

GFMD 2011 Concluding Debate, Geneva, 1-2 December 2011

Cluster I Summary Report ¹

Working Sessions on: *Labour Mobility and Development*

Cluster I of the GFMD 2011 thematic program focuses on some key development challenges of labour mobility that have emerged since the Forum first convened in 2007. Most challenges related to migration and development continue to arise in the context of labour mobility, ranging from the need to link up labour market and migration planning for circular, temporary and longer-term migration to the role of recruitment agencies and the private sector in better protecting mobile workers. In 2010, the GFMD addressed for the first time the critical issue of social and income security for temporary and circular migrants as a precondition for positive development outcomes. The specific situation of migrant women was also examined through the lens of the global care industry, where some of the most severe forms of gender-based discrimination and disempowerment of migrants are occurring.

GFMD 2011 narrowed the labour mobility and development discussion to three strategic areas in this broad and complex field, where smarter policies can make a difference. Building on GFMD debates that began in 2007, six workshops were held in Bangladesh, Dubai, Ghana, Jamaica, Nigeria and Switzerland engaging governments, civil society, private sector and international organizations.² They discussed the following practical strategies to make labour migration work better for the human development of migrants and families, and the economic development of their home and host countries:

1. *Engaging the private sector in labour market planning*
2. *Lowering the costs of migration for higher development gains*
3. *Global care workers at the interface of migration and development*

Sub-theme 1.1: *Engaging the Private Sector in Labour Market Planning*

Thematic meeting: *Markets for Migration and Development (M4MD): Trade and Labour Mobility Linkages – Prospects for Development?*,³ Berne, Switzerland, 13-15 September 2011

1. Introduction

Since 2007, the GFMD has discussed the misalignment between labour market needs (and planning) and migration policies/programs, and the implications for human and economic development in countries of

¹ This Cluster Summary was prepared in consultation with a government team comprising Bangladesh, Canada, Ghana, Indonesia, Jamaica, Nigeria, Philippines, Spain, Sri Lanka, Sweden, Switzerland, United Arab Emirates (UAE).

² The full reports of all thematic meetings under Cluster I are available on the GFMD website (gfmd.org).

³ The meeting was organized, hosted and funded by the Swiss Federal Office for Migration in collaboration with the World Trade Institute, University of Bern, and Business for Social Responsibility. There were 129 participants, including governments from various regions, international organizations, private sector, academia and NGOs.

origin and destination. Issues such as more linked-up labour market and immigration planning; better job-skills matching; transparent admission procedures; coherent and regulated recruitment and employment practices; and skills recognition have featured prominently on the GFMD agenda. But the dialogue often took place without such key actors as business leaders, employers and other labour migration brokers. The Swiss Chair in 2011 felt it was time to address these issues directly with the private sector.

The ‘M4MD’ meeting in Berne examined the migration, trade and development nexus broadly with a view to raising new questions and highlighting convergences and discrepancies in these three policy fields. In this respect, investment and trade policies were identified as areas that remain underexplored despite their known impact on migration flows. Participants discussed how to better respond to market demands for labour mobility and increase private sector involvement in public policy discussions on labour migration. They examined what types of agreements (bilateral, regional, multilateral), both trade and migration-focused, would be best suited to manage cross-border mobility.

2. Key Issues and Outcomes

Economists estimate that moving more workers from lower to higher wage countries could dramatically expand global economic output and bring gains for migrants, employers, and migrant-sending and -receiving countries. This needs to be better understood, documented and discussed publicly, since liberalising cross-border mobility remains a sensitive issue for many receiving countries, particularly at a time of global economic crisis.

In Berne, private sector representatives from destination countries stressed the importance of migration for national, regional and global competitiveness. Policy-makers agreed that in view of demographic change, particularly in the European context, frank discussions about the need for migration were essential. They were concerned over the private sector’s weak engagement in the public debate on the benefits of migration, and called on businesses to respond to their increasingly global “shareholder” base. Both public and private sectors have a stake in ensuring labour mobility occurs in ways that meet actual needs of sending and receiving countries, and its benefits are publicly understood.

Participants agreed that more effective government policy mechanisms were needed to ease cross-border mobility and facilitate international recruitment efforts, e.g. through visa facilitation and fast-tracking of cases), while at the same time factoring in the potential social and political costs of more migration. With companies expanding into different regions of the globe, the private sector also stressed the need for such mechanisms to facilitate international hiring of specialists and personnel at management level. As part of a comprehensive management approach, the private sector could also contribute to the development of countries of origin by enhancing the skills set of the local workforce, an issue seen as particularly important for the manufacturing and construction sector.

Governments need to share good practices that align industry demands with migration policy, e.g. through labour shortage lists, while ensuring that increased migrant labour complements rather than comes at the expense of local workers. To increase the competitiveness of the local workforce, and avoid both the reality and public perception of immigrants replacing local workers, private sector representatives were encouraged to invest more in workforce training. However, policy-makers highlighted the need also to consider non-economic variables, such as concerns over loss of identity of migrants and host societies, and the importance of integrating migrants into host societies, when responding to public concerns over large-scale migration in countries of destination.

Closely coordinating migration policy with economic, labour market and security policy was seen as the most promising way forward. This could also help close the gap between the short term planning needs of the private sector and the longer term approach to migration planning and processing of labour migrants

by the public sector. There are also often unnecessary bureaucratic obstacles posed by the requirements and procedures for visas, taxes and in some cases wage adjustments after a certain period of residence in the host country.

Multilateral trade agreements such as the WTO/GATS Mode 4 offer a means to liberalise the temporary movement of persons, but are often restrictive and lack adequate protective mechanisms for migrants. Bilateral agreements are possibly the most effective way of opening up work opportunities abroad, and negotiating favourable terms of work and wages; but they tend to vary widely in their impacts. Where bilateral migration agreements also include provisions for worker protection, they could serve as a basis for future multilateral agreements. The GFMD was seen as the appropriate forum to explore new avenues for such cooperation.

Regional arrangements for inter-state cooperation, inter alia on cross-border mobility, such as the EU, ECOWAS, MERCOSUR and ASEAN can also greatly influence the effects of labour migration on markets, development and migrants themselves. These could be enhanced by policies such as the intra-regional portability of social benefits or recognition of qualifications. But often practical obstacles stand in the way of regional mobility and its consequent financial and economic benefits, such as difficulties in obtaining a passport, or lack of basic infrastructure, resources or training.⁴ Regional arrangements have also not been able to offer prompt responses to the challenges posed by the global financial crisis. Part of the ineffectiveness of these entities may result from the economic hardships and constraints their member states are facing. Partnerships with the private sector may be all the more crucial, therefore, to strengthening the capacities of such entities to function more productively.

The conditions and business environments in countries of origin and destination are often not conducive to creating and strengthening the links between migration, trade and development. For example, brain-drain can be addressed by encouraging companies in destination countries to invest in training and employment generation in countries of origin. But economic and political instability in those countries may discourage such foreign investment in human development at origin, also by diasporas. Encouraging links between diasporas, sending-country governments and foreign entrepreneurs can help build trust and [economic] linkages between countries. Dual citizenship and portability of social benefits, which encourage mobility and “circularity” can reinforce such efforts. Employers and workers’ associations, diasporas and countries of origin and destination can all help prepare, implement and monitor agreements to improve such tools and place the migrant at the core of the process.

3. Core Messages to the Concluding Debate

In addition to the general outcomes and messages outlined above, the following **concrete outcomes/proposals** from the Berne meeting embody the core messages to the Concluding Debate:

- a) **Institutionalize a multi-stakeholder dialogue on labour migration**, including the private sector. The GFMD could provide a platform for cooperation and convergences.
- b) **Integrate migration policy into a holistic policy framework** involving development, labour, trade, investment, education, and social policies in origin and destination countries.
- c) **Explore new avenues to match labour supply and demand**. Labour market planning should involve a close dialogue with industry. Consider Public-Private Partnerships and monitoring and evaluation systems to hold private sector actors accountable for protecting human rights.

