Act of 2003, No. 4857 provides that businesses with 50 or more employees are required to ensure that at least 3 per cent of their workforce consists of persons with disabilities; for public institutions the quota is 4 per cent of their total workforce. This quota system is enforced by the Turkish Employment Agency (İŞKUR), responsible for facilitating job placements, and providing support services to both employers and job seekers with disabilities and monitoring compliance.

Some countries with disability employment quotas, such as France, Jordan and Türkiye apply quota requirements to all employees regardless of nationality, meaning migrant workers with disabilities can be included. While these frameworks do not always explicitly target migrants, they create a legal foundation for inclusive recruitment across the workforce. In several cases, migrant workers with disabilities have benefited from these provisions, especially where employers receive incentives or support for meeting their quota obligations. These experiences offer promising entry points for integrating migrants with disabilities into national inclusion strategies, without requiring separate systems.

Legal aid services are essential to support migrant workers in navigating complaints processes. The ILO started to support the setting up and implementation of MRCs in countries of origin and destination in ASEAN in 2011. By the end of 2023, a total of 67 MRCs in nine ASEAN countries had provided services to potential, current and returned migrant workers as well as to their family members. MRC staff in Asia Pacific received training from the ILO in case management and negotiation for grievance cases. These skills are used to provide legal assistance to migrants and have resulted in thousands of successful claims, and compensation payments. Between 2011 and 2024, MRCs provided comprehensive services to close to 650,000 migrant workers (43 per cent women). Some 15,600 legal cases were settled with MRC assistance between 2014 and 2024, with more than US\$ 13 million in compensation awarded to migrant workers in these cases. Categories of complaints did not specifically mention disability,

although related causes included occupational safety and health issues and non-payment of insurance, for example due to sickness, or to cover medical treatment and services following a work-related accident or injury.

Proposals for action based on emerging good practice

- Advocate for stronger international frameworks that incorporate disability inclusion of persons with disabilities, as part of recruitment regulations, including by explicitly mainstreaming disability in the next FRI Strategy, and in the GPOG.
- Conduct legal mappings of policy coherence at the intersection of migration, recruitment and disability, including standards on medical assessments and fitness for work. Prioritize on the basis of evidence on “need”, with determining factors including flow of migrants, and known risk of high exposure to breaches to fundamental rights, abuse and harassment in the workplace and exploitative recruitment practices in migratory channels.
- Develop rights-based guidance on non-discriminatory fitness-for-work medical assessments in labour migration processes, aligned with international standards. Guidelines should prioritize assessments of functional capacity rather than diagnostic categories and require mechanisms for appeal and consideration of reasonable accommodation.
- Continue to promote ratification of relevant ILO Conventions and use of guidance from Recommendations, including the fundamental conventions, the Migration for Employment Convention (Revised), 1949 (No. 97) and its accompanying Recommendation (No. 86), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and its accompanying Recommendation (No. 151), the Employment Service Convention, 1948 (No. 88); the Private Employment Agencies Convention, 1997 (No. 181); and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) and Recommendation (No. 168) and the Employment and Decent Work for Peace and Resilience Resolution, 2017 (No. 205).
- Work with national governments in consultation with social partners to support development and adoption of legislation on recruitment that is disability-inclusive for migrants, which covers licensing and monitoring mechanisms, inclusive, accessible complaints mechanisms and effective access to remedies, support services, and disability-related requirements for work permits and reasonable accommodations.
- Support development of clear legal guidance and incentive models for financing reasonable accommodations in recruitment to prevent financial deterrents to inclusion, such as: public subsidy schemes, employer incentives, and cost-sharing mechanisms.
- Explore the development of inclusive recruitment targets or non-binding quotas for the recruitment of migrant workers with disabilities in pilot sectors, particularly where national disability quotas already exist. Develop evidence base to provide technical support to countries of origin and destination to align quota mechanisms with labour market needs and rights-based approaches.
- To support coherence with national employment priorities, provide technical advice to integrate inclusive-recruitment standards and principles into national employment policies, with specific targets, quotas, considering explicitly including foreign nationals with permanent residency status in national quotas, and developing quotas for labour migration flows, and monitoring systems to track progress.

- Establish or adapt accessible grievance redress mechanisms to include non-discrimination in recruitment, with:
 1. accessibility for persons with disabilities (including digital, sign language, and easy-to-read formats);
 2. clear mandates for countries of origin and destination;
 3. shared case management and referral protocols.
- Mainstream disability inclusion into existing training packages for legislators developed under the 2019-2025 FRI strategy, on regulation of public and private employment services; and for labour inspectors and enforcement authorities.

Lesson learned 4: Bilateral Labour Migration Agreements are a key instrument in the regulation, promotion and monitoring of fair recruitment practices

Effective recruitment of migrants with disabilities often requires cross-border cooperation between governments, recruitment agencies, and organizations. As noted in the FRI Strategy (2019-25) BLMAs are a key instrument for the regulation, promotion and monitoring of fair recruitment practices across borders. Work has been conducted under the FRI to link fair recruitment standards and principles into guidance on BLMAs, including through the [UN Network on Migration](#).

BLMAs include legally-binding Bilateral Labour Agreements, as well as Memoranda of Understanding (MoUs) between government ministries or agencies involved in labour migration. They function as agreements outlining roles and responsibilities of each stakeholder, and can cover broad objectives in labour migration, or cover specific sectors (such as domestic or agricultural work), or modes of work (such as seasonal or temporary). The ILO, together with the IOM, developed [Guidance on Bilateral Labour Migration Agreements](#) based on principles of international human rights and labour law. As of 2020, the ILO had mapped some 150 BLMAs globally in an [online repository](#), and has conducted a number of reviews of BLMAs, including a global review in [2015](#), and a [2024](#) review of regional and extra-regional BLMAs in the Americas, although neither track migrants with disabilities.

A growing number of agreements, especially in Europe, incorporate social security portability clauses that can indirectly benefit persons with disabilities. For example, existing Social Security Agreements (SSAs) between EU member states and Morocco, Tunisia and Türkiye allow workers to totalize contributions and preserve entitlements including old-age, survivors', employment injury, and invalidity benefits. These mechanisms offer a foundation for ensuring disability-related benefits are portable across borders. While agreements increasingly include provisions supporting fair recruitment, social protection, and occupational safety, this study has not found publicly available BLMAs with explicit disability inclusion clauses or targets. This gap presents an opportunity for future study, as well as increased development of agreements to incorporate disability-inclusive provisions such as reasonable accommodation requirements or disability representation.

