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Policy Development Section
Employment and Social Protection Segment

POL

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SECOND ITEM ON THE AGENDA

Outcome 9: Promoting fair and effective labour migration policies

Purpose of the document

The Governing Body is invited to request the Director-General to take account of its guidance, in order to inform the implementation of outcome 9 of the Programme and Budget for 2016–17; to agree to holding in September 2016 a three-day tripartite meeting of experts to develop guidance on fair recruitment which would report conclusions to the Governing Body at its 328th Session (November 2016), and to approve the agenda composition and financial arrangements for the meeting (see the draft decision in paragraph 37).

Relevant strategic objective: All.

Policy implications: The guidance of the Governing Body will inform the implementation of the Office strategy concerning outcome 9: Promoting fair and effective labour migration policies, including the support that the Office will provide to its constituents.

Legal implications: None.

Financial implications: See the draft decision and paragraphs 10 and 11 of the appendix.

Follow-up action required: Integration of the guidance provided by the Governing Body into the Office strategy and workplan for the 2016–17 biennium.

Author unit: Conditions of Work and Equality Department (WORKQUALITY).

Related documents: GB.320/POL/3; GB.325/INS/2; GB.325/INS/17; GB.326/WP/SDG/1; GB.320/PV; GB.323/INS/2; GB.323/PV; GB.322/INS/2; GB.322/PV.

I. Background and rationale

1. The Director-General's Report to the International Labour Conference in 2014 highlighted that migration is "a key feature of today's world of work and one which raises complex policy challenges". Demographic trends, growing income inequality, poverty, conflict and climate change are the drivers of heightened movement of people across countries exerting further pressure on already weak international and regional governance systems. Delegates' interventions in the Conference plenary debate demonstrated a high level of consensus as to the priority nature of these policy challenges and to the importance of a fair migration agenda to enable the prosperity generated through migrant workers to be shared fairly.¹
2. To give effect to the fair migration agenda,² the Governing Body included "Promoting fair and effective labour migration policies" as one of the ten policy outcomes of the Programme and Budget for 2016–17.
3. The strategy of outcome 9: Promoting fair and effective labour migration policies builds upon guidance provided in the Migration for Employment Convention (Revised), 1949 (No. 97); Migration for Employment Recommendation (Revised), 1949 (No. 86); Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); Migrant Workers Recommendation, 1975 (No. 151); and other relevant ILO standards such as the Private Employment Agencies Convention, 1997 (No. 181); the Domestic Workers Convention, 2011 (No. 189); and the eight fundamental international labour standards. Further guidance is contained in the ILO Multilateral Framework on Labour Migration (2006),³ the ILO Tripartite Technical Meeting on Labour Migration Conclusions (November 2013),⁴ and provided by the Governing Body, in particular, through its decision to include in the International Labour Conference agenda (June 2017) a general discussion on labour migration governance.⁵
4. The strategy of outcome 9 also takes into account the views expressed by the Governing Body at its 325th Session (November 2015)⁶ when the issue of the global refugee crisis and its labour market implications was examined. The deliberations of the follow-up high-level discussion on "Addressing the labour market impacts of refugees and other forcibly displaced people" that is to take place at the 326th Session of the Governing Body in March will provide further insights to shape⁷ outcome 9 action and to address refugee-related crises and forcible displacement.

¹ ILO: *Fair migration: Setting an ILO agenda*, Report of the Director-General, Report I(B), International Labour Conference, 103rd Session, Geneva, 2014.

² GB.320/POL/3; and ILO: *Fair migration: Setting an ILO agenda*, op. cit., p. 21.

³ http://ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_178672.pdf.

⁴ TTMLM/2013/14.

⁵ GB.325/INS/2.

⁶ *The global refugee crisis and its labour market implications*, GB.325/INS/17. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_419626.pdf.

⁷ GB.326/WP/SDG/1.

5. This paper outlines a preliminary workplan for outcome 9. It describes the proposed strategic approach; the priority policy areas of intervention; the suggested implementation modalities and the external partnerships. It puts forward points for decision by the Governing Body.

