



FACILITATE FAIR AND ETHICAL RECRUITMENT AND SAFEGUARD CONDITIONS THAT ENSURE DECENT WORK



Associated actions

- a. **Promote signature, ratification, accession and implementation of relevant international instruments** related to international labour migration, labour rights, decent work and forced labour
- b. **Build upon the work of existing bilateral, subregional and regional platforms** that have overcome obstacles and identified best practices in labour mobility, by facilitating cross-regional dialogue to share this knowledge, and to promote the full respect for the human and labour rights of migrant workers at all skills levels, including migrant domestic workers
- c. **Improve regulations on public and private recruitment agencies**, in order to align them with international guidelines and best practices, prohibit recruiters and employers from charging or shifting recruitment fees or related costs to migrant workers in order to prevent debt bondage, exploitation and forced labour, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry

- d. **Establish partnerships with all relevant stakeholders**, including employers, migrant workers organizations and trade unions, to ensure that migrant workers are provided written contracts and are made aware of the provisions therein, the regulations relating to international labour recruitment and employment in the country of destination, their rights and obligations, as well as on how to access effective complaint and redress mechanisms, in a language they understand
- e. **Enact and implement national laws that sanction human and labour rights violations**, especially in cases of forced and child labour, and cooperate with the private sector, including employers, recruiters, subcontractors and suppliers, to build partnerships that promote conditions for decent work, prevent abuse and exploitation, and ensure that the roles and responsibilities within the recruitment and employment processes are clearly outlined, thereby enhancing supply chain transparency
- f. **Strengthen the enforcement of fair and ethical recruitment and decent work norms and policies** by enhancing the abilities of labour inspectors and other authorities to better monitor recruiters, employers and service providers in all sectors, ensuring that international human rights and labour law is observed to prevent all forms of exploitation, slavery, servitude, and forced, compulsory or child labour
- g. **Develop and strengthen labour migration and fair and ethical recruitment processes** that allow migrants to change employers and modify the conditions or length of their stay with minimal administrative burden, while promoting greater opportunities for decent work and respect for international human rights and labour law

- h. Take measures that prohibit the confiscation or non-consensual retention of work contracts,** and travel or identity documents from migrants, in order to prevent abuse, all forms of exploitation, forced, compulsory and child labour, extortion and other situations of dependency, and to allow migrants to fully exercise their human rights
- i. Provide migrant workers engaged in remunerated and contractual labour with the same labour rights and protections** extended to all workers in the respective sector, such as the rights to just and favourable conditions of work, to equal pay for work of equal value, to freedom of peaceful assembly and association, and to the highest attainable standard of physical and mental health, including through wage protection mechanisms, social dialogue and membership in trade unions
- j. Ensure migrants working in the informal economy have safe access to effective reporting, complaint, and redress mechanisms** in cases of exploitation, abuse or violations of their rights in the workplace, in a manner that does not exacerbate vulnerabilities of migrants that denounce such incidents and allow them to participate in respective legal proceedings whether in the country of origin or destination
- k. Review relevant national labour laws, employment policies and programmes** to ensure that they include considerations of the specific needs and contributions of women migrant workers, especially in domestic work and lower-skilled occupations, and adopt specific measures to prevent, report, address and provide effective remedy for all forms of exploitation and abuse, including sexual and gender-based violence, as a basis to promote gender-responsive labour mobility policies

I. Develop and improve national policies and programmes relating to international labour mobility, including by taking into consideration relevant recommendations of the ILO General Principles and Operational Guidelines for Fair Recruitment, the United Nations Guiding Principles on Business and Human Rights, and the IOM International Recruitment Integrity System (IRIS)



Example practices

For more practices, visit the Migration Network Hub's

Bilateral labour agreements

Bilateral labour agreements between countries can also be effective at regulating recruitment practices. For example, the MOU between the Philippines and Japan clearly indicates the recruitment fees that employers must pay: as of 2013, USD 425 as a processing fee and a USD 25 contribution to the Worker's Welfare Fund.

International Recruitment Integrity System

The International Recruitment Integrity System (IRIS) is a global initiative aimed at promoting ethical and recruitment. IRIS defines and sets a benchmark for ethical recruitment, called the IRIS Standard, and establishes a voluntary certification scheme for ethical labour recruiters, as well as a compliance and monitoring mechanism. Through IRIS, IOM works with governments, the private sector and civil society to create ethical recruitment conditions that will eventually enable ethical recruitment to become the norm (IOM, n.d.).

Indonesia's DESBUMI local initiatives

Indonesia's Jember Regency, which covers a large number of rural towns and urbanised territories in the East Java Region, has various programmes aimed at supporting former migrants' social inclusion and access to employment in ethical conditions. These initiatives include artisanship activities and digital literacy programmes, which contribute not only to migrants' empowerment but also to local economic development. The work led at the local level has also been combined with a national strategy oriented towards the protection of migrants' rights in international human rights law (Mampu.bappenas.go.id, n.d.).



Relevant sustainable development goals



SDG 1: No poverty

▪**1.3:** Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable

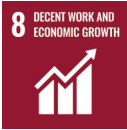


SDG 5: Gender Equality

▪**5.2:** Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

▪**5.4:** Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social

protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate



SDG 8: Decent work and economic growth

- 8.7:** Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms
- 8.8:** Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment
- 8.b:** By 2020, develop and operationalize a global strategy for youth employment and implement the Global Jobs Pact of the International Labour Organization



SDG 10: Reduced inequalities

- 10.2:** By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status
- 10.7:** Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies