



# 2017 Situation Report on International Migration

## Migration in the Arab Region and the 2030 Agenda for Sustainable Development



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# 2017 Situation Report on International Migration

## Migration in the Arab Region and the 2030 Agenda for Sustainable Development



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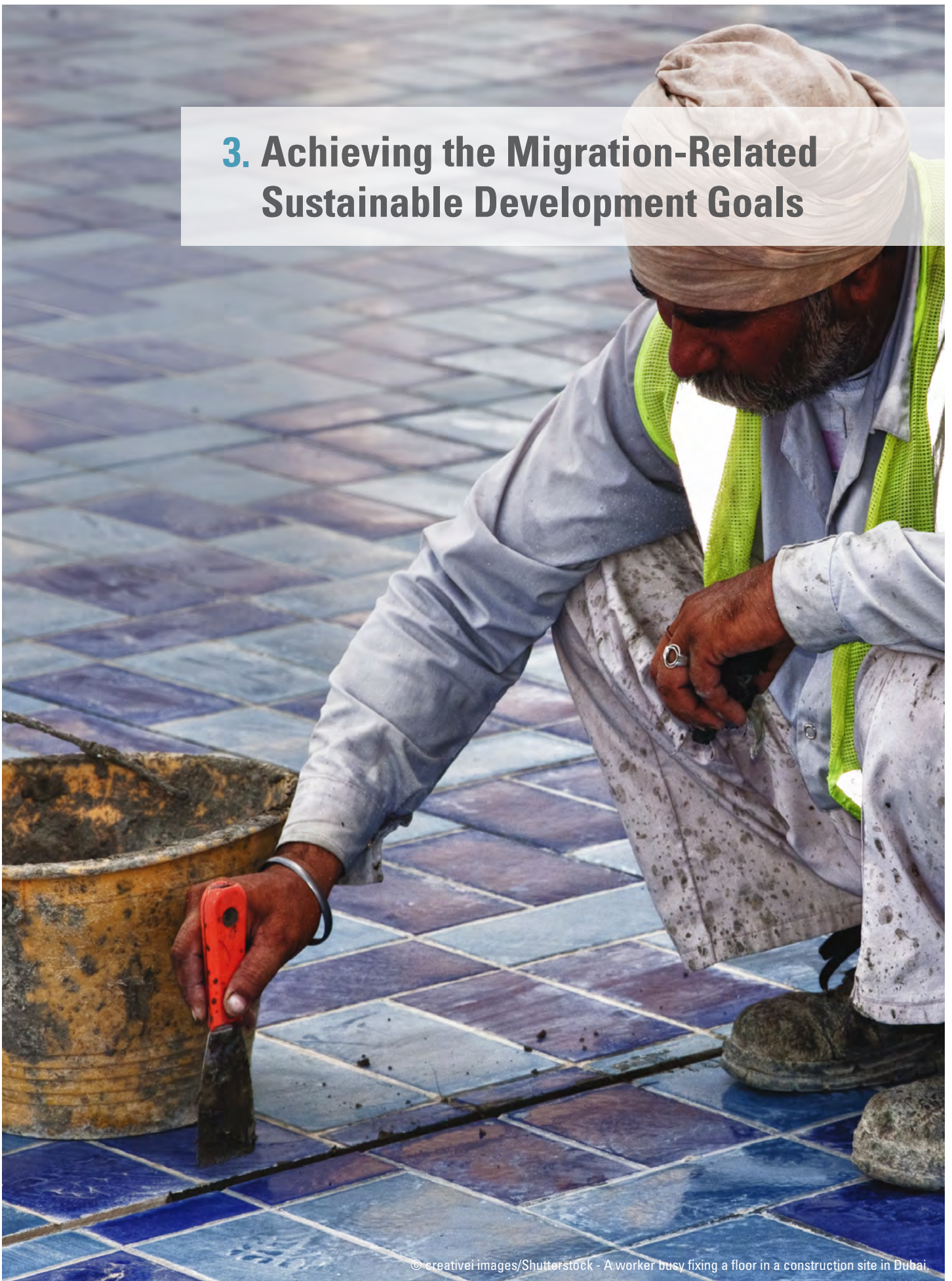
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### **3. Achieving the Migration-Related Sustainable Development Goals**





"I believe in the diversity of the human condition. The best thing about the world is the amount of worlds it has."

*Eduardo Galeano, journalist, writer and novelist, Uruguay*

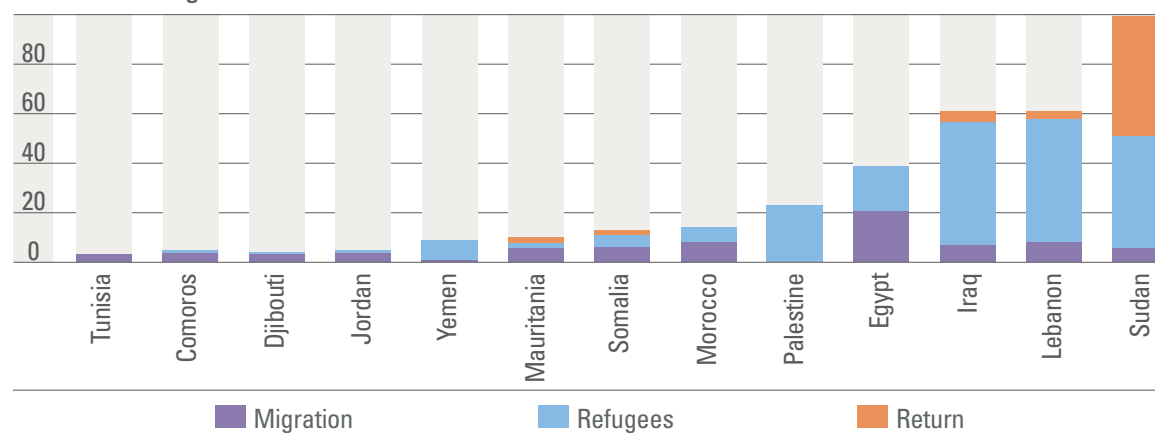


### 3. Achieving the Migration-Related Sustainable Development Goals

As discussed in chapters 1 and 2, Arab countries are key countries of origin, transit and destination for international migrants. Migration and displacement have critical implications for sustainable development outcomes. The important role of human mobility for development policies in the Arab region is further illustrated in that all available United Nations development assistance frameworks in the region include programming references to migration, refugees and return migration (figure 43). The 2016 Arab Forum on Sustainable Development reiterated the importance of various dimensions of international migration and displacement for development endeavours in the region.<sup>1</sup> The present chapter further highlights why endeavours to promote progress under the SDGs must consider SDG migration-specific targets.

The 2030 Agenda for Sustainable Development recognizes that migration is a multidimensional reality of significant relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive response. Migration can contribute to sustainable development when policies are managed well, which underscores the need for a comprehensive policy response as outlined in the Addis Ababa Action Agenda (paragraph 111) adopted at the Third International Conference on Financing for Development held in July 2015. The importance of migration for a broad range of development areas has been further illustrated by the inclusion of human mobility in recent global strategies and agreements. This includes a strong focus on the linkages between migration, sustainable urbanization and sustainable urban development in the New Urban Agenda adopted at the United Nations

**Figure 43.** References to migration and refugees in development assistance frameworks in the Arab region



**Source:** ESCWA and IOM calculations.

**Note:** References correspond to mentions of keywords, based on a keyword analysis in English and French conducted using the qualitative research software NVivo. Automatic codes were individually checked and adjusted. The results exclude references to keywords in agency names, such as the IOM or UNHCR. The following keywords were used in English: refuge, displace, asylum, migra, diaspora, return, and remit. The following keywords were used in French: réfug, déplac, asile, migra, diaspora, rapatri, retour, and transfert.

Conference on Housing and Sustainable Urban Development (Habitat III) held in October 2016, and the outcome document of the 2016 World Humanitarian Summit. Moreover, the Paris Agreement under the United Nations Framework Convention on Climate Change, the Nansen Initiative for the protection of cross-border displaced persons in the context of natural disasters and climate change, and the 2015 Sendai Framework for Disaster Risk Reduction stress that climate and disaster-related human mobility are cross-cutting issues.

Migration governance is often defined as the entirety of migration-related policies and programmes of individual countries, inter-State discussions and agreements, multilateral forums and consultative processes, the activities of international organizations, and relevant laws and norms at the national and international levels.<sup>2</sup> A comprehensive approach to migration governance requires policies and programmes to strengthen refugee protection in accordance with international refugee law, international human rights law and international humanitarian law. It must uphold the right to seek asylum; respect the fundamental principle of non-refoulement and search and rescue policies both at sea and on land; and provide for protection-sensitive entry systems, adequate reception and mechanisms for identification and referral to asylum procedures, including return for those found not in need of international protection.

Good migration governance and the migration-related SDG targets are also relevant for the processes underpinning the United Nations global compact on safe, regular and orderly migration, and the global compact on refugees with its comprehensive refugee-response framework. Both global compacts must establish standards and mechanisms that allow human mobility to be safe and beneficial for all involved. This is a core concern of the migration governance agenda, which is inextricably linked to the SDGs.

## A. Linking sustainable development, public policies and human mobility

Figure 44 illustrates the four dimensions in which human mobility interacts with sustainable development and the related public policies that can promote positive sustainable development outcomes.

The four dimensions in which human mobility interacts with sustainable development are explained below.