⁴ For example, ECOWAS’ efforts to use free movement as a tool for regional development have been hampered by heavy bureaucracy, language barriers, political instability and the absence of means to monitor implementation.

- d) **Encourage private sector investment in training opportunities** for local workforces to counter fears of local workers being replaced by migrant labour.
- e) **Capitalize on the unique knowledge of diasporas for development**; encourage links with industry, and investments in countries of origin; facilitate cross-border mobility through lower remittance costs, faster access to affordable passports, dual/multiple citizenship support to families back home, and portability of social security benefits; treat them as equal partners, and integrate them into a comprehensive policy framework for trade, development and migration.
- f) **Revisit the potential of regional trade agreements to manage migration**, i.e. via mutual recognition of qualifications, fast-tracking visa procedures, and allowing mobility to upgrade skills.

4. Questions to guide the Concluding Debate

- i) *How can governments better reflect private sector demand in both labour market and migration planning?*
- ii) *How can companies participate more in the development of countries of origin of migrant workers?*
- iii) *How can the private sector become more involved in international dialogue on migration and development issues?*

Sub-theme 1.2: Lowering the Costs of Migration for Higher Development Gains

Thematic meetings:

- a) *Recruitment of Workers for Overseas Employment*, Dubai, UAE, 18-19 January 2011⁵
- b) *Lowering Migration Costs in Collaboration with, and Developing a Model Bilateral Framework with Receiving Countries*, Dhaka, Bangladesh, 03-04 October 2011⁶
- c) *From Evidence to Action – Facilitating South-South Labour Migration for Development*, Abuja, Nigeria, 17-18 October 2011⁷.

1. Introduction

Since 2007, the GFMD has identified high costs of migration as one of the biggest obstacles to labour migrants fully realizing the developmental benefits of working abroad, particularly in temporary or circular migration situations. The Puerto Vallarta discussions and the GFMD Working Group on Protecting and Empowering Migrants for Development saw this theme as a priority for follow-up

⁵ The workshop was organized and hosted by the United Arab Emirates, in collaboration with ILO, IOM and OHCHR and supported by the Swiss GFMD Chair. There were 103 participants, including governments from Southeast and South Asia, Europe, and the Middle East; and international organizations, civil society, and recruitment associations and agencies from countries of origin and destination.

⁶ The workshop was organized and hosted by the Government of Bangladesh in cooperation with the Swiss GFMD Chair and IOM Bangladesh. There were 66 participants, including governments from Southeast, North and South Asia, the Middle East, Europe and the Americas; and international organizations, national and regional NGOs and other civil society organizations and international recruitment agencies.

⁷ The workshop was organized and hosted by the Government of Nigeria in cooperation with the Swiss GFMD Chair. IOM, the ACP Observatory on Migration and the ECOWAS Commission assisted the organizing committee. There were 99 participants, including representatives from Africa, Asia, the Middle East, the Americas and Europe; and international organizations, academia, civil society and private sector.

implementation, and identified a three-pronged approach to lowering costs and raising the potential gains of temporary/circular labour migrants for development: better regulating the labour recruitment industry; low cost up-front loans to migrants, and social security and income protection for mobile workers.

The Dubai and Dhaka workshops engaged governments, international experts and private sector representatives on how to better regulate the migrant labour industry, and lower the costs that can be levied on mobile workers by intermediaries, particularly recruitment agencies. The workshop in Abuja focused on south-south labour mobility – a reality of today’s migration patterns, often higher in numbers than south-north migration, but seldom discussed at the global level. It looked at the need for evidence-based labour migration policies, including tools to support them, and their implementation in this context.

2. Key Issues and Outcomes

High costs of labour mobility - especially recruitment costs, or the costs of uninformed migration, or lack of social and income protection while abroad and careful preparation for return home – can be a major obstacle to maximizing the developmental benefits of working abroad, particularly in temporary or circular mobility situations. Better regulating intermediaries such as recruitment agencies, and providing incentives for them to comply with regulations can improve the preparation and protection of temporary contract workers abroad. More evidence-based labour migration policies addressing south–south labour mobility, and the creation of strong partnerships for implementation with governmental and non-governmental actors, would set a legal and operational framework in which migrant workers can be better protected, and the costs of migration reduced.

