**GFMD 2020**

**DRAFT**

**Background paper**

**Theme 1: The Governance of Labour Migration in the Context of Changing Employment Landscapes**

***Introduction***

This report provides background information for consideration by the GFMD Roundtable on *The Governance of Labour Migration in the context of Changing Employment Landscapes*. It builds on the GFMD Note[[1]](#footnote-1) and Regional Report prepared by the thematic lead Michelle Leighton, Chief of the ILO Labour Migration Branch after GFMD regional consultations convened in Africa, the Middle East, and in Europe by the UAE Chair and, respectively, the AU, the Abu Dhabi Dialogue and the OECD Development Center. The prior consultations engaged over 200 participants representing GFMD Member States and mechanisms as well as migrants and diaspora associations, business, trade unions, youth and women`s groups, academic experts and regional and UN agencies. These stakeholders contributed their diverse perspectives on the priorities for action and recommended approaches to meeting the future challenges employment and labour migration.

***Global and regional trends on labour migration***

Migrant workers globally represent 4.7 per cent of the global labour pool, comprising 164 million workers with nearly half being women.[[2]](#footnote-2) The majority of these workers are employed in high-income (67.9 per cent) or upper-middle-income countries (18.6 per cent), particularly in Europe and the United States. Almost 29 per cent of all migrant workers are located in the Arab States and Asia and the Pacific, with increasing labour mobility within and from the Africa region.

In many countries migrant workers represent a significant share of the workforce and make important contributions to societies and economies, with generally higher labour force participation rates compared to national workers.[[3]](#footnote-3) As the COVID-19 pandemic highlights, migrant workers often carry out essential jobs in health care, construction, transport, services, and agriculture and agro-food processing. Many are concentrated in sectors characterized by high levels of temporary, informal or unprotected work, low wages and lack of social protection. Women migrant workers represent a significant share of those in domestic work, comprising 73.4 per cent (or 8.45 million) of all migrant domestic workers. Care work, a sector mostly dominated by women, is likely to continue to experience real growth for migrant workers as aging populations increase. The share of workers in agriculture is also significant, in 2019 reaching to 42.1 per cent in Southern Asia and 30.9 per cent in South-Eastern Asia and the Pacific.

The global pandemic has disrupted these patterns as borders locked-down, with potentially lasting affects altering economies, businesses and workers in labour markets. ILO estimates that lockdown measures are affecting over 2 billion workers, with working hours estimated to have declined by 17.3 percent in the second quarter of 2020, equivalent to a loss of 495 million full-time jobs.[[4]](#footnote-4) Labour income losses are estimated to have declined by US$3.5 trillion in the first three quarters of 2020.

The pandemic has led to widespread job loss among migrant workers in host countries. Many now lack access to shelter, basic needs or social protection. For other migrants the pandemic has prevented their taking-up jobs for which they had contracts, leaving them unemployed in their home countries. The loss of remittances, often used to improve family health and education among other development outcomes, could reach US$100 billion in 2020, devastating earlier development gains.[[5]](#footnote-5)

As countries emerge from the pandemic, demographic changes, including aging populations, and rising decent work deficits will continue to be highly relevant to understanding and managing effectively future labour migration and mobility. For example, of the additional 2.4 billion people projected between 2015 and 2050, 1.3 billion will be in Africa and such a youth bulge presents an enormous challenge for creating decent jobs in already fragile labour markets. Migration could increase as borders open-up, but given the significant business disruption in many countries it is difficult to predict how and in what sectors demand for migrant labour will grow.

Technological progress and climate change are two other significant factors to changing labour markets and migration trends. Climate change is already damaging infrastructure, business activity and livelihoods, while fear of jobs disappearing or tasks performed through automation have risen. In some contexts, technological progress may increase the demand for more skilled workers (e.g., engineers), benefiting the economy through higher productivity and incomes. These factors and their implications for future migration governance are diverse, and may vary among countries, occupations or sectors as businesses and economies emerge in a post-COVID-19 and climate-altered world.