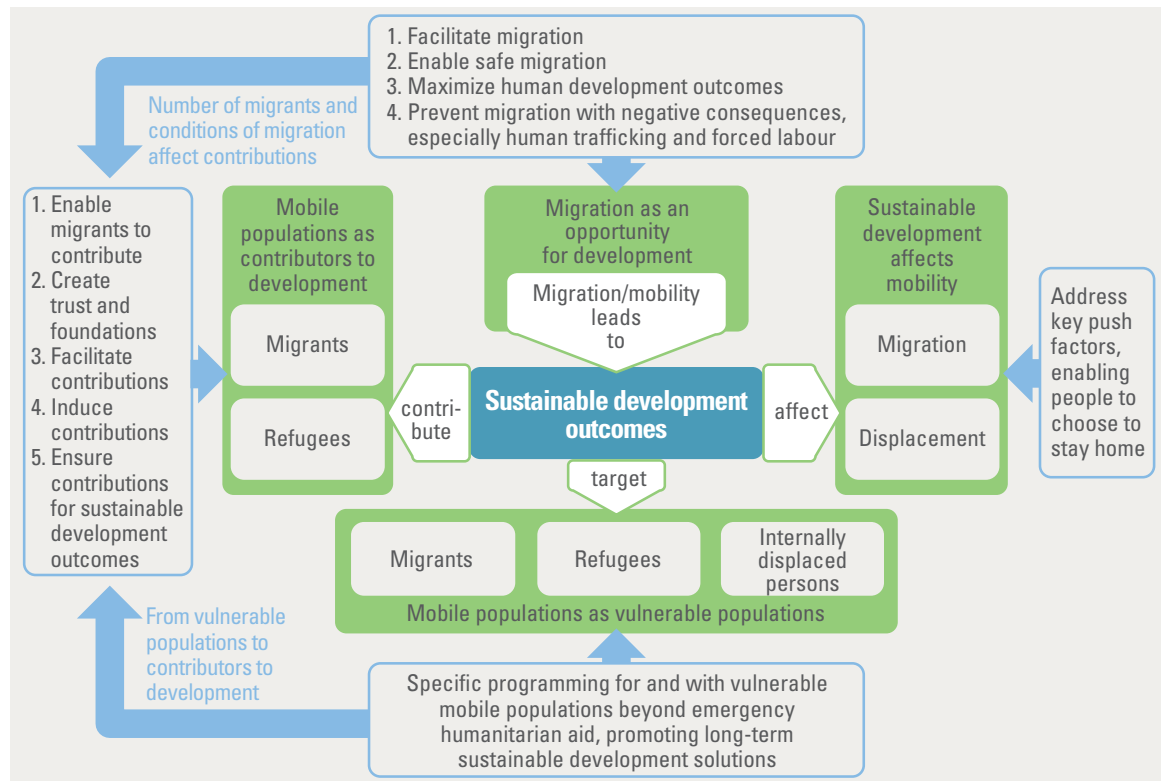
### *Sustainable development affects mobility:*

The level of development in an area or community can influence the mobility of people, with underdevelopment often characterized as a driver of migration. Traditional policy responses typically attempt to tackle the root causes of migration and displacement with simplistic assumption drivers of movement, including that low levels of development often create conditions that encourage migration away from certain countries and that high levels of development can attract migration.

### *Migration as an opportunity for development:*

Migration often leads to immediate and substantial development gains for migrants. Migration itself can therefore constitute a development strategy.<sup>3</sup> Well-managed migration policies can facilitate and enable safe migration, including empowering individuals to reap the advantages of human mobility without suffering significant risks. Proactive migration policies aim to create legal pathways for migration; provide male and female migrants with the necessary cultural and technical knowledge and skills; and safeguard migrants' human and labour rights. To supplement long-term migration opportunities, temporary and seasonal labour migration schemes can increase migration pathways and international work opportunities, and support temporary spikes in labour demand.<sup>4</sup> For example, Moroccan seasonal workers support agricultural production in Spain.

**Figure 44.** Areas of policy interventions, human mobility and sustainable development



**Source:** Adapted from Naujoks, 2016.

**Note:** The green boxes show the four principal dimensions that link sustainable development outcomes to human mobility. The blue boxes indicate the scope of public policies.

*Mobile populations as contributors to development:* Migrants and refugees can contribute to development in their countries of origin and destination, although the extent of their contributions depends on a variety of factors. Migrant and diaspora populations – resulting from conflict or economic migration – can have direct, intermediary or indirect effects on sustainable development outcomes in their home countries.<sup>5</sup> Diaspora actors can directly affect their home country’s development by remitting money, investing, participating in trade or philanthropic projects, transferring knowledge, raising the country’s tax income, spending as tourists, or bringing social change to the country or its bureaucracy. Refugees can potentially mitigate and reduce negative outcomes in their countries of origin by promoting

peacebuilding and reconciliation, security restoration, the development of democratic institutions, and the creation of conditions allowing for voluntary and sustainable return to and reintegration in countries of origin.<sup>6</sup> In addition, migrants have intermediary effects when they act as agents for cooperation between third parties and actors in their home country; for example, when they facilitate investments in their home country from their employers or companies abroad. Lastly, they can affect development indirectly by acting as brand ambassadors, improving their home country’s image in the country of destination, which can result in positive outcomes for economic cooperation and investment. Similarly, migrants and refugees contribute to host countries’ economies and societies.<sup>7</sup> Their labour, productivity, skills,

and social and financial capital can be critical for economic and social development in many countries of destination. This includes migration as one factor to counter the social and economic consequences of population ageing. Related policy options include initiatives to engage diaspora populations, and policies enabling migrants and refugees to contribute fully to the economic and social spheres in host communities.<sup>8</sup> To achieve their stated goals, such policies must build trust between Governments and refugee and migrant populations, including by creating enabling legal and policy environments, establishing platforms for meaningful participation, and addressing the interests of those populations.

*Mobile populations as vulnerable populations:* Migrants, refugees and IDPs can be vulnerable groups, whose specific needs must be targeted by sustainable development efforts. The Doha Declaration on the Implementation of the 2030 Agenda for Sustainable Development, adopted at the twenty-ninth ESCWA session held in December 2016, emphasizes the need to focus on migrants and refugees as vulnerable groups.<sup>9</sup> The New York Declaration for Refugees and Migrants reiterates that “no one will be left behind” and reaffirms all member States’ commitments to the specific needs of migrants, refugees and IDPs.<sup>10</sup> Such commitments should go beyond the scope of humanitarian aid:<sup>11</sup> sustainable development programming should address long-term needs and enhance the capabilities and productive potential of refugees, migrants and IDPs.<sup>12</sup>

## **1. Good migration governance to meet the migration-related targets of the Sustainable Development Goals**

Throughout the four dimensions, migration is directly and indirectly linked to the SDGs. Figure 45 sets out SDG targets that explicitly refer to migration and a selection of SDG targets that do not mention migration but that are, or can be, relevant to human mobility.

Targets directly relevant to migration include the necessity to protect migrant workers’ labour rights and promote safe and secure working environments, especially for women migrants (target 8.8); facilitate orderly, safe, regular and responsible migration (target 10.7); and reduce the transaction costs of migrant remittances (target 10.c). In addition, the SDGs reference scholarships that can affect student mobility (target 4.b); and trafficking in persons, especially women and children, and forced labour and exploitation (targets 5.2, 8.7, 16.2). Target 17.18 plays a key role in bridging direct and indirect migration targets. The international community and member States should build capacity to produce high-quality, timely and reliable data disaggregated by age, gender, race, ethnicity and migratory status, among others, to understand migrant-specific vulnerabilities and potentials regarding SDG targets.

SDG target 10.7 urges all Governments and stakeholders to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. Well-managed migration policies can empower migrants, protect their rights, ensure decent working conditions, and provide them with choices and liberties. So far, there are no commonly agreed-upon definitions of what constitutes ‘orderly, safe, regular and responsible’ migration, or ‘planned and well-managed migration policies’. Some have expressed concern that terms such as ‘orderly’ and ‘regular’ suggest that this goal is concerned with migration sanctioned and controlled by the State.<sup>13</sup> However, well-managed migration policies are not primarily about control, but rather about addressing the risks of migration and helping migrants and their communities of origin, transit and destination to benefit from the positive development potential that human mobility offers. Such policies can facilitate migration, harness the development potential of migrants and refugees, address the root

causes of migration and displacement, give people a choice to stay or go, and design specific initiatives targeting vulnerable mobile populations. The Special Representative of the Secretary-General for Migration stressed that “it is in everyone’s interest for migration to happen safely and legally, in a regulated rather than a clandestine way. The latter not only exposes other workers to unfair competition, provoking resentment and lowering overall standards of welfare, safety and hygiene, but also puts migrants at the mercy of unscrupulous employers and traffickers, who may subject them to the worst abuses.”<sup>14</sup>