The Dubai workshop examined labour mobility between South and South-East Asia and the Gulf Cooperation Council (GCC) countries, the role of private recruiters in facilitating this mobility and how sending and receiving countries can better manage the recruitment process for the benefit of all through separate and joint actions to regulate recruiters and their sub-agents, facilitate transparent contract exchanges and validation, and work together within a framework of regional cooperation. The Dhaka meeting looked at the causes of inflated charges to migrants during the labour migration process, including post-arrival costs, such as relating to “visa trading” or “visa selling” practices in some destination countries, which can throw migrant workers into debt. Both explored possible solutions to the high costs through a combination of regulations, incentives, information technology and regional cooperation.

The Abuja meeting sought to understand what labour mobility meant for all partners involved in a south-south context such as West Africa, where millions of migrants were undocumented and had limited or no access to social protection systems. Developing countries were struggling to extend protection on their territory, and generally excluded migrants, even if some form of protection did exist. There were gaps in available data and difficulties in formulating evidence-based policies, *inter alia* because of limited research capacities. A major obstacle to worker mobility in the “global South” was a lack of political will to implement existing measures such as free movement agreements, or to conclude bilateral labour agreements with social protection clauses. Many countries tended to apply highly restrictive immigration policies to migrant workers, including for professionals, even where there were shortages in these sectors. Where migration policies do exist, they are mostly not coherent with labour market needs.

Key foci for action in all the meetings were the following: better information for migrants, employers, recruiters and governments, including the situation of migrants in destination countries; validation of overseas work contracts; regulation of labour recruiters; counteracting visa trading or selling; low cost loans options for migrants; social protection for temporary contract workers; the impacts of migrant workers on local communities in countries of destination and their impacts on the families and communities back home. It was agreed in Abuja that registration campaigns for undocumented migrants

in destination countries could be a helpful way to better include them in protection systems. Information and support through consular offices and migrant resource centres are also key to preparing migrants for safe and cost effective return home.

Governments and expert agencies recognized the importance of regulating the international labour market, and the role recruiters and employers can play in moving workers across borders in more protected ways. Many protective regulations already exist, but do not always work on the ground. Some countries of destination instruct their employers to pay recruitment costs, and most migrant-sending governments prohibit or limit recruitment charges, but many employers and recruiters still prey on workers' willingness to pay for jobs abroad; and it is difficult to police recruitment fee regulations. There is also generally no regulation of the activities of sub-agents working for recruiters in countries of origin. These are challenges for all the stakeholders – employers, contract workers, and governments alike.

Government actions that have worked include regulations to monitor recruitment agencies and hold them jointly liable with employers if contracts are not adhered to (Philippines), and mainstreaming local sub-agents by registering them as service providers and holding recruitment agencies responsible for managing them (Sri Lanka). The United Arab Emirates (UAE) has new regulations to prohibit UAE-based recruiters from charging contract workers for jobs, and under the Wage Protection System now requires employers to deposit contract worker wages in UAE-based banks to expedite the resolution of wage disputes.⁸

It was agreed that relevant ILO instruments, such as Convention 181 on Private Employment Agencies, provide effective guidelines to regulate recruitment activities. Information and enforcement campaigns can make examples of violators; but there are many ways to evade enforcement and make its long-term impacts uncertain. Regulation may well work best when it combines penalties for non-compliance with incentives for compliance with the rule of law (such as lower fees on recruiters, faster processing of cases, self-regulation, etc.) Also self-regulation through codes of conduct may work best if linked to incentives (e.g. expedited registration procedures for compliance). Countries of origin could thus foster competition among recruiters and increase the market share for the best performing recruiters. Promoting competition in ways that ensure basic safety standards could help protect migrants and lower recruitment costs.

