

GLOBAL CONFERENCE ON THE REGULATION OF INTERNATIONAL RECRUITMENT

IDENTIFYING CHALLENGES & SHARING GOOD PRACTICES TO IMPROVE INTERJURISDICTIONAL REGULATION AND ENFORCEMENT RELATED TO INTERNATIONAL LABOUR RECRUITMENT

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SUMMARY

Unethical recruitment is a global phenomenon, found across economic sectors and occupations, but most commonly linked with the recruitment of lower skilled workers where the prevailing business model is based on a “worker pays” modality. Migrant workers are often exploited during the recruitment and deployment phases of the migration cycle by unscrupulous labour brokers or recruiters that charge excessive fees, provide misleading information about the job offer and exploit aspiring migrant workers through false promises and coercion. This exploitation is often discovered during labour inspection or workplace assessments in countries of employment, when the damage has already been done and requires remediation by employers or governments.

In many migration corridors, this situation is exacerbated by government regulation that allows fee-charging to job seekers, often as a percentage of their salary or in accordance with the country of destination. These inconsistencies with international standards – which prohibit fee-charging to migrants – create an uneven playing field for those recruiters who conduct their business ethically, while also impeding interjurisdictional enforcement of national or subnational laws when crimes committed in one jurisdiction are uncovered in another without bilateral agreements to ensure integrity within these complex labour supply chains. This is complicated by variation in regulatory approaches ranging from simple licensing of recruitment agencies to robust and prescriptive legal codes with enforcement mechanisms that lead to criminal prosecution. This lack of policy coherence has been identified in international instruments as a core governance gap across UN Member States that perpetuates a cycle of abuse and exploitation for migrant workers, and negative impacts for labour markets and economies of receiving countries.

In order to explore the challenges that governments face in the effective regulation of labour recruiters, IOM and the Government of Canada, with support from the Swiss Agency for Development and Cooperation, will host a global conference of leading and emergent government regulators. Held under the Chatham House Rule to ensure open dialogue, the conference will serve to identify regulatory gaps and policy weaknesses, key challenges and obstacles, highlight innovative and best practices, and share lessons learned from around the world. Conference themes may include: licensing regimes and oversight of private recruitment agencies; pilot projects to address inconsistencies in origin and destination jurisdictions; the role of labour inspection services and labour attachés in countries of employment; multilateral, regional and bilateral engagement; and complementary efforts to enhance protections for migrant workers throughout the recruitment and migration process. The resulting conference report will serve to create a baseline assessment of good practices, assist in identifying impediments to policy harmonisation and interjurisdictional enforcement, and consider possible ways forward.

PLEASE REGISTER AT [HTTP://TINY.CC/REGULATERRECRUITMENT](http://tiny.cc/regulaterrecruitment)

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