



Governing Body

321st Session, Geneva, 13 June 2014

GB.321/INS/7

Institutional Section

INS

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SEVENTH ITEM ON THE AGENDA

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2015

Purpose of the document

In the present document, the Governing Body is invited to request governments to submit in 2015, under article 19 of the Constitution, reports on the labour migration instruments with a view to the preparation of the General Survey by the Committee of Experts on the Application of Conventions and Recommendations in 2015 and its discussion by the Conference Committee on the Application of Standards in 2016; and to approve the corresponding report form (see the draft decision in paragraph 19 below).

Relevant strategic objective: All four.

Policy implications: None.

Legal implications: None.

Financial implications: The usual implications related to the preparation of a General Survey.

Follow-up action required: Implementation of Governing Body decisions.

Author unit: International Labour Standards Department (NORMES).

Related documents: Constitution of the International Labour Organisation; ILO Declaration on Social Justice for a Fair Globalization; GB.320/LILS/6; labour migration Conventions.

I. Introduction

A. Institutional context

1. The Governing Body is regularly invited to examine and approve proposals regarding the choice of Conventions and Recommendations on which governments might be requested to submit reports under article 19, paragraphs 5(e), 6(d) and 7(b), of the Constitution, with a view to the preparation of the annual General Survey by the Committee of Experts on the Application of Conventions and Recommendations (CEACR). The General Survey allows the CEACR, in addition to reviewing national law and practice in member States, to examine difficulties raised by governments regarding the application of instruments, clarify their scope and indicate possible means of overcoming obstacles to their implementation. General Surveys are discussed by the Committee on the Application of Standards of the International Labour Conference (ILC) at the following session of the Conference.
2. Since the adoption of the ILO Declaration on Social Justice for a Fair Globalization in 2008, and in the context of its follow-up, General Surveys of the CEACR and the related discussion of the Committee on the Application of Standards have been recognized as an important source of information on the law and practice of member States, for recurrent discussions by the Conference on each of the ILO strategic objectives. These recurrent discussions are currently taking place in the framework of a seven-year cycle. As a result, the topics of the General Surveys of the CEACR have been aligned as much as possible with the strategic objective examined in the framework of the recurrent discussion. A decision has also been made to enable the Committee on the Application of Standards to consider General Surveys one year prior to the recurrent discussion.

B. Decisions taken by the Governing Body at its 320th Session (March 2014)

3. At its 320th Session (March 2014), the Governing Body had before it a document¹ on the choice of Conventions and Recommendations on which reports should be requested under article 19 of the ILO Constitution for the preparation of the General Survey by the CEACR in 2015, to be discussed by the Committee on the Application of Standards in 2016. The Governing Body was invited to provide guidance on the basis of which the Office would prepare a report form for consideration and approval by the Governing Body at its 321st Session (June 2014).
4. In 2014, the choice to be made by the Governing Body was linked to the broader question of the evaluation of the impact of the Social Justice Declaration by the ILC. It was anticipated that the General Survey to be prepared in 2015 by the CEACR and discussed by the Committee on the Application of Standards in 2016 could feed into a recurrent discussion by the Conference in 2017, under a new cycle of recurrent discussions. This new cycle was expected to be determined in the light of the decisions that the Governing Body might take at its 320th Session on the evaluation of the Social Justice Declaration.² Following an exchange of views and discussion, the Governing Body decided to place the evaluation of the impact of the Social Justice Declaration on the agenda of the

¹ GB.320/LILS/6.

² GB.320/INS/15/2; see also GB.320/INS/2.

105th Session (2016) of the Conference and to defer the recurrent discussion on fundamental principles and rights at work from the 105th Session (2016) to the 106th Session (2017) of the Conference. It is to be recalled that the Governing Body had already selected the instruments on the right of association and those of rural workers' organizations for the General Survey that would feed into the recurrent discussion on fundamental principles and rights at work. In 2014, the General Survey will be prepared by the CEACR and discussed by the Committee on the Application of Standards at the 104th Session (2015) of the Conference. This General Survey and the outcome of the discussion by the Committee on the Application of Standards will be taken into account in the 2017 recurrent discussion.

