



International
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LABOUR MIGRATION AND MIGRANT WORKERS IN THE 2030 AGENDA



INTRODUCTION

The diverse labour market profiles and changing flows and patterns of migration suggest that migration is largely a labour market and decent work issue.¹ Consequently, there can be no discussion of international migration in the future global agenda on sustainable development without consideration of decent work. Indeed, in his report on fair migration, presented to the International Labour Conference in May 2014, the International Labour Organization (ILO) Director-General observes that “the UN post-2015 development agenda is an opportunity to give renewed impetus to the shared responsibility to promote decent jobs and social protection everywhere”² including for migrant workers.

On 25 September 2015, the Declaration adopted by the United Nations General Assembly (UNGA) on the **2030 Agenda for Sustainable Development** recognized “the positive contribution of migrants for inclusive growth and sustainable development” in countries of origin, transit and destination. It also highlighted that “international migration is a multidimensional reality of major relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive responses”. Moreover, Heads of State and Government committed to “cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons”.³

The 2030 Agenda for Sustainable Development Declaration views economic growth and decent work as mutually reinforcing, and has resolved to create conditions for sustainable, inclusive and sustained prosperity. This is mainly reiterated in two Sustainable Development Goals (SDGs) of particular significance to the ILO’s Decent Work and Fair Migration Agendas:

- › **Goal 8.** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
- › **Goal 10.** Reduce inequality within and among countries
- › Other goals are also relevant such as:
 - » **Goal 1.** End poverty in all its forms everywhere
 - » **Goal 5.** Achieve gender equality and empower all women and girls
 - » **Goal 16.** Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
 - » **Goal 17.** Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

¹ P. Wickramasekara, “Labour Migration: A thematic think piece” (ILO, unpublished paper), p. 2.

² Fair Migration: Setting an ILO Agenda, Report of the Director-General, International Labour Conference, 103rd Session, 2014, Report 1 (B), International Labour Office, Geneva, 2014, p. 6, available at http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_242879/lang-en/index.htm.

³ United Nations General Assembly: Transforming our world: the 2030 Agenda for Sustainable Development, Resolution adopted by the General Assembly on 25 September 2015, A/RES/70/1, Seventieth session, New York.

SDG 8 RELATED TARGETS AND INDICATORS

The 2030 Agenda call is of utmost importance to the significant number of low-skilled migrant workers in often exploitative working conditions and low-wage jobs, particularly in the case of migrant workers in an irregular situation working in the informal economy. Labour exploitation limits migrant workers' earnings and ability to contribute to the development of countries of origin and destination.

One of the proposed global SDG indicators to measure target 8.8 is on occupational safety and health since migrant workers often suffer greater risk and incidence of workplace accidents and occupational-related diseases (fatal and non-fatal) compared to national workers.

Indicator 8.8.1. Frequency rates of fatal and non-fatal occupational injuries, by sex and migrant status.

Another proposed global SDG indicator to measure target 8.8 is on the right of all workers to freedom of association and collective bargaining which is a Fundamental Principle and Right at Work applicable to all migrant workers irrespective of their migration status and key in realizing SDG 8 on decent work, particularly in terms of negotiating and obtaining better working conditions and wages. Unfortunately, contrary to fundamental Conventions Nos 87 and 98, still in a large number of countries migrant workers are not allowed to:

- a) form and join trade unions;
- b) hold office in trade unions;
- c) enjoy protection against discrimination on the grounds of their trade union activities; and
- d) have the freedom to strike.

In other countries, only migrant workers with residence status (lawfully in the country or those who have a work permit) enjoy trade union rights. This indicator is also to be disaggregated by sex and migrant status.

Indicator 8.8.2. Increase in national compliance of labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status.

The ILO is the custodian agency for further developing the methodology for indicators 8.8.1 and 8.8.2 which are both classified as tier 1 indicators (i.e., an established methodology exists and data are already widely available).

What concrete outputs has the ILO achieved so far?