II. Strategic approach and areas of interventions

6. Outcome 9 is part of the ILO's wider response to the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs). In particular, this outcome will contribute to SDG targets 8.8 "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", and 10.7 "Facilitate orderly, regular, safe and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies". Action under this outcome will therefore also make a key contribution to the End to Poverty Initiative, the vehicle for the ILO's response to the 2030 Development Agenda.
7. Key features of outcome 9 are the production and sharing of knowledge and good practices, and the reinforcement of institutional capacities of the ILO's constituents and of other concerned institutions, including through the Labour Migration Academy courses that are conducted at the ITC-ILO. Action will take place at global, regional and national levels and will be designed and implemented with a view to ensuring mutually reinforcing links across these three different levels of intervention.
8. The global products and field activities envisioned will be carried out under four main policy areas of work: protection of migrant workers' rights; advancing coherence between employment and migration policy; expanding the knowledge base through data and statistics; and fostering social dialogue and multilateral cooperation. The extent of the activities is subject to available resources and depends on successful resource mobilization.
9. Implementation of these activities will be focused in a number of countries, the selection of which is being grounded on recommendations by ILO regional and country offices based on a combination of the following criteria: (i) formal requests for technical assistance from governments and/or social partners; (ii) ongoing work on labour migration; (iii) demonstrable political prioritization of proactive policies; and (iv) priorities identified in Decent Work Country Programmes (DWCPs).

1. Protection of migrant workers' rights

10. The Office will reinvigorate its efforts to promote relevant ILO standards through policy briefs, good practice guidance tools and national and regional advisory services for evidence-based policies and fair migration frameworks that protect men and women migrant workers, and ensure the principle of equality of treatment and non-discrimination.

Promoting ILO standards for migrant workers

11. The Office promotes ILO standards through its technical advisory services and capacity-building activities on labour migration. The results of the 2016 General Survey of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) on the instruments concerning migrant workers and the discussion on the General Survey in the Conference Committee on the Application of Standards (CAS) in 2016 will further inform the Office strategy for the promotion of the ratification and effective implementation of these

international labour standards. This will complement strategies for the protection of migrant workers through the promotion of other relevant international labour standards, and guide appropriate activity at national and regional levels.⁸

12. Cooperation with other relevant agencies such as the Office of the United Nations High Commissioner for Human Rights (OHCHR) and civil society will be an important conduit whereby this strategy will be advanced. The Office will proactively engage with the media, as part of the broader MIGRANT communication and outreach strategy.⁹
13. Legal and policy assistance will be provided to those countries that have expressed interest in considering ratification of Conventions relevant to migrant workers or have requested support for their implementation.¹⁰

Promoting fair recruitment and reducing labour migration costs

14. The ILO Tripartite Technical Meeting on Labour Migration Conclusions (November 2013)¹¹ requested the Office to develop guidance to promote rights-based recruitment practices. In 2014, the ILO launched a global fair recruitment initiative to address growing abuses and fraudulent recruitment and placement practices.¹² This initiative seeks to enhance the knowledge base on recruitment chains and practices, improve laws, policies and enforcement mechanisms, promote fair business practices, and empower and protect workers through social dialogue.¹³
15. Studies covering the role of international labour standards in regulating recruitment and the trends in national laws, policies and enforcement mechanisms¹⁴ have revealed a high degree of complexity and diversity among standards applicable to recruitment, suggesting that the development of consolidated ILO guidelines on fair recruitment could assist member States, social partners, labour recruiters and other key stakeholders in developing internal and cross-

⁸ ILO: *Programme and Budget for the biennium 2016–17*, Geneva, 2015, see outcome 9.

⁹ In December 2015, the Office ran a successful global media competition entitled “Reporting fairly on labour migration”. See <http://www.ilo.org/global/topics/labour-migration/policy-areas/guidance-for-journalists/awarding-excellence/lang--en/index.htm>.

¹⁰ With regard to Conventions Nos 97 and 143, see e.g., ILO: *Promoting fair migration, General Survey concerning the migrant workers instruments*, Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III(Part 1B), ILC, 105th Session, Geneva, 2016.

¹¹ Conclusions of the Tripartite Technical Meeting on Labour Migration (Geneva, 4–8 November 2013), para. 5(iii). See http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/meetingdocument/wcms_232352.pdf.

¹² Brochure of ILO fair recruitment initiative available at: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_320405.pdf.

¹³ See www.ilo.org/fairrecruitment.