5. In respect of the General Survey to be prepared in 2015 by the CEACR, at its 320th Session (March 2014), the Governing Body was invited to consider a range of instruments which in varying degrees were relevant to more than one strategic objective. The instruments in question were the following: the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and the Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168); the Labour Statistics Convention, 1985 (No. 160), and the Labour Statistics Recommendation, 1985 (No. 170); the Indigenous and Tribal Peoples Convention, 1989 (No. 169); the Private Employment Agencies Convention, 1997 (No. 181), the Private Employment Agencies Recommendation, 1997 (No. 188), and the Employment Relationship Recommendation, 2006 (No. 198).
6. The Governing Body was unable to reach consensus on the instruments for the General Survey.³ It approved further consultations with the Geneva-based tripartite consultative group with a view to facilitating the identification of an appropriate set of instruments that could be the subject for the General Survey to be prepared by the CEACR in 2015, for discussion by the Committee on the Application of Standards in 2016. In this context, it was understood that these instruments need not necessarily be linked to a specific strategic objective. On this basis, the Governing Body decided to defer further consideration of the choice of instruments on which reports should be requested under article 19 of the Constitution in 2015 to its 321st Session (June 2014).

C. Informal tripartite consultations (April–May 2014)

7. In response to the Governing Body decision, consultations were carried out in April and May 2014.
8. Electronic consultations on a list of possible instruments were followed by a meeting of the Geneva-based tripartite consultative group held on 16 May 2014, discussions at which were based on a note prepared by the Office. Three groups of instruments, in addition to those instruments submitted to the Governing Body at its 320th Session, were discussed, namely: first, Convention No. 97 and its corresponding Recommendation No. 86, and Convention No. 143 and its corresponding Recommendation No. 151; second, the Workers with Family Responsibilities Convention, 1981 (No. 156), and its corresponding Recommendation, 1981 (No. 165); and, third, the Nursing Personnel Convention, 1977 (No. 149), and its corresponding Recommendation, 1977 (No. 157).
9. Based on these consultations, a consensus emerged that the topic of the General Survey to be prepared by the Committee of Experts in 2015 should relate to the four instruments below concerning labour migration. Accordingly, the present document proposes such a

³ GB.320/LILS/PV/Draft, paras 69–77.

choice of instruments, together with the corresponding report form (see the appendix), to the Governing Body for its consideration and approval.

II. Convention No. 97, and its corresponding Recommendation No. 86; Convention No. 143 and its corresponding Recommendation No. 151

10. In an ever more globalized world, international labour migration has become a central and rapidly evolving issue affecting virtually all countries, whether as origin, destination or transit countries. The ILO and the United Nations (UN) estimates indicate that, in 2013, over 50 per cent of the 232 million international migrants were economically active, with women constituting half of all migrant workers. According to most sources, labour migration is likely to continue increasing in scale and growing in complexity. In this context of globalization, the task of securing the effective protection of migrant workers while recognizing labour market needs has never been more challenging.
11. The ILO has four instruments that specifically address labour migration and the protection of migrant workers: Convention No. 97 and its corresponding Recommendation No. 86; and Convention No. 143 and its corresponding Recommendation No. 151. Convention No. 97 has been ratified by or made applicable to 61 member States and territories. Convention No. 143 has been ratified by 23 member States. Since 1999, when the previous General Survey was published on these instruments, a total of 15 ratifications have been received for both Conventions, the most recent dating to 2009 for Convention No. 97 and to 2007 for Convention No. 143.
12. By contrast, the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) has received 47 ratifications, 37 of which have been registered since the launching of a global campaign in 1998. At the same time, while no high-income destination country has ratified the UN Convention, a large number of such countries have ratified Convention No. 97, or No. 143, or both.
13. In its 1999 General Survey, the CEACR, while recognizing the changing nature of international labour migration, underlined the continued relevance of the main principles enshrined in the ILO instruments on migrant workers. At the same time, it noted that there were certain lacunae in Conventions Nos 97 and 143 due to the evolution of the context in which those instruments had been adopted. Considerable challenges also appeared to exist in applying Conventions Nos 97 and 143 in such key areas as recruitment, the protection of migrant workers in an irregular situation and the policy of promoting equality of opportunity and treatment.⁴
14. During the discussions on the General Survey in the Committee on the Application of Standards in June 1999, opinions varied about the continued relevance of Conventions Nos 97 and 143 and it was proposed that a general discussion should be held on labour

⁴ *Migrant Workers*, General Survey of the reports on the Migration for Employment Convention (Revised), 1949 (No. 97), and Recommendation No. 86 and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and Recommendation No. 151, the Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 14B), International Labour Conference, 87th Session, Geneva, 1999, paras 629–669.

migration.⁵ This took place at the 92nd Session of the Conference in June 2004, at which the Conference adopted a resolution calling for an ILO plan of action for migrant workers that would include the development of a non-binding multilateral framework for a rights-based approach.⁶ In 2005, an ILO tripartite meeting of experts adopted the ILO Multilateral Framework on Labour Migration, providing non-binding principles and guidelines for a rights-based approach to labour migration, which was submitted to the Governing Body in March 2006.