- › The ILO, as a unique tripartite⁴ organization with its rights-based approach, has an important role to play in maximizing the benefits

SDG 8

DECENT WORK AND ECONOMIC GROWTH



SDG target 8.8 is of specific significance to the protection of migrant workers and labour migration governance: Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment

⁴ Composed of Governments, employers and workers organizations' representatives.

One of the main findings of the new global estimates is that the concentration of migrant workers has shifted from high-income countries to upper-income countries.



⁵ ILO: Fourth item on the agenda: Labour Migration, Reports of the Committee for Labour Migration: Resolution and conclusions submitted for adoption by the Conference, International Labour Conference, Provisional Record, 106th Session, Geneva, June 2017.

⁶ The ILO has established a working group on labour migration statistics to set global guidance and promote consistent collection and harmonization of labour migration data that can better support evidence-based policy-making.

of labour migration and minimizing its risks and social costs through the promotion of sound and effective labour migration governance.

The 2017 International Labour Conference's Conclusions and Resolution Concerning Fair and Effective Labour Migration Governance mentioned that "Well-governed labour migration can contribute to sustainable development for countries of origin, transit and destination, and can provide benefits and opportunities for migrant workers and their families by balancing labour supply and demand, helping develop and transfer skills at all levels, contributing to social protection systems, fostering innovation and enriching communities both culturally and socially".⁵

- › Through **Social Dialogue at local, national, bilateral, subregional, regional and international levels**, the ILO's tripartite constituents play an important role in the development of rights-based, transparent and coherent labour migration legislation and policies, taking labour market needs into account. The ILO promotes tripartite processes on the design and implementation of labour migration policies, and assists constituents, through technical cooperation and capacity-building activities (including by the International Training Centre of the ILO in Turin), and the exchange of information and good practices to engage more effectively in these processes (e.g. ensuring regular migration opportunities for migrant workers of all skill levels, negotiating bilateral/multilateral labour agreements, participating effectively in regional integration processes on labour migration, ensuring the involvement of labour market institutions in migrant workers' labour market integration, and enhancing the coherence between employment, social protection and labour migration policies).
 - » Also related to **SDG 17.14**. Enhance policy coherence for sustainable development.
- › The ILO's efforts to improve the collection and production of comparable labour migration statistics at the national, regional and global levels resulted in the production of the 2015 and 2018 **ILO Global Estimates on Migrant Workers**. These estimates have contributed to the 2018 International Conference of Labour Statisticians (ICLS) endorsement of the **Guidelines Concerning Statistics of International Labour Migration** to help countries to develop their national statistical system by collecting comparable statistics on international labour migration in order to provide an improved information base. According to the Guidelines, "*Such a system should be designed to obtain a better understanding of the migration process; to assess the socio-demographic characteristics and conditions of work and the equitable treatment of different groups of international migrant workers; and to study the relative status of the disadvantaged groups of international migrant workers*

that are of specific policy concern". The ICLS Guidelines include concepts and definitions, core indicators, information on data sources, and guidance on measurement issues.⁶

- » Also related to **SDG target 17.18**. By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.
- › As part of the ILO Centenary Initiative on Women at Work, the ILO prepared the report **Care Work and Care Jobs for the Future of Work** which includes a comprehensive look at unpaid and paid care work and its relationship with the changing world of work. A key focus is the persistent gender inequalities in households and the labour market, which are inextricably linked with care work. The report explored the relationship between care and labour migration, particularly examining the patterns and characteristics of female migration across global care chains, and analysing how this intersects with the way care is organized and delivered at both the household and institutional levels and what its implications are on the unequal position of women in countries of origin and destination.
 - » Also related to **SDG target 5.4**. Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.
- › **Convention 189 on Decent Work for Domestic Workers** and the **ILO Strategy on Decent Work for Domestic Workers** has resulted in a range of specific policy and legal developments and production of tools that cover areas such as working conditions, labour and social protection, child labour, formalization and labour inspection. Most of these policy resources are available through the dedicated web page of the ILO on decent work for domestic workers.⁷ The ILO has also been working in close collaboration with the International Domestic Workers Federation and its affiliates in Member States to support the organization of domestic workers into trade unions, and in strengthening their capacities to advocate and negotiate for their rights (e.g. in Lebanon, the ILO supported the formation of the first domestic workers' union which is largely composed of migrant women; and in South Africa, the ILO supported the South African Domestic Service and Allied Workers Union [SADSAWU] in developing a strategy to reach out and organize migrant domestic workers).
 - » Also related to **SDG target 5.1**. End all forms of discrimination against all women and girls everywhere; SDG target 5.4; and

