

# Project Brief



## ILO Conventions and Recommendations relevant for Labour Migration:

- C97 Migration for Employment Convention (Revised), 1949
- C143 Migrant Workers (Supplementary Provisions) Convention, 1975
- R86 Migration for Employment Recommendation (Revised), 1949
- R151 Migrant Workers Recommendation, 1975
- C98 Collective Bargaining Convention, 1949
- C87 Freedom of Association and Protection of the Right to Organise Convention, 1948
- C29 Forced or Compulsory Labour Convention, 1930
- C105 Abolition of Forced Labour Convention, 1957
- C138 Minimum Age for Admission to Employment Convention, 1973
- C182 Worst Forms of Child Labour Convention, 1999
- C111 Discrimination in Respect of Employment and Occupation Convention, 1958
- C100 Equal Remuneration Convention, 1951
- C181 Private Employment Agencies Convention, 1997
- R188 Private Employment Agencies Recommendation, 1997
- C19 Equality of Treatment (Accident Compensation) Convention, 1925
- C102 Social Security (Minimum Standards) Convention, 1952
- C157 Maintenance of Social Security Rights Convention, 1982
- C118 Equality of Treatment (Social Security) Convention, 1962
- R167 Maintenance of Social Security Rights Recommendation, 1983
- C156 Worker with Family Responsibilities Convention, 1981

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## Regulating Labour Migration as an Instrument of Development and Regional Cooperation in Central Asia - Kazakhstan, the Kyrgyz Republic and Tajikistan (outreach countries – Turkmenistan and Uzbekistan).

Duration: 2008-2011 (36 months)

Donor: *European Commission*

Partner organization: *International Training Centre of the ILO*

## Background



Migration is a human and economic phenomenon, which requires legal frameworks protecting human and labour rights. The rights based approach to labour migration as defined by the ILO International Labour Conference in 2004, includes elements of rights, employment creation, protection and social dialogue in addition to the development of the knowledge base.

The ILO Multilateral Framework on Labour Migration provides relevant advice on good governance and management of labour migration, which steer migration through regular channels, thus reducing irregular migration. There is no greater threat to the rights of migrant workers than irregular migration, which causes social unrest.

Recognition and implementation of the principle of equality of treatment is a guarantee and a condition for the elimination of xenophobia against labour migrants. This principle helps to protect the national labour market from unfair competition between migrant and national workers. If migrant worker gains competitive advantage at the expense of the violation of his or her rights through low pay, poor occupational safety and health conditions and without social guarantees their labour costs become considerably low enabling the employer to have maximum profit.

A focus on the welfare of migrants' children is another area that fits with the work of the ILO against child labour. Child labour can also be a consequence of labour migration, if labour migrants fail to send remittances home or their remittances are not sufficient and children become bread-winners.

According to experts' estimations, the contribution by foreign guest workers to the Russian economy is at least 8% of the GDP. While the proportion of remittances in GDP of Tajikistan was 45% and of Kyrgyzstan 27% in 2008, 98% of remittances to Tajikistan and 79% of remittances to Kyrgyzstan were sent from Russia.

The volume of remittances from Kazakhstan to other CIS countries in the 1st half of 2007 alone were \$689 m and for the same period of 2008 were \$507 m. Yet, people earning these wages and their families often end up in poverty due to the lack of regular status and social protection.

Thus, equality of treatment, provision of regular migration channels, social protection of migrant workers, and elimination of irregular migration flows should be priority areas for sending and receiving countries in the sphere of effective governance and regulation of labour migration.

The *overall objective* of the project is to elaborate and promote adoption of a comprehensive strategy for labour migration and more effective regulation of migration flows in Central Asian countries, focusing on Kazakhstan, the Kyrgyz Republic and Tajikistan.



## Activities and Expected Results

1. *Targeted training, advisory services and practical support* will ensure that government structures and mechanisms have the necessary competencies and capacities to formulate, implement and monitor labour migration policies.

2. Promoting the *harmonisation of labour migration policies and practices* in the Central Asian countries through institutional capacity development and advisory services to legislative processes. Through comparative assessments of national labour migration legislation,

structures and mechanisms, the project will facilitate regional co-ordination and regulation of labour migration, including dialogue with the Russian Federation. It is expected that improved regulation and regular migration channels will discourage and reduce irregular movements.

3. *Supporting and strengthening social dialogue* through involvement of ILO constituents as well as civil society and migrant associations to promote rights protection, welfare and decent work for migrant workers at both national and regional levels.

4. Revitalizing *policy dialogue and consultation* among key stakeholders across the concerned Central Asian countries will help realise and maximise benefits for development from international labour migration.

5. Enhancing *regional exchange and policy application of statistics and data collection*. Efforts will be focused on integrating data on Central Asia into the global International Labour Migration database, making it accessible elsewhere and facilitating Central Asian interaction with other concerned origin, transit and destination countries.

## The ILO Approach

The logic of the project follows the ILO approach and methodology summarized in the *Multilateral Framework for Labour Migration Policy* published by ILO in 2006 and responding to widespread demands by ILO's constituents for practical guidance and actions towards maximisation of the benefits of labour migration.

*Project Partners:* National governments, trade unions, employers' organizations  
*Final beneficiaries:* Women and men migrant workers, in particular the youth; unskilled and vulnerable workers; migrant associations; migrant communities in countries of origin and destination.

### Target groups in Kazakhstan:

- Parliament of RK
- Ministry of Labour and Social Protection of the population of the RK including the department of the social protection and social insurance
- Migration Committee under the MoLSP of the RK
- Agency for Statistics of the RK
- Ministry of Foreign Affairs of the RK
- Ministry of Finance of RK including Tax Committee
- Ministry of Trade and Industry of the RK
- Association of Pension Funds
- Department of Migration Police, Ministry of Internal Affairs of RK
- Ministry of Health of RK
- Confederation of Employers of Kazakhstan
- Federation of Trade Unions of Kazakhstan
- Private Employment Agency network
- Research, support and advocacy NGOs Associations and initiative groups of migrants

### Target groups in the Kyrgyz Republic:

- Parliament of KR
- Ministry of Labour, Employment, and Migration of KR
- Ministry of Foreign Affairs of KR
- Ministry of Internal Affairs of KR
- State Statistics Service of KR
- State Taxation Service of KR
- Social Security Agency of KR
- Border Control Service of KR
- Non-government Pension Fund of Kyrgyzstan
- Federation of Trade Unions of KR
- Confederation of Employers of KR
- Private Employment Agency network

### Key ILO publications:

- Towards a fair deal for migrant workers in the global economy, Report submitted to the 92nd Session (June 2004) of the International Labour Conference, Geneva, 2004
- ILO Multilateral Framework on Labour Migration/ Non-binding principles and guidelines for a rights-based approach to labour migration, Geneva, 2006
- Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination, OSCE, IOM, ILO, 2006



- Associations of Migrants and their Families of KR
- Research, support and advocacy organizations

### Target groups in Tajikistan:

- Parliament of RT
- Department of employment and social protection of the Executive Office of the President of the RT
- Ministry of Labour and Social Protection of RT
- Migration Service of the Ministry of Interior of RT
- State Statistics Committee
- Ministry of Foreign Affairs of RT
- Ministry of Finance of RT
- Ministry of Economic Development and Trade of RT
- Tax Committee under the Government of RT
- Border Control Committee of RT
- State Agency on insurance and pension
- Union of Employers of RT
- Federation of Independent Trade Unions
- Private Employment Agency networks
- Research, support and advocacy NGOs