Challenges: BLMAs are the product of the legal and cultural context within which they are developed, and as such may not fully reflect international standards on labour and human rights. For example, inequalities can be baked into agreements over minimum payments, and conditions of work, leading to breaches of the principle of equal pay for work of equal value. Full and regular analysis of global trends in the contents of BLMAs is time-intensive, requiring regular updates, and limited as governments do not always release the agreements into the public domain. To maximize the benefits of BLMAs, it is essential to ensure the inclusion of social

partners and persons with disabilities (including migrants with disabilities) across the BLMA cycle.⁷ As noted in the ILO's [Guidance on bilateral labour migration agreements](#), employers' and workers' organizations have roles across the BLMA cycle and key entry points include:

- Information sharing;
- Realization of the rights to equality of treatment and non-discrimination;
- Prevention and elimination of violence and harassment, exploitation or abuse against migrant workers;
- Protection of migrant workers in the case of loss of employment, or in the case of abusive conditions of work;
- Fair recruitment;
- Employment contract and wage protection;
- Occupational safety and health of migrant workers;
- Skills recognition, matching and development.

Good practices: The ILO's 2015 global review of BLMAs assessed bilateral agreements and MoUs in terms of their scope (breadth) and quality (depth). Criteria included: 1) Comprehensiveness and scope of the coverage of provisions, and developed scores for the assessments benchmarked against the 1949 ILO Model Agreement on Temporary and Permanent Migration for Employment, including Migration of Refugees and Displaced Persons; and 2) the quality of agreements based on the 18 good practice criteria on good governance of labour migration and protection of migrant workers developed for the report. The study found that among the agreements reviewed, there were more South-North agreements than South-South, which continues to be the case, and the scores of South-North agreements were higher than those of South-South agreements. All the good practices identified are of relevance to migrants with disabilities, however an updated review would benefit from more comprehensive mainstreaming of disability.

Proposals for action based on emerging good practice

- Conduct an updated review of BLMAs including specific reference to disability and occupational safety and health (OSH) in scoring benchmarks, to reflect the specific needs of persons with disabilities, and the 2022 addition of OSH as a fundamental right at work, and the implications of OSH standards for occupational illness and injury which can result in disability.
- Provide technical advice and develop training tools for government, employers' and workers' organizations, and civil society actors on disability inclusion in BLMAs to cover the full recruitment cycle. Develop standard provisions on gender equality, diversity and inclusion.
- Strengthen the disability lens when exploring solutions to social security coordination between systems in countries of destination and origin, including in BLMAs, and bilateral and multilateral social security agreements, to improve social security provisions in

⁷ The BLMA cycle refers to the following phases: preparation; negotiation, including signature and ratification; implementation; monitoring and evaluation of the bilateral labour migration agreement.

agreements and facilitate access to and portability of derived benefits, including a coverage of employment injury benefits to sectors where migrant workers are most at risk such as the fishing industry, construction, agriculture and mining.

Lesson learned 5: Ensuring long-term sustainability of disability-inclusive recruitment requires a systems approach to policymaking and policy coherence

Challenges: Negative societal attitudes toward disability, coupled with legal and policy systems out of alignment with international normative standards, can undermine long-term efforts to create sustainable inclusion in general, and disability-inclusive recruitment practices in particular. Barriers to labour force inclusion start before working age and endure across the life cycle. They include physical barriers and lack of access to transport systems, school buildings, health services and places of work, as well as social barriers related to prejudice. Children with disabilities are less likely to be in all levels of education and to have foundational reading and numeracy skills, setting them at a disadvantage from the outset; and challenges would be even higher for children in displacement contexts where classrooms may be overcrowded and lack adaptations and accommodations for children with disabilities. Conversely, when children and young people have equal opportunity to go to school, they are more likely to gain employment and have better health outcomes. Intersectionality, looking at the confluence of individual characteristics and circumstances, plays a role too, with girls, ethnic minorities, and individuals in larger, low-income households and rural areas having cumulatively fewer opportunities and facing more barriers.

Disability inclusion in recruitment cannot be isolated from the broader systems migrants encounter throughout the recruitment process. National disability services, healthcare systems, and social protection institutions, where they exist, must be equipped to serve migrant populations with disabilities without discrimination. This includes addressing language and documentation barriers, ensuring portability of social protection benefits, and actively countering exclusionary practices within public and civil society institutions. Strengthening coordination between migration and disability actors is a key step to ensure systems are responsive to the needs of both nationals and non-nationals with disabilities.

Stigma and stereotypes add further barriers to labour force participation and include misperceptions around what persons with disabilities can and cannot do, as well as discrimination based on anti-refugee and anti-migrant sentiments. This is further compounded by patriarchal gender-based discrimination, ageism, racism and nationalism which result in increasing levels of disadvantage. Indeed, some stakeholders pointed to social concerns about inclusion of migrants with disabilities where nationals with disabilities face high unemployment; addressing both requires complementary national and migration strategies. Social biases can be held by family members, and internalised by individuals with disabilities, which may increase low self-esteem and poor mental health. This underscores the paradigmatic shift in understanding that emerged with the CRPD that it is social barriers that limit inclusion, not disability.

Access to social security is a human and labour right; however, many migrant workers, refugees and other forcibly displaced persons face legal and practical obstacles in accessing benefits. Legal obstacles include exclusion of migrant workers and refugees based on nationality, migration or refugee status, duration of stay, type and duration of employment, and lack of access to the labour market for refugees. Further barriers include exclusion of categories of work from labour and social security law; non-portability of benefits; limited enforcement of laws; and in the case of refugees, inability to access entitlements from their home country. Administrative barriers include complex and opaque procedures; linguistic barriers; high contribution rates; challenges around accessing entitlements; and discrimination and cultural barriers. Social protection (insurance and tax-financed) covers contingencies faced across the

lifecycle, including disability, and in working age includes coverage for periods of unemployment, maternity and paternity leave; sickness; health care; and work-related accident and injury.

Migrant workers employed in particularly hazardous sectors, such as fishing, construction, and agriculture, face higher risks of work-related injury or illness but are frequently excluded from employment injury insurance and social protection coverage. Migrants in these sectors working informally or in employer-tied arrangements lack legal protections, access to compensation, and adequate medical care. For example, migrant fishers, agricultural workers and construction workers all face heightened occupational safety risks but are often excluded from national OSH frameworks and compensation schemes.

This structural exclusion can increase the likelihood that workplace injuries lead to permanent disability and long-term poverty, particularly when migrants are repatriated without access to rehabilitation, reintegration support, or income replacement. To uphold fundamental rights, it is essential to extend social protection, including employment injury insurance, to all workers regardless of migration status or employment sector.

Good practices: Social and behaviour change strategies are being implemented across all levels of society noted in the matrix depicted in figure 1, involving training and capacity-building of government actors and service providers, within employers' organizations and trade unions, and at the community level to promote independence and inclusion of persons with disabilities. Among others, the ILO has recently launched its [Strategy on extending social protection to migrant workers, refugees and their families](#) which aims to support the realization of a world of work where migrant workers, refugees and their families have access to social protection benefits, including health care, throughout their lives and migration journey.

A wide range of practical measures have been introduced, including in low- and middle-income countries. Within the context of decent work, good practices can be seen in universal disability benefits introduced for persons with disabilities in 32 low- and middle-income countries, reflecting the extra costs of living with disabilities. Ensuring timely access to employment injury insurance is vital, as delays can lead to acquisition of permanent disability or death. Oman, for example, in 2023 moved away from a heavy dependence on employer liability schemes for migrant workers to introduce inclusive employment injury benefits operated through its Social Protection Fund. Accessible transport is also increasingly prevalent: a 2024 survey by the World Blind Union and United Cities and Local Governments of local and regional governments in Africa, Europe, the Middle East and West Asia, Asia and South America found that 70 per cent of respondents were in municipalities with policies to promote accessibility to social and economic life. Active labour force programmes have also been set up, including providing work placement programmes;⁸ vocational training programmes using Universal Design Principles;⁹ providing job coaches and individualized support to persons with disabilities;¹⁰ and providing training and financial support for persons with disabilities to set up their own businesses.¹¹

Proposals for action based on emerging good practice

- Advocate for mainstreaming of disability inclusion across policymaking, and cross-sectoral linkages to enable migration- and employment-related outcomes to support and be supported by other development goals.

8 Examples in Brazil, Chile and Romania.

9 Example in the Philippines.

10 Examples in Austria, Belgium, Cambodia, Chile, Finland, Ireland, Israel, Paraguay and the United States.

11 Examples in Afghanistan, Bangladesh and Ecuador.

- Engage in intra-institutional capacity-building on disability rights, and enable staff specialized in disability in regional and country offices to regularly attend cross-sectoral UN and development partner working groups in line with the [ILO Disability Inclusion Strategy \(2024-2027\)](#).
- Promote extension of social protection coverage, including employment injury insurance and long-term disability benefits, prioritizing migrant workers in hazardous sectors such as fishing, construction, and agriculture. Ensure that such coverage is portable, regardless of contract status or migration channel, and aligned with international OSH standards.
- Support development of reintegration pathways and targeted reemployment support for migrant workers who acquire disabilities through accidents and injuries abroad. This should include access to rehabilitation, compensation, and vocational training whether in the country of employment or return, to enhance labour force reintegration.

3.3 Promoting fair business practices

The Fair Recruitment Initiative (FRI) is inherently a multi-stakeholder initiative with social dialogue at its heart that is implemented in close collaboration with governments, employers' and workers' organizations, the private sector, and other key partners engaged in the recruitment process. Fair recruitment supports healthy labour market functioning, helps create jobs and prevent labour and human rights violations. This section highlights the importance of private sector recruitment actors having the knowledge and skills to engage with disability-inclusive practices effectively and suggests areas where recruitment processes can be made more accessible to migrants with disabilities.

The FRI has produced knowledge and tools to promote fair business practice at all levels, including through the ILO GBNFL. It has also focused on specific challenges faced by small and medium enterprises (SMEs), producing a [due diligence toolkit for fair recruitment and forced labour](#) designed for SMEs and other recruitment actors to implement and track fair recruitment principles. At the global level, alliances were cultivated with the International Organization of Employers (IOE) and World Employment Confederation (WEC) to further extend fair recruitment principles.

Recruiting and retaining persons with disabilities makes good business sense. Employers and recruiters may have misconceptions about the productivity or cost implications of hiring workers with disabilities, which can lead to discrimination. Businesses which are disability-inclusive, and the societies which host them, tend to achieve higher revenues. Accenture found in a study of 45 "disability champions" in 100 Fortune 100 and 500 companies which adopted disability-inclusive HR practices, average revenue was 28 per cent higher in the Champions, and profit margins 30 per cent higher than the other companies. Low levels of employment of persons with disabilities cost between 3 and 7 per cent of GDP, with the highest losses experienced in developing countries, where an estimated 7 per cent of GDP is lost. In addition to the missed opportunities of non-inclusion, discriminatory practices can also carry significant costs for employers, including reduced access to available labour and skills, prolonged and expensive recruitment procedures (e.g., medical assessments), as well as negative impacts on workplace cohesion and morale when exclusion or harassment occurs.

There are many advantages to hiring persons with disabilities which contribute to good business outcomes: persons with disabilities have been found to have better attendance and retention rates; similar or better safety records; and represent a huge and overlooked pool of employees and customers. Disability-inclusive companies are more likely to provide goods and services attractive to clients and customers with disabilities, and to benefit from their patronage when venues are accessible.

For persons with disabilities, including migrants with disabilities, the recruitment process needs to be adaptable and accessible. This includes adjusting job advertisements, thinking seriously about job requirements, application procedures, interview and selection processes, transportation and navigating border crossings and transit countries, placement in work and, if applicable, accommodation for workers provided with housing, and processes for safe return. Meaningful inclusion goes beyond physical access to workplaces and requires awareness building and work on unconscious biases for all actors, as well as training on rights and provision of reasonable accommodations.