¹⁴ See B. Andrees, A. Nasri, P. Swiniarski: *Regulating labour recruitment to prevent human trafficking and to foster fair migration: Models, challenges and opportunities*, ILO (Geneva, 2015) http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_377813.pdf; J. Gordon: *Global labour recruitment in a supply chain context*, ILO (Geneva, 2015); as well as other publications at http://www.ilo.org/global/publications/working-papers/WCMS_377813/lang--en/index.htm.

border labour recruitment policies in line with human rights and labour standards. Such guidelines would also support the objective to eradicate forced labour and the migration-related SDG targets of the 2030 Agenda for Sustainable Development. It is thus proposed to hold a tripartite meeting of experts of three days in September 2016 with the objective to adopt ILO guidelines on fair recruitment, encompassing both cross-border and national recruitment. The outcomes of such a meeting would inform the general discussion on labour migration that has been included on the agenda of the International Labour Conference (June 2017),¹⁵ as well as the second recurrent discussion on fundamental principles and rights at work. Such guidelines would provide a timely and much needed reference for related initiatives, including those proposed by other international organizations (for example, the International Organization for Migration's (IOM) International Recruitment Integrity System (IRIS)). The proposed composition and agenda of the tripartite meeting of experts as well as its financial implications are set out in the appendix.

16. Technical assistance will be provided to constituents in 2016–17 on fair recruitment in key countries and migration corridors including Bangladesh, Ethiopia, Malaysia, Myanmar, Sri Lanka, Thailand, as well as Jordan, Nepal, Philippines and Tunisia, under the ILO's FAIR Programme.¹⁶ Technical support will be wide-ranging and encompass, among others, legal and policy advice to effectively regulate recruitment practices and avoid situations of forced labour; the creation of fair recruitment corridors in selected sectors; as well as the development of new tools to provide migrant workers with access to reliable information and services during the recruitment process. Subject to available funds, work might be extended to other countries that have already expressed an interest in this type of assistance.
17. The international community has acknowledged the need to reduce the costs of labour migration, including recruitment costs, and thus improve outcomes for migrant workers themselves as well as countries of origin and destination.¹⁷ Such confirmation includes the *Addis Ababa Action Agenda of the Third International Conference on Financing for Development*,¹⁸ which is an integral part of the 2030 Agenda for Sustainable Development. In collaboration with the World Bank's Global Knowledge Partnership on Migration and Development (KNOMAD), the Office is assessing the costs of labour migration, such as recruitment fees, delayed or unpaid wages, or non-compensation for working time lost to employment-related injuries, to support monitoring and inform implementation of national and regional policy on migration costs.

Social protection (social security)

18. In light of constituents' requests,¹⁹ the Office has embarked on an initiative to assist ILO constituents in their efforts to expand social security coverage to migrant workers and their families. Together with outcome 3, the initiative aims to work on two areas simultaneously:

¹⁵ GB.325/INS/2; GB.320/PV, para. 426; GB.323/INS/2, Appendix III(3), paras 22–31; GB.323/PV, paras 4–18; GB.322/INS/2, Appendix II(3), paras 22–30; and GB.322/PV, paras 8–17.

¹⁶ See <http://www.ilo.org/fair>.

¹⁷ UN: *International migration and development*, Report of the Secretary-General, United Nations General Assembly, 68th Session, A/68/190 (25 July 2013), para. 113.

¹⁸ UN, Third International Conference on Financing for Development, Addis Ababa, 13–16 July 2015; Outcome document of the Third International Conference on Financing for Development: *Addis Ababa Action Agenda*, A/CONF.227/L.1, 15 July 2015, para. 111.

¹⁹ Conclusions of the Tripartite Technical Meeting on Labour Migration, Geneva, 4–8 November 2013, TTMLM/2013/14, para. 5(x).

the production of a practical “how to” guide and policy briefs highlighting good practices, as well as the provision of technical advisory services to constituents on how to address coverage gaps at the national and regional levels (for example, Bangladesh, Morocco, Pakistan, Thailand, among members of the Southern African Development Community (SADC), and the Economic Community of West African States (ECOWAS)). Innovative approaches to extend effective social protection coverage for migrant men, women, and children will be examined, including for domestic workers, refugees, self-employed and those working in the informal economy. The initiative will collaborate closely with the ILO Flagship Programme on the Social Protection Floor.

Protecting migrant workers in situations of vulnerability in certain sectors

19. While all migrant workers are in need of protection, migrant workers in dangerous occupations or sectors that are excluded fully or partially from the scope of national labour legislation, and/or where oversight is poor and informal work high (for example, domestic work, construction, mining, agriculture and fishing), warrant special attention. The ILO’s programme on migrant domestic workers is instructive. Migrants represent 17.2 per cent of the 67.1 million domestic workers, according to ILO figures.²⁰ Building on the tools and knowledge produced in 2014–15,²¹ a global report on the subject will be produced in 2016 providing policy guidance and recommendations, and the first Inter-Regional Knowledge Sharing Forum (Africa, Asia, and Arab States) on Fair Migration for Migrant Domestic Workers will be organized in 2016. As a contribution to the women at work centenary initiative, the ILO will develop a strategic approach to addressing policy challenges in the area of gender, migration and the care economy. In 2016–17, technical assistance will continue in at least 12 countries (including Argentina, Ethiopia, Lebanon, Malaysia, Nepal, Sri Lanka, Thailand and Zimbabwe).
20. Research launched in 2015 examined the contribution of migrant workers in the agriculture, construction and mining sectors and assessed their protection needs. In concert with outcome 8 and with the assistance of the ILO’s constituents, the Office will follow up on the recommendations stemming from this knowledge development.

2. Advancing coherence between employment and labour migration policies

21. Mainstreaming migration in employment, education and training and development policies is critical to advancing the fair migration agenda. Yet, migration and employment policies and programmes are often delinked, and tripartite dialogue is relatively infrequent in migration policy processes. Therefore, a mapping exercise will be undertaken to examine good practices in the integration of employment and migration policies. Building from the ILO’s existing manuals²² in the areas of employment, skills, and migration policy, the ILO will develop a practical “how-to” policy guide that can inform country, subregional or regional specific

²⁰ See http://www.ilo.org/global/topics/labour-migration/news-statements/WCMS_436140/lang--en/index.htm.

²¹ See in particular the EU-funded Global Action programme on migrant domestic workers and their families.

²² E.g.: *Guide for the formulation of national employment policies*: http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_policy/documents/publication/wcms_188048.pdf; and OSCE–IOM–ILO Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination, see: http://www.ilo.org/global/docs/WCMS_203851/lang--en/index.htm.

advisory services to design and promote better linking of employment and fair migration policies and practices.

22. In 2016–17, the ILO will assist in the design and implementation of fair labour migration policies to the extent of available resources in at least 17 countries (including Bangladesh, Chile, Kiribati, Lesotho, Myanmar, Paraguay, South Africa, Uruguay and Zimbabwe).

Skills recognition/accreditation frameworks

23. In 2014–15, the ILO analysed skills recognition processes and their labour market impact in various national and regional contexts. In 2016–17, drawing upon national-level activities and the assessment undertaken in 2014–15, the ILO will develop guidance on skills recognition and potentially pilot them in key migration corridors. In parallel, capacity-building activities have already been identified in at least two countries (Bangladesh and Sri Lanka), two regions (Africa and Asia and the Pacific) and in two subregional commissions (ECOWAS and Gulf Cooperation Council (GCC)), subject to available resources.

Labour market integration

24. Findings of recent ILO research²³ demonstrated that early intervention with relevant career advice (for example, via public employment services) and the recognition of qualifications are crucial for new arrivals' attachment to and success in the labour market. Building on this analysis and ongoing technical assistance in Turkey on labour market integration of refugees, further analytical work will be carried out in host countries, in collaboration with the United Nations High Commissioner for Refugees (UNHCR).²⁴

Addressing root causes to make migration a choice

25. Given growing recognition of the need to address the root causes of involuntary migration, the Office plans to work on two fronts during 2016–17: promoting regional dialogue and cooperation on the governance of labour mobility in line with ILO standards; and through cross-departmental cooperation on pilot activity contributing to enabling environments in origin communities that can foster diaspora investment and/or job creation, including for youths and returning migrants. This could be attained through facilitating financial inclusion and sustainable enterprises and cooperatives, including in climate-change affected areas. The ILO Flagship Programme on Jobs for Peace and Resilience will contribute to creating employment and decent work opportunities in fragile and post conflict settings.