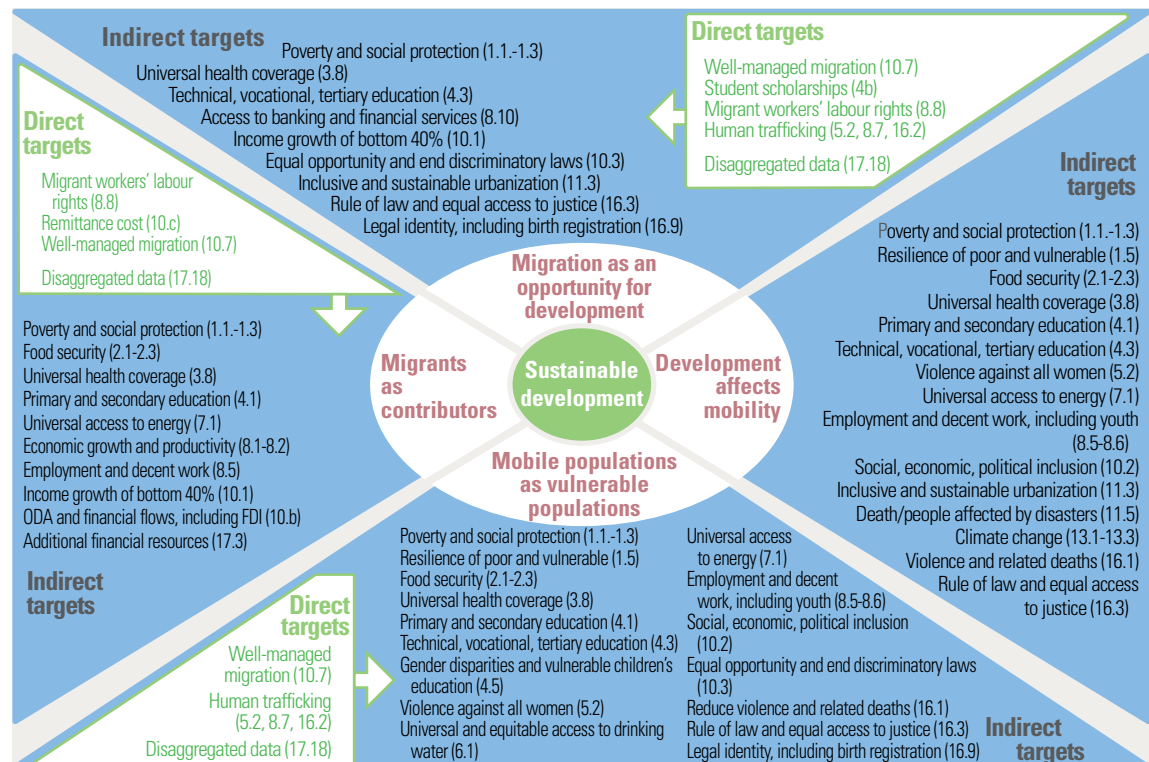
Well-managed migration policies require what scholars describe as the ‘migration State’ that acknowledges the need for migration and creates legal and regulatory environments which give migrants rights and liberties to benefit themselves and the communities they live in.<sup>15</sup> Regarding refugees, safe mobility

includes the provision of safe, legal and complementary pathways as alternatives to risky irregular movement.<sup>16</sup>

## 2. Facilitating ‘good’ migration

Since well-managed policies for migration can lead to significant development outcomes for migrants, policies should facilitate international mobility by opening legal migration channels, reducing costs associated with migration, and making international and internal mobility more accessible to those currently unable to migrate. In addition to SDG targets on well-managed migration policies (target 10.7) and the importance of decent labour conditions for migrant workers (target 8.8), target 4.b aims to expand the number of scholarships available to students in developing countries, especially LDCs, small island developing States and African countries, for enrolment in higher education

**Figure 45. SDG targets directly and indirectly relevant to human mobility**



Source: Compiled by ESCWA and IOM.

in developed countries and other developing countries. While human mobility is generally associated with clear development gains, some forms of human mobility have negative impacts; countries must therefore establish effective policies and programmes to address them. As such, SDG targets 5.2, 8.7 and 16.2 promote measures against human trafficking and forced labour to prevent disastrous consequences for those involved, especially women and children.

A legal identity, including birth registration, as noted in target 16.9, is often the first condition for obtaining a passport, which in turn has important ramifications for individuals' access to international mobility. As migration can raise income levels and improve access to services for migrants, countries of origin can also implement policies by using migration to lower poverty and increase social protection (targets 1.1-1.3). In general, migrants benefit more from international mobility if they have relevant skills, making SDG 4 on education pertinent to well-managed migration policies. To maximize the sustainable development outcomes of their citizens and of migrants, Governments can design health policies and insurances that take into account transnational livelihood strategies (target 3.8) and can promote access to banking and financial services (target 8.10). Well-managed migration also requires effective ways to uphold the rule of law and provide access to justice (target 16.3). In the migration context, it is important to provide equal opportunities and end discriminatory laws (target 10.3). Migration and displacement therefore intersect with a large number of SDGs and their targets, and are important for Governments to consider within the broader development agenda.

### **3. Migration as an enabler of development**

Migration can enable the achievement of the SDGs by unlocking the benefits of human mobility for migrants and for communities

of origin and destination. To this end, it is vital to develop well-managed migration policies (target 10.7), uphold migrants' labour rights (target 8.8), and lower the cost of sending remittances (target 10.c). The Special Rapporteur on the human rights of migrants highlights that, while migration is first and foremost about human beings who are rights holders, there is also a utilitarian argument to be made. If the human rights of migrants are effectively promoted, respected and protected within well-governed migration processes, development outcomes can be greatly enhanced.<sup>17</sup>

By identifying migrant populations as contributors to development, Governments can link diaspora contributions to poverty eradication and social protection (targets 1.1-1.3); food security (targets 2.1-2.3); health coverage (target 3.8); primary and secondary education (target 4.1); access to energy (target 7.1); economic growth and productivity (targets 8.1-8.2); and employment and decent work (target 8.5). Diaspora foreign direct investment can be a key financial inflow (target 10.b), providing additional financial resources (target 17.3).<sup>18</sup> Similarly, migration can be used to increase productivity and create employment. Programming activities under targets related to education and health, among others, can empower migrants to fulfil their potential as contributors.

To achieve their goals, diaspora engagement and migrant empowerment policies must build trust between Governments and refugee and migrant populations, including by establishing platforms for meaningful participation, addressing the interests of those populations, and establishing an enabling legal and policy environment. Promising strategies treat diaspora, migrant and refugee populations as partners in local and national development endeavours. In addition to facilitating philanthropic contributions, diaspora investments and knowledge exchange, Governments often

play a role in providing incentives so that such contributions are aligned with local development priorities. Policies that enable migrants and refugees to contribute to their host communities empower them to fully participate in the labour market by exercising their right to work and freedom of movement. Programming objectives also include creating a healthy, socially integrated and well-trained mobile population with recognized skills, and establishing trust and partnerships with those populations.

#### **4. Leaving no one behind: the SDGs and vulnerable mobile populations**

Migrants, refugees, and stateless and displaced persons are often vulnerable populations whose specific needs must be considered so as to “leave no one behind”, which is a key principle of the 2030 Agenda. The 2016 Human Development Report,<sup>19</sup> which focuses on leaving no one behind, emphasizes that poor, marginalized and vulnerable groups – including ethnic minorities, refugees and migrants – are those left furthest behind. Several SDGs and their targets mention universal access to certain services for all men and women; however, migrants, refugees, returnees and IDPs often face various legal, procedural or social challenges when accessing services and freedoms critical for sustainable human development.

The Addis Ababa Action Agenda focuses on the necessity to deliver quality education to migrant and refugee children. At the 2016 World Humanitarian Summit, stakeholders highlighted the urgent need for access to quality education, particularly in displacement settings. To address the particular vulnerabilities of migrants, some member States made the commitment to increase refugee access to labour markets and social services, thus strengthening coping capacity and self-reliance. This approach is also a key pillar of the Comprehensive Refugee Response

Framework adopted alongside the New York Declaration for Refugees and Migrants in 2016.

It is important to consider the specific vulnerabilities faced by migrant populations, including forcibly displaced populations and migrant women and men. Furthermore, it is vital to recognize systemic vulnerabilities resulting from the design of some migration regimes. For example, in some instances, *kafala* sponsorship systems can increase the vulnerability of migrants at the mercy of their *kafeels* (sponsors), brokers or employers, and who could sometimes face severe exploitation and limits on their rights and development opportunities.

Since human traffickers often target vulnerable people, endeavours to combat human trafficking (targets 5.2, 8.7, 16.2) are of particular relevance for displaced populations and vulnerable economic migrants.<sup>20</sup> This relates directly to the need for Governments to design policies addressing their poverty and social protection requirements (targets 1.1-1.3), reducing youth unemployment among young migrants (target 8.6), and providing universal health coverage (target 3.8) and primary, secondary, technical, vocational and tertiary education (targets 4.1-4.3). Targeting those populations is also relevant to increasing social, economic and political inclusion (target 10.2), and to ensuring equal opportunities and ending discriminatory laws (target 10.3). It also impacts the fight against xenophobia by underlining the benefits that migrants bring to their countries of destination, as highlighted in the Addis Ababa Action Agenda. At times, vulnerable migrants and refugees do not have access to a legal identity and birth registration (target 16.9), effectively rendering them stateless. As such, government strategies to improve the rule of law and equal access to justice (target 16.3) should focus on eliminating barriers for mobile populations, including access to housing, land and property, policing and transitional justice.

## 5. Complex drivers of mobility

Conflict, violence, weak rule of law, and development challenges are strong drivers for people to leave their homes in search of safety, human security, better livelihood opportunities and higher living standards. Environmental and climatic changes can also threaten populations and the environments that sustain them and their livelihoods.

However, there is no linear relationship between development, migration and displacement. In other words, better development outcomes do not necessarily lead to less migration.<sup>21</sup> A common theory postulates that when economic development improves in a country of origin, the incentives of individuals to migrate are reduced. When a country is able to provide more productive employment, decent work opportunities and increased average income, individuals face reduced pressure to seek work and better living standards elsewhere, thereby reducing migration. Yet, it is well documented that the poorest segments of society are often excluded from migration, especially international migration, as migration can be costly. When these individuals are able to migrate, it is often through irregular methods, since they do not have the resources to use regular migration channels. Irregular migrants are more likely to be targeted and exploited by brokers who take advantage of their desire to migrate.