Entry points for disability inclusion, and their connection to the range of different actors operating across the recruitment cycle are summarised in Figure 2. Recruitment actors must be equipped to understand the barriers to recruitment and employment faced by migrants with disabilities; and with tools to empower them throughout the recruitment process.

► **Figure 2: Recruitment stages, entry points for disability inclusion and actors**

Recruitment stage	Entry point for disability inclusion	Recruitment actors
Pre-selection	► Advertising ► Information dissemination	Migrants with disabilities Government ► Government as policy maker and enforcer ► Licensing agencies ► Labour inspectorates ► Complaints mechanism operators ► Consular service providers ► Government as employer ► Government as employment service provider Private sector ► Private sector employers ► Private sector employment agencies, including: ▪ registered/licenced recruitment agencies ▪ informal sub agents ► Placement agencies ► Labour supply companies ► Online platforms Trade unions, workers' organizations and civil society organizations ► International confederations ► National and sectoral unions ► Migrant workers' associations ► Organizations of persons with disabilities ► Networks of migrants with disabilities
Selection	► Interviews ► Job related assessments ► Medical assessments ► Pre-departure administrative processes (contracts, visas, work permits, pre-departure trainings) ► On-arrival and in-country of destination administrative processes	
Transportation	► Navigating transport and border crossings	
Placement	► Arrival at work and place of residential accommodation	
Safe return	► Navigating transport and border crossings ► Pre-return administrative processes ► On-return administrative processes	
Reducing the cost of labour migration	► Access to information on official recruitment related fees ► Understanding of international standards to eliminate recruitment fees and related costs borne by migrants	

Lesson learned 6: Conducting a disability-sensitive analysis of the recruitment process to identify and remedy barriers to inclusion empowers workers with disabilities to participate

Challenges: Many recruitment policies and practices are not designed with disability inclusion in mind, leading to exclusion of potential candidates. The CRPD requires that “States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems and to other facilities and services open or provided to the public, both in urban and in rural areas.” (Article 9).

A step-by-step disability-sensitive analysis is required to develop a standardized process map for recruitment, looking at physical accessibility, digital accessibility, communications between recruitment actors, employers and migrant job seekers or employees with disabilities, transportation, and workplace accommodations. Communications tools include direct person-to-person communication, digital tools – emails, internet sites, social media – and use of phones and paper resources. Reasonable accommodation is required across the full recruitment cycle, and entails tailored adaptations to individuals, enabling them to perform recruitment and job functions as required, and in respect of their own capacities.

Good practices: Universal design is an important principle for recruitment actors to take on board. With universal design, products, spaces and services are set up to be useable by all people to the greatest extent possible. Examples include sloping pavements, use of ramps and lifts, multi-sensory fire alarms, and height adjustable desks and tables in workplaces. For development of accessible websites (used, for example, to advertise jobs, for administrative purposes, and to access information) the [World Wide Web Consortium \(W3C\)](#) has developed international standards and [guidelines](#) for accessible website design.

Adecco has developed an inclusive recruitment system providing tailored training for its own staff on “conscious inclusion” as well as a set of trainings on how to recruit inclusively, with specific trainings applicable to disability. The company also works closely with employers, on a one-to-one basis, and through network organizations to provide tools and raise awareness on inclusive recruitment and employment. Where it is beneficial to migrants with disabilities, Adecco staff also provide individual guidance on how to obtain disability certification, as this can open doors to reasonable accommodation and services.

CIERTO highlights its vetting process for employers. CIERTO staff members vet conditions of work in farms and businesses using their services, to make sure that working conditions are acceptable, and that employee welfare is safeguarded. Training is provided to support employers to meet standards, and if compliance is not reached, they do not engage with the company.

In addition to knowledge generation, [Incluyeme.com](#) operates in 14 countries in Latin America supporting companies in developing comprehensive diversity programmes by implementing strategies, providing tools, and contributing to developing an inclusive and diverse organizational culture, including for migrants with disabilities.

[Incluyeme.com](#) is building the evidence base for disability inclusion in the workplace and has developed a handbook for employers “busting myths” about employment of persons with disability. Evidence from its Disability Survey was also shared with employers to build understanding, and to evidence the benefits of reform. The evidence is invaluable and used to generate behaviour change in hiring migrants with disabilities to overcome assumptions around perceived costs. In practice, experts from [Incluyeme.com](#) work closely with HR personnel and key staff identified by companies on unconscious bias, appropriate language to use in job adverts, as well as in the workplace, and on revision of job adverts (see Lesson 7). Engagement

is considered particularly effective where quotas on hiring persons with disabilities are in place, as companies can go beyond simply meeting quotas and develop genuinely inclusive workplaces.

Proposals for action based on emerging best practice

- Conduct a process mapping of the recruitment cycle identifying entry points in the process where disability inclusion principles can be applied, and for which actors.
- Create standard operating procedures (SOPs) for accessible recruitment processes that can be adopted by agencies and employers globally, including SMEs, with provisions for reasonable accommodations and adjustments during recruitment stages.
- Use this SOP as a basis to design trainings and information materials for targeted capacity-building for recruitment actors on disability inclusion related to specific topics or stages in recruitment.
- Promote cost-sharing models for disability-related workplace accommodations, including:
 1. public subsidies or tax incentives for employers;
 2. pooled accommodation funds in bilateral labour migration programmes;
 3. employer reimbursement schemes through social security or recruitment licensing fees.

Lesson learned 7: Strengthening understanding of the business case for disability inclusion, and capacity of recruitment actors to handle disability inclusion in recruitment has a high return on investment

Challenges: Lack of awareness and training around disability inclusion in the recruitment industry, as well as insufficient capacity on how to provide reasonable accommodations both act as obstacles to improving outcomes for migrants with disabilities in recruitment. Businesses and recruitment actors reflect the society and legal structures where they are situated. Yet even businesses required to meet quotas on disability inclusion face challenges. Issues include negative attitudes and prejudices towards persons with disabilities held by recruiters and employers. Concerns relate to unfounded assumptions that workers with disabilities will be less productive than their peers without disabilities, require more supervision, or have higher rates of absenteeism.