Visa sponsorship systems (such as the “Kafala” in most GCC countries) were seen as susceptible to abusive practices and contributing to migration costs. Government and civil society participants in Dhaka called for a review of this practice in order to address the root causes behind the prevalence of illegal channels for visa distribution. Promoting skills-matching, including for low-skilled workers, and smarter use of information communication technologies (e.g. for online registration and contract validation) by origin and destination countries could be effective responses to illegal visa trading.

It was agreed that new technologies can help lower costs and increase protection, but that such technology is not yet accessible in some parts of the world. In a number of countries of origin, electronic databases enable tracking of contract workers during the recruitment process, government oversight of the recruitment process, and easier resolution of charges of unpaid wages. Government agencies in countries of origin can check databases in receiving countries to ensure employers and jobs are legitimate and visas have been issued properly.⁹ Accurate data on the circumstances of workers abroad, and access to these by countries of origin are also critical for rapid responses in times of crisis.¹⁰

⁸ The UAE also now requires UAE-based recruiters who provide contract workers to third parties to deposit Dh1 million (US\$270,000) plus Dh2,000 (US\$540) per employee; to be used if the employer fails to pay their wages.

⁹ An electronic contract validation system is being developed by India and UAE, and in Dubai it was proposed that this could be evaluated, modified as appropriate, and adopted in other contract worker corridors.

¹⁰ This was also discussed in the thematic meeting on Migration Profiles in Manila, 20-21 October 2011.

Collaborative frameworks were considered essential to promote cooperation on all above initiatives. A host of good practices already existed, from bilateral agreements and Memoranda of Understanding between sending and receiving countries to regional cooperation frameworks. The Dhaka meeting noted that under the more successful bilateral agreements, recruitment costs are covered by the employer rather than the worker, and accommodation is provided for at destination. Some countries of destination also invest in training the workforce in the country origin, also as part of bilateral labour exchange agreements.¹¹ But proper methods were needed to better implement and enforce bilateral agreements.

One concrete outcome of the Dubai workshop was a draft framework of regional cooperation on recruitment practices across the greater Asian region, prepared by the UAE and presented by the GCC countries of destination to the Colombo Process in 2011 for consideration by its member states in the context of the wider Abu Dhabi Dialogue.¹² To promote dialogue and cooperation on fostering safe and productive labour mobility in Africa, the Abuja meeting recommended that South-South migration remain on the agenda of the GFMD.

3. Core messages to the Concluding Debate

In addition to the general outcomes and messages outlined above, the following **practical outcomes/proposals** from the three workshops embody the core messages to the Concluding Debate:

- a) **Improve the quality and access to pre-departure information on foreign jobs**, and decrease the cost of disseminating reliable information to potential contract workers. Work online, and with civil society and the media to bring information to remote areas in countries of origin.
- b) **Strengthen regulation of, but also incentives for, employers and recruitment agents** to charge low or no fees for recruitment, and help protect migrant workers and their families.¹³
- c) **Simplify and make more transparent the process of obtaining a contract, passport, skills certification**, and other documents necessary to migrate legally.¹⁴
- d) **Consider low-cost pre-departure loans to migrants** to reduce severe indebtedness. These could be offered by compliant recruiters¹⁵
- e) **Use information technology (IT)** to protect overseas workers against high recruitment costs, unlawful visa trading and contract substitution, and assure income protection; but also to enable governments to track and assist their emigrants as necessary.¹⁶

¹¹ See, for example, the Mauritius-France circular migration agreement discussed in previous GFMD meetings.

¹² The Colombo Process is a high level Regional Consultative Process for 11 labour-sending countries in South and Southeast Asia to discuss overseas employment and contractual labour issues. The Abu Dhabi Dialogue involves the 11 Colombo Process countries, 9 destination countries including the GCC States, Malaysia, Singapore and Yemen, and 7 Observer States to discuss collaborative approaches to temporary labour mobility in greater Asia, and to maximize its benefits for development.

¹³ Examples offered included licensing requirements; joint liability; receipts for all monies collected during recruitment (see Sri Lanka's efforts to license sub-agents); review of the "Kafala" system; online database registration and contract validation. Incentives could include lower fees for compliant recruiters and employers, or priority access to government-related immigration services.

