



# **Integrating Labour Migration into the 2013 UN High-level Dialogue on International Migration and Development, and the Post-2015 UN Development Agenda**

## **International Labour Organization Position Paper**

The human desire to seek decent employment and livelihoods is at the core of the migration-development nexus. The scale of remittances flowing to developing countries, now over US\$400 billion a year,<sup>1</sup> and the relationship of remittance income to development have been at the centre of considerable academic and policy discourse. Much less attention has been focused on understanding the needs of the working men and women who generate these funds and who support their families and communities in countries of origin and destination. As migrant workers, they are often less protected than other workers. Their livelihood and security are linked directly to policies and practices concerning employment, equitable treatment, and social protection. As labour mobility all over the world increases in both numbers and diversity, there is a significant need to improve understanding of the impact of labour migration on economic and social development in countries of origin, transit and destination, including how the labour and skills of migrants fill actual and projected labour market needs in countries of destination. The International Labour Organization (ILO) estimates that over 50 per cent of the 232 million international migrants today<sup>2</sup> are economically active, a figure that is closer to 90 per cent if their family members are also counted.<sup>3</sup> Moreover, almost half of the total international migrant population are women, who migrate increasingly for work, and an estimated one in eight are between the ages of 15 and 24. Even those fleeing persecution, armed conflict and environmental disasters may finally end up in employment, thus highlighting the diverse labour market profiles of international migrants.<sup>4</sup>

Consequently, the world of work needs to be adequately reflected in and mainstreamed into debates on international migration and development at the global, regional and national levels. At its 316<sup>th</sup> Session in November 2012, the ILO's Governing Body called on the Office "to identify key priorities for substantive follow-up to the United Nations General Assembly High-level Dialogue on International Migration and Development, and to ensure that the promotion of effectively operating labour markets offering decent work becomes a central element in discussions on migration and development".<sup>5</sup> This also means giving due recognition to the principal stakeholders engaged in the world of work – the ILO's tripartite constituents of ministries of labour, employers' and workers' organizations – and designing appropriate mechanisms and processes to ensure that labour migration between countries and regions is more equitable and its governance more effective, thus enhancing its beneficial impact on sustainable, inclusive and equitable development processes.

## **The ILO and the High-level Dialogue on International Migration and Development**

The ILO's mandate and activities on international labour migration are very relevant to the overall theme of the second UN General Assembly High-level Dialogue on International Migration and Development (HLD) – "Identifying concrete measures to strengthen coherence and cooperation at all levels, with a view to enhancing the benefits of international migration for migrants and countries alike and its important links to development, while reducing its negative implications". Prioritizing the protection of human and labour rights of migrant workers, while addressing labour market needs, is a first step towards the recognition of migrant workers as active agents of development in both countries of origin and destination alike. Given that a great part of international migration today

concerns persons who are economically active, the ILO considers international migration to be essentially about the search for productive employment, decent work and livelihoods, with the result that the world of work cuts across all three pillars of sustainable development (economic, social and environmental). Accordingly, achieving the goal of decent work<sup>6</sup> for migrant workers, which includes protecting migrants' rights and promoting employment by creating a sustainable institutional and economic environment, should lie at the heart of migration and development debates. The ILO can play a key role in identifying linkages between worker protection and the economic dimensions of migration in countries of origin and destination. Discerning these linkages is crucial to an understanding of their wider relationship to development and to assisting governments and stakeholder groups in the formulation of appropriate employment and governance policies. The upcoming HLD, held at a time when the importance of migration for work cannot be understated, presents an important opportunity for the international community to enhance its understanding of these linkages. This position paper provides a succinct overview of the kind of activities that have been and will be undertaken by the ILO towards realization of HLD objectives as set out in the four roundtable themes.

### **Roundtable 1: Assessing the effects of international migration on sustainable development and identifying relevant priorities in view of the preparation of the post-2015 development framework**

The ILO is actively engaging in the process of defining a post-2015 United Nations development agenda, and will seek to ensure that the objectives of productive employment and decent work for all are considered as an integral component of the post-2015 roadmap.<sup>7</sup> The ILO took the lead on the global thematic consultation on growth and employment, and participated as a contributor in the following thematic consultations: inequalities, education and skills, environmental sustainability, governance, and population dynamics (where international migration was discussed as one of the four population megatrends). The ILO will also chair the Global Migration Group (GMG) in 2014 and thus will be well placed to chart the GMG's future strategy for action in light of the outcomes of the HLD and in the context of the post-2015 development framework.

Equitable and well-structured systems of labour migration are critical to realizing sustainable and inclusive development. Labour migration policies therefore need to consider a migrant-centred approach- that incorporates rights-based frameworks in order to maximize development outcomes. Moreover, better harmonization of employment, social protection and labour migration policies with development planning is crucial. For example, the ILO is advising the Government of Mauritius in the formulation of a national employment policy that also recognizes and incorporates the important role of labour migration to the development of that country as both a country of origin and destination.

One of the strategic objectives of the ILO's Decent Work Agenda is developing and enhancing measures of social protection, which is fundamental to sustainable development. Social protection is essential to economic development because it contributes to sustainable and equitable economic growth by raising labour productivity and enhancing social cohesion. In this regard, extension of social protection to all residents, including migrants, through the four basic social security guarantees outlined in the ILO Social Protection Floors Recommendation, 2012 (No. 202),<sup>8</sup> is key to sustainable development. Moreover, migrant workers contribute to the sustainability of social security systems in countries of destination, particularly in developed countries. From 2009 to 2011, the ILO carried out the project "Republic of Moldova: Building capacity for coordination of social security for migrant workers" which developed institutional capacities for planning and implementing social security coverage for migrants, and resulted in the signing of six social security bilateral agreements of which three have already entered into effect. The ILO provided technical support to Bahrain in adopting a social security law that covers migrant workers. It is now assessing possibilities for the adoption of a multilateral framework agreement on social security (especially for old-age benefits) among the Association of South-East Asian Nations (ASEAN) countries, based on a survey of ASEAN social security systems. It also completed a feasibility study on electronic money

remittance to extend social security and national health insurance coverage to Filipino migrant workers abroad.

In recent decades, enterprises belonging to the social solidarity economy (SSE) – commonly referred to as the “third sector” – such as cooperatives, mutual societies, associations, social enterprises and foundations, have improved the lives of women and men migrant workers and their families by supporting migrants to find income and jobs, and to access affordable goods and services, including remittance schemes, as clients.<sup>9</sup> In Italy, the tourism cooperative, *Viaggi Solidari*, has trained migrant workers in major cities to be tour guides, valuing their language skills and cultural awareness and leading to some joining the cooperative as member-employees. The ILO is expanding its work to document and harness the nexus between labour migration and the social solidarity economy (SSE), exploring the potential of partnerships to empower migrants through securing decent work and living conditions for them whilst simultaneously promoting sustainable and equitable development and social cohesion. The ILO and the United Nations Research Institute for Social Development recently organized an international conference on the potential and limits of social and solidarity economy. The aims of the conference were to raise the visibility of debates about SSE within the UN system and beyond, and contribute to thinking in international policy circles about the post-2015 development agenda.

Importantly, the ILO addresses labour migration in an integrated manner across ILO’s Decent Work Agenda with a focus on particular needs and trends in specific sectors with a significant presence of migrant workers such as hospitality and tourism, education and research, and health service sectors that are particularly relevant to understanding the migration and development relationship. Some examples of ILO’s sectoral approach include:

- The Tripartite Action to Protect Migrant Workers from Labour Exploitation (*ILO-TRIANGLE project*) which supports efforts to combat exploitation in Thailand’s fishing sector through a number of interventions;<sup>10</sup>
- The ILO’s activities as a member of the *Commonwealth Advisory Council on Teacher Mobility, Recruitment and Migration*, which oversees the follow up to the Commonwealth Teacher Recruitment Protocol. In April 2012, the Advisory Council developed a model Memorandum of Understanding (MoU) between States, to provide an example of good practice in setting out the terms under which teachers should be recruited from one State to work in another;
- The Action Programme on *The International Migration of Health Service Workers: The Supply Side* was launched in 2006. Five health worker supplying countries – Costa Rica, Kenya, Romania, Senegal, and Trinidad and Tobago – participated in the programme.<sup>11</sup> In Kenya, a comprehensive inventory and policy framework for managing the various aspects of health worker migration was developed, including the need for addressing working conditions in the national public health system and considering the role and possible regulation of recruitment agencies;
- The ILO’s Sectoral Activities Department (SECTOR) and the International Migration Branch (MIGRANT) produced a working paper in 2012 on *Migrant workers in the international hotel industry*.<sup>12</sup> The presence of migrant workers in the hotel industry has the potential to benefit host countries and employers at destination in bringing new skills, knowledge and innovation as well as a competitive advantage to many companies.

## **Roundtable 2: Measures to ensure respect for and protection of the human rights of all migrants, with particular reference to women and children, as well as to prevent and combat the smuggling of migrants and trafficking in persons and to ensure orderly, regular and safe migration**

The ILO has a distinct constitutional mandate on labour migration and the protection of men and women migrant workers, and thus is in a unique position to contribute significantly to debates on ensuring improved protection of the human rights, including labour rights, of all migrants. In addition to social protection, discussed with reference to the first HLD roundtable, a future sustainable,

inclusive and equitable development agenda will need to address other protection challenges faced by migrant workers, such as those relating to their working conditions, wages, occupational safety and health, and migration status, as well as important labour market dimensions.

A proactive approach to the protection of migrant workers towards improving development outcomes requires the formulation and implementation of gender-sensitive labour migration policies, establishing effective labour migration institutions, and adopting and enforcing legislation and policies guided by international labour standards, which apply to all migrant workers unless otherwise stated. The ILO has produced specific standards for the governance of labour migration and protection of migrant workers, namely the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, No. 143 as well as accompanying Recommendations No. 86 and 151. These standards are complemented by the 2006 ILO Multilateral Framework on Labour Migration, which comprises non-binding principles and guidelines for a rights-based approach to labour migration while recognizing labour market needs.<sup>13</sup> It was endorsed by the International Labour Conference in its Plan of Action for migrant workers in 2004.<sup>14</sup> The Framework's relevance as a model policy and practical tool on labour migration, including in the sphere of migration and development, has been recognized by ILO constituents as well as other stakeholders in a number of countries.<sup>15</sup>

With reference to international labour standards and the Multilateral Framework, over the past few years the ILO has provided technical advice and institutional capacity building on migration governance and legislation in, for example, Sri Lanka, Bangladesh, Cambodia, Kazakhstan, Tajikistan and Ukraine, and has provided inputs to the Government of Tajikistan on the National Labour Migration Strategy 2011-2015, as well as on the draft Law on Private Employment Agencies in Kyrgyzstan. The ILO has also worked to build a political consensus on the positive contributions of migrant workers destination countries' economies. For example, the ILO's survey on the public perception of migrant workers in Malaysia, the Republic of Korea, Singapore and Thailand found wide public recognition of the need for migrant workers but negative attitudes towards equal treatment for them.

Trafficking for labour exploitation is the antipathy of decent work and a scourge for development in both origin and destination countries. The recent ILO global estimate of forced labour indicates that the majority of the 20.9 million victims are trafficked for labour exploitation.<sup>16</sup> ILO estimates that 90 per cent of today's forced labour occurs in the "private economy", and three-quarters of this concerns economic activities other than commercial sexual exploitation, including agriculture, domestic service, construction, fisheries and manufacturing, usually in the informal economy. While labour mobility, both within and between countries, brings benefits to many workers and the economies to which they contribute. It is also an important risk factor in forced labour. Some 44 per cent of victims (9.1 million) have migrated prior to their exploitation – 15 per cent internally and 29 per cent across borders. The perpetrators of forced labour generate vast illegal profits, estimated by the ILO at some US\$44 billion annually,<sup>17</sup> while their victims forego large amounts of income through reduced or unpaid wages and illegal costs incurred, on top of the devastating physical and emotional costs they bear.<sup>18</sup>

Recent research shows that forced labour also has far broader social and economic costs and consequences, in terms of impeding economic development and perpetuating poverty.<sup>19</sup> Many migrant children are especially vulnerable to exploitation through child labour. In February 2013, the ILO held a Tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation that discussed gaps in existing coverage of ILO standards with a view to determining whether there is a need for standard setting to complement the ILO's Forced Labour Conventions (No. 29 and No. 105) to better address prevention and victim protection, including compensation, and to address human trafficking for labour exploitation.