***Key areas for consideration in improving labour migration governance***

The considerations for policy-makers in moving toward improved labour migration governance which emerged from GFMD consultations, can be categorized into four subthemes as shown below. There was further agreement that capacity building remains an overall crosscutting issue in need of further attention in all four subthemes. The lack of institutional capacity at regional, national and local levels hampers effective migration governance, including institutional responses needed for the protection of migrant workers and to help business meet labour market shortages or seize new opportunities.

1. ***Human-centred approaches to addressing future of work challenges and opportunities for labour migration***

Governance challenges have risen as countries have evolved, with many now needing governance strategies as origin, transit and destination countries. The contribution of migrants to development and societies has been well documented, reiterated in the Global compact for safe, orderly and regular migration, and there is much consensus that migrant workers can be a catalyst for growth. Covid-19 revealed how essential the contribution of migrant workers is to specific sectors.

However migrant workers face rising levels of discrimination and inequality, often as the result of inconsistencies in laws, policies, regulatory frameworks and lack of rights implementation. Labour protections are weak and current governance models are insufficient to effectively meet the needs of business or migrant workers, especially those in low wage, temporary and informal work—in some countries 90% of jobs for migrant workers are in the informal sector which has been hardest hit by the global pandemic.

A number of actions to improve governance have been highlighted in GFMD consultations:

* ILO standards foster fair migration systems. When ratified and implemented the standards, particularly Conventions 97 and 143 and their recommendations, and Convention 189 and 181, among others and the ILO fundamental principles and rights at work, are critical tools for improving migrant worker protections and labour market productivity. They provide ample guidance to inform national law, and to ensure inclusivity and help the integration of migrant workers and their families, including domestic workers in societies and labour markets.
* Labour migration governance mechanisms should serve to meet current needs but also help business and workers adjust and adapt to a changing employment and migration landscape, and require greater policy and institutional coherence.
* Strong linkages are needed between policies related to migration, employment, and education and training, and among the institutions at the national or regional levels in these areas, especially if the goal is to prepare a modern labour force equipped to meet future needs nationally or in a global market.
* Opportunities exist for strengthening tripartite-plus collaboration and social dialogue to facilitate decent and productive employment creation that would help local economies and the global labor market recover faster and through a more human-centered approach.
* Civil society and other stakeholders, particularly trade unions and business have much to contribute, but their potential has yet to be fully tapped through a whole of government and whole of society governance system.
* Skills development and recognition, social protection, the portability of social security entitlements, and wage protection systems are viewed as areas which should be strengthened under more fair and equitable migration frameworks, including to ensure that wages and end of service benefits are paid before workers return home. Building the capacity of trade unions and CSOs, including expanding migrant services and migrant resource centers, can be an important means to assisting migrant workers’ in the migration cycle, including access to justice, as can pre-departure training.

Guiding questions for discussion in the Roundtable could include:

1. What experiences or lessons can participants share on how they are improving their governance approaches and policies to be more human-centered and what lessons can be exchanged on new strategies for monitoring and anticipating future changes and needs in labour migration, and a changing employment landscape?
2. What examples can participants share on successful approaches used at national or regional levels which promote a holistic approach to labour migration governance such as a ‘whole of government’ and ‘whole of society’?
3. What elements would be necessary to make approaches successful in promoting greater stakeholder engagement at national, bilateral or multilateral levels having migrants at the centre of their strategies?
4. ***Data and migration governance***

Data deficits exist at all levels, particularly data disaggregated by occupation and gender, creating barriers to well informed policy-making, including to address the specific needs of groups in vulnerable situations, such as women and youth migrant workers. Predictingfuture migration needs is ever more challenging without robust data collection systems and data sharing that can benefit migrants and businesses.

These challenges are exacerbated by the level and diversity of the definitions and statistical methods being used by origin and destination countries and across regions. These can cause confusion and detachment of policies from the realities on the ground.