¹⁴ Examples discussed included: one-stop facilities; reducing the role of actors who may over-charge or mislead workers; standard, basic contracts with minimum wage and working conditions; and electronic transfer of contracts to reduce contract substitution (e.g. the India-UAE pilot contract validation system).

¹⁵ See the study initiated by the Working Group on Protecting and Empowering Migrants for Development in Bangladesh.

- f) **Establish functional (enforceable) collaborative frameworks** among governments, and within countries among government, civil society, private sector and international organizations, to support and safeguard workers on the move.¹⁷

4. Questions to guide the Concluding Debate

- i) *What are the common factors of good practices most likely to lower the costs of migration and raise the development outcomes?*
- ii) *What role could private sector intermediaries have in protecting the rights and interests of a mobile labour force?*
- iii) *How can governments and the private sector create more efficient and less costly procedures for matching jobs and skills across borders in the future?*

Sub-theme 1.3: *Global Care Workers at the Interface of Migration and Development*

Thematic meetings:

- a) *Domestic Workers at the Interface of Migration and Development: Action to Expand Good Practice*, Kingston, Jamaica, 7- 8 September 2011¹⁸
- b) *Domestic Care Workers at the Interface of Migration and Development: Action to Expand Good Practice*, Accra, Ghana, 21 – 22 September 2011¹⁹

1. Introduction

Migrant domestic workers were identified during the 2010 GFMD in Puerto Vallarta as a particularly vulnerable group at the interface of migration and development. In the broader context of global labour mobility, domestic work has become a predominant means for people, mostly women, from low income countries to work in higher income countries, but also increasingly in other lower income countries. It clearly contributes to development, in countries of origin and destination, yet remains mostly unregulated and unrecognized as a vocation. Many of the workers thus move or work without proper migration documents or status. The private nature of the job often leaves them vulnerable to exploitation and abuse.

Governments agreed in 2010 that gender and family, specifically in regard to the global care industry, should continue to be a focus for the GFMD. GFMD 2011 followed up on this with two workshops in the Caribbean and Africa, in close partnership with the Governments of Jamaica and Ghana, as well as UN Women, IOM and other international expert agencies.

¹⁶ IT initiatives could include: joint electronic databases in country of origin and destination to improve skills/jobs matching and skills recognition (see IOM's database for Egyptian workers in Italy); online registration and contract validation; direct deposit of wages into workers' bank accounts (e.g. as now deployed by the UAE); and information for aspiring labour migrants.

¹⁷ Examples given included: multi-agency Steering Committees within government, bilateral agreements or regional cooperation frameworks such as proposed by the GCC states to the Colombo Process members.

¹⁸ The workshop was organized and hosted by the Government of Jamaica (Planning Institute of Jamaica (PIOJ) and the Ministry of Foreign Affairs and Foreign Trade) in collaboration with the Swiss GFMD Chair-in-Office, UN Women and IOM, with funding support from MacArthur Foundation. There were 75 participants, including governments from Latin America and the Caribbean, North America, Asia and Europe; and national, regional and international civil society; private sector; academia; and international organizations.

¹⁹ The workshop was organized and hosted by the Government of Ghana in partnership with the GFMD Swiss Chair, UN Women, African Diaspora Policy Centre and Migration Policy and Advocacy Network, with funding support from MacArthur Foundation. There were 85 participants, including governments from Africa, Asia, Caribbean, North America and Europe; and international organizations, academia, civil society and private sector.

2. Key issues and Outcomes

The workshops discussed good practices in 1) policy and legislation, 2) social protection, services and self-organization, and 3) safe remittance transfers, asset building and investments, including diaspora investment.

ILO estimates that there are some 53-100 million domestic workers globally, of whom untold numbers have crossed borders, and account for a sizeable part of the remittances sent home to support families and communities, particularly in lower income countries. These numbers are set to grow, as global demographic and labour market developments continue to create demands in this service sector, mostly for women from low income countries, in both high and low income countries. Yet domestic work is poorly regulated, if at all, in most countries. For the GFMD, this raises a number of development-related issues, such as migrant rights, social and financial protection, skills and job matching, transnational families, gender equality, best interest of the child, costs of migration, migrant health etc.

