

Opportunities	Challenges	Practices
<ul style="list-style-type: none"> <li>• Adoption of employer pays principle – majority of recruitment fees borne by employer (also inclusion of this principle in BLAs or MoUs)</li> <li>• Development of labour migration policies, opportunities for consultation and multi stakeholder work (Afghanistan, Trinidad and Tobago)</li> <li>• Review of regulations covering recruitment of migrant workers (Trinidad and Tobago)</li> <li>• Communications on provision of new or revised laws regulating recruitment (Trinidad and Tobago)</li> <li>• Development of adequate regulations to address unfair competition (Adecco) – creating a level playing field for national and migrant workers as well as business</li> <li>• Technology – online apps; facebook used as mechanism to request support (free, easily accessible)</li> </ul>	<ul style="list-style-type: none"> <li>• Challenges to reduce recruitment fees and related costs</li> <li>• Definition of recruitment fees vs remuneration fees, especially for lower skilled work (Canada)</li> <li>• Kafala system and challenges of allowing workers to return (high fees paid for return to pay back recruitment fees paid by employer; exit permit requirements; high recruitment fees also paid by employers)</li> <li>• High recruitment fees paid linked to debt bondage (where does the money flow?)</li> <li>• Violation of labour and human rights during employment</li> <li>• Enforcement of BLAs and MoUs – role of MoFA</li> <li>• Rules set need to be enforced and cost of non-compliance needs to be high enough to act as a deterrent – how to make fair recruitment the most attractive option?</li> </ul>	<ul style="list-style-type: none"> <li>• Philippines: Database to link national monitoring bodies with local monitoring bodies to monitor payment of fees and related costs (rules for implementation to be drafted)</li> <li>• Philippines: national fund servicing first time job seekers to cover fees for documentation (birth certification, scholastic records, bureaucratic fees etc. will be free)</li> <li>• Philippines: Fund to draw free education for TVET and accreditation and assessment fees for Filipinos who wish to migrate</li> <li>• Philippines – government to government agreements for nurses, seafarers ie. skilled workers</li> <li>• Ethiopia: Stringent licensing requirements for private employment agencies; and deposit requirements (also Trinidad and Tobago)</li> <li>• Ethiopia: Development of BLAs or MoUs (also Nepal)</li> </ul>

Opportunities	Challenges	Practices
<ul style="list-style-type: none"> <li>• International guidance, including International Labour Standards (taking into account also national capacities)</li> <li>• Making laws public for international scrutiny</li> <li>• Multilateralism – regional and global mechanisms need to support bilateral initiatives (Nepal – Colombo Process)</li> <li>• Migrants returning with new skills – new job or enterprise development opportunities need to be fostered (how to disseminate job opportunities for workers returning home or implement appropriate training opportunities)</li> <li>• Integrating fair recruitment principles into BLAs and MoUs</li> <li>• Social Justice at heart of the discussion, safeguarding the right of individuals to decent work – equality of treatment between migrant workers and nationals</li> </ul>	<ul style="list-style-type: none"> <li>• Information dissemination on government regulations/initiatives to the private sector</li> <li>• Resources for certain initiatives</li> <li>• Access justice: needs to be effective and speedy and facilitation of access to justice even upon the migrant workers return home</li> <li>• Need to strengthen labour protections, conciliation and mediation mechanisms in countries of destination</li> <li>• Reducing costs of legal remedy</li> <li>• Outreach of private sector engagement (reaching those outside of the radar) – how to adapt tools to different actors with unique challenges</li> <li>• How to create incentives for using fair recruitment agencies (making it mandatory is difficult)</li> <li>• Talent/skills gaps</li> <li>• How to discourage ‘overpayment’ of recruitment</li> </ul>	<ul style="list-style-type: none"> <li>• Improvement of consular services (Ethiopia, Nepal (support to access grievance mechanism)),</li> <li>• Guatemala: recruitment of workers to the Canadian agricultural sector – information dissemination</li> <li>• Lebanon – new online application to access grievance mechanisms (migration service for development)</li> <li>• Colombia – equality of treatment in terms of access to judicial system to address violations of labour regulations</li> <li>• Unilateral efforts to guarantee wages of migrant workers (Nepal)</li> <li>• Access to information through migrant resource centres (Afghanistan)</li> <li>• Philippines: joint and solidary liability between recruitment agencies and employers</li> <li>• IRIS pilots – Canada provincial-level pilots with Philippines</li> </ul>