Labour market information systems in many countries are often weak and not supportive of business needs, and data on employment opportunities in sectors or occupations is not well known by migrant workers in origin countries, making them reliant on labour brokers that may charge high fees or put them at risk of situations of human trafficking or forced labour. The lack of data also puts small and medium enterprises (SMEs) in many countries at a disadvantage in filling labour market shortages that can boost their productivity.

A number of recommendations for improving data collection emerged from the consultations.

* Data should be collected in origin and destination countries alike with a view to providing medium and longer term monitoring of movements and trends that can inform national and international skills needs for the future, and which better links to education and training, and the needs of migrant workers, including women and youth.
* Countries can take advantage of new statistical definitions, standards and guidance developed by the International Conference on Labour Statisticians and ILO which would better harmonize and make consistent regional and global data on labour migration. Good practice models are emerging as countries utilize the new standards and guidance.
* Countries can invest in modernizing their labour market information toolsand institutions, engaging business more actively and sharing information or building platforms accessible by workers and employers, including SMEs, across migration corridors. Support for mechanisms such as job sharing platforms and one stop skills-jobs centers are emerging good practices, and social dialogue can play a constructive role.
* Data should be diverse and can be effective when collected as well at sectoral level, especially sectors with emerging growth such as the care economy.
* Collecting better disaggregated data on labour force participation, particularly of women migrant workers can help future forecasting, training and understanding of labour shortages and skills gaps as well as migrants contribution to development.
* Migration narratives are also key to address through awareness raising, particularly as they can generate negative or positive views of migrant workers and their families in societies, and it will be important to “continue communicating the reality of migration” and enabling political debates to be based on solid evidence.
* Equally important will be providing provide information to migrant workers and host communities to strengthen understanding and tolerance, as well as on the benefits migrant workers bring to host communities.
* There are opportunities to collect data at national and regional level to support specific SDG targets i.e. 8.8 and 10.7, such as ILO and WB partnership to support member States in collecting recruitment costs data to support SDG indicator 10.7.1.

Guiding questions for discussion in the Roundtable could include:

1. What are the most significant gaps in available data and analytical tools, and which should be priority focus areas for policy-makers?
2. What is the role of dedicated research in policy formulation?
3. How can standardized data collection and surveys better help policy-makers meet the needs emerging from COVID-19 impacts, with a view to anticipating the future of labour migration?
4. **Regular migration pathways, skills and job matching**

With many borders closed during the global pandemic, a question remains as to when and in what way countries will reopen regular migration pathways. Post-COVID-19 responses may accelerate restrictions and limitations to such pathways, or focus more on migrant workers with skills in essential jobs or sectors while diminishing others in terms of skills needs. Business has a large role to play in engaging in the dialogue about its needs, though its capacity and opportunity for such engagement could be strengthened. It may be that the demand for skills and labour around the world will intensify as businesses and economies seek to build back more quickly, particularly if financial support to business expands, but full recovery if at all will likely take many years and what that ``recovery`` will look like is uncertain. Will past business models revert to their form pre-COVID-19 and if not, how will this affect demand for national and migrant labour? In some sectors there may emerge a shift to automation, and emphasis on knowledge economies. The increasing dependence on technology and automation could diminish some but create other jobs, and there may be demand for new skills or different skills sets. Countries should invest in preparing their workforce, including men and women migrant workers, at all skills levels for emerging opportunities. A number of recommendations emerged from prior consultations:

* Skills mapping in origin and destination countries is a key tool, particularly to understand the national level of skills and talent and to promote better jobs and skills matching.
* Adopting skills development and skills recognition systems at national level and across migration corridors through skills partnerships will be critical for destination and origin countries, particularly to anticipate large numbers of returning migrants.
* Building the capacity of Ministries of Labour and Public Employment Services to monitor and counsel migrant workers in destination as well as origin countries can help with better skills and jobs matching.
* Policies that promote regularization of undocumented migrant workers and facilitate mobility of migrant workers, e.g. to change employers as labour market dynamics change or to ensure greater rights protection have been highlighted, and in some cases already utilized in addressing COVID-19 pandemic impacts.
* Improving fair recruitment among labour brokers across migration corridors can also ensure greater migrant workers protection and job matching.
* Intercompany transfersand apprenticeships were raised as means to help build skills.Intercompany transfers and migration pathways would be best if linked to economic growth.
* Expanding capacity through, for ex., training workshops to exchange on innovative or emerging migration schemes could facilitate transition to rights-based admission and visa schemes.
* Broad partnerships through national and regional platforms that engage the voice of all relevant stakeholders in dialogue should be fostered as whole of society approaches.
* Temporary or circular migration schemes should ensure they meet decent work conditions.Skills partnerships such as the Global Skills Partnership of ILO, IOM, UNESCO, IOE and ITUC are developing good practice models.

Technology has a clear role in migration governance. It can be used, if well governed, to improve rights protections and more regular pathways. State to state cooperation, for example, through some e-visa or payment systems can eliminate fraud and abuse of labour brokers or nonpayment of wages by employers, and help ease costs of remittance transfer. E-visa and governance mechanisms could be examined further to build more fair, effective and regular migration pathways, particularly through human-centered approaches that lend more consistency and predictability in governance across migration corridors.

Guiding questions for discussion in the Roundtable could include:

1. What are emerging practices in opening further avenues for regular migration pathways, and what is needed to further expand these opportunities, and strengthen information sharing between origin and destination countries?
2. What lessons can be shared on how policy-makers, business or other stakeholders are managing their institutions and systems to improve skills and jobs matching nationally or across borders and migration corridors, and for return and reintegration of migrant workers?
3. What examples can participants share on how they are tailoring their admission and visa schemes to meet present and future needs and challenges?
4. **Partnerships, International and bilateral cooperation for improved labour migration governance**

International and bilateral cooperation between countries on labour migration and mobility schemes, including through rights-based bilateral labour migration agreements (BLMAs) will continue to play an important role in ensuring businesses meet labour market needs and that migrant workers’ rights are protected, including through the process of their return and reintegration.

Regional harmonization of migration frameworks, such as through free movement protocols, has been viewed as largely positive if effectively implemented. There is scope for other regions or subregions to consider adopting or reinvigorating such frameworks.

International cooperation is critical to making labour migration governance fair and effective. It is important for example to ensuring proper systems in place for the recognition of qualifications and prior learning of migrant workers in destination and origin countries. Fostering labour protection, policy coherence, and inter-institutional cooperation becomes urgent in the context of the Covid-19 pandemic and its impact resulting in large scale returns of migrant workers.

Recommendations on improving partnerships emerged from consultations in the regions and include:

* Platforms can be effective means for transferring knowledge and good practices, building capacity of member states and stakeholders and fostering innovation. GFMD and ADD among others (Colombo Process and RCPs), could scale-up work to promote exchanges within regions or across regions in targeted migration corridors which emerge post-COVID-19 and should engage a wide level of stakeholders.
* Stronger partnerships and coordination amongst UN structures at regional and country level can yield benefits to policy coherence and governance, and the UN Network has a role to play in supporting implementation of the GCM. UNCTs are already strengthening cooperation and in some cases UN agencies are already working closely together, e.g., Joint Labour Migration Programme in support of the AUC in partnership with ILO, IOM and ECA. Other agencies programmes operate alongside and could benefit from greater synergies.
* ILO`s Decent Work Country Programmes have been highlighted as key frameworks for strengthening labour migration governance at country and regional level including in consideration of COVID related challenges. In Africa for example new sub-regional Decent Work Programmes for Southern African Development Community (SADC) and for Western Africa Economic Community (ECOWAS) are being developed. Some DWCP include outcomes relevant for labour migration and migrant workers i.e. Ethiopia DWCP 19-20, Lesotho DWCP 2018/19- 2022/23 and Togo 2019-22. Likewise, other UN agencies have programmes at country and regional levels which could be better coordinated
* Partnerships are also essential for establishing systems for the portability of entitlements, and social protection, within and across regions, and to help countries move toward realizing the 2030 SDG commitments.
* Partnerships at national and regional level that engage municipalities can produce large dividends as they serve as frontline communities to support business and migrant workers and can act more swiftly to adapt to changing local labour market needs. This will require more investment in capacity building of municipal authorities to implement migration norms, and to adopt models which enhance business productivity.
* Cooperation both at the national and municipal level is key as well in addressing the reintegration of returning migrant workers into the labour market, including through actions favouring skills recognition and skills matching.
* Partnerships can also raise awareness of the contribution that migrants are bringing across different sectors. Scaling up of promising approaches could be done through more cross border and international awareness raising, and collaboration among a diverse group of stakeholders as identified in the GCM.
* There are experiences emerging from partnerships not just between states but among businesses and employers’ organizations, workers’ organizations and trade unions across migration corridors. These partnerships can support social dialogue as governments develop new policies and programmes. There was broad agreement on the need to improve transparency, consistency and efficiency of regulatory frameworks as means to foster more regular pathways for migration.
* Global Compact for Safe, Orderly and Regular Migration (GCM) as framework for enhancing cooperation – opportunities for stronger synergies