²³ ILO–MPI project on “The Labour Market Integration of New Immigrants in Europe: Analysis and Policy Evaluation”, November 2014. http://www.ilo.org/global/topics/labour-migration/projects/WCMS_357742/lang--en/index.htm.

²⁴ A joint review is under way of the Memorandum of Understanding between the Director-General of the International Labour Organization and the United Nations High Commissioner for Refugees, 21 Oct. 1983, and the Joint Statement by the Director-General of the International Labour Organization and the United Nations High Commissioner for Refugees, 4 November 2004, to enhance coordination at headquarters and field levels with regard to expanding and strengthening labour market and livelihoods interventions for refugees.

3. Building the knowledge base through data and statistics

26. There is a scarcity of good data on the implications of migration for labour markets. Building upon the ILO's new global and regional estimates of migrant workers,²⁵ the Office will help to advance labour migration statistics through development of common methodologies and approaches, in accordance with the 19th International Conference of Labour Statisticians (ICLS) Resolution.²⁶
27. In 2016–17, building on the database development and data collection initiatives in Association of Southeast Asian Nations (ASEAN), and assessments in Africa and the Arab States that began in 2014–15, the ILO will further strengthen its constituents' capacities on labour migration data collection. The Office will also respond to country requests, such as to assist Jordan in surveying migrants and refugees within their quarterly labour force survey.
28. In addition, building on the new methodology developed jointly, the ILO and the OECD-Development Centre will measure for the first time the economic contribution of migrant workers to low and middle income destination countries,²⁷ namely Argentina, Costa Rica, Côte d'Ivoire, Dominican Republic, Ghana, Kyrgyzstan, Nepal, Rwanda, South Africa and Thailand. The research will result in ten national reports and a comparative report that will inform policies to improve the development outcomes for both the countries of destination and migrant workers.

4. Fostering social dialogue and multilateral cooperation

Social dialogue

29. The ILO will support social dialogue on labour mobility through the capacity-building and training of constituents to engage effectively in labour migration policy, and undertake a mapping of the opportunities and barriers to social dialogue to enhance labour ministries and social partners' involvement in migration-related issues at national, subregional, regional and international level. It will develop practical guidance and tools for tripartite dialogue that can enhance the role and value added of engaging social partners and labour ministries in the governance of labour migration.

Bilateral and multilateral cooperation

30. Bilateral and multilateral agreements can play a critical role in protecting migrant workers, including by establishing and monitoring their entitlements. In 2014–15, responding to constituents' requests, the ILO collaborated with the KNOMAD in analysing some

²⁵ See http://www.ilo.org/global/topics/labour-migration/news-statements/WCMS_436140/lang-en/index.htm.

²⁶ See, http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/publication/wcms_234124.pdf.

²⁷ ILO–OECD project on “Assessing the economic contribution of migration to developing countries as destination countries”. See http://www.ilo.org/global/topics/labour-migration/projects/WCMS_344706/lang-en/index.htm.

150 bilateral labour arrangements (BLAs), in both North–South and South–South migration corridors.²⁸ This work will contribute to the preparations for the 2017 ILC general discussion.

31. In 2016–17, to strengthen governance across migration corridors, the ILO will expand its support for regional and intra- and inter-regional cooperation on labour migration. In 2014–15, in Latin America and the Caribbean a mapping and assessment of the ILO’s role and portfolio on labour migration and an experts meeting were carried out to identify strategic priorities for the region. This could feed into a regional tripartite labour migration meeting in 2016–17, subject to available funding. In 2014–15, in Africa, the Office supported the African Union in the development of the Joint Labour Migration Programme²⁹ and in 2016–17, the Office will facilitate its implementation in at least one to two regional economic communities, building upon ongoing activities such as in ECOWAS and the SADC. The ILO will continue to foster efforts towards tripartite interregional dialogue between Arab States and Asian countries, and where possible with African countries. In Asia and the Pacific Region, the Office will continue to facilitate various new partnerships, including via memoranda of understanding, regional integration processes, interregional dialogues, and regional and interregional cooperation among employers, trade unions and Civil Society Organizations (CSOs) for successful governance of international migration, particularly in the ASEAN countries that are moving towards free movement of professionals under the ASEAN Economic Community.
32. The ILO’s interventions in the field will be strengthened by two full-time and one half-time labour migration specialists’ positions in Latin America and South Asia.