Domestic work is directly relevant to the ‘decent work’ paradigm and the drive towards a universal social protection floor. Protection of workers in private homes and informal spaces of work is particularly urgent in the case of undocumented migrants who are isolated from the protection and support of governments. A lack of formal protection by governments can lead to exploitation, violence and sexual abuse.

Given the growing demand in this sector, governments need to create an economic environment that permits households to employ domestic workers in regular and safe ways. This could be achieved, e.g. through tax incentives for households and social programmes that increase the affordability and quality of care in the home, and create more and decent work for domestic workers. Participants agreed an important first step would be to ratify ILO Convention 189 and accompanying instruments²⁰; and work with civil society, employers and international organizations to revise or create policies and programs to implement these instruments, train officials, raise public awareness, and monitor and evaluate implementation. Enforcement was critical, in particular the incorporation of employer liability in protection regulations.

Some good practices towards greater policy and institutional coherence have emerged. For example:

- In *Barbados*, a pending Employment Rights Bill will confer on domestic workers the right to receive a written statement of employment and fair dismissal.
- In *Jamaica*, the National Minimum Wage Act and legislation on Employment and Termination and Trafficking in Persons also protect domestic workers, and help raise public awareness.
- In *the US*, the New York Domestic Workers Bill of Rights makes provisions to protect domestic workers in metropolitan New York, including undocumented workers.
- In *Ghana*, a multi-stakeholder task force has been set up to formulate policy and review existing labour legislation to protect domestic workers and accelerate implementation of Convention 189. Ghana is developing a national framework to provide decent work for domestic workers and is prepared to ratify ILO Convention 189.
- In *South Africa*, the minimum wage for domestic workers is under review; and *South Africa and Lesotho* are considering a bilateral agreement to regularize undocumented migrant workers including migrant domestic workers.

²⁰ ILO Convention No. 189 on Decent Work for Domestic Workers (adopted on 16 June 2011), the CEDAW General Recommendation No. 26 on Women Migrant Workers and the Migrant Committee’s General Comment on Migrant Domestic Workers. These instruments are treated as complementary and mutually reinforcing, given their similarities, albeit different emphases, processes, constituencies and levels of ratification.

Regional processes can also provide an enabling context for free and safe movement of domestic workers across borders, but mostly do not specifically cover this category, and are often not optimally functional on the ground. For example, the Caribbean Single Market Economy (CSME) has included domestic workers as a skill category in the free movement of labour since 2009, but this has been under-utilized because of varying levels of implementation and certification in the region, and general lack of awareness about migrants' rights and entitlements under the CSME. National statistics are also frequently not comparable across regions. Regulations and practices within regional entities like the CSME need to be improved and standardized.

Participants in both meetings agreed that better access to frontline social and financial services can empower domestic workers economically and socially. These include health insurance and social security; information and orientation; lowering of remittance transaction costs; financial packages to facilitate savings and sustainable investment; and skills training. For domestic workers, portability of social security and family support services can help offset the social costs of migration. Good practices offered by governments, civil society and other agencies included smart card health insurance coverage (India), unemployment insurance, maternity benefits and health insurance schemes for low income women, including domestic workers (South Africa), information dissemination, skills training, support services to address abuse, mobilization and training for collective organization and advocacy for labour and social protection (civil society organizations in Ghana, Ireland, Bahrain).

Finally, the links between migration and development can be strengthened in this sector through cheaper, convenient remittance transfers, asset building and investments, that take account of the special circumstances of women domestic workers. Women tend to remit a higher percentage of their income than male migrant workers, and their remittances are critical for the health, education and wellbeing of families back home. Better protecting and leveraging women's remittances and savings is thus directly linked to improved development outcomes of migration. Aggregate strategies such as linking savings with remittance services, linking families back home with financial products, pooling funds and common investments, can help domestic workers overcome financial instability and open up other benefits linked to credit, loans, investment options etc. Microfinance institutions (MFIs) can help with this, but they are often hampered by regulations that restrict deposit-taking, handling foreign currency, loans and credit etc. Regulations on MFIs and banks should be eased to enable them to offer support to domestic workers.

