

ILO proposal for consideration by delegates present at the Abu Dhabi Dialogue

Context:

In today's globalized economy, workers are increasingly looking for job opportunities beyond their community or home country and the recruitment and employment of workers across global supply chains is ever more common. In addition, millions of workers migrate in their own countries in search of decent work. Private employment agencies, when appropriately regulated, play an important role in the efficient and equitable functioning of labour markets.

However, concerns have been raised about the growing role of unscrupulous employment agencies, informal labour intermediaries and other operators acting outside the legal and regulatory framework that prey especially on low-skilled workers. Reported abuses involve one or more of the following: deception about the nature and conditions of work; contract substitution, retention of passports; deposits and illegal wage deductions; debt bondage linked to repayment of recruitment fees; threats if workers want to leave their employers, coupled with fears of subsequent expulsion from a country. Despite the existence of international labour standards relating to recruitment, national laws and enforcement often fall short of protecting the rights of migrant workers.

Also, despite promising practices with regards to migration management systems in both countries of origin and destination, these systems tend to operate in isolation of each other rather than in an interlinked and harmonized manner.

ILO Global Response

At the global level, ILO has launched its Fair Recruitment Initiative (within the broader framework of its Fair Migration Agenda¹).

The initiative aims to:

- Reduce labour migration costs and enhance the development gains;
- Prevent abuse in the recruitment process and protect workers rights;
- Improve regulation and strengthen oversight of private recruitment and placement agencies.

ILO proposal for Asia-GCC collaboration on Fair Recruitment

In the context of the Abu Dhabi Dialogue and the ILO Fair Recruitment Initiative, the following is proposed:

¹ Which is underpinned by the non-binding ILO Multilateral Framework on Labour Migration, and related Conventions and other instruments, such as the new ILO Forced Labour Protocol P29.

Following studies by ILO and IOM (see their presentation on a research project), ILO will work with member States in the Asia-GCC corridor to develop pilot models of recruitment.

These pilot test models will devise practical ways to make recruitment fair, fast, cheap and transparent, such as by:

- Harmonizing and simplifying recruitment regulation throughout migration corridors (and thus link countries of origin and destination);
- Improving monitoring of recruitment and placement agencies throughout migration cycles;
- Simplifying immigration regulations (and thus reduce the need for recruitment agencies);
- Reducing the number of layers of intermediation and sub-agents involved;
- Creating transparency in recruitment costs.

These models will, to the extent possible, capitalize on promising practices at source or destination (but link them in one system from origin to destination).

To the extent possible, these models will also capitalize on modern Information Technology (such as E-recruitment, Skype interviews, interlinked data bases, and crowdsourcing technology to report overcharging).

Robust review and evaluation mechanisms will enable the documentation of promising practices and lessons learnt to be shared during future Abu Dhabi Dialogues for replication elsewhere.

Proposed text for consideration by delegates of Abu Dhabi Dialogue

While selected countries of original and destination are sought to work with ILO to develop these models, ILO proposes the following text for consideration in the Outcome statement of the Abu Dhabi Dialogue:

Members of the Abu Dhabi Dialogue express support for ILO's Fair Recruitment Initiative, including its plan to pilot test practical model approaches of recruitment in the Asia-GCC corridor by linking, harmonizing and simplifying recruitment governance mechanisms among selected countries of origin and destination.