Guiding questions for discussion in the Roundtable could include:

1. What lessons can be shared on bilateral, regional and global cooperation, such as through the use of BLMAs or other partnerships, which can strengthen labour migration governance toward anticipating and addressing future demands?
2. How can multi-stakeholder partnerships promote human-centered approaches and international standards toward more effective governance?
3. What are synergies that can be shared on support of UN agencies through joint collaboration in UNCTs, UN Network on Migration or under their own programmes to enhance synergies at national and regional level?

***Annex. Experiences and partnerships shared through regional consultations***

* The **AU** Joint Labour Migration Programme(JLMP), a partnership effort of AUC, ILO, IOM and ECA supports RECs in updating labour migration governance systems for the implementation of free movement protocols. The AUC is implementing pilot programmes including in areas of fair recruitment and social security portability targeting **North Africa** Public Employment Services (RSMSS project).
* **ECOWAS** provides regional coordination promoting measures for employment as part of the pandemic responses.
* **Morocco** has extended protections to migrant workers during the pandemic, and provides access to social protection to migrant workers’ under BLAs. In the context of the of the ILO Centenary “one for all” ratification campaign, Moroccodeposited the instruments of ratification for three ILO conventions including the ILO Migration for Employment Convention (Revised) (No. 97) and the ILO Social Security (Minimum Standards) Convention (No. 102).
* **Bangladesh** is strengthening partnerships with banks to help migrant workers better reintegrate and recover their wages and entitlements, is planning to adopt a new reintegration strategy based on findings of the rapid assessments conducted with the support of ILO.
* Business representatives indicated the **Estonia**`s labour migration scheme as an interesting model which can support business in emerging from the crisis.
* The National Institute of Migration of **Dominican Republic** carried out a study “Promotion of livelihoods for the Venezuelan population in the Dominican Republic” in coordination with ILO and UNHCR which provides a detailed analysis of the job profiles and skills of Venezuelan migrants in the country, as well as protection and regularization measures aimed at avoiding labor informality and facilitating insertion in the health, education and tourism sectors without creating competition with national workers.
* The Government of **Indonesia** (GOI) is strengthening efforts to ensure that returning migrant workers can access decent work by promoting entrepreneurial trainings and supporting sustainable reintegration. Based on the Indonesian Labor Law in 2017, the GOI is committed to empower returning migrant workers providing them with social and economic protection. Through the “Productive Migrant Village Program” established by the GOI Ministry of Manpower returning Indonesian migrant workers can access entrepreneurial trainings in their cities of origin and receive incentives to initiate businesses. The GOI Ministry of Foreign Affairs has also developed training for entrepreneurships and financial management for migrant workers abroad and those returning. According to GOI data, as of 18 September 2020, there were 150,287 Indonesian migrants who had to return due to the pandemic most of them facing unemployment. Through the “Pre-Employment Card” Program on line training is offered enabling migrant workers to upskill. Once trainings are completed participants are entitled to receive incentives as an employee or as entrepreneur.
* **The Philippines** on a national level has instituted programmes for migrant workers abroad that provide social and economic support, including on return, and consular support for access to justice. The **City of Naga (Philippines)** strengthened partnership between local authorities, national agencies and other stakeholders to address the reintegration challenges.