15. The issue has continued to receive the attention of the Governing Body and, in November 2013, the ILO Tripartite Technical Meeting on Labour Migration formulated recommendations for possible ILO follow-up to the UN General Assembly High-level Dialogue on International Migration and Development.⁷ In its recommendations, the Meeting called on the Office to invite member States to ratify Conventions Nos 97 and 143. Taking into account the conclusions of the Tripartite Technical Meeting and the comments made at its 320th Session (March 2014), the Governing Body endorsed the priorities indicated for future ILO action. It requested the Office to submit a proposal to it at its 322nd Session (November 2014) relating to labour migration, with a view to a general discussion for possible inclusion as an item on the agenda of a future session of the ILC.⁸
16. It should also be noted that, in January 2014, the ILO assumed the Chair of the Global Migration Group, enabling it to pursue greater coordination and coherence on migration and development and to influence global debates, such as those taking place around the Global Forum on Migration and Development and the UN development agenda beyond 2015. The Director-General's Report on labour migration submitted to the Conference at its 103rd Session in June 2014 further demonstrates the importance vested by the ILO in this issue.⁹ The Conference discussion on that Report has provided a broad policy context in which the examination of the law and practice of member States could be undertaken.
17. In the light of the above, the current significance of the issue, its complexity and constantly changing nature and its implications for the world of work, a new General Survey on Conventions Nos 97 and 143 and Recommendations Nos 86 and 151 would be both relevant and timely. It would enable the CEACR to assess updated information on the law and practice of member States on these Conventions and the extent to which these have evolved since the last General Survey, particularly with regard to the effect given to provisions the application of which had posed particular difficulties. Such a General Survey would also identify the difficulties preventing or delaying the ratification of these Conventions and would provide an overview of the main challenges encountered in their practical application.

⁵ *Record of Proceedings*, International Labour Conference, 87th Session, Geneva, 1999, third item on the agenda, Report of the Committee on the Application of Standards, *Provisional Record* No. 23, para. 170.

⁶ *Conclusions on a fair deal for migrant workers in a global economy*, Report of the Committee on Migrant Workers, International Labour Conference, *Provisional Record* No. 22, 92nd Session, Geneva, 2004. The Conference conclusions also stated that "the ILO may take appropriate steps to better promote the ratification of Conventions Nos 97 and 143, and the application of the principles they contain pertaining to the protection of migrant workers" (para. 27).

⁷ For the report of the discussion, see TTMLM/2013/15.

⁸ GB.320/POL/3.

⁹ *Fair migration: Setting an ILO agenda*, Report of the Director-General, Report I(B), International Labour Conference, 103rd Session, 2014.

18. Given the ILO's role in migration and development debates, it would also provide valuable guidance to the constituents and the Office when dealing with measures aimed at improving labour migration governance and decent work for all migrant workers at national and international levels. It would also offer an excellent opportunity to reassess the global situation through the analysis of the law and practice in both ratifying and non-ratifying member States, which would contribute to the visibility and relevance of the ILO and its migration instruments in global debates on international migration and development, and also on the protection of migrant workers.

Draft decision

19. *The Governing Body:*

- (a) *requests governments to submit reports for 2015, under article 19 of the Constitution, on the Migration for Employment Convention (Revised), 1949 (No. 97), and its corresponding Recommendation, 1949 (No. 86), and on the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and its corresponding Recommendation, 1975 (No. 151); and*
- (b) *approves the report form concerning the labour migration instruments contained in the appendix.*

Appendix

Appl. 19
C. 97 and C. 143

INTERNATIONAL LABOUR OFFICE

REPORTS ON

UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the
International Labour Organisation)*

REPORT FORM FOR THE FOLLOWING INSTRUMENTS:

- MIGRATION FOR EMPLOYMENT (REVISED) CONVENTION, 1949 (No. 97)**
- MIGRATION FOR EMPLOYMENT (REVISED) RECOMMENDATION, 1949 (No. 86)**
- MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS)
CONVENTION, 1975 (No. 143)**
- MIGRANT WORKERS RECOMMENDATION, 1975 (No. 151)**

Geneva

2014

INTERNATIONAL LABOUR OFFICE

Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

...

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.

REPORT

to be made no later than 28 February 2015, in accordance with article 19 of the Constitution of the International Labour Organization by the Government of, on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Article 19 report form on the instruments concerning migrant workers

Migration for Employment Convention (Revised), 1949 (No. 97), and the Migration for Employment Recommendation (Revised), 1949 (No. 86)
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151) ¹

NB: The information contained in the second column is intended to provide guidance on the nature of the information requested.

<p><i>The following questions relate to issues covered by Conventions Nos 97 and 143 and Recommendations Nos 86 and 151</i></p>	<p><i>Please indicate whether, and if so, to what extent effect is given to the two Conventions and the two Recommendations in your country. As appropriate provide a detailed reply to the specific questions raised under the individual articles</i></p>	<p><i>As appropriate, please give a specific reference (web link) or include information relating to the provisions of the relevant legislation, regulations and policies</i></p>
<p>PART I. LEGAL AND POLICY FRAMEWORK AND COOPERATION ON INTERNATIONAL LABOUR MIGRATION</p>		
<p>1. Please indicate the relevant provisions of national laws and regulations on international labour migration and the employment of migrants, indicating:</p> <ul style="list-style-type: none"> ■ whether they cover immigration or emigration or both; ■ the categories of migrant workers covered. 	<p>This should include information on permanent and temporary migrant workers, specifying the maximum periods of entry and stay for short-term entry.</p>	<p>C.97, Art. 1(a); R.86, Paras 6 and 7; C.143 C.97, Arts 1(a) and 11, and C.143, Part I and Art. 11</p>
<p>2. Please indicate:</p> <ul style="list-style-type: none"> ■ whether a national policy has been adopted on international labour migration, and if so, provide information on the policy; ■ whether the national policy promotes and guarantees equality of opportunity and treatment between nationals and migrant workers in your country (national equality policy). 	<p>Please provide information on whether the policy:</p> <ul style="list-style-type: none"> - applies to the public and private sectors; - addresses the ground of nationality, race, sex or religion. 	<p>C.97, Art. 1, and C.143; R.151, Para. 1 C.143, Arts 10 and 12; R.151, Paras 2 and 3 C.97, Art. 6</p>

¹ Governments of countries which have ratified the Conventions and from which a report is due under article 22 of the Constitution will use the present form only with regard to the Recommendations. It will not be necessary to repeat information already provided in connection with the Conventions. Part V of the report form contains questions that are addressed to all member States.

<ul style="list-style-type: none"> ■ the elements of the national equality policy and the measures taken to ensure its effective implementation; ■ the measures taken to combat xenophobia and prejudice against immigrants, and stereotyped perceptions regarding the suitability of migrant workers for certain jobs or their role in society. 	<p>Please provide information on the relevant provisions legislative or administrative measures, public policies, collective agreements, studies, practical guides, awareness raising, establishment of specialized bodies, workplace policies, specialized enforcement mechanisms.</p>	<p>C.143, Art. 12; R.151, Paras 3 and 4</p> <p>C.97, Art. 3, and C.143, Arts 10 and 12(b); R.151, Para. 4(a)</p>
<p>3. Please indicate the measures taken to cooperate and to establish systematic contact and exchange information at national, bilateral, regional and multilateral levels, including information on bilateral or multilateral agreements concerning migration for employment.</p>	<p>Please provide copies of the relevant agreements.</p>	<p>C.97, Arts 1(c) and 10; C.143, Arts 4 and 15</p> <p>R.86, Annex I</p>
PART II. PROTECTION OF MIGRANT WORKERS		
<p>4. Please provide information, including on relevant provisions of national laws and regulations, on measures taken to:</p> <ul style="list-style-type: none"> ■ ensure respect for the basic human rights of all migrant workers, irrespective of their migration status; ■ prohibit direct and indirect discrimination against migrant workers; ■ ensure that migrant workers and members of their family regularly admitted to the country enjoy opportunity and treatment equal to that accorded to nationals in respect of: <ul style="list-style-type: none"> – employment and occupation – conditions of work – trade union rights – accommodation (housing) – social security – legal proceedings ■ ensure that migrants admitted on a permanent basis and members of their family maintain the right of residence in the case of incapacity for work; ■ Ensure that migrant workers in regular status are not regarded as being in an irregular situation by virtue of the mere loss of employment and that this does not entail the automatic withdrawal of their authorization of residence or work permit. 	<p>This should include information on fundamental rights at work (freedom of association and collective bargaining, elimination of child labour, elimination of forced labour and elimination of discrimination in employment and occupation).</p> <p>Information should also be provided on discrimination on the ground of nationality, race, sex or religion.</p> <p>This should also include information relating to access to vocational training and guidance, minimum age for employment, employment of women, membership of trade unions and collective bargaining, remuneration, hours of work, rest periods, holidays with pay, occupational safety and health measures, apprenticeship and training, etc.</p> <p>This should include information on equality of treatment in respect of security of employment, unemployment benefits, alternative employment, relief work and retraining.</p>	<p>C.143, Art. 1</p> <p>C.97, Art. 6, and C.143, Arts 10 and 12</p> <p>C.97, Art. 6; R.86, Para. 16(1); C.143, Arts 10 and 12(b) and (g); R.151, Para. 2</p> <p>C.97, Art. 8; R.86, Para. 18(1)</p> <p>C.143, Art. 8; R.151, Paras 2(d) and 30–32(2)</p>

<p>5. Please indicate:</p> <ul style="list-style-type: none"> ■ the categories of migrant workers who are excluded from the coverage of equal treatment or non-discrimination provisions and the reasons for such exclusions; ■ any limitations on the free choice of employment of migrant workers as regards the change of employers, industries, occupations or residence. Please indicate whether migrant workers are subject to any restriction with regard to geographical mobility. 	<p>Please indicate the types of employment and functions to which access is restricted or the categories of migrant workers subject to limitations, including the criteria governing restrictions on the change of employment.</p>	<p>C.97, Art. 11, and C.143, Art. 11</p> <p>C.143, Art. 14(a) and (c); R.86, Para. 16(2), and R.151, Para. 6</p>
<p>6. Please indicate whether steps have been taken in your country to regularize migrant workers in an irregular situation, and if so, please elaborate.</p>		<p>C.143, Art. 9(4); R.151, Para. 8(2)</p>
<p>7. Please provide information on measures, including on relevant provisions of national laws or regulations, that seek to ensure that migrant workers who leave the country of employment enjoy, irrespective of their migration status, equality of treatment for themselves and their family in respect of rights arising out of past employment such as remuneration, social security and other benefits.</p>		<p>C.143, Art. 9(1) and (2); R.151, Paras 8(3)–(5) and 34</p>
<p>8. Please indicate:</p> <ul style="list-style-type: none"> ■ whether the process of recruitment and placement of migrants for employment is regulated and if so in what way; ■ the type of migration information and assistance services available to migrant workers during the different stages of the migration process, indicating whether they are provided free of charge; ■ the measures taken against the provision of misleading information regarding immigration and emigration. 	<p>Please include information concerning the role of the public authorities, supervision of private recruitment and placement agencies and employment contracts.</p> <p>Please provide information on how the services are organized and how assistance services or information are available to women migrants. Kindly explain the nature of the cooperation existing between countries of origin and destination, if any. Please provide copies of any agreements.</p>	<p>C.97, Art. 7; Annex I, Arts 3–7; Annex II, Arts 3, 4, 6, 7 and 12(1) and (2); R.86, Paras 13 and 14(5)</p> <p>C.97, Arts 2 and 7(2), Annex I, Art. 4, and Annex II, Arts 4 and 8; C.143, Arts 12(c); R.86, Para. 5</p> <p>C.97, Art. 3</p>
PART III. ENFORCEMENT		
Enforcement		
<p>9(a) Please provide information and indicate the manner in which the provisions of the relevant laws and regulations, policies and agreements concerning labour migration and the rights of migrant workers, irrespective of their migration status, are effectively monitored and enforced.</p>	<p>Please include information on: the role of labour inspection, national specialized bodies on migration, equality bodies and cooperation between them, and any other dispute prevention and resolution machinery or processes.</p>	<p>C.143, Arts 5, 6 and 12(a); R.151, 4(b) and 32(1) and (2); R.86, Para. 17 and Annex I, Paras 15 and 16</p>