Where recruiters and employers do express willingness to engage workers with disabilities, further stumbling blocks to recruitment relate to knowledge on how to find and attract workers with disabilities, and awareness on how to provide reasonable accommodation for persons with disabilities, with many employers overestimating the cost of accommodation. Legal and administrative barriers also exist, as in many cases, medical assessments screen out potential migrants with disabilities.

Good practices: Building evidence to support the case for fair recruitment and the positive outcomes for migrant and local workers, as well as the businesses which hire them, is essential to dispel myths about the costs of disability inclusion. A [survey](#) of employers by the US Job Accommodation Network (JAN), found that 56 per cent of accommodations had no cost at all, and that the average cost of accommodation was just US\$300. More research is continually needed to drive home the message that inclusive workplaces do better, and it will be important to carry out research on the intersection of disability inclusion and migrant work.

Partnerships add value. Where companies lack know-how in the recruitment of persons with disabilities, including migrants, working with specialized partners can bridge gaps. Here for example, [Incluyeme.com](https://www.incluyeme.com) has developed trainings for business partners, and specific guides for employers in Argentina and Chile specifically on contracting migrant workers with disabilities.

Proposals for action based on emerging best practice

- Conduct research at the intersection of migration, disability and recruitment, prioritizing key migration hubs and channels, to demonstrate the benefits of disability recruitment for businesses and economies.
- Conduct further research to understand employer decision-making in adopting inclusive recruitment practices, particularly what combination of incentives, policy frameworks, and perceived business value most influences willingness to hire persons with disabilities.
- Support recruiters and employers likely to hire migrant workers, particularly SMEs, in making reasonable adjustments and understanding the business case for disability inclusion. To this effect, develop training modules on disability-inclusive recruitment to enhance awareness and capacity; and tools to implement reasonable accommodations and access to build understanding on how reasonable accommodations and inclusive practices can enhance productivity and give access to new markets. The tools should be designed to be tailored for specific recruitment actors and local contexts, taking into account local legal and cultural settings, while building awareness on international legal standards.

Lesson learned 8: Human rights due diligence is an emerging component of responsible business conduct and legal compliance frameworks

In 2011, the UN Human Rights Council endorsed the [UN Guiding Principles on Business and Human Rights](https://www.un.org/ruleoflaw/content/un-guiding-principles-on-business-and-human-rights/) (UNGPR). The UNGP apply to all States and businesses, regardless of size, sector, location, or ownership and structure. They are founded on three pillars: 1) the recognition of States' duty to respect, protect and fulfil human rights and fundamental freedoms; 2) the role of business enterprises in society, and their requirement to comply with applicable laws and respect human rights; and 3) the need for rights and obligations to be matched by effective remedies when breached.

Businesses, including recruitment companies and employers, are required to carry out human rights due diligence across their supply chains. In recruiting migrants, including migrants with disabilities, the hiring company and recruiter are mutually responsible to check the human rights implications of the migration and recruitment of employees; presence of recruitment abuses, such as barriers to free movement throughout the process, or occurrences of discrimination; and application of principles of non-discrimination and provision of reasonable accommodations. Following assessment of actual or potential human rights abuses, businesses are required to take appropriate action to remedy any issues identified, track effectiveness of measures, and communicate with stakeholders on progress made, demonstrating adequate policies and processes are in place.

To realise these goals, enterprises should develop and implement a policy or code of conduct, applicable to all staff and business partners, and relevant to the size of the enterprise. A large number of tools have been developed to guide the conduct of impact assessments, including on specific thematic and sectoral areas.

Good practices: Many enterprises are following the UNGP. The [Consumer Goods Forum](#) (CGF) is a global industry network comprising over 400 global brands, with an estimated 5 million suppliers employing millions of workers. Members of the CGF are committed to ending forced labour and unethical recruitment from their supply chains. In 2020, CGF members endorsed an initiative to bolster Diversity and Inclusion, and leadership is committed to fostering an equal playing field with equal opportunities for all, regardless of race, ethnicity, gender, sexual orientation, disability, or any other characteristic.

Companies in the [Responsible Business Alliance](#), the world's largest industry coalition dedicated to responsible conduct in global supply chains, have made similar commitments. The [Responsible Business Alliance code of conduct](#) aims to ensure working conditions in supply chains are safe, and that business is conducted responsibly, ethically, and with respect for human rights and the environment. It explicitly states that companies shall not engage in discrimination or harassment based on a range of characteristics, including disability; that workers are to be provided with reasonable accommodation for disability; and that workers are not to be subject to medical tests or physical exams that could be used in a discriminatory way. The Seafood Good Labour Practices (GLP) programme which covers 88 companies in Thailand employing over 77,000 Thai and migrant workers provides guidance on labour practices based on international labour standards. The Guidance covers principles of non-discrimination and notes that: "Disabled workers who apply for work are evaluated according to their ability to perform the job. Required job functions do not unnecessarily limit a person with disabilities' ability to obtain or maintain employment."

The IOM created the [International Recruitment Integrity System \(IRIS\)](#) to promote ethical recruitment of migrant workers. The initiative is multi-stakeholder and supports governments, civil society, the private sector and recruiters to establish ethical recruitment as a norm in cross-border labour migration. The IRIS voluntary certification scheme has been developed to enable businesses to better identify recruitment intermediaries that meet fair recruitment standards. Private recruitment agencies registered in the industry can voluntarily apply for "certified IRIS labour recruiter" status. Recruiters are audited, and if their management system is compliant, they can gain this recognized certification.

Proposals for action based on emerging best practice

- The Fair Recruitment Initiative has supported and tested intervention models in support of human rights due diligence with a focus on fair recruitment of migrant workers. These need to be assessed for disability inclusion, and if necessary adapted and piloted.
- Continue to support national recruitment networks in developing and implementing codes of conduct for fair recruitment, mainstreaming diversity and inclusion.

3.4 Empowering and protecting workers

In addition to the challenges faced by all migrant workers, those with disabilities face specific challenges across the recruitment cycle. Taking an intersectional approach to assessing, and removing, barriers to fair recruitment of migrants with disabilities is important to maximize the benefits of migration. The FRI takes into account that workers' interests can be better reflected in national recruitment regulations and BLMA's when the effective participation of trade unions is promoted in policymaking. In addition, empowering workers and job seekers entails equipping individuals with the skills, know-how and networks to define and represent their own interests, to exercise their rights, and to organise through trade unions, migrant associations, and OPDs.