The work developed by the ILO to reinforce Public Employment Services and/or to regulate Private Employment Agencies is key to ensuring that abusive practices are avoided, that migrant

workers go through regular channels and that they have accurate and reliable information about their rights and access to assistance when their rights are not respected. As fee-charging recruitment agencies become more involved in international migration, and as some recruiters have engaged in unfair and abusive practices, the ILO has been increasing its efforts at the international level to promote further regulation of this market and to ensure proper application of existing rules, including through the October 2009 Workshop to Promote Ratification of the Private Employment Agencies Convention, 1997 (No. 181) and the October 2011 Global Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the Functioning of Labour Markets in Private Services Sectors. In Asia, the Office has assisted national authorities in evaluating and rationalizing their current legislation, structures, and procedures on labour emigration, especially on recruitment (see, e.g. the ILO's work in Afghanistan, Indonesia and Sri Lanka).

### **Roundtable 3: Strengthening partnership and cooperation on international migration, mechanisms to effectively integrate migration into development policies and promoting coherence at all levels**

International migration is a multilateral concern, involving the interests of a variety of actors within, and between, countries. The 2004 report to the International Labour Conference, *Towards a fair deal for migrant workers in the global economy*,<sup>20</sup> as well as the Plan of Action For Migrant Workers adopted at the same session, argued for more policy coherence and multilateral approaches to improve labour migration governance. Informed policy debate and social dialogue within and across countries is the best way to reconcile labour and social rights' objectives with economic efficiency, national security, border management and counter-trafficking concerns.

Recognizing the importance of labour market processes and given the centrality of the world of work to international migration, the ILO provides assistance in creating an important space for labour ministries, trade unions and employers' representatives to discuss migration at national, bilateral, regional and global levels. While labour ministries in many countries are involved to a certain degree in the application of migration policies, most notably by determining the demand for migrant workers through labour market needs assessments and/or by issuing work permits, they often play lesser roles compared to interior/home affairs ministries in comprehensive discussions of these policies. In this regard, the ILO helps to facilitate access of labour ministries to such debates, particularly in those countries that adopt a "whole of government approach" to the governance of labour migration, including its impact on development. For example, the Office assisted the Sri Lankan Government's development of a National Labour Migration Policy based on the Multilateral Framework on Labour Migration, which is linked to its National Human Resources and Employment Policy. The policy aims to improve the governance and regulation of migration via social dialogue, as well as to more effectively protect migrant workers and enhance the development impacts of migration and remittances.<sup>21</sup>

The ILO, with its long-standing experience with social dialogue processes, works to ensure that the formulation and implementation of national labour migration policies takes place with the full participation of employers' and workers' organizations, thus enhancing the effectiveness and legitimacy of these policies. Cooperation between these non-State actors across borders can also enhance the protection of migrant workers. For example, trade unions can play an important role in educating migrant workers about their rights and fostering their protection, through facilitating their access to legal representation, supporting them in filing complaints and ensuring that whistle-blowers are protected from retaliation.<sup>22</sup> Such cooperation is particularly necessary in those destination countries where protection structures are relatively weak or underdeveloped.

Moreover, as demonstrated in the process leading up to the adoption of the ILO Domestic Workers Convention, 2011 (No. 189), which entered into force on 5 September 2013,<sup>23</sup> and in the context of the Global Forum on Migration and Development (GFMD), the ILO has been able to build a bridge between governments, its employer and worker constituents as well as civil society



organizations with a view to reconciling important interests and concerns. This inclusive and participatory approach has been welcomed as a way of building synergies across the work being done by multiple actors to advance the promotion of rights of domestic workers.

#### **Roundtable 4: International and regional labour mobility and its impact on development**

The governance of labour migration encompasses many different institutions, actors and processes. Real socio-economic gains for sustainable development can be achieved through equitable and well-structured systems of labour migration and mobility, in both the South-North and South-South contexts. This encompasses the harmonization of labour migration and employment policies, and labour market needs assessments.

Such systems need to protect the rights of men and women migrant workers, particularly in those economic sectors (e.g. agriculture, domestic work, construction) involving higher risks to labour migrants in terms of recruitment processes, their working conditions, wages, social security, and safety and health, while also giving due recognition to the employment, labour market and skills side of migration/mobility.

Through its technical cooperation portfolio, the ILO seeks to advance the formulation and application of best practices in labour migration regimes, practices that assist in improving policy coherence. It does this by working with its partners to strengthen institutional mechanisms, promote policy coherence and encourage social dialogue.

The ILO is undertaking several technical cooperation projects relating to the good governance of labour migration in key regions of the world where labour migration/mobility is a prominent feature, notably Southeast Asia and the Asia-Pacific region, North, West and East Africa, the Middle East, and Central America, and in countries that serve both as places of destination and origin such as Brazil, Bangladesh, the Philippines and Sri Lanka.

In the wake of the adoption of the ILO Domestic Workers Convention, 2011 (No. 189), the ILO has also recently embarked on a number of specific projects to improve protection of migrant domestic workers at the global level, as well as in East Africa and the Arab States (see Annex). Based on ILO's Migration for Employment Recommendation (Revised), 1949 (No. 86) that includes a model bilateral labour migration agreement in its Annex, the ILO has provided policy advice regarding the drafting of bilateral labour agreements in as between, for example, Georgia and France, Armenia and the Russian Federation, Costa Rica and Nicaragua, and Moldova and Italy.