* **Spain** shared lessons emerging from broad supports it is providing to migrant workers and refugees, ensuring equality of treatment, access to social protection and regularization.
* Fifty Member States participated in a series of workshops leading to the development of the 2nd edition of the Report on labour migration statistics for **Africa**. This builds on the work conducted by the AUC with the support of ILO, IOM, UNECA.
* Experiences were shared on awareness raising programmes conducted in the **GCC** to help migrant workers preparing for return in an orderly and fair fashion.
* A number of governments, including the **United Arab Emirates,** shared that they had introduced protection measures during the COVID-19 pandemic, including free testing and treatment regardless of migratory status, extension of visas, food-distribution, and employment mobility.
* **Johannesburg (South Africa)** is strengthening partnerships between local and national authorities to address the changing impacts of local labour markets and migrant worker needs.
* **Lampedusa (Italy)** and other local authorities are involved in the project “Snapshots From The Borders”, an active network bringing the voice of the reality of migration from the periphery to the center, aimed to improve the critical understanding on global interdependencies determining migration flows towards European borders.
* The administration of **Sfax (Tunisia)** is committed to work with all levels of government for the integration of migrant workers and requires appropriate ``know how``.
* The **South Asian Employers Association** is working with the ASEAN employers groups to develop a skills passport enhancing regional harmonization on skills in specific sectors.
* The **Legal Clinic on Migration and Citizenship – of the Rome University** provides legal advice to the public strengthening the link between academic community and vulnerable migrants
* The **Global Skills Partnership on Migration** coordinated by UNESCO, ILO, IOM, IOE, and ITUC provides a unique platform to: respond to the dynamic changing landscape and changing needs of labour shortages and sectors; promote investment, including at local cities level, in access to skills development and anticipation of skills needs, linking education and training institutions to migration institutions.
* The work of the **UN Network on Migration**, including through its working groups such as the one on Bilateral labour migration agreements led by ILO and IOM, is enabling access to new guidance for pilot testing develop by the UN system.
* The **UN Major Group on Youth** and the OECD co-lead the **KNOMAD thematic working group on youth** and reiterate the key role and potential of youth and young migrants in bringing innovation and skills.
* The **OECD Network of Communication Officers on Migration** (NETCOM) provides a space to discuss communication objectives in the area of migration.
* **ILO** has developed key guidance on skills and prior learning recognition to be tailored to regional and national contexts[[6]](#footnote-6)

1. <https://www.gfmd.org/gfmd-2020-regional-consultations-thematic-note-governance-labour-migration-context-changing> [↑](#footnote-ref-1)
2. ILO Global Estimates on International Migrant Workers – Results and Methodology*.* 2nd ed. International Labour Office - Geneva: ILO, 2018*.* Available at: <https://www.ilo.org/global/publications/books/WCMS_652001/lang--en/index.htm>. [↑](#footnote-ref-2)
3. Id. [↑](#footnote-ref-3)
4. ILO Monitor. COVID and the world of work. 6th edition, <https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_755910.pdf>. [↑](#footnote-ref-4)
5. Covid-19 crisis through a migration lens, World Bank KNOMAD (April 2020). <http://documents1.worldbank.org/curated/en/989721587512418006/pdf/COVID-19-Crisis-Through-a-Migration-Lens.pdf>. [↑](#footnote-ref-5)
6. ILO, How to Facilitate the Recognition of Skills of Migrant Workers: Guide for Employment Services Providers <https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_748721.pdf>; ILO, Training Employment Services Providers on How to Facilitate the Recognition of Skills of Migrant Workers: Facilitator’s Notes <https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_748722.pdf> [↑](#footnote-ref-6)