III. External partnerships

33. The Office will continue to promote its rights-based approach to labour migration and the benefits of tripartite dialogue in national, regional and global forums, including the Global Migration Group (GMG), particularly to assist in implementation of the migration-related SDG targets, and to strengthen dialogue on labour migration in the UN General Assembly Summit on Addressing Large Movements of Refugees and Migrants in September 2016 and the Global Forum on Migration and Development (GFMD) in December 2016.

IV. Implementation and monitoring modalities

34. An outcome 9 coordination team bringing together specialists from technical units in headquarters and the field, and the Bureau for Employers’ Activities (ACT/EMP) and the Bureau for Workers’ Activities (ACTRAV), has been established to help shape the outcome-based workplan and monitor its implementation over the biennium. It will also identify human and financial resources, and funding gaps, support DWCPs and create synergies with other policy outcomes to maximize impact and delivery.

²⁸ See ILO: *Bilateral Agreements and Memoranda of Understanding on Migration of Low Skilled Workers: A Review*, Geneva, ILO, July 2015, pp. 24–32.

²⁹ See http://www.ilo.org/wcmsp5/groups/public/---africa/documents/meetingdocument/wcms_356015.pdf; and the conclusions of the 2015 13th ILO African Regional Meeting. See: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_432579.pdf.

V. Conclusions

35. While outcome 9 planning is still under way, the present demands exceed the resources available. Therefore, the Office seeks Governing Body guidance on areas for priority intervention this biennium among those outlined above.
36. Given the pressing need and high priority for constituents and given that the International Labour Conference agenda for 2017 includes a general discussion on labour migration, which includes fair recruitment, a tripartite meeting of experts would ensure a more focused, informed and smoother general discussion, as well as needed global guidelines.

Draft decision

37. The Governing Body:

- (a) *requests the Director-General to take account of its guidance, in order to inform the implementation of outcome 9 of the Programme and Budget for 2016–17;*
- (b) *agrees to holding in September 2016 a three-day tripartite meeting of experts to develop guidance on fair recruitment, which would report its conclusions to the Governing Body at its 328th Session (November 2016) and approves its proposed agenda and composition as set out in the appendix; and*
- (c) *decides that US\$153,300, which is the current funding gap of the tripartite meeting of experts, be financed, in the first instance, from fund raising of extra-budgetary resources or failing that from savings that may arise under Part I of the budget for 2016–17 or, failing that, through the use of the provision for unforeseen expenditure, Part II. Should this not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

Appendix

Arrangements for a Tripartite Meeting of Experts on Fair Recruitment (Geneva, 5–7 September 2016)

Background

1. The 2013 ILO Tripartite Technical Meeting on Labour Migration requested the Office “to develop guidance to promote recruitment practices that respect the principles enshrined in international labour standards, including the Private Employment Agencies Convention, 1997 (No. 181), and identify, document, and promote the exchange of good practices on reducing the financial and human costs of migration”.¹ The development of this guidance is a key component for the protection of migrant workers and the fair and effective governance of labour migration as recognized in the Fair Migration Agenda presented by the ILO Director-General to the International Labour Conference in 2014 which includes instituting fair recruitment processes as one of its main pillars. It is also an important element of the ILO’s fair recruitment initiative, which was launched in 2014.²
2. The adoption of the Protocol of 2014 to the Forced Labour Convention, 1930, and its accompanying Recommendation (No. 203), created specific obligations to prevent forced labour, including a range of innovative measures on the elimination of abusive and fraudulent recruitment practices including on the promotion of coordination between States to eliminate recruitment fees and to regulate, licence and monitor labour recruiters and employment agencies.³
3. The follow-up strategy to the adoption of these instruments presented to the Governing Body in 2014 recognized that the ILO Fair Recruitment Initiative should provide an umbrella for further guidance on this topic.⁴
4. Addressing abusive and fraudulent recruitment practices is increasingly being recognized by the international community as an important element in reducing labour migration costs and thus improving development outcomes for migrant workers and their families, as indeed recognized in the *Addis Ababa Action Agenda of the Third International Conference on Financing for Development*,⁵ which is an integral part of the 2030 Agenda for Sustainable

¹ Conclusions of the Tripartite Technical Meeting on Labour Migration, Geneva, 4–8 November 2013), para. 5(iii), http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/meetingdocument/wcms_232352.pdf.