Opportunities	Challenges	Practices
<ul style="list-style-type: none"> <li>• Empowerment and voice of migrant workers (e.g. community associations), also through pre- and post- arrival orientation on rights and obligations, access to support services. Integrating migration information into curricula – eg. higher education and technical qualifications.</li> <li>• Cultural orientation on the part of employers.</li> <li>• Capacity building of consular officers e.g. to understand labour laws in host countries (Jamaica)</li> <li>• Ratification of 1990 convention on migrant workers (Venezuela)</li> <li>• Multitude of private sector initiatives</li> <li>• National employers’ organizations – facilitate dialogue between SMEs and governments</li> <li>• Engagement at city level – cooperation between cities of</li> </ul>	<p>fee when workers competing for positions?</p> <ul style="list-style-type: none"> <li>• Recruitment of nationals in a third country – risks of trafficking in persons</li> <li>• Access to justice – how to pursue the right people? How do we identify who is doing the recruitment and reach them with justice?</li> <li>• Does upskilling really lead to better protection? Does it address the power balance between a worker and an employer?</li> <li>• What is the real cost of recruitment? What is the cost of filling one position (taking into account turnover) ?</li> <li>• Do we only need incentives and regulations to push for fair recruitment?</li> <li>• Unique challenges for recruitment of domestic workers vis a vis recruitment of high skilled workers</li> </ul>	<ul style="list-style-type: none"> <li>• ITUC migrant recruitment advisor – use of technology to rate recruitment experiences</li> <li>• CSO is also providing pro bono services</li> <li>• Philippines-Bahrain – insurance program for domestic workers</li> <li>• FLA USA – working with brands to push for fair recruitment practices</li> <li>• Mexico-Canada – temporary labour migration program, run by MOL Mexico – govt recruits, selects and links workers and enterprises in the agricultural sector</li> <li>• Mexico – migrant caravan from central America, migrants have right to access labour market</li> <li>• Bahrain – licensing of recruitment agencies; revocation of licenses and pursuing cases in situations of trafficking in persons (deposits, employment contract copies, auditing of employment contracts, hotline to receive</li> </ul>

Opportunities	Challenges	Practices
<p>origin and destination; insertion projects at local level</p> <ul style="list-style-type: none"> <li>• Disseminating information for national employment opportunities at the same time as migrant related opportunities, especially to address skills shortages</li> <li>• Consumer pressure – exposing unfair recruitment and unfair labour practices, linked to reputational risks</li> <li>• Learning from different sectors e.g. textile, that campaigned against recruitment of children</li> <li>• Government to government arrangements, avoiding the pitfalls of recruitment agencies</li> <li>• Information dissemination – investment to upscale</li> </ul>	<ul style="list-style-type: none"> <li>• Employment contract substitution</li> <li>• Need to guarantee access to consular services (and consulates to know the employers)</li> <li>• New recruitment trends – recruitment via social media. Difficulties in regulating this.</li> <li>• Effectiveness of pre-departure training depends on context/environment of departure of workers e.g. limited time is spent on discussing rights and access to grievance mechanisms. Who should be delivering this training?</li> <li>• Countries of origin must be familiar with the labour law and labour market situation in countries of destination and have contacts with local authorities</li> <li>• Are regulations or requirements limiting the operation of fair recruitment agencies or</li> </ul>	<p>complaints, service desk for receiving complaints from employers, labour inspection 4 times per year, record of complaints, DW – tripartite contract between recruiter, employer and worker; coordination with embassies</p> <ul style="list-style-type: none"> <li>• France: respect of rights regardless of migrant status e.g. access to health care; anti-discrimination campaign in different sectors</li> <li>• Post arrival training by consulates; networking facilitated by consulates and local NGOs or associations</li> </ul>

<b>Opportunities</b>	<b>Challenges</b>	<b>Practices</b>
	<p>discouraging workers from accessing regular channels?</p> <ul style="list-style-type: none"><li>• How to use GCM process to generate political will to put in place the resources required to implement or upscale pilot initiatives to move from pilot to regular programmes (review modalities can socialize some of these issues through sharing of good practices and voluntary reporting)</li></ul>	

Thematic Session 3: Promoting Fair and Ethical Recruitment and Decent Work – GCM Objective 6