Lesson learned 9: Migrants' voice and agency should be central in designing disability-inclusive recruitment programmes

Challenges: A key mantra of the disability movement is “nothing about us without us”, referencing the baseline requirement that persons with disabilities be engaged at all levels in decision-making processes which affect them. All migrants with disabilities, including labour migrants, refugees, asylum seekers, and other persons in need of international protection, must be consulted in policy design and implementation to ensure that their experiences and needs are reflected. In addition, it is essential to increase the representation of migrants with disabilities in government, employers' organizations and trade unions and migrant worker associations; as well as to increase partnerships between those actors, OPDs, and networks of migrants with disabilities. In practice, though, migrants often do not have spare time to participate in organizations, because of work commitments, lack of financial resources and time poverty to travel to activities outside work. In addition, legal restrictions on freedom of association and organising of migrants curtail potential for engaging in trade unions. Globally, the ITUC reports that 30 countries restrict migrants' freedom of association, preventing non-nationals from establishing and joining unions, restricting their ability to hold office, or otherwise curtailing rights to engage in union activities. Legal and policy restrictions have also been documented specifically for refugees on the right to freedom of association.

Good practices: It is essential to incorporate the perspectives and voices of migrants with disabilities in the development of disability-inclusive recruitment policies and programmes. Migrants, especially those with disabilities, should be actively involved in shaping recruitment and employment policies that affect them.

In 2019, the Inter-Governmental Authority on Development (IGAD) committed to a [Declaration and Plan of Action on jobs, livelihoods and self-reliance for refugees, returnees and host communities](#) in the IGAD region, under which member states agreed to promote the equality of opportunity and treatment for all refugees in accordance with national policies and laws; and to safeguard the freedom of non-political association and rights at work in accordance with national policies, laws and ratified international labour standards.

In Zimbabwe, the Zimbabwe Congress of Trade Unions (ZICTU) has developed deliberate policies to include underrepresented groups, including migrant workers. As a result, the National Union of the Clothing Industry has begun to align its constitution and activities to the ZICTU policies, to include women, youth, migrant workers and persons with disabilities in its constitution, and to represent the voices of these workers in decision-making.

MRCs and MRC-like organizations in Asia and the Pacific have been providing training on negotiation and communication for migrant workers, including domestic workers, leading to positive outcomes for participants. Training was designed to increase self-esteem and confidence of participants, and to develop skills to negotiate with employers on employment terms, including wages, working hours and time off. Participants have reported positive outcomes for themselves, including successfully negotiating pay increases.

Proposals for action based on emerging best practice

- Continue to collaborate with trade unions and civil society actors to support organization of migrant workers, including migrants with disabilities.
- Develop training on disability inclusion in recruitment for trade unions and civil society service providers and mainstream disability inclusion in training related to soft-skills development, and technical training on legal assistance to support service providers in delivering better services to migrants with disabilities, and empower the migrants themselves.

- Support meaningful consultation with persons with disabilities, including migrant workers, in labour migration and recruitment law or policy reform processes, ensuring participation through OPDs, migrant worker organizations and other CSOs and NGOs.
- Support third sector organizations to strengthen their technical and institutional capacity to participate in social dialogue and advocacy, ensuring their contributions reflect both lived experience and systems knowledge.

Lesson learned 10: Empowering migrant workers with disabilities through targeted training and support builds awareness of rights and capacity to self-represent

Challenges: Migrant workers, including labour migrants, refugees and persons in need of international protection, face a range of risks across the recruitment cycle, which the FRI aims to address (see Box 1). Migrant workers with disabilities face these same risks, which may be amplified, plus additional risks specific to their situation. The degree of an individual's exposure to risk depends on a range of factors, including whether the recruitment agent used is licensed (or not); migration status (regular or irregular, recognized refugee status, or pending refugee status determination); employment status (regular or irregular); sector of employment and its coverage under labour and social security laws; access to social security in both the country of origin and destination; access to social support networks and ability to speak the language of the country of destination; geographic or workplace remoteness or isolation; and social and demographic factors such as gender, race, nationality, recognition (or not) of disability status, and level of education. Many migrants with disabilities may not be aware of inclusive recruitment practices or how to access them, especially in regions where disability is stigmatized; and refugees and persons in need of international protection may need additional support to be able to engage effectively in the labour market.

Good practices: Although fair recruitment and disability inclusion are founded on international human rights and labour standards, many migrants are not aware of these rights, and even less of legal norms and processes for fair recruitment and means for formal recourse in their countries of origin and destination. Empowering individuals with the knowledge that rights exist and that they, as individuals, have rights - coupled with concrete information on where to go for assistance - is hugely empowering.

The ILO has developed standardized pre-departure training tools for use by recruitment stakeholders, with topics covering: workers' rights and responsibilities; the destination country's culture, laws and policies; how to access support services and complaints mechanisms; how to send money home; and the process of return. These training tools, and related information materials are shared with documented migrants during pre-departure orientation sessions, and in countries of destination through social networks and social media, migrant associations, and MRCs.

The ILO's TRIANGLE in ASEAN programme has been working to bridge trainings on migration and disability rights and has provided a series of five gender equality and disability inclusion trainings in Cambodia, Lao PDR, Myanmar, Thailand and Viet Nam, bringing together migration and disability rights groups enabling mutual learning. TRIANGLE has also supported the DMN to engage in capacity-building of OPDs in migration, looking at human and labour rights of migrant workers, through online and in-person formats for members of OPDs based in Cambodia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand, and Viet Nam.

