



ILO input to the World Public Sector Report Chapter 5 – Addressing the multiple dimensions of international migrations for leaving no one behind

By way of this submission, the ILO is responding to the [call for contributions](#) to the World Public Sector Report 2017 through submitting a contribution to Chapter 5 - Addressing the multiple dimensions of international migrations for leaving no one behind. In doing so, the ILO has responded to the 7 guiding questions, drawing on specific examples to illustrate responses.

1. What are examples of comprehensive, cross-sectoral national strategies and plans at the national level addressing cross-sectoral issues in relation to immigrants and refugees (in origin, transit and destination countries)? What sectors and linkages do they cover, and what is the role of public institutions in implementing these strategies?

- In **Jordan**, as part of the Jobs Compact developed and being implemented to facilitate access of refugees to the labour market, the EU has agreed a revised trade agreement with Jordan that seeks to relax the rules of origin in the context of Jordanian exports to the EU Single Market. This agreement will open up new export markets to Jordanian and foreign businesses in the Jordanian Special Economic Zones and is accompanied by a regulatory framework that encourages the employment of refugees in these new sectors. The agreement will require the full engagement and involvement of key public institutions relating to trade, skills development, labour administration and inspection, etc., in order to ensure the effective application of these strategies. This highlights the critical importance of policy coherence but further focuses on the key issue of job creation in the refugee response. It is vital that job creation efforts benefit refugee and host community populations.
- The establishment of labour migration governance frameworks that link employment and migration policies is a continuing area of need for support to constituents. ILO is working on a guide to ensure greater coherence between employment and migration policies. Labour migration policies developed through social dialogue, based on international labour standards, and on gender equality and non-discrimination principles can maximize the benefits of labour migration. As a result of ILO support for increased capacity to engage in evidence based policy making in the past two years, 11 countries drafted or have revised policies and legislations on labour migration. These policies address, amongst other issues, governance of labour migration, protection of migrant workers, skills matching and access to skills development opportunities, bilateral and regional cooperation.
- Policies and legislation also serve to strengthen public institutions working on migration issues: For example, in **Ethiopia**, The Government of Ethiopia adopted the Overseas Employment Proclamation 923/2016 in February 2016 and supported disseminating and raising awareness on the proclamation. The Proclamation has resulted in the establishment of a directorate within the Ministry of Labour and Social Affairs (MOLSA) that deals specifically with issues of overseas employment and governance of labour migration. The proclamation has introduced requirements for bilateral labour agreements, stricter requirements for licensing of Private Employment Agencies, minimum education and skill levels of migrant workers, and calls for the appointment of labour attaches in countries of destination.

- Action plans to implement labour migration or migration policies were also adopted and revised in 5 countries in order to concretely implement and monitor progress of labour migration policies. For example, in **Cambodia**, the “Labour Migration Policy and Action Plan for Cambodia 2014-18” was adopted by the Ministry of Labour and Vocational Training in 2015. In 2016 a tripartite assessment of the implementation of the policy was completed and showed progress toward key policy goals and a work-plan for 2017 was completed. The 2017 assessment is planned for the final quarter of the year. This review will measure the 2017 implementation of the Action Plan and encourage and maintain accountability to the Policy.
- 2 countries also recently adopted policies on return and reintegration (Ethiopia and Sri Lanka) to support the socio-economic reintegration of returnees. In **Sri Lanka**¹, this sub-policy contains specific strategic intervention in support of social reintegration, economic reintegration, physical and psychological wellbeing of returnees and their family members, mobilization and empowerment of migrant returnees, and the effective management of the return and reintegration process. It was specifically drafted by the Ministry of Foreign Employment and the Sri Lanka Bureau of Foreign Employment, with a wide range of a wide range of stakeholders representing sector ministries and agencies contributed to the process. Furthermore, the implementation plans are linked with a number of ministries mandates, including Ministry of Health, Provincial councils and local authorities, District Secretariats, Divisional Secretariats, Ministry of Mass Media, Mo Finance, Mo Policy Planning, among others.
- In **Ethiopia**, the return and reintegration package was developed and validated in cooperation with a number of relevant government departments and relevant agencies, including the Ministry of Labour and Social Affairs, Ethiopian Employers Federation, Confederation of Ethiopian Trade Unions, Technical Vocational Education and Training department, Ministry of Foreign Affairs, National Anti-trafficking taskforce, Micro and Small Enterprise agency, Oromiya, Amhara and Tigray regional president’s office, UN agencies and donor community in August 2017.
- Establishing and effectively regulating Fair Recruitment processes is a key issue often linked with migration strategies - ILO–KNOMAD research this biennium revealed that recruitment costs can equal a year’s salary and other costs to migrant workers such as deficiencies in health, income, and working conditions can represent 27% of total actual wages. In line with the recently adopted General Principles and Operational Guidelines for Fair Recruitment, ILO supported governments to more regulate recruitment practices and supported the introduction of policies that address: prohibit charging of fees to workers (Thailand); licencing and self-regulation of recruitment agencies (Viet Nam); support access to complaint mechanisms (Cambodia); strengthen recruitment practices of public employment services (Tunisia); enhanced capacity of trade unions to monitor recruitment and provide services to workers; and establishing a fair recruitment corridor (Nepal-Jordan in garment sector).