Some innovative practices in this direction are emerging. For example, mobile phones are used in Kenya for remittance transfers²¹; Ghana hopes to leverage domestic worker remittances through a national smart card payment system (e-zwich) to improve access to banking and retail services; and financial literacy campaigns are available for domestic workers from agencies such as Women's World Banking.

Both meetings called for domestic work to be moved from the periphery to centre stage of development policy. Governments and international organizations need to collect comprehensive data on the situation of non-migrant and migrant domestic workers in all regions, for more evidence-based policies to protect and support migrant domestic workers, also in crisis situations. Multilateralism was considered important for sharing information, and reporting on good (and bad) practices, to compel states to enforce relevant regulations. Participants urged that gender concerns on migration, and protection for migrant domestic workers be mainstreamed into the African Decade for Women Plan for Action, the ECOWAS Gender Plan for Action, the East African Community, and the SADC agreement on free movement of people. These issues should also remain on the GFMD agenda.

²¹ See also the RemitPlus programme by AFFORD in Sierra Leone which combines standard banking with investment. AFFORD is a UK registered charity supporting the African diaspora in the UK in contributing to wealth and job creation in Africa.

3. Core Messages to the Concluding Debate

In addition to the general outcomes and messages outlined above, the following **practical outcomes/proposals** from the two workshops embody the core messages to the Concluding Debate:

- a) **A gender-sensitive checklist to protect and support migrant domestic workers** intended as a practical guide to all governments setting up policies, legislation and programmes to implement ILO Convention 189 and accompanying instruments. This is available on the GFMD website as a practical tool for all interested parties.
- b) **Establish regional networks of domestic workers and representative groups** to a) work with willing governments on standard practices in ratifying and implementing ILO Convention 189 and accompanying instruments; b) launch sensitization programmes about these instruments; and c) ensure domestic workers are part of the policy decision-making and actions.
- c) **Establish pilot partnerships among diaspora, financial institutions, migrant domestic workers/low-income female migrant workers, policymakers, civil society and employers**, to pursue innovative schemes for workers to pool their resources and access financial services/products tailored to their needs and financial interests, as they relate to savings, investment, pensions, health insurance etc.²²
- d) **Develop regional Migration Profiles** on cross-border domestic work (or incorporate into existing and future migration profiles).²³
- e) **Set up small dialogue fora among willing governments between regions** to customize and implement gender-sensitive smart card health insurance schemes, also for domestic workers, drawing on lessons learned from the Indian experience of IT-based health insurance. The GFMD could be a suitable vehicle for these.²⁴
- f) **Consider establishing an international (or region-wide) body to oversee the regulation and licensing of migrant recruitment agencies**, and the training of recruitment agencies on the rights and the roles of domestic workers. Possibly within the framework of existing regional entities.

4. Questions to guide the Concluding Debate

- i) What implications does the case study of the global care industry have for development?*
- ii) What gender responsive social protection measures and services can be showcased for replication?*
- iii) What data are needed for evidence-based policies and programmes on migrant domestic workers; and how can these best be collected, analyzed, shared and linked to policy-making?*

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²² It was suggested that this could be taken forward by AFFORD, and modeled on the “RemitPlus” program piloted by AFFORD in Sierra Leone, aimed at leveraging the income-generating potential of remittances, especially in rural areas.

²³ These could be undertaken by agencies such as UN Women, IOM and ILO, with governments, regional entities, Universities and statistical work programs, building on previous effort in Jamaica; and baseline studies such as planned by the Institute for Gender and Development Studies, Mona campus, University of the West Indies, on the situation of domestic workers in Jamaica.

²⁴ Such a forum was proposed for Ghana, Nigeria and India at the Ghana workshop.