Proposals for action based on emerging best practice

- Information on the rights and available services for migrant workers with disabilities needs to be clear, accurate, and provided at the right time, in a way that is easily accessible. To ensure accessibility and relevance of all trainings, engage with OPDs or specialized trainers.
- Build on existing knowledge and experience in providing disability inclusion trainings developed under the ILO's TRIANGLE in ASEAN programme and work with OPDs to develop specific trainings on disability-inclusive recruitment, covering processes, rights and responsibilities.
- Work with providers of pre-departure and on-arrival training, including government, employers' and workers' organizations, recruiters, and migrant workers' associations, and CSOs to provide trainings-of-trainers on the revised pre-departure training and ongoing support programmes that specifically address the needs of migrant workers with disabilities.
- Awareness and outreach about disability-inclusive recruitment must be ongoing and targeted. MRCs, recruitment agencies, and governments need to prioritize continuous public information efforts to raise awareness of inclusive recruitment practices. They should also target migrant communities through accessible channels (social media, community leaders, etc.).
- Provide information through accessible formats, based on the needs of the migrants with disabilities, which can include sign language interpretation of their choice, braille, easy-to-read formats, alternatives to written materials, and multi-language outreach, and at key points of the recruitment process (e.g., pre-departure, arrival, job placement).
- Provide access to trainings, workshops and information sessions in a variety of settings and formats at key stages of migration (pre-departure, during employment, post-employment). These can include mobile services, physical spaces in government centres, in NGOs, and online to enable documented and undocumented migrants to feel safe to benefit from services. Set up accessible "safe spaces", including in MRCs, where migrants can discuss disability-related issues, seek advice in a confidential setting, or meet with peers to exchange and simply relax. Training should be designed to enable both individual self-representation and meaningful participation in policy or programme design.

Lesson learned 11: Tailored skills development for migrants with disabilities improves their ability to access employment; building in career guidance and financial planning promotes better long-term outcomes

Challenges: Generic training programmes may not meet the specific needs of migrants with disabilities, lessening their impact on successful recruitment outcomes. Barriers to formal education in childhood, and to vocational training and post-secondary education lower the chances of securing work with decent wages in adulthood. Where training is available for persons with disabilities, it is often not matched to labour market demand, and does not lead to recognized qualifications. Making the transition, then, from school to work, is more challenging for persons with disabilities; and with less opportunity to access decent work, the gap widens in the development of soft skills ranging from job search techniques, preparation of resumes, being interviewed, workplace communication strategies, conflict management and negotiation, etc.

The exponential growth of digital platforms as a meeting point for labour supply and demand provides opportunities and challenges for migrants with disabilities, who could benefit from the ability to work remotely, but like all workers, need access to social protection, and in addition may need training on the use of assistive technological devices, and accessible platforms.

For all migrants, incorporating trainings on financial literacy, and career counselling to support financial and career planning is understood to improve long-term outcomes. Given the skills gap experienced by migrants with disabilities, development of tailored trainings may be necessary, as well as preparation of accessible resources.

Good practices: In many high-income countries, job placement services, including tailored capacity-building, are provided for persons with disabilities through public employment services, and include access for migrants with disabilities and have been used to promote inclusion of refugees. In France, for example, the specialized agency Cap'emploi matches persons with disabilities with employers, providing training and guidance to job seekers and employers; and in Sweden job placements for persons with disabilities are provided through public employment services.

[EURES](#) is the European Union's (EU) publicly funded jobs portal. Public employment services of all 27 EU member states plus Iceland, Liechtenstein, Norway and Switzerland (along with the European Commission and the European Labour Authority) formed EURES: a publicly funded jobs E-portal to facilitate free movement of workers within Europe. The site provides information and support to workers and employers. It has an [accessible website](#) providing over 3 million job adverts, and hosting over 1 million CVs. EURES supports job seekers in finding inclusive roles and fosters workplaces that value diversity and accessibility.

To promote financial and career planning, MRCs operated by the ILO in Asia and the Pacific all provide financial literacy training for migrants, which include discussions about future livelihood goals. CIERTO provides a comprehensive pre-departure training package for workers to enable them to understand their roles, and to gain the necessary work-related skills for their specific job. In addition, they provide training and guidance on financial and career planning so that people can create plans on how long they want to continue as migrant workers, and what they would like to do longer term.

Jordan's HCD has worked with providers of technical and vocational education and training (TVET) to build capacity on provision of disability-inclusive training and on use of sign language. In addition, the HCD has been expanding training on the use of assistive technology. Training has been provided to university staff, to enable them to use assistive technology in teaching. A specialized course will shortly be rolled out for visually impaired persons on assistive technology, as it was found in earlier discussions around workplace accommodation that there was low awareness on the growing range of assistive technologies.

[Incluyeme.com](#) has developed online trainings to promote the employment of women with disabilities in the technology and software industry. The project has provided training in technology to +4000 people with disabilities in 14 Latin American countries. In Chile and Argentina, Venezuelan migrants with disabilities were prioritized for the training. To date, some 208 migrants have graduated from the course. Participants take technical and vocational training, as well as soft skills on how to develop CVs, go through interviews and use the [Incluyeme.com](#) online job portal. Following the training, graduates are connected with participating companies, who have also engaged in disability-inclusion training. [Incluyeme.com](#) noted that 150 of the individuals on the training courses (12 of whom were migrants) wanted to be self-employed, either as a matter of personal preference, or as a stop gap while they looked for employment. To support this group, [Incluyeme.com](#) has linked the migrants and coordinates regular meetings and workshops for the 12 members, on topics related to freelancing

and business management. In addition, [Incluyeme.com](https://incluyeme.com) has developed specific guides for migrant employees or job seekers in Argentina¹² and Chile¹³ to support on practicalities of obtaining identity documents, disability certification, accessing education and health services and finding work.

Proposals for action based on emerging best practice

- Engage with government partners including Ministries and Departments engaged in TVET and operating pre-departure training, and return and reintegration training to provide technical advice on the skills development of migrants with disabilities, and support uptake of evolving, disability-inclusive, accessible training packages and methodologies.
- Design, or provide technical advice in development of, capacity-building programmes that address the specific needs of migrants with disabilities, including sector-specific skills and soft-skills for workplace environments.
- Enable migrants with disabilities to select from tailored capacity-building modules to enhance their employability and self-advocacy skills; these could be in a range of areas, including language training, soft skills development, use of assistive technology, sectoral skills, as well as on recruitment related rights, and rights in the workplace.
- Ensure that all training programmes for migrants are disability-inclusive, and that they address both technical and soft skills, as well as reasonable accommodation needed for persons with disabilities.
- Develop specific modules on career and financial planning to promote better migration outcomes for migrants with disabilities.