2. How do different countries ensure that migrant communities (including refugees) have access to basic services such as shelter, food, water and sanitation and electricity; to education and health; and to employment? What is the role of public administration in this respect?

- The role of public administration in the delivery of services to **refugees** is critical. The fundamental aim of refugee interventions is to avoid the creation of parallel systems and structures with the longer-term view of “building back better”. For example, in **Jordan**, the ILO has provided information and capacity building support to the local offices of the Department of Labour on the system of delivery of work permits to refugees that streamlines the process. In Turkey, the ILO has delivered capacity and

¹ Available at: http://www.ilo.org/colombo/whatwedo/publications/WCMS_497323/lang--en/index.htm

information sharing activities to the local public employment service offices to facilitate the delivery of these services to refugee populations. ILO and UNHCR are also collaborating in Jordan and other countries to review the system of delivery of social protection to refugee communities which will combine the humanitarian and development approach to direct humanitarian welfare resources through the national system and institutions. This requires the direct participation and engagement of these service institutions.

- Migrants often lack information about safe migration and rights at work, and have limited access to support services. To tackle this issue, ILO supports its constituents to run **migrant worker resource centres (MRCs)** in 34 locations in **South East Asia**, with public administration playing a key role. These centres have delivered safe migration information to 159,616 potential migrant workers, individualized support services to 13,360 (women=5,489/men=7,871) migrant workers and obtaining awards of US\$401,475 in compensation for labour rights abuses in 2016. A variety of partner institutions, including job centres within provincial labour departments, trade unions and civil society organisations, were involved in their creation. The project links the MRCs in certain migration corridors to ensure greater cross-border cooperation and provide migrant workers with assistance at all stages. In countries of origin, MRCs serve as focal points for potential migrants to obtain accurate information and counselling on safe migration and rights at work, as well as for lodging complaints against recruitment agents and employers. In destination countries, the MRCs provide legal assistance, serve as an accessible bridge to the local authorities and deliver training on various topics (e.g. occupational health and safety). In **Ethiopia**, the Ministry of Labour and Social Affairs helped the socio-economic reintegration of 10,047 returnees, and the “Community Conversation” program, run at the local level, provided safe migration information to 225,000 potential migrants.

3.Can you provide examples of national policies addressing issues linked with migration (for instance, brain drain in origin countries; access to education in transit or destination countries)?

- Introduction of Temporary Protection Regulation in **Turkey** which seeks to enhance protection and access to services for registered Syrian refugees inside Turkey. This includes access to labour markets, training and livelihoods to reinforce resilience and durable solutions for refugees in a protracted situation inside Turkey. This aims to strengthen social cohesion and stability through inclusive economic growth and social integration in a manner which does not disadvantage host communities. This highlights the importance of policy coherence.
- **Social protection:** Improving access to social protection for migrant workers and the portability of social security entitlements is an area that remains particularly challenging, and one where cross-border cooperation is essential. Recognizing that bilateral labour agreements can help to address these gaps, ILO published a paper on Migrant access to social protection under selected bilateral labour agreements, including good practices and policy guidance. A “how-to” guide on extending social protection to migrant workers was also drafted and modules piloted in various countries (Mexico, Costa Rica, an EAC conference) and at the ITC-ILO Labour Migration Academies in 2016 and 2017. The tripartite ASEAN Forum on Migrant Labour (AFML) discussed the theme “Better Quality of Life for ASEAN Migrant Workers through Strengthened Social Protection” and made specific recommendations on the extension of social protection, including portability, for migrant workers.
- **Skills recognition:** The ILO recently published new tools for skills recognition² of migrant workers. The tools draw on good practices from various countries, as well as ILO experience, to demonstrate ways employment service providers can make better use of Recognition of Prior Learning systems in their countries to the benefit of migrant workers and refugees. At the regional level, skills recognition schemes facilitate the mobility of workers within the Member States of regional development organizations through Mutual Recognition Agreements (MRA). For example, at the