(b) Please indicate whether, in the event of a dispute, migrant workers, including those whose position cannot be regularized, can present their case to a competent body, either directly or by a representative.	Please include information on the administrative and judicial procedures available to migrant workers, irrespective of their migration status, to avail themselves of their rights, specifying applicable sanctions and remedies. Please include relevant reports or decisions, including relevant judicial decisions and decisions of other dispute settlement bodies.	C.97, Art. 6(1)(d); C.143, Art. 9(2); R.151, Paras 5, 8(1) and (4), and 34(2)
10. Please provide information on the procedures of expulsion and any costs for expulsion attributed to the migrant workers whose situation cannot be regularized.	Please provide information on the right of a migrant worker subject to an expulsion order to appeal and whether the appeal stays the execution of the order.	C.143, Art. 9(3); R.151, Paras 5, 8(5) and 33
Statistics		
11. Please provide any available statistical information, disaggregated by sex, nationality and migration status, if available, on labour migration flows (both regular and irregular migration) and on the employment of migrant workers.	Please provide statistics in respect of the distribution of migrant workers in the different branches of the economy and occupational categories, and by earnings level, and also any surveys and studies conducted.	C.97 and C.143
12. Please indicate whether and how information is collected and analysed as a means of determining the nature and extent of inequalities and discrimination against migrant workers.		C.97, Art. 6, and C.143, Arts 10 and 12
PART IV. SOCIAL DIALOGUE		
13. Please provide information on the role of and consultations with employers' and workers' organizations concerning: (a) all general questions related to migration for employment; and (b) the elaboration and implementation of laws, regulations and other measures relating to labour migration, including those aimed at irregular migration, the irregular employment of migrant workers and related abuses.	Please provide information on how representative employers' and workers' organizations are consulted in the context of cooperation at national, bilateral, regional and international levels.	C.143, Arts 2(2), 7 and 12; R.86, Paras 4(2) and 19
14. Please indicate how employers' and workers' organizations are involved in the promotion, understanding, acceptance and realization of the principle of equality of opportunity and treatment of migrant workers and their families.		C.143, Art.12(a) and (e); R.151, Paras 4, 7 and 9
PART V. IMPACT OF ILO INSTRUMENTS		
15. Please indicate whether any modifications have been made to national legislation or practice with a view to giving effect to all or some of the provisions of the two Conventions or of the two Recommendations. Please state also whether it is intended to adopt measures to give further effect to the provisions of the Conventions or of the Recommendations, including ratification.		
16. Please identify any obstacles impeding or delaying ratification of the two Conventions. Please indicate any measures taken or envisaged to overcome these obstacles.		

<p>17. If your country is a federal State:</p> <p>(a) please indicate whether the provisions of the Conventions or of the Recommendations are regarded by the federal government as appropriate, under the constitutional system, for federal action or as appropriate, in whole or in part, for action by the constituent states, provinces or cantons, rather than for federal action;</p> <p>(b) where federal action is appropriate, please provide the information specified in Parts I–V of this form;</p> <p>(c) where action by the constituent unit is regarded as appropriate, please supply general information corresponding to Parts I–V of the form. Please indicate also any arrangements that it has been possible to make within the federal State, with a view to promoting coordinated action to give effect to all or some of the provisions of the Conventions and the Recommendations, giving a general indication of any results achieved through such action.</p>		
<p>18. Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the ILO.</p>		
<p>19. Please state whether you have received from the organizations of employers and workers concerned any observations concerning the effect given, or to be given, to the instruments to which the present report relates. If so, please communicate a copy of the observations received together with any comments that you may consider useful.</p>		
Possible needs for standard related action and for technical cooperation		
<p>20. What suggestions would your country wish to make concerning possible standard-related action pertaining to migrant workers to be taken by the ILO in the area of labour migration?</p>		
<p>21. Has there been any request for policy support or technical cooperation support provided by the ILO to give effect to the instruments in question? If this is the case, what has been the effect of this support? If not, how could the ILO best provide appropriate assistance within its mandate to support country efforts in the area of labour migration and protection of migrant workers' rights?</p>		
<p>22. What are your country's needs for future policy advisory support and technical cooperation to give effect to the objectives of the instruments in question?</p>		