12 [Incluyeme.com](https://incluyeme.com) (NDc)

13 [Incluyeme.com](https://incluyeme.com) (NDd)

► 4. Conclusions

The inclusion of migrant workers with disabilities in fair and equitable recruitment policies and practices is a critical yet often overlooked aspect of migration policy. Migrants with disabilities, including labour migrants and persons in need of international protection, face compounded challenges due to a combination of barriers that society creates based on their disability and the risks associated with the different stages of the recruitment and migration processes, as well as discrimination on other grounds, such as gender, race, ethnicity, nationality, language and age. These risks include asymmetrical or limited access to information about jobs, experiences of discrimination in interviews and medical assessments, lack of accessible transport, and challenges on arrival around administrative processes, and accessible workplaces and residential accommodation. For refugees and others in need of international protection, lack of support to deal with trauma from their experiences prior to arrival in the host country adds further challenges to successful recruitment outcomes.

Exploitative practices in recruitment applicable to all migrants can be compounded for persons with disabilities, and given discriminatory practices, many persons who would otherwise seek support services, where they exist, may choose not to do so. Migrants with disabilities are more likely to be pushed into precarious, low-wage, and informal work, as well as informal migration channels where they are at risk of abuse, low pay, and dangerous and precarious work. For refugees and others in need of international protection, timely information on arrival in a host country is essential to ensure access to available services and rights. In all cases, lack of social protection coverage, periods without coverage to meet contributory requirements, reliance on employer liability schemes in place of social insurance, and lack of clarity around insurance for accidents and injuries in transit or outside the workplace can leave migrants without coverage. This includes access to health or medical coverage, and may exacerbate existing conditions and risks to those who experience sickness or injury during migration.

Alignment of legal and policy frameworks to international standards supports development of coherent governance systems that promote better outcomes for all workers. For employers and recruiters, having diverse and inclusive workplaces is not only ethical but also an economic must. As such, disability inclusion has been advanced through high-impact business networks, including to support inclusion of refugees with disabilities. Provision of practical, hands-on training and advice has been shown to work in busting myths on disability inclusion, and supporting businesses in creating inclusive, accessible environments that go beyond box ticking to meet quotas.

Empowering all migrants with disabilities is essential not only for ensuring their rights but also for enabling them to understand how to access them in the recruitment and employment process. Key to this empowerment is equipping migrants with disabilities with the knowledge of their rights and knowhow to access support systems. Furthermore, there is a need for

disability-inclusive tailored training programmes to develop sector-specific capabilities, soft skills, financial literacy and to provide career guidance. These actions increase employability, self-confidence, and positive long-term migration outcomes, fostering more inclusive and sustainable labour markets.

To create more equitable migration pathways for migrants with disabilities, it is necessary to take a tripartite approach, involving governments, employers' and workers' associations, as well as migrants with disabilities in the policymaking and implementation process. The active participation of migrants with disabilities ensures that their specific needs are recognized and addressed. This can be achieved by increasing their representation in trade unions, employers' organizations, and migrant associations, as well as through partnerships between employers and recruiters and organizations focused on disability and migrants' rights. The involvement of OPDs and networks of migrants with disabilities is crucial to ensure that training materials and resources are truly reflective of the needs of migrants with disabilities and that they are delivered in accessible formats.

The lessons learned from various good practices around the world highlight the transformative power of targeted interventions. These practices show that by providing tailored training and inclusive recruitment programmes, migrant workers with disabilities can overcome barriers and access better, more secure employment opportunities.

Looking to questions around implementation, there are a number of steps that can be taken by recruitment actors. On medical testing, the principle of non-discrimination should guide the development of standards that assess fitness for work without excluding individuals solely on the basis of disability. Regarding the cost of accommodation, public-private cost-sharing models could be explored, with incentives for employers. Recruitment quotas may be a useful temporary measure to accelerate inclusion, especially where aligned with national disability targets. Accessible redress mechanisms should be co-managed by countries of origin and destination, ideally through existing migration governance bodies. Crucially, persons with disabilities, including migrant workers, must be actively involved in any legal or policy reform processes to ensure their lived experience informs solutions.

Fair recruitment systems must address both pre-departure exclusion through non-discriminatory medical assessments and extension of social protection and social services. This includes developing rights-based fitness-for-work medical guidelines that prevent discriminatory exclusion based on diagnosis, and expanding social protection to ensure all migrant workers can access employment injury benefits, disability coverage, and rehabilitation support. Together, these measures reduce the risk of long-term exclusion and uphold the rights of all workers throughout the migration cycle.

Addressing the challenges faced by migrants with disabilities requires ongoing social dialogue and a concerted effort across multiple sectors and stakeholders. By incorporating the voices of migrants with disabilities, ensuring access to disability-inclusive services, and providing targeted technical advice and training programmes, we can build a migration system that truly benefits all individuals.



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► Annexes

List of stakeholders interviewed (living document)

	Name	Organization
1.	Juan Ignacio Perez Bello	IDA
2.	Stéphanie Winet	IOE
3.	Natalia Privée Boudeguer	IOE
4.	Victor Hugo Ricco	ILO, ACTRAV
5.	Amalia Gamio Rios	UN Committee on the Rights of Persons with Disabilities
6.	Edgar Corzo Sosa	UN Committee on the Protection of the Rights of all Migrant Workers and Members of their Families
7.	Clara Popeo	Incluyeme.com , Argentina
8.	Rebecca Napier Moore	ILO TRIANGLE in ASEAN
9.	Ratna Mathai-Luke	ILO Protect
10.	Ben Harkins	S2S
11.	Bruce Roche	Adecco
12.	Joe Martinez	Cierto Global
13.	Fernando Martinez Cure	ILO, Jordan
14.	Dahlia Roque	ILO PROSPECTS, Jordan
15.	Reem Aslan	ILO, Jordan
16.	Raafat N. Alzetawi	HCD, Jordan
17.	Karina Fischer Mogensen	BFM & Associates
18.	Dominique Brand	BFM & Associates
19.	Ben Thatcher	DMN (Philippines)
20.	Suha Labadi	ILO, Amman

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