



International
Labour
Office

General Survey 2016 on Migrant Workers Instruments, Training Session Maseru, LESOTHO, 17 June 2015

The ILO Labour Migration Mandate

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Outline

- 1. The ILO Mandate and Instruments**
- 2. ILO Agendas: Decent Work and Fair Migration**

1. THE ILO MANDATE AND INSTRUMENTS

LABOUR MIGRATION

Historical
mandate of the
ILO since
inception (1919);

Instruments specific to
the Protection of
Migrant Workers:

- C97 (1949) and R 86 (1949);
- C143 (1975) and R151 (1975);



1. THE ILO MANDATE AND INSTRUMENTS

**WHY DO
MIGRANT
WORKERS
NEED
PROTECTION?**



1. THE ILO MANDATE AND INSTRUMENTS

WHY DO MIGRANT WORKERS NEED PROTECTION?

- At risk of exploitation in recruitment process
- Non-citizens and rarely benefit from full equal treatment
- Often in low-skilled “precarious” employment
- Agriculture, construction, domestic work
- Multiple discrimination, especially women migrant workers
- More at risk if in an irregular situation

1. THE ILO MANDATE AND INSTRUMENTS

**WHAT ARE
INTERNATIONAL
STANDARDS FOR
MIGRANT
WORKERS? HOW
WERE THEY MADE?**

ILO Constitution, 1919 (as amended) – principles of social justice protecting all including

“...workers when employed in countries other than their own” and “labour is not a commodity” (Declaration of Philadelphia)

International minimum standards ground and guide formulation of **labour migration policies** at various levels

C97 and R86 (1949)
C143 and R151 (1975)

Monitoring of standards essential to ensure compliance and improve national law and policy

CEACR; Art. 19

International labour **standards discussed and agreed by governments, representative workers’ and employers’ organizations (ILO’s tripartite constituents)**

Governing Body

1. THE ILO MANDATE AND INSTRUMENTS

In principle, International Labour Standards cover all workers irrespective of nationality and immigration status unless otherwise stated

State prerogative to regulate access to territory and labour market

2. ILO AGENDAS: DECENT WORK & FAIR MIGRATION



DECENT WORK:

- Agenda shaping all ILO interventions (2007);
- Decent Work Country Programmes: tripartite work plans; definition of priorities & objectives usually on 5-year cycle



FAIR MIGRATION:

- Multilateral **Framework** on Labour Migration (2006);
- Tripartite **technical consultation** of 2013;
- Fair Migration **Agenda** of 2014

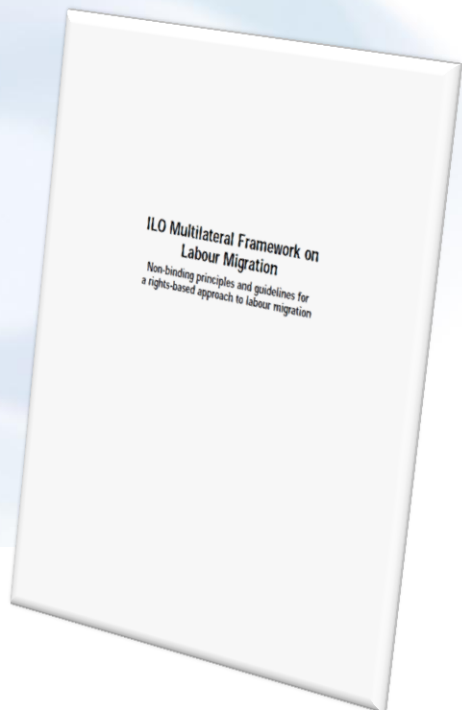


2. ILO AGENDAS: DECENT WORK & FAIR MIGRATION

RECENT DEVELOPMENTS

- **Multilateral Framework on Labour Migration** drawn up by Tripartite Meeting of Experts and approved by ILO Governing Body in March **2006**
 - International principles and guidelines illustrated by 132 “best practices” in 9 areas
 - http://www.ilo.org/migrant/information-resources/publications/WCMS_178672/lang--en/index.htm
- **2013: Tripartite Technical Meeting on Labour Migration Report**
- **2014:** Chairing of the Global Migration Group by the ILO; Drafting of Director-General’s Report ‘**Fair Migration Agenda**’
 - http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_242879.pdf

2. ILO AGENDAS: DECENT WORK & FAIR MIGRATION



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2. ILO AGENDAS: DECENT WORK & FAIR MIGRATION



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