



## INTERNATIONAL LABOUR CONFERENCE

Ninety-second Session, Geneva, 2004

### **Resolution concerning a fair deal for migrant workers in a global economy<sup>1</sup>**

The General Conference of the International Labour Organization, meeting in its 92nd Session, 2004,

Having undertaken a general discussion based on an integrated approach on the basis of Report VI, *Towards a fair deal for migrant workers in the global economy*,

1. Adopts the following conclusions;
2. Invites the Governing Body to give due consideration to them in planning future action on migrant workers and to request the Director-General to take them into account both when preparing the Programme and Budget for the 2006-07 biennium and allocating such other resources as may be available during the 2004-05 biennium.

### **Conclusions on a fair deal for migrant workers in a global economy**

#### **Issues and challenges**

1. The preparatory report for the present general discussion *Towards a fair deal for migrant workers in the global economy*, the rich and multifaceted discussion held in the Conference Committee as well as the report of the World Commission on the Social Dimension of Globalization reflect a clear consensus on the fact that international migration is increasingly important in the global economy of today. Nearly all countries today are affected by international migration, either as origin, transit or destination countries – and in many cases all these capacities. The rising mobility of people in search of opportunities and decent work and human security has been commanding the attention of policy-makers and prompting dialogue for multilateral cooperation in practically every region of the world. The ILO's mandate in the world of work as well as its competencies and unique tripartite structure entrust it with special responsibilities regarding migrant workers. Decent work is at the heart of this. The ILO can play a central role in promoting policies to maximize the benefits and

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citizenship, some 86 million are estimated to be economically active. Of these, 34 million are thought to be in developing regions. Women continue to constitute about half of all migrants, but most are now migrating on their own as primary income earners. Many people choose to migrate to improve their living standards and may migrate due to a lack of decent work opportunities at home; however, other factors contributing to migration include poverty, wars, famine and repression as well as population pressures and income inequalities. There are also instances of forced migration for work that should be eliminated.

3. Regional economic integration processes today provide opportunities for facilitating more productive use of labour within larger market spaces. Economic effects of migration for employment are mainly beneficial, allowing for non-inflationary economic expansion, job creation and rejuvenation of populations. Perceptions of adverse immigration impacts are often unfounded or exaggerated, although particular sectors have experienced declines in wages and conditions. Effects of labour migration on countries of origin, particularly less developed countries, are more complex.
4. It is recognized that among many of the beneficial elements of labour migration are non-inflationary economic expansion, job creation, growth and cross-fertilization of skills, technology exchange, rejuvenation of populations and stimulation of development through remittance flows. The ambition and the drive that motivate people to migrate generally help them to find jobs in many countries, work hard, and benefit both themselves and host country nationals. Demographic trends in some regions suggest that immigration will in some instances be an important component of a long-term solution to the anticipated problems raised by ageing. The ILO's Global Employment Agenda supports policies for economic growth and employment.
5. Despite the positive experiences of migrant workers, a significant number face undue hardships and abuse in the form of low wages, poor working conditions, virtual absence of social protection, denial of freedom of association and workers' rights, discrimination and xenophobia, as well as social exclusion. Gaps in working conditions, wages and treatment exist among migrant workers and between migrant and national workers. In a significant number of cases unemployment rates, job security and wages differ between regular migrant workers and national workers.
6. The number of migrants in an irregular situation is rising, fuelled by the growth of informal forms of employment, shortages of workers for dirty, demeaning and dangerous jobs ("3D-jobs") and lack of opportunities for regular labour migration.



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22. A high priority should be given to capacity building and technical assistance, in line with this plan of action.

### **A non-binding multilateral framework for migrant workers in a global economy**

23. In order to assist member States to develop more effective labour migration policies, the tripartite constituents have agreed to develop a non-binding multilateral framework for a rights-based approach to labour migration which takes account of national labour market needs. Such a framework will be drawn from, and based on, available information on policy and best practices in countries engaged in international migration, existing proposals to enhance the economic benefits of migration, relevant international labour standards, the 1998 Declaration on Fundamental Principles and Rights at Work and its Follow-up, and other relevant international instruments. This framework should be of particular interest to countries emerging either as origin, destination or transit countries.
24. This framework will comprise international guidelines on best practices on areas including, but not limited to, the following:
- › having regard to labour market needs and demographic trends in the various countries, expanding avenues for regular labour migration;
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- › measures to ensure that all migrant workers are covered by national labour legislation and applicable social laws;
  - › policies to encourage return migration, reintegration into the country of origin and transfer of capital and technology by migrants;
  - › promoting guidelines for ethical recruitment of migrant workers and exploring mutually beneficial approaches to ensure the adequate supply of skilled health and education personnel that serve the needs of both sending and receiving countries.







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36. The ILO is expected to participate actively in relevant international forums and to enhance cooperation with other relevant international organizations for the furtherance of this plan of action.

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*The preceding Conclusions were elaborated by the International Labour Conference General Discussion Committee on Migrant Workers, meeting in 15 sittings from 1 June to 12 June 2004. Participation consisted of from 137 to 226 accredited members (modified daily) representing governments, employer organizations and worker organizations from many of the 177 member countries of the International Labour Organization. Observers were present from various UN and international intergovernmental organizations, from regional organizations and from civil society organizations, including migrant groups.*

*These Conclusions were agreed to by the Committee on 12 June; **the Conclusions were adopted by consensus in Conference plenary on 16 June 2004.***

*The member States of the ILO meet at the International Labour Conference held every year in Geneva, Switzerland, in the month of June. Each member State is represented by a delegation consisting of two government delegates, an employer delegate, a worker delegate, and their respective advisers. Employer and worker delegates are nominated in agreement with the most representative national organizations of employers and workers. The Conference, often called an international parliament of labour, is responsible for crafting and adoption of International Labour Standards, supervision of application of these Conventions and Recommendations, examining Global Reports covering fundamental labour rights, discussing social and labour questions of world-wide importance, adopting resolutions that provide guidelines for general ILO policy and future activities, and adopting every two years the organization's biennial work programme and budget.*

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An comprehensive ILO Report to the Conference, ***Towards a Fair Deal for Migrant Workers in the Global Economy*** is available on-line at:

<http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>

These Conclusions, the full ***Report of the Committee on Migrant Workers***, and the ILO Report noted above are available in Arabic, Chinese, English, French, German, Russian and Spanish languages on the ILO website. The English version is on-line at:

<http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/pr-22.pdf>