*Labour rights
and their
implementation
in practice are
part and parcel of
decent work,
and they are at the
core of workers'
well-being and
human dignity. It is
thus important to
have a reliable
measure for the
monitoring of
compliance with
labour rights.*

⁷ ilo.org/domesticworkers



SDG target 5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

- › Joint research carried out by the Organization for Economic Cooperation and Development (OECD), ILO and the World Bank on ***The Contribution of Labour Mobility to Economic Growth*** underlined the important contribution of migrant workers to fill labour and skills needed in critical occupations and sectors in countries of destination. The ILO and the OECD Development Centre also implemented a project “**How immigrants contribute to developing countries’ economies**”, which aimed at examining empirically the ways immigrants affect labour markets, economic growth and public finance in ten economies: Argentina, Costa Rica, Côte d’Ivoire, the Dominican Republic, Ghana, Kyrgyzstan, Nepal, Rwanda, South Africa and Thailand. The project key findings showed the following:
 - » In most of the studied countries, **immigrants display higher labour force participation and employment rates than native-born workers**. However, the quality of jobs immigrants take remains a concern as they often **experience decent work deficits**.
 - » Migrants can **have a positive impact on economic growth**. The project conclusions state that the estimated contribution of immigrants to GDP can represent up to 19 percent (e.g. Côte d’Ivoire).
 - » **Immigrants may also generate additional employment opportunities for native-born workers** (e.g. South Africa, where recently arrived migrants actually represent a positive impact on native-born employment rates and monthly wages as well as a decrease in unemployment rates).
 - » **When migrant workers are employed in the formal economy, their employment can have a positive effect on public finance** (e.g. in Ghana, the contribution of immigrants to the government’s fiscal balance exceeds the contribution of the native-born population on a per capita basis).
- › The ILO is contributing to **strengthening capacity-building of trade unions at the national and local level to defend migrant workers’ rights** (particularly those of freedom of association, collective bargaining and the right to organize). In Latin America and the Caribbean, the ILO is working with the Trade Union Confederation of the Americas (TUCA) in Argentina, Brazil, Chile, Paraguay and Uruguay, advancing work in this area.
- › The ILO joins efforts with **labour inspection services in addressing occupational safety and health** related concerns for migrant workers, and compliance with (or lack thereof) the law. In addition, the ILO is promoting the inclusion of systematic and comprehensive safety training in a language migrant workers can understand,

provision of information, as well as the compulsory utilization of protective equipment to contribute to safer workplaces or improved OSH for migrant workers.

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ILO & SDG 10

SDG 10 RELATED TARGETS AND INDICATORS

The UNGA Resolution calls for the reduction of inequalities within and among countries by ensuring equality, non-discrimination, equity and inclusion at all levels under SDG 10. SDG 10 is indeed key to achieving the principle of equality of treatment and opportunity between migrant workers and national workers that the ILO defends and advocates for.

Promoting good and fair governance of migration policies is particularly the aim of **target 10.7**.

Two global indicators are proposed to measure target 10.7, the first on lowering recruitment costs and the second on well-managed migration policies:

- › **Indicator 10.7.1.** Recruitment cost borne by employee as a proportion of monthly income earned in country of destination (Tier 2).
- › **Indicator 10.7.2.** Number of countries that have implemented well-managed migration policies (Tier 2).

The ILO and the World Bank are the custodian agencies for further developing the methodology for indicator 10.7.1, which is classified as tier 3 (i.e., an internationally agreed methodology has not yet been developed, or it is not widely accepted or discussed, and scarce information is available), while the International Organization for Migration (IOM) and the United Nations Department of Economic and Social Affairs (UNDESA) are tasked to develop the methodology for indicator 10.7.2, also classified as tier 3.