² Available at: http://www.ilo.org/skills/pubs/WCMS_572672/lang--en/index.htm

Caribbean Community (CARICOM), the Caribbean Vocational Qualification (CVQ) is an approved award that represents achievement of a set of competencies which define core work practices of an occupational area, consistent with the levels articulated within the regional qualifications framework. CVQ is based on a competency based approach to training, assessment and certification of skills and/or competencies in attaining occupational standards that are approved by CARICOM and allow for easy movement across the region. CVQs are awarded to those applicants who would have met the required standards in all of the prescribed units of CARICOM occupational standards. Applicants may earn unit towards achieving a complete CVQ.³ At the national level, **the Philippines** has established a Skills Registration Database for returning migrant workers in Davao province. Six government agencies under the leadership of the Technical Education and Skills Development Authority (TESDA) oversee the Permanent Returning Overseas Filipino Workers Network (PeRSON). TESDA maintains the database and, together with the overseas Worker Welfare Agency, links their expertise to prospective employers or other useful services. Local government, industry, and training organizations recognize the workers as “heroes of the modern Philippine economy” and tap their expertise.⁴ Additionally, TESDA in partnership with the Philippines Department of Labour and Employment is setting up a database of skills in demand in all localities that will serve as the basis for offering training, retraining, and skills up gradation and certification.

- **Links with public employment services:** In an increasing number of countries, one of the main implementing bodies of national labour migration policies is the Public Employment Service (PES), usually decentralized through regional and local branches. The PES collaborate with the Ministry of Labour and social partners in its mediation functions in the labour market.

4. What are promising examples of institutional arrangements and policy initiatives at the national level to develop integrated approaches to international migrations and refugees? Can you provide examples of inter-agency cooperation in specific areas?

- Providing access to labour markets, training and livelihoods for refugees is often a new area of engagement for institutions based on policy initiatives at national level. An innovative approach in **Jordan** and **Turkey** to address refugee interventions has been to establish inter-ministerial bodies, often under the auspices of Prime Ministers' offices to facilitate the process. These bodies have included all relevant ministries, including for example, Labour, Social Protection, Education, Interior, Foreign Affairs, Health, etc. Central to any effective refugee approach is the realisation of its cross-cutting nature and the importance of designing and implementing a multi-sectoral, whole of government and societal approach. This multi-sectoral approach is reflected in the context of labour market approaches through the enhanced collaboration of the ILO and UNHCR on the ground. A revised MOU between ILO and UNHCR in July 2016 is being operationalised in a very practical manner through a joint action plan between the two agencies and joint technical activities in a range of areas, including livelihoods development, skills training, social protection, integration of public employment services, targeting women and youth, etc.

5. Can you provide examples of national-local government collaboration with respect to integrated policy making and public service delivery for immigrants and refugees?

- In **Jordan** and **Turkey**, policy and regulatory frameworks adopted at national level to support the access of refugees to labour markets and livelihoods are ultimately

³ Source: http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_572672.pdf

⁴ Source: ibid

implemented at local level through provincial and municipal authorities. These are the frontline responders and service providers in refugee movements and require capacity and competency development and access to resources to operationalise policy/regulatory decisions. The ILO has supported capacity-building activities of local government that includes awareness-raising of regional and municipal civil servants of national policy/regulatory decisions, including for example, on the delivery of work permits to refugees that involve streamlined processes or the role of public employment services in being authorised to receive enquiries and demands for services such as identifying employment or training opportunities.

- The migrant resource centres mentioned earlier are implemented at local level and by provincial departments of labour. For example, in **Cambodia**, the National Employment Agency established two additional Migrant Worker Resource Centres (MRCs) in two provinces - Kampong Thom and Kampot, reaching underserved populations of potential migrant workers. The MRCs are particularly effective in receiving and resolving returning migrant workers complaints. Three Department of Labour and Vocational Training (PDOLVTs), Kampong Cham, Battambang, and Prey Veng received 1,755 complaints in 2016 thereby promoting migrant's access to justice and compensation. Administrative penalties were ordered for application to some licensed private recruitment agencies.

6. What are innovative approaches (including partnership-based) to delivering basic public services to migrants and refugees in transit and host countries (including by migrants and refugees themselves and through community-based approaches to service delivery)?

- In **Jordan**, ILO and UNHCR have collaborated to engage the role and services of agricultural cooperatives to act as a medium to provide work permits to Syrian refugees working in this sector. This is crucial to overcome the challenges posed by a seasonal sector where farmers are reluctant to apply for 12-month work permits for activities where labour is required for 3 months or less. Through this innovative system, refugees receive work permits through the cooperative which then acts as an employment service to respond to the needs of local farmers. This facilitates labour mobility and ensures that refugees receive formal work permits. Refugees view work permits as an additional form of protection and this enables them to move where the work opportunities are.
- Partnership with and among **trade unions** can be used to deliver basic services to migrant workers and to protect them during employment. In 2017, Workers' organizations developed bilateral/regional trade union agreements between 5 countries in South America to coordinate their actions and promote ILO standards. Similarly, unions in Vietnam and Malaysia developed an action plan on the protection of migrant workers. In Malaysia, the Malaysian Trade Unions Congress (MTUC) and the CSO Tenaganita provided legal assistance to 412 migrant workers (138 men and 274 women) in 2016. Several others benefited from outreach, awareness raising and organizing activities. Financial literacy programs are being implemented in North Africa In Morocco, ILO reached 25 trainers from various organizations, including trade unions, CSOs and UNHCR, who are now replicating the financial literacy education trainings. In Tunisia, ILO trained 22 persons on financial education, who have subsequently reached 180 beneficiaries, including student migrants, and families of Tunisians who have migrated abroad.

7. What emerging trends, ideas and initiatives may shape future actions in this area?

- Global debates have highlighted the fragmented nature of migration governance, which can increase the risk of abuse and exploitation of migrant workers, especially women. The lack of cooperation and cohesion in migration governance was most evident during the recent experience of large movements of migrants and refugees, leaving many member States unable to cope fully. Recognizing the need for more

regional and international cooperation, the UNGA adopted the New York Declaration for Refugees and Migrants which has called for the adoption of two separate global compacts on refugees and migrants. In deliberations on the first ever Global Compact on safe, orderly and regular migration (GCM), governments have sought as a priority to consider decent work, labour migration and mobility. ILO is also collaborating with partners on work-related aspects to support for the complementary Global Compact on Refugees. The conclusions adopted at the 106th International Labour Conference in 2017 also provide further guidance on addressing governance challenges for fair and effective labour migration at national, bilateral, regional and interregional levels, and on fair recruitment.

- The importance of introducing development actions at a much earlier stage in refugee responses, including linking ongoing development support to refugees responses, has pushed humanitarian/development actors, governments and national and international partners to consider resilience-related responses and durable solutions. The development and strengthening of ILO's refugee response policy framework through the adoption of the Guiding Principles on the access of refugees and other forcibly displaced persons to the labour market and the adoption of ILO Recommendation No. 205 on Employment and Decent Work for Peace and Resilience will ensure that a more development focused response based on employment, livelihoods and training will be introduced more swiftly, efficiently and effectively. The ILO is also collecting, documenting and analysing experiences in refugees responses – particularly in the context of the Syrian refugee response – to better identify lessons learned and good practices to ensure a more rapid and effective response in future.
- A key phenomenon acknowledged by the ILO is that **Regional Economic Communities** and their governance frameworks can guide or influence effective and fair labour migration policies. ILO aims to work with member states and social partners to ensure that these governing frameworks are guided by relevant international labour standards, based on analysis of available data or assessments, gender-responsive, and developed in consultation with social partners. Some key developments to highlight in this respect would include:
 - A SAARC Plan of Action for Cooperation on Labour Migration was formulated and endorsed and a SAARC Technical Committee on Labour Migration was formed.
 - The tripartite ASEAN Forum on Migrant Labour made recommendations on the extension of social protection, including portability, for migrant workers.
 - Tripartite delegations from Egypt, Tunisia, and Morocco developed a programme for action to coordinate their efforts in governing labour migration.
 - The African Union inaugurated the Labour Migration Advisory Committee, to provide guidance on the governance of labour migration.
 - The Alianza del Pacifico developed a regional action plan on safe, orderly and regular migration.