

COMMITTEE: Migrant workers (ILO 2)

ISSUE: How can migrant workers be protected from abusive recruitment practices?

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PRESENTATION BY THE CHAIRMAN

Hello delegates! My name is Rayan Ben Ismail and I'm 17 years old. I study at the Lycée International de Ferney-Voltaire in Saint-Genis-Pouilly. Sport and running in particular are my main hobbies in my free time. Curious about discovering new cultures, I enjoy travelling and meeting new people. I joined my high school's MUN association in 2022 and since then I've taken part in 3 conferences as a delegate. For FerMUN 2025, I'll have the pleasure of being committee chairman.



For the second year running, the FerMUN conference will be held at the International Labour Organisation (ILO) in Geneva. We will therefore have the privilege of holding a tripartite debate. Our committee will be focusing on the theme of migrant workers, and we will be debating a key issue: the recruitment of these workers. They are often neglected and recruited indecently, when they should, like any other worker, benefit from good recruitment and therefore working conditions. Dear delegates, it is up to us to find solutions that will enable them to be employed in a decent way. I wish you all the best in your research into this issue. I look forward to meeting you in January and starting this conference in your presence.

KEYWORDS

Migrant worker : A person who emigrated or has emigrated from one country to another for the purpose of being employed. *Source: Article 11 of ILO Convention 143.*

Abusive practice: An act whereby one party takes advantage of its position of domination to induce behaviour in the other party, who is in a weak position.

Undeclared work: Any paid activity that is legal in nature but not declared to the public authorities, thus preventing workers from accessing social protection and making them vulnerable to abuse. *Source: Undeclared work, European Commission.*

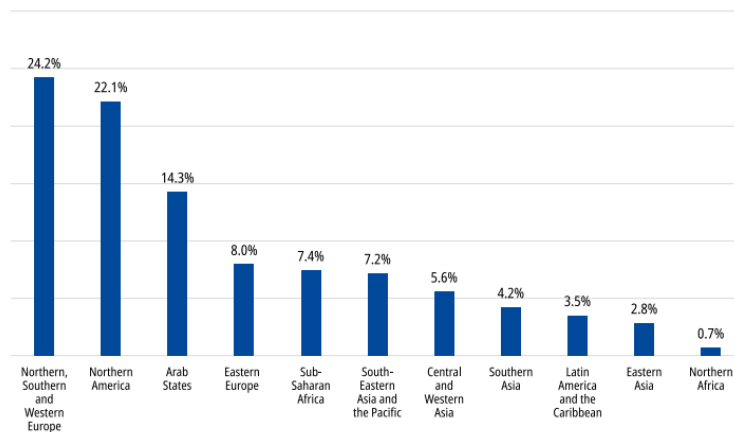
Labour force: All people of working age who can participate in the production of goods and services in an economy. This includes both employed and unemployed people. *Source: KILM 13. People outside the labour force, ILO.*

OVERVIEW

1) Migrant workers

Chart source: ILO global estimates of migrant workers 30/06/21

► Distribution of international migrant workers by broad subregion, 2019



The International Labour Organisation (ILO) estimates that there are 169 million migrant workers. They therefore make up 5% of the world's workforce.

Most migrant workers are concentrated in 3 regions: Northern, Southern and Western Europe, North America and the Arab States. This can be explained by a lack of active population in these regions (linked to a declining demography), and the

attractiveness of wages for these people, most of whom come from less developed countries.

However, migrant workers are vulnerable. They may :

- have difficulty communicating with employers, trade unions, public services, etc.
- arrive in their destination country in a precarious situation;
- be unfamiliar with labour legislation in their destination country;
- not being aware of the risks of the job they are about to embark on;
- not having the skills required for the job on offer.

All these factors encourage abusive recruitment practices, which are harmful to these workers.

2) Abusive recruitment practices

The ILO, with its objective of fair recruitment for all, has defined the various forms of abusive recruitment practices:

- Imposing recruitment fees and commissions on workers;
- Threats and intimidation, including verbal and psychological violence;
- Deception regarding contracts, working and living conditions, and failure to disclose relevant information;
- Restriction of freedom of movement;
- Retention of identity documents for the purpose of controlling jobseekers;
- Physical and sexual violence;
- Recruitment before working age.