The breadth of ILO's expertise is well reflected in a range of labour mobility initiatives undertaken within sub-regional and regional economic integration processes, such as improving labour market needs assessments and other knowledge gaps concerning data on labour shortages and surpluses; recognition of diplomas, qualifications and skills;<sup>24</sup> social security; and social dialogue. For example, the ILO has been working with the Association of Southeast Asian Nations (ASEAN) and its Forum on Migrant Labour to enhance the capacity of social partners to participate in migration policy processes and to protect migrant workers.

The ILO's collaboration with the Southern African Development Community (SADC) has ensured the inclusion of migration in the draft protocol on employment. ILO's work in the Caribbean resulted in the decision of CARICOM's Tripartite Caribbean Employment Forum Declaration to formulate, in conformity with employment and labour market strategies, proactive labour migration policies.<sup>25</sup> Its work with MERCOSUR is advancing on the role of Public Employment Services and Skills Certification to improve labour migration schemes.

The ILO/Skills project "Strengthening of Training, Guidance and Labour Insertion Systems (FOIL) is contributing to regional labour mobility and labour intermediation-related work in Central America and the Dominican Republic, including through development of technical labour

competency standards at the regional level for low-skilled occupations (e.g. cooks and chambermaids).

In the East African Community (EAC), the ILO is supporting the development of a legal instrument to coordinate social security arrangements between Member countries. In the context of regional economic integration, portability of social security rights is especially important because it facilitates the free movement of workers with a view to realizing better integrated and functioning labour markets.

## Moving Forward beyond the High-level Dialogue

### ILO's Tripartite Technical Meeting on Labour Migration

By virtue of the decision of the ILO's Governing Body in November 2012, the ILO is convening a global tripartite technical meeting on labour migration on 4-8 November 2013, which will enable it to assess the outcomes of the High-level Dialogue on Migration and Development and consider possible areas for follow-up. The meeting will involve the ILO's tripartite constituents, and other important stakeholders such as GMG agencies and civil society organizations have been invited as resource persons and observers. Four themes will guide these discussions: (i) Labour and work-related issues in the international debates on migration and development and the post-2015 development agenda; (ii) Protection of migrant workers, with reference to the particular vulnerabilities of low and middle-skilled workers; (iii) Sound labour market assessment needs, including skills recognition and certification; and (iv) International cooperation and social dialogue for well-governed national and international labour migration and regional mobility.<sup>26</sup> The purpose of this meeting is to define the ILO's agenda on labour migration for the years to come.

The ILO will move forward to advance awareness raising, technical cooperation, and data knowledge tools to assist its constituents and partners in ensuring that the needs of migrant workers figure prominently in development policy and planning. As Chair of the GMG in 2014 the ILO will play a lead role to ensure these issues secure a place in the new global development framework to be established by the international community beyond 2015.

*Attached to this Note is an Annex providing a list of relevant technical cooperation projects in which the ILO is working to improve migration governance and development opportunities.*

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#### NOTES

<sup>1</sup> Estimated at USD 401 billion in 2012. See D. Ratha, et al., "Developing countries received about \$401 billion in remittances in 2012", Migration and Development Brief 20, Migration and Remittances Unit, Development Prospects Group, World Bank, Washington, D.C., 19 April 2013, available at <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/MigrationDevelopmentBrief20.pdf>.

<sup>2</sup> United Nations, Department of Economic and Social Affairs (DESA), Population Division, *Trends in International Migrant Stock: The 2013 Revision*. See <http://esa.un.org/unmigration/wallchart2013.htm>.

<sup>3</sup> *International labour migration: A rights-based approach*, Geneva, International Labour Office, 2010, p. 18 (this estimate was based on the global estimate of 214 million international migrants in 2010, although it is equally relevant to the revised figures).

<sup>4</sup> UN, DESA, *International Migration in a Globalizing World: The Role of Youth*, Population Division, UN, New York, 2011.

<sup>5</sup> International Labour Office, Governing Body, 316<sup>th</sup> Session, Geneva, 1-16 November 2012, Policy Development Section, Employment and Social Protection Segment, Decision of 8 November 2012. See [http://www.ilo.org/gb/decisions/GB316-decision/WCMS\\_192865/lang--en/index.htm](http://www.ilo.org/gb/decisions/GB316-decision/WCMS_192865/lang--en/index.htm). For the background document (GB.316/POL/1) informing this decision, see [http://www.ilo.org/gb/GBSessions/GB316/pol/WCMS\\_191013/lang--en/index.htm](http://www.ilo.org/gb/GBSessions/GB316/pol/WCMS_191013/lang--en/index.htm).

<sup>6</sup> The relationship between migration and development cuts across the four objectives of the ILO Decent Work Agenda, namely: (i) respecting, promoting and realizing the fundamental principles and rights at work; (ii) promoting employment by creating a sustainable institutional and economic environment; (iii) developing and enhancing social protection measures;

and (iv) promoting social dialogue and tripartism. The ILO recognizes these objectives as inseparable, interrelated and mutually supportive. Gender equality is regarded as a cross-cutting issue in the Decent Work Agenda. See ILO Declaration on Social Justice for a Fair Globalization, International Labour Conference, 97<sup>th</sup> Session, June 2008, Part I, paragraphs A and B.

<sup>7</sup> ILO, *Jobs and livelihoods in the post-2015 development agenda: Meaningful ways to set targets and monitor progress*, Concept Note No. 2, available at [http://www.ilo.org/global/topics/post-2015/documents/WCMS\\_213209/lang--en/index.htm](http://www.ilo.org/global/topics/post-2015/documents/WCMS_213209/lang--en/index.htm).

<sup>8</sup> These basic social security guarantees comprise essential health care to all persons; basic income security for children; basic income security to persons of active age who are unable to earn a sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and basic income security for older persons.

<sup>9</sup> See ILO, *Cooperatives offer migrant workers options for better lives*, Issue brief, 19 September 2013, available at [http://www.ilo.org/empent/Publications/WCMS\\_221743/lang--en/index.htm](http://www.ilo.org/empent/Publications/WCMS_221743/lang--en/index.htm).

<sup>10</sup> In partnership with the Department of Labour Protection and Welfare, the Department of Fisheries, the Marine Department, the National Fisheries Association of Thailand (NFAT), the Seafarers Union of Burma, and civil society partners. The ILO has provided detailed comments on a Ministerial Regulation on Work in Fishing aiming at bringing the Regulation in line with the ILO Work in Fishing Convention, 2007 (No. 188). The NFAT is developing a Code of Conduct, and is proposing to the Government a new means of recruiting fishers that allows more migrant workers to obtain and retain their regular status and receive training prior to starting work in the sector. The project has also commissioned a quantitative survey on working conditions in the fishing sector – the largest survey of its kind, with a sample of 500 fishers in four provinces. See the brochure available at: [http://www.ilo.org/asia/whatwedo/projects/WCMS\\_145664/lang--en/index.htm](http://www.ilo.org/asia/whatwedo/projects/WCMS_145664/lang--en/index.htm)

<sup>11</sup> The overall aim of the Action Programme was to develop and disseminate strategies and good practices for the governance of health services' migration from the supplying countries' perspective. Kenya continues to be engaged in an ongoing social dialogue on health worker migration in the context of that country's overall reform of its national labour migration legislation.

<sup>12</sup> See [http://www.ilo.org/sector/Resources/publications/WCMS\\_180596/lang--en/index.htm](http://www.ilo.org/sector/Resources/publications/WCMS_180596/lang--en/index.htm).

<sup>13</sup> *ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration*, Geneva, International Labour Office, 2006, available at [http://www.ilo.org/public/english/protection/migrant/download/multilat\\_fw\\_k\\_en.pdf](http://www.ilo.org/public/english/protection/migrant/download/multilat_fw_k_en.pdf).

<sup>14</sup> International Labour Conference, 92<sup>nd</sup> Session, 2004, Report of the Committee on Migrant Workers, Conclusions on a fair deal for migrant workers in a global economy.

<sup>15</sup> The Framework also featured prominently as an important resource tool in wide-ranging discussions on labour migration during Civil Society Days at the Global Forum on Migration and Development (GFMD) in November 2011. Pursuant to the Governing Body decision in November 2012, the ILO is conducting an in-depth evaluation of its response to the changing landscape of international labour migration, including its progress on the promotion of the Multilateral Framework on Labour Migration with a view to better offering an informed contribution to the High-level Dialogue.

<sup>16</sup> See ILO 2012 Global estimate of forced labour – Executive summary, available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_181953.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf), p. 3, estimating that 9.1 million of internal and international migrants are victims of trafficking and forced labour (comprising 44 per cent of the total victims of forced labour).

<sup>17</sup> Belser, P., *Forced labour and human trafficking: Estimating the profits*, Declaration Working Paper No. 42, ILO, Geneva, 2005.

<sup>18</sup> The ILO estimates the “opportunity cost” of forced labour for lost earnings and inflated recruitment fees at US\$21 billion annually. See *The cost of coercion*, Global Report, Report 1(B), International Labour Conference, 98<sup>th</sup> Session, Geneva, 2009, para. 150.

<sup>19</sup> See forthcoming ILO report on the economics of forced labour, which will include new estimates of profits, as well as an analysis of economic determinants and the development impact of forced labour.

<sup>20</sup> *Towards a fair deal for migrant workers in the global economy*, Report VI, International Labour Conference, 92<sup>nd</sup> Session, ILO, Geneva, 2004, <http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>.

<sup>21</sup> See *Migration Policy for Sri Lanka*, Ministry for Foreign Employment Promotion and Welfare, Development of the National Policy supported by ILO Colombo, October 2008, available at [http://www.ilo.org/migrant/publications/WCMS\\_180087/lang--en/index.htm](http://www.ilo.org/migrant/publications/WCMS_180087/lang--en/index.htm).

<sup>22</sup> For example, see the Memorandum of Understanding between the General Federation of Nepalese Trade Unions (GEFONT) and the Korean Confederation of Trade Unions (KCTU), which enables the KCTU to represent Nepalese migrant workers in grievance procedures or labour dispute settlements. Similar arrangements include the bilateral memorandum of cooperation concluded between the Azerbaijan Trade Union Confederation (ATUC) and the Federation of Independent Trade Unions of Russia (FNPR), and that between the ATUC and the Georgia Trade Union Confederation, and national trade union centres in Sri Lanka and their counterparts in Bahrain, Jordan and Kuwait. More recently, bilateral agreements were signed between trade unions in Italy and the Republic of Moldova and Ukraine.

<sup>23</sup> To date, Convention No. 189 has been ratified by ten countries: Bolivia, Germany, Guyana, Italy, Mauritius, Nicaragua, Paraguay, Philippines, South Africa, and Uruguay.

<sup>24</sup> E.g. see *ILO Guidelines for Development of Regional Model Competency Standards*, 2006 and *Regional Planning Workshop on Skills Recognition for Migrant Workers*, 2007, developed in the Asia-Pacific region.

<sup>25</sup> See <http://www.ilocarib.org.tt/trade/dw.html>.

<sup>26</sup> See *Labour migration and development: ILO moving forward*, Background paper for discussions at the ILO Tripartite Technical Meeting on Labour Migration (Geneva, 4-8 November 2013), Labour Migration Branch, ILO, Geneva, 2013. The paper is available at [http://www.ilo.org/migrant/WCMS\\_221809/lang--en/index.htm](http://www.ilo.org/migrant/WCMS_221809/lang--en/index.htm).