² ILO Fair Recruitment Initiative, http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_320405.pdf.

³ Protocol of 2014 to ILO’s Forced Labour Convention, 1930, Article 2(d); Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), Paragraph 4(b), (i) and (j).

⁴ See GB.322/INS/4/2, available at http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_311415.pdf.

⁵ UN, Third International Conference on Financing for Development, Addis Ababa, 13–16 July 2015, Outcome document of the Third International Conference on Financing for Development: *Addis Ababa Action Agenda*, A/CONF.227/L.1, 15 July, para. 111.

Development.⁶ Sustainable Development Goal (SDG) 8 on economic growth and decent work contains targets to take immediate and effective measures to eradicate forced labour and human trafficking and to protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular migrant women.⁷ Moreover, the costs of recruitment as a percentage of an employee's annual salary earned in the country of destination is also under consideration as a possible global indicator to measure the target on migration and mobility in SDG 10 on reducing inequality within and among countries.⁸

5. Labour recruiters, both public and private, play an important role in matching skills supply and labour demand within and across borders, which, when undertaken effectively, can contribute considerably to enhanced development outcomes for migrants and their countries of origin and destination, as well as to improved coherence between employment and migration policies. In the current global refugee crisis,⁹ increasing attention is also being paid to how access to the labour market for refugees can be promoted and facilitated through more targeted recruitment.
6. The development of ILO guidelines on fair recruitment is therefore essential in order to successfully assist member States, social partners, labour recruiters and other key stakeholders in developing effective labour recruitment policies and practices in compliance with internationally recognized human rights and labour standards and in supporting enhanced development outcomes with a view to implementing the decent work, eradication of forced labour and migration-related SDG targets of the 2030 Agenda for Sustainable Development. It is thus suggested to hold a three-day tripartite meeting of experts in September 2016.

Composition

7. It is proposed that this meeting be attended by eight experts nominated after consultations with Governments, eight experts nominated after consultations with the Employers' group and eight experts nominated after consultations with the Workers' group.
8. In order to obtain the government nominations, the Director-General intends, after consultation with the regional coordinators, to approach the governments of eight countries. A reserve list would also be established. As it is the practice for the meetings of experts, it is proposed that a knowledgeable independent chairperson be appointed.

Agenda

9. The Director-General proposes the following agenda for the meeting:
 - Review, amend and adopt guidelines on fair recruitment based on a thorough analysis by the Office of related principles contained in international labour standards and universal human rights instruments;

⁶ UN General Assembly, 70th Session, Resolution 70/1: Transforming our world: the 2030 Agenda for Sustainable Development, adopted on 25 September 2015 (A/RES/70/1).

⁷ SDG targets 8.7 and 8.8.

⁸ SDG target 10.7; UN Economic and Social Council, Statistical Commission, 47th Session, Report of the Inter-agency and Expert Group on Sustainable Development Indicators (E/CN.3/2016/2/Rev.1), 19 Feb. 2016, p. 54.

⁹ See GB.325/INS/17.

- Recommend ways to give practical effect to the guidelines in terms of their dissemination and practical application at the country level by constituents.

Financial arrangements

10. The summary of the estimated costs of the proposed meeting amounting to US\$208,300 are as follows:

Item	US\$
Travel and per diem	120 100
Translation and interpretation	88 200
Total	208 300

11. The Programme and Budget for 2016–17 contains no provision for this meeting. The Office would be able to prioritize some \$45,000 of staff resources from its regular budget to support preparations for such a meeting. It has also identified a total of \$55,000 from extra-budgetary resources to contribute to the costs of the proposed meeting and will continue to seek further extra-budgetary contributions. It is therefore proposed that the currently unfunded costs of \$153,300 be financed, in the first instance, from fund raising of extra-budgetary resources or, failing that, from savings that may arise under Part I of the budget for 2016–17 or, failing that, through the use of the provision for unforeseen expenditure, Part II. Should this not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium.