

**FOURTH ITEM ON THE AGENDA****Status of preparations for the 2004
ILC discussion on migrant workers**

1. At its 283rd Session in March 2002, the Governing Body determined that migrant workers would be the subject of the general discussion at the 92nd Session of the International Labour Conference to be held in Geneva in June 2004.¹ The Governing Body agreed that the discussion would take place with an integrated approach to allow consideration of a range of approaches, solutions and instruments. To cover these issues, it was agreed that the general discussion would include consideration of three main themes: (1) international labour migration in the era of globalization; (2) policies and structures for more orderly migration for employment; and (3) improving migrant workers' protection.
2. In the ensuing two years, the Office has engaged in extensive and multifaceted preparatory activity for this general discussion. These preparations reflect the integrated approach set out by the Governing Body for this discussion. Emphasis has been placed on compiling a base of knowledge and constituent perspective in the background report on migration worldwide being prepared by the Office, and on consultation with officials and institutions in governments, international and regional organizations, and social partner organizations to identify their concerns and contributions as well as notions of desired outcomes.

International labour migration survey

3. An international labour migration survey (published in English, French, Spanish, Arabic, Chinese, German and Russian) on conditions and issues of labour migration was sent to all member governments in July 2003, with the request that social partners be consulted in completing the information. It asked for information about current conditions of migrant workers, policies, legislation, application of norms, institutional mechanisms and structures, and areas where further assistance from the ILO and international institutions could be helpful.
4. The governments of 90 countries had returned completed surveys by late January. It is anticipated that more may be received. The results of the surveys received up to the end of 2003 have been incorporated into the draft report; several responses arrived in January

¹ GB.283/2/1.

2004 and could not be included. The late receipt of a considerable number of replies posed some difficulties in respecting the report's February 2004 deadline. In order to include data from all responses, a detailed summary on survey responses will be made available in May 2004.

The report

5. The report will serve as the main preparatory document for the Conference's general discussion. It incorporates new research and data, synthesizes information provided by member governments and constituents, and identifies options for viable policies and practices. In order to provide full background on the three main thematic thrusts proposed by the Governing Body, the report is intended to provide a comprehensive overview of labour migration today. Its main chapters address the interrelationships between migration and globalization, the economic and social impact of labour migration on countries of destination and origin, contemporary conditions of work for migrant workers, the role of international labour standards, the approach and activities of the ILO, and effective approaches to governance of migration.
6. Compiled from a worldwide review of current research and literature on labour migration and related topics, the report includes new information not previously published as well as data and knowledge not previously assembled under one cover. The ILO undertook a study to assess the number of migrants economically active worldwide. Data provided from member countries through the survey also contributed an important component.
7. The report reviews applicability of other ILO Conventions to migrant workers, discussion of impact of remittances, issues of discrimination, employment, migrant child labour, trafficking, gender, HIV/AIDS, social security and many other relevant issues.
8. Academic "centres of excellence" were invited to contribute. The International Institute for Labour Studies conducted a research project and two expert seminars seeking new approaches regarding high-skilled migration and on temporary migration; the outcomes comprised substantial contributions. Internationally renowned institutions, such as the Migration Policy Institute in Washington, DC, and the Southern Africa Migration Project, also contributed material.

Consultations

9. Consultations have been and continue to be conducted with ILO tripartite constituents and with other international actors in the field of migration.
10. Interagency meetings have been conducted with the main international organizations whose agendas address migration in a significant way. These are the International Organization for Migration (IOM), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Office for Drug Control and Crime Prevention (UNODC) and the United Nations Conference on Trade and Development (UNCTAD). The heads of these agencies also cooperated through the recently established interagency Geneva Migration Group. The United Nations Population Division and the Organization for Economic Co-operation and Development (OECD) also provided input and data. At the direct request of the ILO Director-General, several agencies prepared detailed comments and contributions to the Office report. Input was drawn from a World Health Organization (WHO) initiative on migration, health and human rights focusing on health issues affecting migrant workers. UNESCO shared findings of the first of several regional studies on

obstacles and possibilities for ratification of international instruments on protection of migrant workers.

11. A briefing for government and other delegates to the UN General Assembly was arranged by the New York Office in November 2003. Individual informal consultations were held with the UN Special Rapporteur on Human Rights of Migrants and the Special Rapporteur on the Rights of Non-Citizens. At their request, briefings have been and continue to be held with representatives of government missions in Geneva. Provision of briefings on the preparations and content of the Conference's general discussion to the regional groups of diplomats in Geneva is anticipated prior to the Conference.
12. Consultations were conducted with senior officials and relevant bodies of regional intergovernmental institutions, to ensure incorporation of relevant material from regional institutional competencies and to facilitate future coordination. These included, for example, briefing of officials of the African Union Secretariat in Addis Ababa in July 2003, a presentation to the Council of Europe Intergovernmental Committee on Migration (CDMG) in May 2003, and discussions with officials of European Commission Directorates on Employment and Social Affairs, External Relations and Justice and Home Affairs.
13. While limited resources precluded organizing ILO preparatory consultations in different regions, dialogue with constituents and other partners has taken place through a variety of approaches. A fully tripartite regional ILO consultation took place for Asia in Bangkok from 30 June to 2 July 2003, with participation from 15 countries of East, South and South-East Asia as well as Australia and New Zealand. The outcome underlined a renewed commitment of labour ministries and national social partner organizations across Asia to prioritize attention to regulation of labour migration and it urged wider ratification of the ILO migrant worker instruments.
14. Two subregional tripartite meetings on labour migration conducted in Africa articulated concerns and recommendations with a view to contribute to the Conference's general discussion. These were the ILO Tripartite Forum on Labour Migration in Southern Africa, held in Pretoria (22-25 November 2002) with participation from the 14 countries of the Southern Africa Development Community (SADC), and the ILO Tripartite Seminar on Labour Migration for Central Africa held in Douala, Cameroon, in March 2003. The recommendations emphasized need for increased tripartite involvement in regional labour migration policy and administration, promotion of ratification of ILO Conventions Nos. 97 and 143, and implementation of freer circulation of labour in the SADC and Central Africa Economic and Monetary Community (CAEMC) economic integration processes.
15. Special sessions to consult ILO constituent labour ministry and social partner delegates were conducted at the West Africa Subregional Seminar on Labour Migration held in Dakar (16-18 December 2003), at the International Migration Policy Conference for East Africa, Horn of Africa and Great Lakes region, held in Addis Ababa in July 2003 and at the Fourth Session of the Issyk-kul Dialogue of the International Migration Policy Conference for Central Asia, the Caucasus and Neighbouring States, held in Bishkek, Kyrgyzstan, from 26 to 29 January 2004. In both instances, constituents expressed high expectations that the outcome would lead to increased ILO activity in this field in their regions, and committed their organizations to prepare for the Conference's general discussion.
16. Three special consultative briefing sessions were held at the 91st Session of the International Labour Conference in June 2003 for, respectively, Government, Employers' and Workers' delegates of the Americas region. Constituent delegates of all three groups emphasized that labour migration is a growing concern for their respective governments

and organizations. A tripartite seminar on labour migration in Central America planned for April 2004 will offer an additional opportunity for dialogue.

17. Trade unions have organized several activities in which ILO officials were invited to contribute. A global preparatory meeting for the 92nd Session of the International Labour Conference in June 2004 among national and international workers' organizations, held in Nyon on 15-16 December 2003, organized by the Workers' group with cooperation from ACTRAV, identified numerous convergences in policy views and recommendations among national workers' organizations from all regions. The International Confederation of Arab Trade Unions (ICATU) organized a regional consultation in Damascus, September 2003, at which preparations for the 92nd Session of the International Labour Conference, 2004, were a major feature. The International Confederation of Free Trade Unions (ICFTU), ICFTU-AFRO, is organizing an Africa trade union consultation on migrant labour in Africa to take place in Nairobi in March 2004, which will help prepare African Workers' delegates to the 92nd Session of the International Labour Conference in June 2004 on relevant concerns.
18. Recent activities of several global union federations focused attention on issues of the Conference's general discussion, including a series of regional consultations (Africa, Asia, Latin America) on labour migration by the International Federation of Building and Wood Workers (IFBWW) and an international consultation on migrant workers in agriculture organized by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) together with the German Confederation of Trade Unions (DGB) in September 2003. Results of these meetings were forwarded to the Office expressly to contribute to the Conference's general discussion.
19. The International Organisation of Employers (IOE) has also been consulted; Office staff held a session for executives in January 2004 and a briefing for the Governing Body's Employer members was scheduled for the March 2004 session of the Governing Body. ILO officials individually briefed delegates of national and/or regional employer federations/associations, including the Union of Industrial and Employers' Confederations of Europe (UNICE), Kazakhstan, Mauritius, Senegal, South Africa, Turkey and others at recent conferences in Africa, Asia, Central Asia and Europe.
20. Relevant input has been offered by several migration-concerned international civil society organizations, including the Coordination of Action Research on AIDS and Mobility (CARAM) Asia network, which in August 2002 held an Asia-Middle East Regional Summit on Migrant Domestic Workers, the (European) Platform for International Cooperation on Undocumented Migrants (PICUM) and Human Rights Watch, which recently conducted studies regarding protection of irregular migrants in several European countries.

Internal coordination

21. In the spirit and practice of the integrated approach to the general discussion, inter-unit coordination within the Office has been organized since the decision was taken for the discussion topic at the 92nd Session of the International Labour Conference. The International Migration Programme (MIGRANT) serves as the focal point for elaboration of content and materials and POLNORM elaborated parameters for the integrated approach preparations based on experience with the first general discussion in an integrated approach on occupational safety and health at the 91st Session of the International Labour Conference.

22. Contributions of relevant data, information and materials have been invited from the four main sectors, as well as from regions and development cooperation, and responses provided detailed data and text in areas of their competence that intersect with migration concerns.
23. ACTRAV produced a special issue of the workers' education journal on migrant workers in 2003 as a preparatory primer for workers' organizations. The contents highlighted trade union views from all regions as well as contributions from officials of the ILO and other organizations. It was distributed worldwide in three languages.
24. The Executive Directors of sectors 1 (ED/NORM) and 3 (ED/PROTECT) reinforced overall coordination, by convening an initial house-wide meeting to invite cooperation in preparation for the Conference's general discussion and subsequently in maintaining oversight with the chiefs of the units directly responsible for preparations.
25. The consultations and preparatory steps noted above have reinforced a perception that the Conference's general discussion will be the most inclusive high-level global discussion on migration policy and practice in at least the first half of this decade. Increasing attention has been focused on this event because of the growing political and economic importance of labour migration today, and because of the unique nexus the ILO provides between labour migration and its context of labour market regulation, decent work, employment creation, and economic development.
26. The significance of this discussion may be enhanced because the International Labour Conference itself comprises a ministerial-level meeting among the 177 ILO member States – together with the leadership of the representative social partner organizations. Its outcome will likely offer important contributions to the global quest for a framework for international cooperation on migration.
27. The Committee is invited to comment on progress to date and to give its advice and guidance on the preparations for the general discussion on migrant workers/labour migration at the 92nd Session of the International Labour Conference in June 2004.

Geneva, 11 February 2004.

Submitted for discussion.