



*Addressing the challenges and  
opportunities of migration as part of  
sectoral strategies – Employment*

Anna Farkas, Subregional Project Coordinator

ILO DWT/CO-Budapest

13 October, 2011

Chisinau



## ***OUTLINE***

- ILO rights-based approach to labour migration
- Immigration impact on the national labour markets
- Skills recognition issues



## *Labour Migration*

- The importance of labour migration policy has grown and sending countries have adopted labour migration policies, which are at different stages of implementation;
- Most of the Western Balkan countries, Moldova and Ukraine have signed bilateral labour migration agreements with selected countries of destination, however these arrangements are not always effectively enforced and proper skills matching conducted;
- The development and implementation of labour migration strategies and action plans indicates the importance given to this area of policy work, however there is a need to improve the capacity for designing, implementing and monitoring pro-migrant policies. Enforcement more than regulations and laws remains the key issue.



## *The Tripartite Approach and Social Dialogue in Migration Policy Development*

- Importance of Governments and employers' and workers' organizations **cooperation at the national and international levels to promote a better management of job-related migration** and in order to ensure that labour migration yields benefits for everyone.
- A tripartite mechanism is **ideal for social dialogue on the formulation of national or regional migration policies based on the tripartite approach serving as the operating principle in structuring decision-making** in this important sphere of government policy.
- Thus, closer cooperation between sovereign states and social partners could help create **better regulated labour migration processes and more effective information systems on supply and demand of migrant workers** based on labour market assessments.



## ***ILO instruments protecting migrant workers (summary)***

### **Convention 97 (1949)**

- 49 States parties
- Only applicable to lawfully resident migrant workers
- Addresses recruitment and orderly migration of foreign workers
- Equal treatment with nationals in respect of wages and working conditions, trade union rights, social security, accommodation, access to courts
- Recommendation 86 contains a model bilateral labour migration agreement

### **Convention 143 (1975)**

- 23 States parties
- Protects basic human rights of all migrant workers, including migrants in irregular situations
- Specifically, the rights of undocumented migrants arising out of past employment (unpaid wages, social security) are safeguarded
- Principle of equal treatment of regular migrants with nationals
- Recommendation 151



## *ILO Multilateral Framework on Labour Migration*

- Plan of Action for migrant workers adopted by International Labour Conference in June 2004
- To be implemented by ILO and its tripartite constituents in partnership with other international governmental organizations
- Objective: to develop “a non-binding multilateral framework for a rights-based approach to labour migration, which takes account of labour market needs
- Multilateral Framework adopted by Tripartite Meeting of Experts in December 2005 and ILO Governing Body approved its publication and dissemination in March 2006
  - Comprises international principles and guidelines on best practices in a broad range of areas
  - Available from ILO website  
[http://www.ilo.org/public/english/protection/migrant/download/multilat\\_fw\\_k\\_en.pdf](http://www.ilo.org/public/english/protection/migrant/download/multilat_fw_k_en.pdf)
  - Has been used in development of national labour migration policies (e.g. Nepal, Nigeria, Sri Lanka)

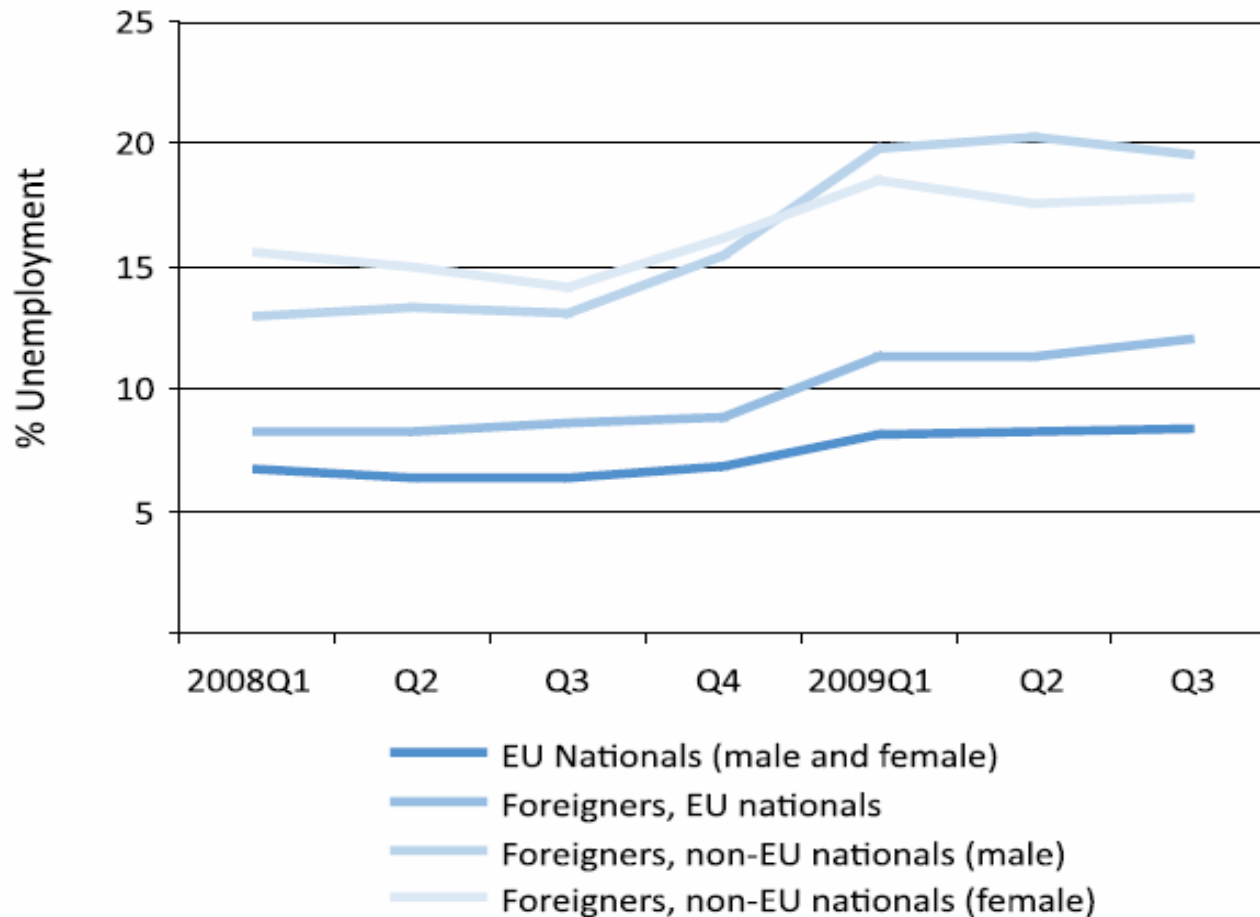


## *Immigration impact on the national labour markets*

- Demographic and employment challenges
  - ❖ Decline in the size of EU working age population: *with “no migration” scenario: approx. 15 million less workers in 2020 compared to 2011*
  - ❖ Heading towards an economic growth constraint: *free movement of workers within the EU between 2004 and 2009 added 0.9% to the GDP of the 15 'former' EU MS (EC estimate).*
  - ❖ Labour shortages and growing skills mismatches will occur across skills spectrum, and not exclusively in highly qualified jobs



# *Unemployment rates in EU-27 countries in 2008-2009 (%)*







## *Immigration impact on the national labour markets*

- Migrant workers are complements rather than substitutes for national workers.
  - ❖ Migrant workers may affect salaries of low-skilled national workers, but the share of low-skilled workers is low and declining in industrialized countries
  - ❖ Occupational distribution of majority migrant workers is very different from national workers - proof that they do not compete
  
- Migrant workers specialize in labour market activities that would not exist at the same scale, or not at all, without their presence - therefore the economy gains
  
- Wages
  - ❖ Essentially no statistically significant effect of immigration on labour market outcomes, including wages of native workers.
  - ❖ Most EU countries, immigrants are more likely to be unemployed or underemployed (partly due to lower education and skills, partly to discrimination)



## *There is often no correlation between the level of skills of migrants and their job performed abroad*

- **Due to lack of recognition of skills and competencies:**
  - **A large number of university educated men migrants are found working in construction and agriculture;**
  - **A large number of university educated women migrants work in the domestic sector;**
- **Moldovan migrants worked mainly in construction (46.8%) and domestic services (19.4%). Less significant proportions of migrants worked in trade (7.8%), agriculture (5.5%), industry (4.3%), transport (3.4%) and catering (3.0%). Men worked mainly in construction, and women within trade and household services. Two-thirds of migrants with higher education were employed as unqualified workers (ETF, 2007).**
- **Ukrainian return migrants were mostly employed in construction (30.2%) and domestic work (15.6%), followed by agriculture, commerce and hotels/restaurants (approx 8-9% each). Highly-skilled migrants were dispersed to a greater degree among various sectors, being relatively more numerous in domestic work, ICT, medicine, education and science. About 40% of all medium- and low-skilled migrants worked in construction (ETF, 2008).**



# *Recognition Issues*

- The recognition of foreign qualifications and skills has been an ongoing problem in countries that have permanent migration programs (Australia, New Zealand, Canada and the U.S.)
- International portability of skills still tends to be limited and migrant workers are forced to take lower levels jobs than their skills would warrant with little or no occupational mobility.
- Major source of difficulties: Lack of national accreditation bodies and processes in both sending and receiving countries.
- Recognition arrangements with countries outside the regional integration schemes are yet to be developed.



# *Work in countries of origin*

- **Facilitating orderly migration, always ensuring migrant workers' protection abroad, as well as equal treatment and opportunities (signing and properly implementing bilateral labour agreements that include respect for fundamental human and labour rights);**
- **Signing and implementing bilateral agreements on recognition of diplomas, skills and competencies;**
- **Signing and implementing social security agreements to ensure social security protection of migrants abroad;**
- **Monitoring recruitment to promote and enforce ethical recruitment practices.**



## *Policies and Measures in Countries of destination*

- **ensuring skills' and diplomas' recognition;**
- **ensuring rights' protection** (especially concerning payment of wages and working conditions) and **non-discrimination and equality of treatment;**
- **preventing abusive practices** through the strengthening and creation of institutional capacities;
- **promoting social integration and social protection** of migrants in host societies, and **portability of social security benefits** on return to their countries of origin;
- **strengthening the linkages with hometown or diaspora** communities of migrants abroad;
- **offering compensation mechanisms** in the case of main countries of origin suffering from brain drain such as orienting technical assistance to education and training fields;



**Thank you for your kind attention**