What concrete outputs has the ILO achieved so far?

- › Fair recruitment of migrant workers is an important element of the commitment by the international community to reduce labour migration costs. In 2016, ILO's Meeting of Experts on Fair Recruitment adopted the non-binding **ILO General Principles and Operational Guidelines for Fair Recruitment** which have the objective of informing the future work of the ILO, national legislatures, and the social partners on promoting and ensuring fair recruitment. They apply to recruitment within or across national borders, as well as to recruitment through temporary work agencies, and cover all sectors of the economy.⁸
- › Under the auspices of the Thematic Working Group on Low-Skilled Labour Migration of the Global Knowledge Partnership on Migration and Development (KNOMAD), the ILO and the World Bank are undertaking **empirical research to assess the extent of recruitment costs**. Preliminary results show that migrants in an irregular situation incur higher costs than regular migrants, that the costs

SDG 10

REDUCED INEQUALITIES



SDG
target 10.7:
*Facilitate orderly,
safe, regular
and responsible
migration and
mobility of
people, including
through the
implementation
of planned and
well-managed
migration
policies*

⁸ http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_536755.pdf

can amount to nine months or more of average monthly earnings, that they can be influenced by structural factors such as the types of labour migration regimes in place, the degree of harmonization of national regulations and enforcement mechanisms among origin and destination countries, and the kind of labour recruiters involved. Another related finding is that the costs can vary significantly within the same migration corridor, depending on the workers' country of origin, and that they are unrelated to level of wages at destination.⁹

- › The **Guidelines on Recruitment Costs** prepared by the ILO and the World Bank may assist those aiming to produce the statistics needed to calculate SDG 10.7.1 indicator. They have been prepared in consultation with several national statistical offices and other UN agencies to develop a recruitment cost indicator that can be monitored as part of the SDG agenda, drawing on the experience and lessons learned from the surveys jointly conducted by the World Bank/ KNOMAD and the ILO. This work is expected to contribute to identifying the size of, and setting a global target to reduce, recruitment costs globally. The Guidelines include discussions on objectives and uses of the indicator, definition, considerations on data collection items, programmes and methods, as well as consideration on relevant tabulations. The **ILO's 2018 Tripartite Meeting of Experts on Defining Recruitment Fees and Related Costs** formulated a new definition on recruitment fees and related costs.
- › The report '**Migrant Workers' Skills portability in Africa at Regional Economic Community and Continental-level Guidance Towards an**

⁹ M. Abella et al., "Why Are Migration Costs High for Low-Skilled Workers? Evidence from Migrant Surveys", KNOMAD Working Paper, 2016 (unpublished), pp. 3, 10–17.

The ILO's Geographic Interventions on Labour Migration, 2018



African Qualifications Framework contributes to shed light on the issue of portability of skills of migrant workers in Regional Economic Communities and at the continental level in Africa. It aims to provide a conceptual background and information on the main instruments currently in use internationally, as well as to map current provisions for skills portability in Africa. It then discusses policy pointers for ways to improve skills portability.

- › The ILO's **Recommendation on the Transition from the Informal to the Formal Economy 2015 (No. 204)** identifies migrant workers as especially vulnerable to the most serious decent work deficits in the informal economy, and the ILO is carrying out research on this subject in Latin America, identifying entry points to help migrant workers transition to the formal economy.
- › In November 2016, the ILO's Governing Body adopted the **Guiding Principles on the Access of Refugees and other Forcibly Displaced Persons to the Labour Market**.¹⁰ In addition, in June 2017 the International Labour Conference adopted **Recommendation No. 205 Concerning Employment and Decent Work for Peace and Resilience**.¹¹ Combined, these instruments reinforce the ILO's strategic framework response to supporting access of refugees, other forcibly displaced persons and host communities to decent work and livelihood opportunities. Recommendation No. 205 also addresses the needs of migrants, especially migrant workers, in countries in crisis.
- › The ILO carries out important work in eradicating forced labour and human trafficking, and combating child labour affecting migrant workers and their families.
 - » Also related to **SDG target 8.7**. Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, and by 2025 end child labour in all its forms.