These various abusive recruitment practices are sometimes used by certain private recruitment agencies. In 2013, there were nearly 260,000 of these agencies worldwide, causing the ILO concern about their recruitment methods. These labour intermediaries increase the risk that the workers who use them will be victims of abuse.

Illegal recruitment agencies are highly lucrative businesses. The ILO estimates that migrant workers pay between 5 and 10 billion dollars in illegal recruitment fees and commissions each year. These people, seeking employment in another country, are prepared to pay substantial sums to be selected or to speed up their recruitment process - even though international labour standards prevent recruitment agencies from charging fees to workers.

Of these jobseekers, 41.5% are women. These women are all the more vulnerable because they are the preferred targets of malicious recruiters. Migrant women are sometimes detained by recruitment agents under the pretext of providing them with training services, during which they may be subjected to financial, physical, sexual or psychological abuse. Abusive recruitment fees sometimes force them into debt. This leads them into a vicious circle where they become dependent on the people who lend them money. As a result, they lose their independence and are at greater risk of psychological and even physical abuse.

► Global distribution of international migrant workers by sex, 2019

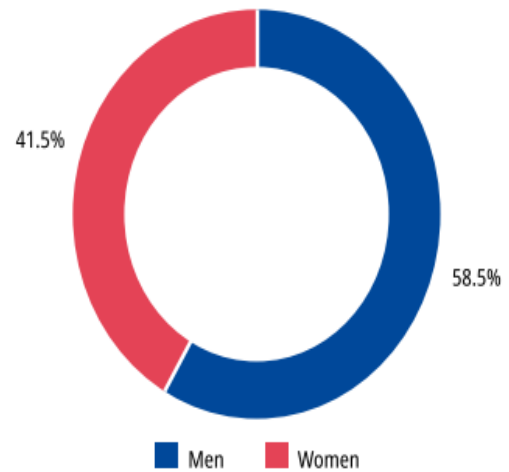


Chart source: ILO global estimates of migrant workers 30/06/21

3) The consequences of inaction

According to the ILO, abusive recruitment practices encourage forced labour, modern slavery and human trafficking. Recruitment is a key stage in a worker's career, so if it is carried out improperly, it has a major influence on the employee's future.

Table source: ITUC-International Trade Union Confederation- November 2008-Report on forced labour.

Process	+	Way/Means	+	Goal
Recruitment or Transportation or Transferring or Harbouring or Receiving	A N D	Threat or Coercion or Abduction or Fraud or Deceit or Deception or Abuse of Power	A N D	Prostitution or Pornography or Violence/Sexual Exploitation or Forced Labour or Involuntary Servitude or Debt Bondage (with unfair wages) or Slavery/Similar Practices

Let's take an example to illustrate. In the run-up to the 2022 football World Cup, Nepalese looking for work abroad were offered jobs as labourers in Qatar, building stadiums. The salaries offered were not very high for Qatar, but still attractive for the Nepalese. The trip forced the migrants to go into debt to pay the agencies that took charge of their transfer at exorbitant interest rates. However, the agencies had not informed them of the dangers of working on these sites. There was widespread exploitation

of foreign workers, forced labour - sometimes in temperatures of 50°C - denial of access to drinking water - even though it was free - and multiple violations of international labour standards. In alarming sanitary conditions, some of these foreign workers slept twelve to a room in an unsanitary hotel, riddled with disease. Many of these workers died of heart attacks and accidents on the job. On site, they were often paid several months late and had their wages withheld to prevent them from fleeing. Some had their passports or identity papers confiscated. These exploitative conditions are akin to modern-day slavery.

The former Director-General of the ILO, Guy Ryder, said himself: 'Combating abusive recruitment practices is essential to effectively prevent modern slavery and forced labour, both nationally and across borders.'

ILO TREATIES AND MAJOR EVENTS

The ILO attaches great importance to ensuring that workers throughout the world enjoy rights that enable them to live and work in good conditions. This international body has therefore adopted several conventions/resolutions aimed at enabling migrant workers to be recruited and to work in a decent manner.

01/07/1949

Adoption of **Convention n°97 on migrant workers** ([here](#)).

This deals with migration for employment. Its aim is to protect the rights of migrant workers by regulating the conditions of their migration. This convention stipulates that states must provide accurate information and offer appropriate assistance to migrant workers, but also that migrant workers must enjoy the same rights and working conditions as national workers. It also calls on States to regulate employment contracts and admission conditions for migrant workers.

01/07/1949

The ILO adopts **Recommendation 86 on migrant workers** ([here](#)).

It proposes guidelines for protecting migrant workers. It stresses the importance of informing migrants of their rights and working conditions, providing administrative assistance, and guaranteeing equal treatment in terms of working conditions, pay and social security. It also recommends facilitating family reunification. These measures aim to prevent exploitation and promote decent living conditions for migrant workers.

24/06/1975

Adoption of **Convention 143 on migrant workers** ([here](#)).

It deals with migration under abusive conditions and the promotion of equality of opportunity and treatment of migrant workers. This convention aims to protect the rights of migrant workers and to promote decent working conditions. It also encourages countries to work together to eradicate abusive migration practices, and to integrate migrant workers fairly into their societies and economies.

19/06/1997

ILO Convention No. 181 ([here](#)).

It regulates private employment agencies to protect workers while facilitating a flexible labour market. It prohibits agencies from charging workers for placement services, promotes cooperation with public employment services, and imposes fair working conditions. Member States must monitor these agencies to ensure that workers' rights are respected, and apply sanctions in the event of non-compliance.

2019

With the cooperation of the European Union, the ILO has published a report entitled ***Why fair recruitment matters ?*** ([here](#)). This report defines the various abusive recruitment practices that migrant workers may face. It also sets out the ILO's objectives for achieving fair recruitment for all.

POSSIBLE SOLUTIONS

- Step up the monitoring of private recruitment agencies, to prevent any abuse on their part. If we want to solve this problem, we need to monitor and then penalise the various agencies that offer their services in exchange for abusive recruitment fees and commissions.

- Transmit all the information (working hours, potential risks, working conditions, salary, etc.) required for a smooth recruitment process in the language of the migrant worker in a totally honest manner. It is vital that these workers are kept informed and that they understand what they are getting into.

- Use various means of communication to publicise the rights, freedoms and support available to migrant workers in their country of destination/work. The aim is to ensure that they are fully aware of these supports, so that they do not fall into the trap of malicious recruiters/employers and are able to make use of the legislation available to them.

- Implement the ILO's action plan aimed at ensuring fair recruitment for all workers. This will make it possible to reduce or even put an end to abusive recruitment practices, thus impacting the various forms of forced labour, modern slavery and human trafficking.

- Better control of financial flows linked to illegal recruitment fees and commissions, to put an end to these highly lucrative and malicious practices. The ILO estimates that migrant workers pay between 5 and 10 billion dollars in illegal recruitment fees and commissions every year. This is inconceivable, yet very real, and puts these migrant workers in financial difficulty, exposing them to forced labour. This is also a very lucrative market, generating 150 billion dollars in illicit profits a year.

Questions to consider

1. Is your country a starting point for migrant workers?

2. Is your country a destination for migrant workers?

3. Are there any NGOs (non-governmental organisations) in your country that defend the rights of migrant workers? If so, what are they doing to enable migrant workers to be recruited in a decent manner?

4. Does your country's legislation encourage decent recruitment for migrant workers? If so, what measures are in place in your country? If not, why not?

5. Are migrant workers subjected to abusive recruitment practices in your country? If so, what types of practices are used by recruiters?

BIBLIOGRAPHY

Article

- ❖ [Amnesty International article, telling the story of a migrant worker, victim of abusive recruitment practices](#) (in English and French)
- ❖ [Le Monde, Example of Nepalese migrant workers in Qatar](#) (in French)

Websites

- ❖ [An ILO website providing a wealth of information on migrants](#)
- ❖ [A page from the ILO website, accompanied by a pdf, explaining the various difficulties that migrant workers can face](#) (in English)
- ❖ [An example of collaboration between the ILO and another body to combat abusive recruitment practices](#) (in French)
- ❖ [Here is the source of the first two graphs: ILO global estimates of migrant workers](#) (in English)
- ❖ [Source of the table on forced labour in the third part of the overview](#) (in English)
- ❖ [ILO website](#)
- ❖ [CIA Factbook. A site where you can find some information about your delegation to help you with your research](#)

Videos

- ❖ [Short ILO video on labour migration](#) (in French)
- ❖ [ILO video on modern slavery](#) (in English)

Reports

- ❖ [Amnesty International report explaining the situation of migrant workers](#) (in French)