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## Annex

### ILO - Technical Cooperation Projects

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#### Asia and the Pacific Region

##### **PROMOTING DECENT WORK THROUGH GOOD GOVERNANCE, PROTECTION AND EMPOWERMENT OF MIGRANT WORKERS: ENSURING THE EFFECTIVE IMPLEMENTATION OF THE SRI LANKA NATIONAL LABOUR MIGRATION POLICY PHASE II (2013-2015)**

The ILO is working with the Ministry of Foreign Employment Promotion and Welfare of Sri Lanka to ensure the effective implementation of the Sri Lanka National Labour Migration Policy. The four objectives are; to improve the access to information for migrant workers to ensure informed and safe migration; Improved access to justice for women and men migrant workers and their families by strengthening grievance addressing mechanisms, ethical recruitment practices and anti-trafficking measures; to support the effective reintegration of returnee migrant workers by addressing selected areas of the reintegration sub-policy to fulfil economic and psychosocial needs of primarily low skilled workers; and to share project outcomes at local, national, regional and international levels among all social partners.

The project is financed by the Swiss Agency for Development and Cooperation (SDC).

##### **TRIPARTITE ACTION TO PROTECT MIGRANTS WITHIN AND FROM THE GREATER MEKONG SUB-REGION (GMS) FROM LABOUR EXPLOITATION (2010-2015)**

The ILO is working with policymakers, practitioners and migrants themselves to significantly reduce the labour exploitation of women and men migrants. The project seeks to increase the number of legal, safe, and orderly migration/recruitment channels, and improve labour protection and decent work mechanisms in the six participating countries (Cambodia, China, Lao PDR, Malaysia, Thailand and Viet Nam) by addressing a number of factors that contribute to the limited implementation of migrant recruitment and protection policies. The project is financed by the Australian Aid Agency (AusAID).

##### **TRIPARTITE ACTION TO PROTECT MIGRANTS IN THE ASEAN REGION FROM LABOUR EXPLOITATION (ASEAN TRIANGLE PROJECT) (2012-2016)**

The TRIANGLE ASEAN project aims at significantly reducing the exploitation of migrant workers in the region through increased legal and safe migration and improved labour protection. The project is implemented in Cambodia, Indonesia, Myanmar, Lao People's Democratic Republic, the Philippines, Thailand and Viet Nam. The project promotes both bilateral and regional approaches to address shared concerns, make regionalism more effective, and enhance the capacity of institutions in the ASEAN. The project objectives are in line with the strategic priorities of the ASEAN Labour Ministers Work Programme. This project is funded by the Canadian International Development Agency (CIDA).

##### **PROMOTING DECENT WORK ACROSS BORDERS: A PILOT PROJECT FOR MIGRANT HEALTH PROFESSIONALS AND SKILLED WORKERS (2010-2014) PARTNER: PUBLIC SERVICES INTERNATIONAL (PSI)**

The ILO is working with partners in the Philippines, India, and Vietnam to improve governance of circular migration of professionals and highly skilled personnel in the health care sector. In close

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collaboration with its constituents, the ILO is supporting the development of a pilot scheme of specialized employment services and a system for skills testing and certification for main destination countries in Europe. This project is funded by the European Commission (EC).

**PROMOTING DECENT WORK THROUGH IMPROVED MIGRATION POLICY AND ITS APPLICATION TO BANGLADESH (2011-2014)**

**PARTNER: UNITED NATIONAL ENTITY FOR GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN (UN WOMEN)**

The ILO is working with partners to strengthen the governance of labour migration in Bangladesh to include: (a) improving national policy and institutional frameworks; (b) improving the operational efficiency and effectiveness in overseas employment promotion, including recruitment regulation and awareness raising at central and local levels; and (c) developing better information and assistance services for migrant male and female workers while abroad and upon return. The project is financed by the SDC.

**LABOUR GOVERNANCE AND MIGRATION IN THE PACIFIC (2012-2014)**

ILO is working through a multi-country technical cooperation project to strengthen labour market governance and improve the development impact of labour migration within the Pacific. The effort is working to build capacity of governments, trade unions, businesses and local communities in Kiribati, Samoa, Papua New Guinea, Tuvalu and Vanuatu to provide returning migrant workers with effective reintegration services, based on identified needs. Good practices relating to pre-departure services will also be identified and promoted. Workers under New Zealand's Recognized Seasonal Employer Scheme and Australia's Pacific Seasonal Workers Pilot Scheme are specifically targeted. The project is financed by AusAID.

**PROMOTING THE EFFECTIVE GOVERNANCE OF LABOUR MIGRATION FROM SOUTH ASIA THROUGH ACTIONS ON LABOUR MARKET INFORMATION, PROTECTION DURING RECRUITMENT AND EMPLOYMENT, SKILLS, AND DEVELOPMENT IMPACT (2013-2016)**

The ILO is promoting well-governed labour migration from South Asia, to ensure effective protection of the rights of vulnerable migrant workers, and to enhance the development impact of labour migration and reduce irregular flows. Specific objectives include: a) providing reliable information on overseas employment opportunities, and build capacity for matching qualified job seekers with the demand from foreign employers; b) reducing migration costs and recruitment abuses in countries of origin and destination by improving recruitment services; increasing protection of migrant workers during employment; and c) enhancing training, portability of skills for outgoing and returning migrant workers, and to promote the development impact of migration. This project is funded by the EC.

**Africa Region**

**LABOUR MIGRATION GOVERNANCE AND ITS LINK TO DEVELOPMENT (2009-2013)**

The ILO is implementing a project in Mali, Mauritania and Senegal to maximize the development benefits of migration. The project enhances the employability of migrant workers by supporting vocational training institutions and improvement of training and employment services in countries of origin. It promotes effective reintegration of migrants in national labour markets upon return and also provides extensive training in financial literacy. In close collaboration with public employment services, the project is developing tools (departure guide, return guide, databases, etc.). In rural areas, it strengthens the capacities of workers' organisations to provide information to potential migrants and their families. The project is financed by Spain.

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**STRATEGIES FOR EXTENDING SOCIAL SECURITY TO MIGRANT WORKERS AND THEIR FAMILIES FROM AND WITHIN AFRICA – MIGSEC (2008-2011)**

Supported by the Federal Republic of Germany, this project focussed on building knowledge about African migrant workers' social security coverage and strategies to extend it, developed institutional capacities for planning and implementing social security coverage for migrants, and implemented operational measures extending benefits to migrant workers and their families.

The project collaborated with the Micro Insurance Innovation Facility (a joint initiative of the ILO and the Bill and Melinda Gates Foundation) on extending social security to migrants' families through health micro-insurance initiatives financed by remittances from Senegalese and Malian migrant workers abroad. A study on the feasibility of such an approach was undertaken in Kayes (Mali) and Matam (Senegal), two rural areas with high levels of out-migration. The next stage of the work will be to pilot a micro-health-insurance.

The ILO, through MIGSEC, also provided technical assistance to the EAC Secretariat in developing a legal instrument (directive or regulation) coordinating the social security systems of the EAC member states.

**IMPROVING GOVERNANCE OF LABOUR MIGRATION AND PROTECTION OF MIGRANT WORKERS' RIGHTS IN TUNISIA, MOROCCO, LIBYA AND EGYPT (2013-2015)**  
**PARTNER: OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)**

The ILO is implementing a project focussing on promoting good governance of labour migration and protection of male and female migrant workers' rights in Tunisia, Morocco, Egypt and Libya with a view to enhance the development benefits of labour migration. The OHCHR is an implementing partner. The project strategy is designed along institutional strengthening and capacity building interventions targeting Government institutions and social partners. In order to strengthen national institutional capacities to govern labour migration and to reinforce the protection of male and female migrant workers, the project: a) provides national stakeholders with adequate knowledge, capacities and practical tools to elaborate and implement coherent rights-based and gender-sensitive labour migration policies/strategies through a highly participative process of consultation with social partners and relevant civil society organizations; b) supports the reinforcement of national laws and practices concerning labour migration and the protection of migrant workers in light of relevant international instruments; and c) supports an intra-regional dialogue on labour mobility and protection of migrant workers. The project is financed by the SDC.

**DEVELOPMENT OF A TRIPARTITE FRAMEWORK FOR THE SUPPORT AND PROTECTION OF ETHIOPIAN AND SOMALI WOMEN DOMESTIC MIGRANT WORKERS TO THE GCC STATES, LEBANON AND SUDAN (2013-2016)**  
**PARTNERS: UN WOMEN AND INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)**

The ILO aims to develop a coherent framework of migration policy across national borders in order to ensure the rights of low-skilled, rural women domestic workers from the Horn of Africa (Ethiopia and Somalia) in the Middle East and Sudan. The project seeks to improve coordination and cooperation of social partners, civil society, institutions and organizations working on migration issues in Ethiopia, as well as in the destination countries. In addition, the project provides women domestic workers with accurate information prior to migration and with safe havens to turn to in the event of emergencies. The project is financed by the EC.

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## Arab States Region

### **IMPROVING THE GOVERNANCE AND PROTECTION MECHANISMS FOR LABOUR MIGRATION IN THE MIDDLE EAST (2012/2014)**

The ILO has developed a regional programme in the Middle East in order to provide the necessary technical support to national constituents to improve the governance and protection mechanisms afforded to low-skilled women and men migrant workers in different sectors (construction, manufacturing, health, retail, hospitality, tourism, and domestic help). The programme has three major outcomes focusing on regional data management, research and policy reform; service delivery to migrant workers; and capacity training programmes for key stakeholders. This regional project is the first of its kind in the Arab States, and underscores the ILO's commitment to technical cooperation in the field of labour migration. The project is financed by the SDC.

### **REGIONAL ADVOCACY STRATEGY ON ILO'S DOMESTIC WORKERS CONVENTION IN THE ARAB STATES (2012/2014)**

The ILO is building on the momentum generated by the adoption of Convention No. 189 and Recommendation No. 201 concerning decent work for domestic workers, by rolling out a broader regional advocacy strategy in the Arab States. The aim of the initiative is to determine, with ILO constituents, ways in which national laws could be adapted in conformity with the new international legal standards, as well as to examine the possibility of Arab States ratifying the Domestic Workers Convention. The programme will focus on Bahrain, Jordan, the Kingdom of Saudi Arabia, Kuwait and Oman over a period of two years. The ILO will also seek to respond to the concerns and needs of its constituents as they find ways at the national level to promote and protect the rights of domestic workers. The project is financed by the SDC.

### **ACTION PROGRAMME FOR PROTECTING THE RIGHTS OF WOMEN MIGRANT DOMESTIC WORKERS (WMDWS) IN LEBANON (2010-2013)**

The ILO aims to improve the situation of women migrant domestic workers in Lebanon and ensure favourable working conditions and a better regulated and monitored environment that protects their rights. It is framed within the regional and global priorities of the ILO that meet the priorities of regulation and monitoring of international labour migration and the protection of the rights of domestic workers. The project seeks to build on the momentum created by the adoption of the unified contract and the decree on regulating and monitoring private placement agencies. A series of activities have also been planned to enhance the understanding of workers' rights among domestic workers, their employers, employment agencies, teachers and social partners. The project is financed by the EC.

### **PROTECTING MIGRANT WORKERS' RIGHTS IN JORDAN (2012-2013) PARTNER: BUSINESS FOR SOCIAL RESPONSIBILITY (BSR)**

The ILO, with Business for Social Responsibility (BSR) as a key partner, has adopted a three-pronged strategy to bring about improvements in the respect of the fundamental rights of workers in Jordan, particularly migrant workers. It is supporting trade unions to reach out to and empower migrant workers in the construction sector, as well as provide them with better services and information; it is engaging with construction company managers to increase their awareness and capacity to respect workers' rights through improved recruitment and employment practices; and finally, supporting the

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review of labour migration policies, and collective bargaining processes. The project targets men and women workers, particularly migrant workers, and employers in the construction and garment sectors as well as domestic work. The project is financed by the U.S. State Department.

### **COLLABORATIVE ACTION PROGRAMME TO PREVENT TRAFFICKING OF WOMEN AND GIRLS IN SOUTH ASIA AND THE MIDDLE EAST (2013/2018)**

The ILO has launched a five-year Collaborative Action Programme to Prevent Trafficking of Women and Girls in South Asia (CAPSA) that will take a targeted approach to tackling trafficking of women and girls from South Asia and the Middle East. The overall development objective is to reach 100,000 women and girls in major South Asian countries (India, Nepal, Bangladesh) and major destination countries of South Asian workers (India, U.A.E and Lebanon) resulting in an overall reduction in the incidence of trafficking. Primary objectives are to empower and better protect women migrant workers and girls; reduce the demand for cheap and exploitable labour by creating positive incentives for companies, recruitment agencies and employers; and to create a robust evidence base for more effective anti-trafficking interventions. Key stakeholders include private sector actors, international organizations and above all, the collective voice of women workers. In partnership with other UN agencies, project interventions take a joint labour and criminal law focus, to transform the labour market imbalances that exacerbate women worker vulnerabilities to trafficking while strengthening monitoring and enforcement measures. Particular attention is paid to high-risk sectors for labour exploitation, including domestic work and the garment sector. The project is financed by the United Kingdom's Department for International Development (DFID).

### **Latin America and the Caribbean Region**

#### **PROMOTION OF GENDER-SENSITIVE LABOUR MIGRATION POLICIES IN COSTA RICA, HAITI, NICARAGUA, PANAMA AND THE DOMINICAN REPUBLIC (2011-2014)**

**PARTNER: ORGANISATION OF AMERICAN STATES (OAS) AND THE FUNDACION INSTITUTO SINDICAL DE COOPERACION AL DESARROLLO (ISCOD)**

The ILO has launched a project aimed at strengthening the capacity of policymakers and social partners to adopt and implement gender-sensitive labour migration policies, legislation and administration. Its strategic objectives include to: a) promote the adoption and implementation of gender-sensitive labour migration legislation, policies and administration for better regulation of labour migration flows; b) promote and support strategies to enhance social security coverage for migrant workers and their families; c) support the improvement of skills' matching between origin and destination countries and reduce deskilling. Countries covered include Costa Rica, Dominican Republic, Haiti, Nicaragua and Panama. The project is funded by the EC.

### **Europe and Central Asia Region**

#### **PROMOTING INTEGRATION OF MIGRANT DOMESTIC WORKERS IN EUROPE (2011-2013)**

**PARTNERS: FIERI, FONDO ORTEGA-GASSET, ETUC**

This ILO project aims at expanding the knowledge about the possible integration outcomes of admission and employment policies for migrant domestic workers who are usually low-skilled and enhance stakeholders' capacities to identify and remove barriers for their socioeconomic integration. The project covers work in four European Union countries, including Belgium, France, Italy and Spain. With the view to address the knowledge gap about the current situation of migrant domestic workers in Europe and identify practical ways to support their integration, the project has organized four research teams and produced four country-specific case studies. Building on the research component and on project partners' capacity and experience to reach out to and successfully mobilize key actors for socio-economic integration, such as national trade unions, employers, civil society and



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diaspora organizations, local authorities, service providers, etc., the project aims to produce practical and targeted advocacy and awareness-raising material and promote face-to-face exchange of information and knowledge. The project is funded by the EC.

**EFFECTIVE GOVERNANCE OF LABOUR MIGRATION AND ITS SKILLS DIMENSION (2010-2013)**

**PARTNERS: IOM, THE WORLD BANK**

The ILO seeks to strengthen the organizational and institutional capacity of the appropriate institutions in Moldova and Ukraine to regulate regular labour migration and promote sustainable return with a particular focus on enhancing human resources capital and preventing skills waste. The project intends to build capacities a) to analyse the skills shortages and oversupply as a result of migration; b) to balance migration flows and return with national needs and EU Member States' skills needs; c) to negotiate and organize labour migration schemes, including bilateral agreements on social protection; and d) to govern labour migration, enact relevant legislation and engage social partners. The project is funded by the EC.

**THE LABOUR MARKET INTEGRATION OF NEW IMMIGRANTS IN EUROPE: ANALYSIS AND POLICY EVALUATION (2012-2014)**

**PARTNER: MIGRATION POLICY INSTITUTE (MPI)**

The ILO is carrying out a research project focusing on labour market integration of newly arrived immigrants in six EU Member States. The project will provide new empirical evidence on the labour-market integration trajectories of newly arrived immigrants into middle-skilled jobs. Relying on a combination of data analysis, qualitative research, and interviews with policymakers and social partners, the project will assess the opportunities for upward occupational mobility among new arrivals in the sectors in which they are concentrated and examine concrete steps that governments can take to ensure that immigrant-integration policies and the broader system of workforce-development, training, and employment programmes support new arrivals' access to well-paying, stable jobs. The project is funded by the EC.

**Global**

**GLOBAL ACTION PROGRAMME ON MIGRANT DOMESTIC WORKERS AND THEIR FAMILIES (2013-2016)**

**PARTNERS: UN WOMEN, OHCHR, INDONESIAN TRADE UNION PROSPERITY (KSBSI)**

The project has the overall objective to enhance decent work opportunities for migrant domestic workers, by reducing their vulnerability to exploitation and abuse and mitigating the adverse impact of migration on families left behind by a) enhancing the global knowledge base on migration in global care chains through comparative, quantitative and qualitative research in selected countries; b) raising awareness about the human and labour rights of migrant domestic workers, and their importance in contributing to improved social and economic development outcomes; and c) testing innovative approaches in selected pilot countries to protect, support and empower migrant domestic workers at all stages of the migration process. The project focuses on five migration corridors: Nepal-U.A.E; Indonesia-Malaysia, Zimbabwe-South Africa; Ukraine-Poland; Paraguay-Argentina. The project is financed by the EC.