The map provides a global view of the ILO's field presence in terms of labour migration policy advice, advocacy, capacity-building and research, as well as inter-regional programmes and key meetings and declarations.

Two other SDG 10 targets are key to reducing inequalities and achieving decent work for migrant workers:

- › **SDG target 10.3**. Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.
- › **SDG target 10.4**. Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality.

*It is important
to have reliable
measures to quantify
the recruitment cost
borne by the
migrant employee,
as an approximate
estimation of the
hardships of the
migration process.
This is the aim of
indicator 10.7.1.*

¹⁰ http://www.ilo.org/global/topics/labour-migration/projects/WCMS_536440/lang--en/index.htm

¹¹ http://www.ilo.org/dyn/normlex/en/?p=NORMLEX-PUB:12100:0:NO::P12100_INSTRUMENT_ID:3330503

What concrete outputs has the ILO achieved so far?

- › The ILO's rights-based approach includes the **promotion of the ratification and effective implementation of international labour standards on migrant workers** (the Migration for Employment Convention [Revised], 1949 [No. 97], and the Migrant Workers [Supplementary Provisions] Convention, 1975 [No. 143]) which have the potential to improve governance of international labour migration through Member States, action to adopt legislative provisions and implement practical measures to eliminate discrimination in employment and to pursue national policies to promote and ensure equality of opportunity and treatment for migrant workers.
 - » Also related to **SDG target 16.B**. Promote and enforce non-discriminatory laws and policies for sustainable development.
- › With the objective of promoting and recognizing exemplary media coverage on labour migration, and showing the positive results of fair labour migration governance, the ILO has launched **Global Media Competitions on Labour Migration** (2015, 2016, 2017 and 2018) in collaboration with the International Trade Union Confederation (ITUC), the International Organization of Employers (IOE) and the Office of the High Commissioner for Human Rights (OHCHR), the International Federation of Journalists, Equal Times, Solidarity Center, Human Rights Watch and Migrant Forum in Asia.
- › Wage penalties for migrant workers can widen inequality, increase unfair competition, and cause social dumping that hampers development potential for nationals as well as migrant workers. The **ILO Global Wages Report 2015** found that there continues to be significant wage gaps between migrant workers and nationals in relation to both high- and low-wage earners, which are only partly explained by differences in experience, education, occupation and other labour market characteristics. The unexplained part of this wage gap could be attributed to such factors as employer discrimination against migrants, differences in returns to education acquired abroad, or a lack of representation or under-representation in collective representation structures.¹²
 - » Also related to **SDG target 8.5**. By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.
- › The ILO is also carrying out important work in improving labour migration policies that negatively affect migrant workers in general, and women migrant workers in particular. A recent joint ILO/KNOMAD study **Deficiencies in Conditions of Work as a Cost to Labour Migration: Concepts, Extent and Implications** has examined various costs of labour migration, including those related to poor working conditions (working time, wages, occupational safety and health protection, etc.). It demonstrated that deficiencies



¹² ILO: *Global Wage Report 2014/15: Wages and income inequality*, Geneva, 2015, pp. v and 50–52.

in working conditions, such as the absence of a written contract prior to departure, wage arrears and unforeseen wage reductions, prohibitively long working hours, and rights' deprivation at the workplace can negatively affect the amount of migrant workers' remittances.

- › The ILO recently published research on **Migrant Access to Social Protection under Bilateral Labour Agreements** presents the results of a mapping of bilateral and multilateral social security agreements in 120 countries with the purpose of providing policy makers with guidelines for extending social protection to migrant workers and



Women have fewer options than men for regular migration, due in part to gender-specific restrictions. Such restrictions limit the positive possibilities of women's safe, orderly and regular labour migration opportunities and offer a paternalistic approach to women's empowerment. Policies applicable to women's labour migration should provide empowering and rights-protective environments for workers. Making systemic changes to guarantee labour rights and safe migration is key to protecting workers in women- or men-dominant sectors.

(<https://www.ilo.org/global>)

Photo: ILO



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<https://www.ilo.org/africa/areas-of-work/labour-migration/lang--en/index.htm>

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