An alternative theory therefore exists, which posits that increased income for some individuals enables them to afford regular internal and international migration. The same holds true for improved education, health and other development outcomes. Consequently, sustainable development may lead to more incentives to stay in the country of origin, but it can also increase individuals' capacity to migrate. Increasing migration also increases the potential for development gains from migration. For this reason, development

programmes should not strive to reduce or prevent migration, but rather make migration a choice instead of a necessity.<sup>22</sup> In addition, the power to choose to migrate safely and regularly instead of being forced into dangerous, irregular migration provides migrants with more bargaining power to refuse indecent labour arrangements, which can decrease labour exploitation.

## 6. Key principles of well-managed migration policies

Several frameworks have been established to structure, assess and evaluate laws, policies and programmes on international human mobility. The present section outlines four frameworks that serve as useful examples for Governments to build and refine their migration policies: the Multilateral Framework on Labour Migration, the Migration Governance Framework, the Migration Governance Index, and the dashboard of indicators for measuring policy and institutional coherence for migration and development.

### (a) Multilateral Framework on Labour Migration

The 2006 Multilateral Framework on Labour Migration of the International Labour Organization (ILO) promotes 'managed' migration for employment purposes (principle 2) and emphasizes that while States have the sovereign right to develop their own policies to manage labour migration, international standards should make these policies coherent, effective and fair (principles 11 and 12). The Multilateral Framework comprises 15 non-binding principles (box 10), and a range of guidelines for a rights-based approach to labour migration. It also includes examples of best practices that aim to maximize the benefits of labour migration for all parties, set out in annex II to the Framework. Since 2014, ILO has expanded on the framework, and its constituents have adopted the Fair Migration Agenda, the general principles and operational



### Box 10. Principles of the Multilateral Framework on Labour Migration

1. Ensuring decent and productive work in conditions of freedom, equity, security and human dignity for migrant workers; and access to freely chosen employment, recognition of fundamental rights at work, an income that meets basic economic, social and family needs and responsibilities, and social protection for workers and their families.
2. Engaging in international cooperation to promote managed migration for employment, and coherent labour migration policies at the international and regional levels.
3. Collecting and applying knowledge and information to formulate, implement and evaluate labour migration policy and practice.
4. Employing international labour standards and other international instruments to make national policies on labour migration coherent, effective and fair.
5. Expanding avenues for regular labour migration.
6. Promoting social dialogue on labour migration policy.
7. Encouraging consultation between civil society and migrant associations on labour migration policy.
8. Upholding the human rights of all migrant workers, regardless of their status.
9. Establishing international labour standards for migrant workers, ensuring legal protection of migrant workers, and applying sectoral and other specific International Labour Organization (ILO) standards.
10. Effectively enforcing national laws and regulations to implement principles 8 and 9.
11. Preventing abusive practices, migrant smuggling, trafficking in persons, and irregular labour migration.
12. Promoting an orderly and equitable process of labour migration in countries of origin and destination.
13. Licensing and supervising recruitment and placement services for migrant workers.
14. Promoting social integration and inclusion.
15. Recognizing and maximizing the contribution of labour migration to employment, economic growth, development and the alleviation of poverty in countries of origin and destination.

**Source:** ESCWA synthesis of the Multilateral Framework on Labour Migration.

guidelines for fair recruitment, and the guiding principles on the access of refugees and other forcibly displaced persons to the labour market.

#### (b) Migration Governance Framework

In 2015, IOM member States adopted the Migration Governance Framework to enhance governance of migration and mobility. It offers key elements for facilitating safe, orderly, regular and responsible migration and mobility through the following three principles: adhering to international standards and fulfilment of migrants' rights; formulating

policy using evidence and a “whole-of-government” approach; and engaging with partners to address migration. These principles aim to achieve the following three objectives: advance the socioeconomic wellbeing of migrants and society; effectively address the mobility dimensions of crises; and ensure that migration takes place in a safe, orderly and dignified manner (box 11).

#### (c) Migration Governance Index

Designed by the Economist Intelligence Unit and IOM, the Migration Governance

## Box 11. Key themes of the Migration Governance Framework

### Principle 1: Good migration governance requires adherence to international standards and the fulfilment of migrants' rights:

- Comply with international migration law, including the nine core human rights treaties, International Labour Organization (ILO) conventions and the 1951 Refugee Convention;
- Combat xenophobia, racism and discrimination;
- Abide by humanitarian principles when providing assistance and protection to forced migrants;
- Enact policies and programmes that cause no harm and alleviate migrant vulnerability, and adopt child-oriented and gender perspectives;
- Ensure international cooperation to protect and uphold migrant rights throughout the migration cycle;
- Decriminalize irregular migrants;
- Provide access to timely status determination processes, justice and legal redress;
- Criminalize forced labour, human trafficking and migrant smuggling;
- Enable individuals to exercise their right to leave any country.

### Principle 2: Migration and related policies are best formulated using evidence and whole-of-government approaches:

- Collect, analyse, use and disseminate credible sex and age disaggregated data on population and displacement movements, both nationally and transnationally, and on diasporas, labour markets, demographics, seasonal trends, education and health to inform policy;
- Use a whole-of-government approach including all ministries with responsibilities touching on the movement of people;
- Highlight migration links to climate change, crises and demographics.

### Principle 3: Good migration governance relies on strong partnerships:

- Develop partnerships at the international, national and subnational levels, with international organizations, and in regional consultative processes;
- Engage all partners at the subnational, national, international and regional levels (government agencies, international organizations, civil society organizations, non-governmental organizations, employers, unions, diasporas, migrant associations, academia).

### Objective 1: Good migration governance and related policy should seek to advance the socioeconomic well-being of migrants and society:

- Ensure non-national residents' access to health care, social services, education, housing and legal recourse;
- Promote cross-border labour market matching and trade in services, and facilitate international student migration and family reunification;
- Adopt gender-sensitive labour migration approaches;
- Promote stability and reduce drivers of forced migration;



- Implement regular lower-cost channels for remittance transfers, promote financial literacy among remittance-receiving households, and increase opportunities for diaspora investment in home communities;
- Maintain strong, results-focused integration, reintegration and social cohesion programmes;
- Communicate the domestic value of migration and mobility;
- Provide information on regular migration channels;
- Ensure that social benefits, including pensions, are portable and that international tax approaches are fair and do not discriminate on the basis of migration or residence status;
- Support socioeconomic development via strengthened diaspora engagement.

**Objective 2: Good migration governance is based on effective responses to the mobility dimensions of crises:**

- Provide support and assistance to people affected by crises on the basis of humanitarian principles, and register displaced persons and ensure their access to services;
- Facilitate access to safety and protection for displaced populations, and welcome refugees and asylum seekers;
- Facilitate access to consular services and evacuation assistance for nationals abroad affected by crises;
- Support sensitization and participatory campaigns and early transition and post-crisis recovery efforts.

**Objective 3: Migration should take place in a safe, orderly and dignified manner:**

- Provide access to adequate and regular channels for migration, mobility, residence and citizenship for all individuals;
- Facilitate regular travel and migration, detect irregular migration, prohibit illegal cross-border activity, identify and refer those in need of assistance and protection, and implement timely asylum determination processes;
- Implement efficient and well-operating visa, entry, stay and residency schemes, with limited wait times and reasonable fees;
- Respond in a timely manner to requests for documentation/re-documentation, and accept returning nationals;
- Maintain effective identity management;
- Work with national and international border, immigration, justice and security agencies to collect, analyse and use intelligence, including to address transborder criminal activity.

**Source:** Compiled by ESCWA based on the IOM Migration Governance Framework.

Index provides a consolidated framework for evaluating country-specific migration governance structures. It is based on 73 qualitative questions to measure performance across five domains identified as the building blocks of effective migration governance,

drawn from the Migration Governance Framework. These domains are: institutional capacity, migrants' rights, safe and orderly migration, labour migration management, and regional and international cooperation and other partnerships.<sup>23</sup> A sixth domain,

**Figure 46.** Comparing the Migration Governance Index with the dashboard of PICMD indicators

	Migration Governance Index	Dashboard on policy and institutional coherence for migration and development	
Dimensions	1. Institutional capacity	1. Promote institutional coherence	
	2. Migrant rights	Countries of origin	Countries of destination
	3. Safe and orderly migration	2. Reduce the costs of migration	
	4. Labour migration management	3. Protect the rights of migrants and their families	
	5. Regional and international cooperation, other partnerships	4. Promote the (re)integration of migrants	
		5. Enhance the development impact of migration	
Number of indicators	73	48	62
Implementing institution	IOM and Economist Intelligence Unit	OECD and UNDP under KNOMAD	

Sources: Compiled by ESCWA and IOM, based on the Economist Intelligence Unit, 2016; and KNOMAD, 2016.

concerning migration in the context of crises, will be added in future iterations of the Index. The Index is an input-based benchmarking framework. It was piloted in Bahrain and Morocco in the Arab region.

#### (d) Dashboard of indicators for measuring policy and institutional coherence for migration and development

Since 2015, the Global Knowledge Partnership on Migration and Development (KNOMAD), the OECD Development Centre, UNDP and their knowledge partners<sup>24</sup> have developed a dashboard of indicators for measuring policy and institutional coherence for migration and development (PICMD). The dashboard of PICMD indicators measures the extent to which public policies and institutional arrangements are consistent with international best practices to minimize migration risks and maximize its development gains. There are two distinct dashboards: one for countries of origin and

another for countries of destination. A total of 48 indicators are coded for countries of origin and 62 for countries of destination in the following five policy dimensions: promoting institutional coherence; reducing the financial costs of migration; protecting the rights of migrants and their families; promoting the integration of migrants; and enhancing the development impact of diaspora engagement. Figure 46 compares the migration governance index with the PICMD indicators.

Although these four frameworks were not specifically developed to measure SDG target 10.7 on well-managed migration policies, each can contribute to this purpose. DESA and IOM are currently in the process of developing indicators to measure the implementation of target 10.7.<sup>25</sup> In the meantime, DESA has noted that the Migration Governance Framework can be considered the first international standard for well-managed migration policies under SDG target 10.7.

While outcome-based measurements of progress usually do not measure allocation of resources as an indicator of progress in migration policies, some frameworks do include data related to resource allocation to assess migration governance. Monitoring and reporting on this indicator should always clarify the correlation of resources to the implementation of policies and their outcomes. For example, the PICMD dashboard includes indicators that assess whether a Government has allocated funds to policies and programmes that support migration and development in the last three years (indicator 1.14) and whether a Government systematically evaluates the outcomes of migration and development programmes (indicator 1.15).

## B. Migrants' recruitment, rights and remittances

The present section provides recommendations on four key migration-related SDG indicators regarding labour migrants' recruitment practices, rights and remittances. It proposes concrete indicators, policy and programming options, and meaningful data collection to measure SDG indicators on migrants' occupational injuries (8.8.1), migrant workers' labour rights (8.8.2), the recruitment costs borne by migrants (10.7.1), and remittance transfer costs (10.c.1). Table 5 shows that the norms behind those indicators have substantive foundations in existing and emerging migration governance frameworks and international law.

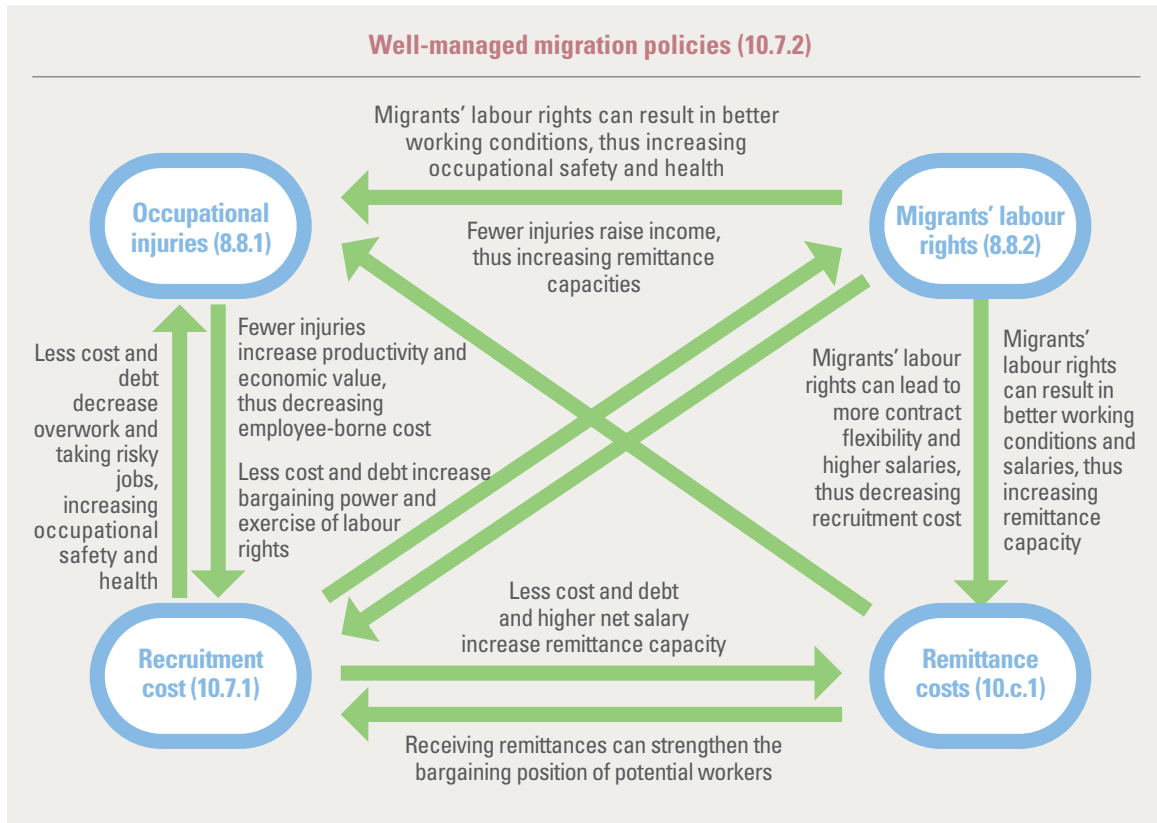
Using narrowly-defined indicators facilitates accurate data collection and progress measurement. However, indicators that are too narrow can result in other issues being overlooked. Even commonly used indicators for measuring the impact of migration can be too narrow to measure the overall development impact caused by human mobility. For example, remittance costs are often regarded as a reliable indicator because of well-established data

collection methodology, and because reducing remittance costs is politically non-controversial. However, measuring only remittance transfer costs misses the complexity of actors and effects involved in migration and is too limited to inform the development of public policies on remittances. Remittance transfers are often private funds and some argue that, as such, they should not be 'directed' by Governments or considered as substitutes for official development assistance. However, government activities to promote the financial inclusion of migrants and their families, cooperation with the private sector to help migrants achieve savings and investment goals, and other related interventions are vital and should be measured, but would not be fully captured by the monitoring of only transfer costs.<sup>26</sup>

Measuring financial costs is only one area of concern when it comes to measuring Governments' progress towards well-managed migration policies. Recruitment is another critical area to be assessed. The processes of matching workers and employers across borders and guaranteeing decent work are at the core of the transnational governance of labour migration. Building on the use of well-defined indicators, it is paramount to adopt a broad perspective on human development policymaking and action, which also incorporates these other more complex facets of migration. This approach is consistent with the understanding that the 2030 Agenda is an integrated framework with interconnected SDGs, thus interventions must be holistic and transformative.

The four indicators discussed in this section adopt a human-centred approach, aimed at increasing migrants' agency and capacity. In his latest report to the General Assembly,<sup>27</sup> the Special Rapporteur on the rights to freedom of peaceful assembly and of association stresses that labour rights are human rights, and the ability to exercise those rights in the workplace is prerequisite for workers to enjoy a broad range of economic, social, cultural and

**Figure 47.** Interlinkages between migration-related SDG indicators



Source: Compiled by ESCWA and IOM.

political rights, among others. He adds that the rights to freedom of peaceful assembly and of association enable people to voice and represent their interests, and are thus key to the realization of both democracy and dignity, to holding Governments accountable, and to empowering human agency. Upholding migrants' rights is therefore also a means to level the unequal relationship between workers and employers, thereby helping workers correct abuses and gain access to fair wages, safe working conditions and a collective voice.

The 2030 Agenda and the SDGs constitute an integrated agenda with highly interconnected targets. Figure 47 illustrates the interlinkages between the migration-related SDG indicators. Providing migrant workers with meaningful rights to form unions and bargain collectively can significantly improve their occupational safety and health. Stronger rights also allow

migrant workers to negotiate higher salaries (thus increasing their capacity to remit money to their families), and lower recruitment costs measured as the proportion of migrants' yearly income. In some instances, collective bargaining could lead to the elimination of recruitment fees and related costs. If migrants pay fewer and lower recruitment fees and have less debt, they can remit more to their families and accumulate more savings. A main reason for high recruitment fees is the lack of alternatives for potential migrants: often, migrants' desperation and strong competition can lead recruiters to charge exploitatively high costs, and employers to maintain poor working conditions. Moreover, studies show that being indebted to a recruiter and/or employer reduces migrants' willingness to exercise their labour rights. Furthermore, it has been reported that some employers prefer migrant workers to be in a weak position

because it makes them easier to control.<sup>28</sup> For this reason, reducing migration costs and eliminating debt bondage can positively impact migrant workers' meaningful exercise of their freedom of association. Reports show that highly indebted migrants often take on extra shifts, second jobs or dangerous, dirty and demeaning employment.<sup>29</sup> Long working hours and risky jobs are more likely to result in occupational injuries. Consequently, reducing the migration costs borne by migrants

gives them the freedom to choose less risky employment, which in turn can lower work-related injuries as measured by indicator 8.8.1. Fewer occupational injuries can have positive effects on remittances, thus stimulating economic development in countries of origin.

Table 5 sets out the links between migration-related SDG indicators and other normative frameworks and instruments to further substantiate the SDG indicators.

**Table 5.** Links between migration-related SDG indicators and other frameworks

SDG Indicator	8.8.1 Frequency rates of fatal and nonfatal occupational injuries, by sex and migrant status	8.8.2 Increase in national compliance of labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status	10.7.1 Recruitment cost borne by employee as a proportion of yearly income earned in country of destination	10.c.1 Remittance costs as a proportion of the amount remitted
Addis Ababa Action Agenda	Not explicitly mentioned.	Effectively promote and protect the human rights and fundamental freedoms of all migrants (para. 111).	Lower the costs of recruitment for migrants, and combat unscrupulous recruiters (para. 111).	Reduce the average transaction cost of migrant remittances by 2030 to less than 3 per cent of the amount transferred (para. 40).
Multilateral Framework on Labour Migration	All international labour standards apply to migrant workers, unless otherwise stated (principle 9a). National law and policies guided by relevant ILO standards in the areas of employment, labour inspection, occupational safety and health (principle 9c).	Promote decent and productive work in conditions of freedom, equity, security and human dignity (principle 1a). All migrant workers should benefit from the principles and rights in the Declaration on Fundamental Principles and Rights at Work and its Follow-up (principle 8).	Governments should consider licensing and supervising recruitment and placement services for migrant workers (principle 13). Simplify administrative procedures involved in the migration process and reduce processing costs to migrant workers and employers (guideline 12.3.).	Reduce costs of remittance transfers, including by facilitating accessible financial services, reducing transaction fees, providing tax incentives and promoting greater competition between financial institutions (guideline 15.6.).

SDG Indicator	8.8.1 Frequency rates of fatal and nonfatal occupational injuries, by sex and migrant status	8.8.2 Increase in national compliance of labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status	10.7.1 Recruitment cost borne by employee as a proportion of yearly income earned in country of destination	10.c.1 Remittance costs as a proportion of the amount remitted
Migration Governance Framework	Not explicitly mentioned, but related to advancing the socioeconomic well-being of migrants and society (objective 1).	Adherence to international standards and fulfilment of migrants' rights (principle 1). Advance the socioeconomic well-being of migrants and society (objective 1).	Measures against unreasonable fees, and efforts to regulate recruiters and recruitment agencies (under objective 1). Reasonable fees for passports, visas, etc. (under objective 3).	Facilitating low-cost channels for remittances and supporting opportunities for investment in countries of origin (under objective 1).
Migration Governance Index	Bilateral agreements between countries of origin and of destination to ensure protection from extreme working conditions (heat, cold, radiation, etc.) (indicator 4.4.b).	Bilateral agreements between countries of origin and of destination on measures to ensure decent working conditions for migrant workers and protection from forced labour (indicator 4.4.b).	Bilateral agreements between countries of origin and of destination on combating undue recruitment fees, and on countries of destination promoting ethical recruitment (indicator 4.4.b).	Availability and active promotion of formal remittance schemes by Governments, and measuring the cost of transferring remittances (indicator 4.5).
Dashboard of indicators for measuring policy and institutional coherence for migration and development	Not explicitly mentioned.	All migrant workers have the right to join trade unions (3.5 CoD). Migrants have the right to form associations (3.11 CoD).	Regulation framework for the recruitment process in place and implemented (2.3 CoO and CoD). Recruitment fees for migrant workers are regulated by law (2.4 CoO and CoD).	No exclusive concessions or partnerships with money transfer operators (5.1 CoD). No restrictions or taxes on the outflow of remittances (5.2 CoD). No restrictions or taxes on the inflow of remittances (5.1. CoO). Financial literacy training available at the local level (5.2 CoO). Financial products targeting migrants are available (5.3. CoO).



SDG Indicator	8.8.1 Frequency rates of fatal and nonfatal occupational injuries, by sex and migrant status	8.8.2 Increase in national compliance of labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status	10.7.1 Recruitment cost borne by employee as a proportion of yearly income earned in country of destination	10.c.1 Remittance costs as a proportion of the amount remitted
Conventions	Occupational Safety and Health Convention, 1981 (No. 155); Occupational Health Services Convention, 1985 (No. 161); Safety and Health in Construction Convention, 1988 (No. 167); Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172); Safety and Health in Mines Convention, 1995 (No. 176); Safety and Health in Agriculture Convention, 2001 (No. 184); Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and its Recommendation (No. 197); Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19); International Covenant on Economic, Social and Cultural Rights (article 7).	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (articles 26 and 40); International Covenant on Economic, Social and Cultural Rights (article 8).	Private Employment Agencies Convention, 1997 (No. 181) and its Recommendation (No. 188); Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29).	Migration for Employment Convention, 1949 (No. 97, article 9).

**Source:** Compiled by ESCWA and IOM.

**Note:** 'CoO' refers to country of origin, and 'CoD' refers to country of destination.

## 1. Recruitment costs borne by migrant workers

SDG indicator 10.7.1 measures the recruitment costs borne by employees as a proportion of yearly income earned in the country of destination. All migration governance frameworks highlight the significance of those costs. The Secretary-General's eight-point agenda for action entitled "Making migration work" stresses that there are enormous gains to be made from lowering costs related to migration.<sup>30</sup> Such costs include fees paid in the recruitment process that pose a particular burden to low-skilled migrant workers.

### (a) Migration and recruitment costs

Understanding of the root causes of high recruitment costs is still limited. Interestingly, there is considerable variation in the amounts that migrants pay, depending on migration corridors, economic sectors and skill levels. In most cases, recruitment costs of high-skilled migrant workers are typically paid by employers, whereas recruitment costs for low-skilled migrant workers, especially in corridors to the Middle East, tend to be excessively high.

While there is consensus that recruitment costs often include more than fees levied by labour intermediaries (such as recruitment agencies), there is no standard definition of recruitment cost. The ILO general principles and operational guidelines for fair recruitment define the terms 'recruitment fees' or 'related costs' as any fees or costs incurred in the recruitment process for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.<sup>31</sup> While the components of recruitment costs vary depending on the country of origin, the country of destination, and whether migrants are going through formal or informal channels, they can generally be divided into documentation costs (passport and visa charges, contract approval fees, medical tests, security clearance, and language and other skill tests where applicable),

transport costs (in-country and international), job-matching costs (agency fees, fees for acquiring job information and documents), and the cost of financing those costs (interest on loans). When tests, training and recruitment processes take a considerable amount of time, migrants' opportunity costs should also be included in the calculation. If jobseekers are obliged to spend weeks or months preparing for their departure and cannot work during that period, this can also result in significant opportunity costs and investments of support from their households. Migrants are also sometimes obliged to bribe officials, recruiters and agents during the recruitment process.

To achieve lower recruitment costs, it is necessary to better understand the expenses migrants face. The following three common payment situations demonstrate the continued challenges for migrants. Firstly, in the best situation, migrants pay costs directly to a recruiter, with full and accurate knowledge that these expenses are the cost of their recruitment. Secondly, migrant workers are often charged hidden costs, for example, by being overcharged for international transport, housing and food. Migrants are not always informed that they will be charged these additional fees, given that prospective migrants are often asked to pay a lump sum (sometimes upfront) without itemized receipts. This practice allows recruitment agencies to exploit migrants by charging high fees. Some employers subsidize those items, which decreases migration costs. Thirdly, recruiters often promise bonuses and benefits to prospective migrants; however, migrants often do not receive these at the end of their employment period, resulting in an increase in their migration costs.

### (b) Determinants of recruitment and migration costs

Several factors determine the extent of recruitment costs, including country of origin or destination, skill level, gender, age, migration experience and job type. Migration

costs are connected either to specific, fixed government fees (work permit, visa and passport fees) or to discretionary variable costs (medical testing, search and intermediary services, skills assessment, language testing, transportation). The former depend directly on the fees that agencies and institutions charge. Variable costs can depend on government regulations and on market forces. They are generally only partly regulated by Governments and existing regulations tend to be vague, stipulating only a maximum fee rather than giving a specific set price.

Recruiters often have exclusive access to scarce job opportunities for low-skilled migrants. Facing high demand for such jobs from numerous applicants who do not have good employment alternatives allows recruiters to charge high prices for their services. This situation results from the limited bargaining power of those searching for jobs and the lack of decent work in their communities of origin. Recent surveys on recruitment costs reveal that similar populations often have significantly different costs dependent on their country of origin. For example, Indians pay less than their Pakistani counterparts for similar jobs, which indicates that structural factors are more important than the actual costs involved in matching workers and jobs across borders.<sup>32</sup> Weak bargaining power is often compounded by a lack of knowledge about complex migration processes and regulations, giving recruiters disproportionate control.<sup>33</sup> Knowledge and networks are therefore vital: based on the KNOMAD surveys, more educated migrants who previously worked abroad pay lower fees, on average, than those migrating for the first time.

The fragmentation of the recruitment industry and reliance on a large number of small-scale recruiters raise significant challenges. Numerous recruitment agencies render regulatory enforcement and oversight more costly and supervision more difficult. Moreover, the small scale of these business operations can

increase recruitment costs because recruiters cannot achieve large economies of scale.<sup>34</sup> For this reason, Governments should encourage the establishment of larger recruitment firms, whose activities can be monitored more easily and that can leverage economies of scale.

Additional fees are sometimes collected from migrants to pay intermediaries in the migration system, because official recruitment agencies do not operate at the local level and the system relies on subagents, unofficial brokers and other intermediaries whose costs are often not covered by official legislation and enforcement mechanisms in the recruitment industry. Studies in Bangladesh suggest that such payments constitute up to 77 per cent of total recruitment fees.<sup>35</sup>

### (c) Estimates of recruitment costs

The average costs of recruitment are difficult to estimate, as they are determined by the country of origin, recruitment channel (formal or informal), job category and gender, among other factors. There are various estimates drawn from anecdotal data, but systematic estimation efforts using statistically robust methods are rare. Table 6 sets out estimated recruitment costs for migrant workers.

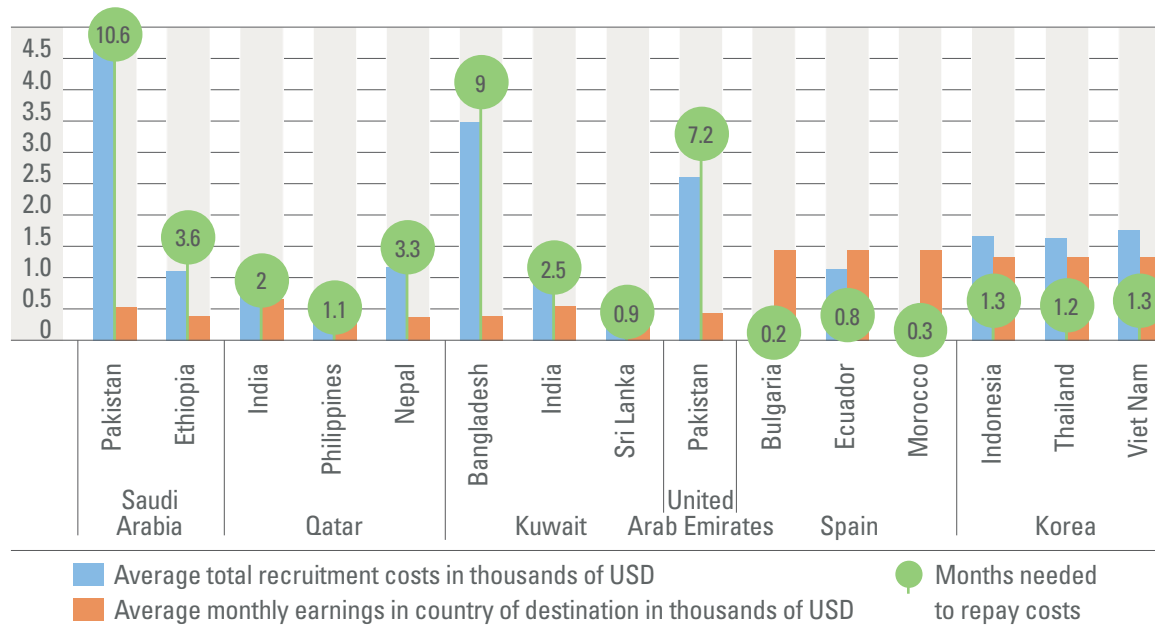
Recruitment costs can constitute up to half of migrant workers' earnings, and, in some cases, can reach 100 per cent. The average cost incurred by a Nepalese construction worker in the Arab region is estimated at \$1,200, or six months of wages, compared with \$2,891, or 14.5 months of wages, for a Bangladeshi worker.<sup>36</sup> The most comprehensive information on recruitment costs was collected in a series of surveys conducted in 2014 and 2015 under the auspices of the Global Knowledge Platform on Migration and Development.<sup>37</sup> Figure 48 and table 6 provide estimates for the 15 migration corridors covered by the surveys, 10 of which involve at least one country in the Arab region. The estimates reveal stark differences in total recruitment costs: Pakistani migrant workers

**Table 6.** Worker-paid recruitment costs in selected corridors, 2014-2015

Destination	Origin	Average monthly earnings in country of destination (USD)	Recruitment costs	
			Average (USD)	Months of earnings (averages)
Saudi Arabia	Pakistan	469	4,395	10.6
	Ethiopia	340	991	3.6
Qatar	India	592	1,149	2.0
	Philippines	469	480	1.1
	Nepal	339	1,054	3.3
Kuwait	Bangladesh	347	3,136	9.0
	India	494	1,248	2.5
	Sri Lanka	339	319	0.9
United Arab Emirates	Pakistan	394	2,351	7.2
Spain	Bulgaria	1,300	201	0.2
	Ecuador	1,300	1,032	0.8
	Morocco	1,300	333	0.3
Republic of Korea	Indonesia	1,200	1,506	1.3
	Thailand	1,200	1,466	1.2
	Viet Nam	1,200	1,582	1.3

Source: Leighton, 2017.

Note: Data are based on different survey methodologies and restricted to certain sectors.

**Figure 48.** Worker-paid recruitment fees in select corridors, 2014-2015

Source: ILO/WB/KNOMAD, as cited in Leighton, 2017.

Note: Data are based on different survey methodologies and restricted to certain sectors.

in Saudi Arabia spend, on average, more than 10 months of their earnings on recruitment costs, compared with two months for Indians in Qatar, while Bulgarians and Moroccans in Spain pay only five and eight days of their salaries on recruitment, respectively. Even though Indians, Nepalese and Pakistanis predominantly work in the construction sector, their costs differ substantially. Furthermore, in some GCC countries like Bahrain, female domestic workers from India and Sri Lanka rarely pay fees, further illustrating cost differences along gender lines.<sup>38</sup> The survey data show that for most interviewed migrants, total migration costs were less than 10 per cent of their annual foreign earnings.<sup>39</sup> While data from the KNOMAD surveys do not provide a comprehensive national or global picture, and without underestimating the high instances of debt bondage, survey results suggest that the extent to which migrants suffer from high levels of indebtedness from migration fees is less than commonly assumed. Nevertheless, they also highlight the differences in recruitment costs in specific migration corridors involving Arab countries compared with other regions.

#### (d) Methodology for collecting data on recruitment costs

Once recruitment costs are defined, the question then arises of how to effectively measure those costs and progress made towards their reduction. At first, data must be collected at the national level to establish a baseline of the average recruitment costs borne by migrant workers depending on their country of origin and of destination. Measuring any reduction in recruitment costs that takes place after the baseline assessment can then be used to measure progress. Ideally, such data should be collected through annual or ad hoc household or labour force surveys, adding relevant questions to existing surveys related to labour or migration. However, this requires a clear methodology to gauge what kind of data to collect. The process of developing a final methodology is currently ongoing under

the auspices of KNOMAD, in cooperation with ILO.<sup>40</sup> The 2014-2015 KNOMAD surveys provide insight into a possible methodology, including data on recruitment agency fees, passport and visa costs, air transport and medical exams, and wages to express recruitment costs in months of expected wages.<sup>41</sup>

The following issues regarding measuring recruitment costs are still under discussion, with significant implications for data collection and interpretation: the level of disaggregation, the place and methodology of data collection, and how data will be reported.

- i. *Broad disaggregation:* Collected data must be sufficiently disaggregated, not only by sex and nationality, but also by sector (for example, agriculture, construction, domestic work). Considering the different realities migrant workers face depending on their specific situation, information on regular or irregular migration status or short-term versus long-term duration of stay could also be significant dimensions.<sup>42</sup> This is particularly relevant for seasonal migrants who move in search of agricultural work in peak seasons. The more detailed the information, the easier it is for countries to formulate policies clearly targeting specific groups of migrant workers.
- ii. *Data collection methodology:* Given that, ideally, national authorities (ministries of labour, for example) should carry out the data collection, countries must have an adequate level of statistical capacity. Ultimately, the methodology will be developed in consultation with national statistical authorities and take into account the feasibility of data collection and analysis. An important methodological decision relates to whether surveys should be conducted in migrants' host countries, during their stay abroad, or in countries of origin, thus focusing on returnees. The 2014 KNOMAD surveys were conducted in the Republic of Korea, Kuwait and Spain, with migrants in or near their workplace; whereas the 2015

surveys interviewed migrants returning to Ethiopia, India, Nepal, Pakistan and the Philippines, and Vietnamese migrants in Malaysia.<sup>43</sup> Collecting data on migrants in host countries before contracts are completed makes it difficult to assess whether they have received or will receive full payment and bonuses, provided that such payments are part of their arrangements. Another methodological consideration is that certain types of migrants, such as domestic workers and seasonal agricultural migrant workers, are often not included in labour force and similar surveys. Hence, data collection efforts should consider how hard-to-reach populations can be included.

*iii. Reported values:* The method used to analyse reported data greatly impacts results. Given the large disparities between migrant groups and sectors, the reporting of mean or median values might be less meaningful than focusing on particular tail of cost distribution.<sup>44</sup> The KNOMAD surveys show that some workers have very high costs; Martin labels them as 'superpayers' and examines how their situation should inform targeted public policies.<sup>45</sup>

#### (e) Recommendations for reducing migrant-borne recruitment costs

There are three overarching strategies to reduce migrant-borne recruitment and migration costs: reduce the overall cost of migration; not require migrant workers to pay such costs (or reduce what they pay); and/or increase migrant workers' salaries. The following recommendations include proposals requiring employers to cover recruitment costs, and provide suggestions for reducing those costs and increasing migrant workers' salaries.

##### *i. Shift the financial burden away from migrant workers*

Stakeholders should ensure that migrants do not bear the cost of their recruitment. The ILO

Private Employment Agencies Convention (No. 181) prohibits private employment agencies from charging directly or indirectly, in whole or in part, any fees or costs to workers. However, it allows Governments to authorize exceptions for certain categories of workers and for specified types of services provided by private employment agencies. The ILO Fair Recruitment Initiative also states that employers should pay recruitment costs (box 12). In Qatar, Saudi Arabia and the United Arab Emirates, laws state that migrant workers should not bear any recruitment costs; however, more oversight of compliance with these regulations is needed as migrants to these countries still pay significant fees in many cases. Policies that require employers to cover migrants' recruitment costs are easier to implement and monitor, and they can be easily communicated to prospective migrants, recruiters and employers.<sup>46</sup> In contrast, frameworks that allow recruiters and employers to collect some charges complicate the process and could create a recruitment cost floor.

If shifting all fees away from migrants is not feasible, countries and other stakeholders, including the private sector, should ensure that migrant workers at least do not pay the majority of the costs. Alternative sources for paying recruitment costs are employers and Governments that benefit from international labour force mobility. Some countries, such as the Philippines, have legislated that migrants must not pay more than a set share of their earnings before they travel. Spanish employers are required to pay half of the transport costs of migrant workers. However, some argue that requiring employers to pay all migration costs might lead to fewer jobs offered to migrant workers in countries of destination, and consequently lead to more competition among people wanting to go abroad.<sup>47</sup> In the absence of strong regulatory frameworks and clear policies in countries

## Box 12. International Labour Organization (ILO) Fair Recruitment Initiative

The non-binding ILO general principles and operational guidelines for fair recruitment outline the responsibilities of Governments, employers and labour recruiters in the recruitment process, drawn from international labour standards and good practices. The principles and guidelines cover the recruitment of all workers (nationals and migrant workers), whether employed directly or through intermediaries within or across national borders. They affirm that no recruitment fees or related costs should be charged to, or otherwise borne by, workers or jobseekers, adding that costs should be covered by prospective employers or their intermediaries. The 2015 ILO Integrated Programme on Fair Recruitment focuses on establishing fair recruitment initiatives across migration corridors in North Africa, the Middle East and South Asia, mainly by providing migrant workers with access to reliable information in collaboration with the media, and disseminating knowledge on fair recruitment practices. The Programme has implemented projects in Jordan, Nepal, the Philippines and Tunisia to achieve those objectives, including the use of web tools to monitor private employment agencies and develop a reporting system for violations.<sup>9</sup>

**Source:** Compiled by ESCWA and IOM.

<sup>9</sup> ILO, 2017d.

of origin, recruiters are free to charge high fees for limited work opportunities abroad, thus highlighting the need for holistic transnational solutions that operate on both sides of the migration corridor.

### ii. *Reduce the overall cost of migration*

*a. Increase potential migrants' bargaining power at home:* As outlined above, the lack of bargaining power for potential migrants makes them vulnerable to exploitation. Countries and other stakeholders can increase migrants' bargaining power by creating more and better jobs at home, thus giving them alternative livelihood options. The Special Rapporteur on the human rights of migrants stresses that decent work empowers people to make informed decisions about whether to seek work overseas, and to deal with recruitment processes from a position of choice.<sup>48</sup> Migrants can be encouraged to form associations, unions and watchdog groups at home that monitor contractual arrangements in countries of destination, and help them to bargain collectively. In general, the lack of reliable information disempowers prospective migrants. Therefore, the provision of

clear, understandable and comprehensive information can strengthen their position with regard to recruiters and employers.

Efforts to empower migrants should include attempts to alter social attitudes. Reports show that in societies where paying for the opportunity to work abroad is considered the norm, providing such services for free is viewed with suspicion by workers who might think that the offered jobs are not real.<sup>49</sup> Furthermore, an IOM study on recruitment in the United Arab Emirates from Nepal and the Indian state of Kerala finds that employers believe the work commitment and productivity of workers increases if workers make a significant financial investment.<sup>50</sup> Thus, changing social attitudes requires efforts by employers and employees.

*b. Avoid exclusive access for recruiters:* Relying exclusively on for-profit recruiters to match workers with jobs internationally is not always the best approach for workers. Alternatives include strengthening State-led systems. For example, the South Korean employment permit system has been lauded as a good practice for adopting a government-to-government

placement approach, so as to minimize exploitation of temporary migrant workers, especially through excessive recruitment fees.<sup>51</sup> This system functions reasonably well for most South Korean migrants, allowing them to repay their migration cost within two months. However, while select fees, such as for a Korean language test, are set by the Government of the Republic of Korea, many other fees depend on counterpart agencies in countries of origin.<sup>52</sup> A similar model is the bilateral relationship governing the movement of agricultural workers from Mexico to Canada under the Seasonal Agricultural Worker Programme. Such a model could be adopted in high migration corridors for particular sectors, including for construction or domestic workers from Pakistan and Bangladesh to Saudi Arabia, or for seasonal agricultural work.<sup>53</sup> Moreover, unions or international organizations could act as recruiters offering cost-efficient services that compete with for-profit recruiters, while maintaining their non-profit status and protecting labour rights.<sup>54</sup>

*c. Establish a well-managed system:*

Countries must regulate their recruitment industry and enforce related rules, but this comes with certain challenges in a transnational setting. To address this, the Philippines has introduced serial liability rules making recruiters liable for contracts they broker, thus providing a strong incentive for intermediaries to protect the workers they match abroad.

Countries on both sides of the migration corridor should make processes cheaper, easier, faster and more transparent. Complex regulations often prevent employers and workers from contacting each other directly, and require the services of intermediaries.<sup>55</sup> Establishing transparent systems to recruit migrant workers and to provide information and updates on

processes has the potential of lowering recruitment costs in two ways. Firstly, it reduces bribe payments and shifts the power dynamics that enable recruitment agents to overcharge potential migrants – uncertainty about the process is a powerful tool for unscrupulous recruiters. Secondly, countries participating in the Abu Dhabi Dialogue noted the importance of information and communications technology in labour market regulation. Indonesia developed a labour exchange platform; and Saudi Arabia established *Musaned*, an electronic recruiting tool to recruit workers from Bangladesh and subsequently from other countries. In addition, IOM and a coalition of stakeholders are currently developing a voluntary multi-stakeholder certification process for labour recruiters called the International Recruitment Integrity System, which is currently being piloted. Upon implementation, it could provide an important due diligence tool for employers seeking to identify labour recruiters committed to fair recruitment principles.<sup>56</sup>

*d. Establish and enforce the use of*

*standardized contracts:* Standardized contracts and meaningful enforcement mechanisms are important strategies for decreasing recruitment costs and ensuring certain standards with regard to wages, health and working conditions. For example, Jordan and the United Arab Emirates established such contracts for migrant workers in specific sectors in 2015, as did Morocco for domestic workers in 2016. A template for gender-responsive standard terms of employment for women migrant domestic workers was jointly prepared by UN Women and the Migrant Forum in Asia.<sup>57</sup> Standardized contracts can also be agreed bilaterally, as is the case with the Philippines and Saudi Arabia. It is however paramount to ensure that employers and intermediaries do not substitute migrant workers' contracts upon their arrival. The



Bahrain Labour Market Authority that registers and monitors recruitment agencies also investigates recruitment malpractices, and blacklists violators thus barring them from future recruiting. A brochure is provided to all arriving migrant workers in their native language along with a SIM card to report grievances. An e-hiring system established between Saudi Arabia and Sri Lanka, and Saudi Arabia's *Musaned* e-portal allow for contract registration before workers move abroad.

*e. Build meaningful partnerships with civil society and the private sector:*

SDG 17 stresses that achieving the ambitious targets of the 2030 Agenda requires a revitalized and enhanced global partnership which brings together Governments, civil society, the private sector, the United Nations system and other actors, and mobilizes all available resources. This is of particular importance in reducing recruitment costs and strengthening migrant workers' rights where partnerships with the private sector are indispensable. While some private recruiters do not have the best interest of workers at heart, some recruiters can be considered partners interested in ensuring good worker-job matches.<sup>58</sup> To achieve this, some argue that instead of relying on penalty-based systems for 'bad recruiters', Governments should build incentive structures that establish relationships with 'good recruiters'. "A-rated" recruiters are offered a range of benefits, such as faster processing, fewer time-consuming processes, reduced fees and tax exemptions. Good recruitment agencies provide a valuable service to potential migrants and, because of migration's positive externalities, also to societies at large, which justifies the provision of certain benefits. Agencies could also receive awards and political backing to obtain business abroad.<sup>59</sup> For example, the Open Working Group on Labour Migration

and Recruitment of the Migration and Development Civil Society Network is developing a white list of recruitment agencies. Other partnerships involve civil society, employers and employers' associations. To provide frontline services to migrant communities through research and policy advocacy, the Open Working Group launched a knowledge hub and platform for engagement. The International Trade Union Confederation is assessing the feasibility of a platform where migrant workers rate recruitment agencies as a way of monitoring their performance.

*f. Encourage industry self-regulation to promote fair recruitment standards:*

Establishing codes of conduct for recruitment agencies can supplement Government's efforts to address unfair recruitment processes, and to regulate relationships between recruiters and those looking for work overseas. Some voluntary self-regulation options include committing to voluntary industry standards, or joining associations that outline principles and standards for the industry and ensure compliance through a robust monitoring mechanism (box 13).

*g. Enact legislation to promote fair recruitment processes:*

In some cases, policies and laws in countries that are not countries of origin or destination for a particular group of labour migrants can promote their rights and recruitment processes. Given the transnational economic behaviour of multinational corporations, countries can enact legislation that requires firms to ensure certain standards in their supply chains, such as the Modern Slavery Act of the United Kingdom and the California Transparency in Supply Chains Act. Such legislation requires large companies to publish information on their activities to guarantee that their operations reduce the risk of slavery and forced labour, including

### Box 13. Industry self-regulation for fair recruitment

Several global, regional and national industry bodies have begun actively promoting fair recruitment initiatives. At the global level, the World Employment Confederation (WEC) draws ethical recruitment practices from the International Labour Organization (ILO) Private Employment Agencies Convention (No. 181) and the WEC Code of Conduct<sup>a</sup> that calls upon national employment industries and corporations to comply with relevant legislation, not charge migrant workers for recruitment fees, provide honest accounts of working conditions, and ensure occupational safety and health. At the regional level, the Alliance of Asian Associations of Overseas Employment Service Providers recently adopted a programme of action that includes a collective voice in national and international policymaking; self-regulation and self-policing; and decent work, safety and welfare for migrant workers.<sup>b</sup>

The Vietnam Association of Manpower Supply (VAMAS) is a national example of industry self-regulation to enhance ethical recruitment. It comprises 108 recruitment agencies that follow principles and guidelines based on national legislation and international instruments, such as ILO conventions and recommendations, to ensure fair recruitment processes.<sup>c</sup> It offers guidance and monitoring on various issues, including accurate job descriptions, transparent recruiting processes, contracts, pre-departure training for migrant workers, repatriation and reintegration.<sup>d</sup> Recruiters and labour officers also receive training on relevant international conventions and national regulations, the VAMAS code of conduct and its implementation and monitoring.<sup>e</sup>

**Source:** Compiled by ESCWA and IOM.

<sup>a</sup> World Employment Confederation, n.d.

<sup>b</sup> IOM, 2016a.

<sup>c</sup> ILO, 2015d.

<sup>d</sup> Viet Nam Association of Manpower Supply (VAMAS), 2010.

<sup>e</sup> ILO and Australian Aid, 2011.

in their supply chains. As such, the incentive for organizations to take action lies with investors and consumers, who can boycott companies without strategies in place to uphold human rights in their operations and supply chains.<sup>60</sup>

*h. Expand meaningful international cooperation:* Countries of origin can cooperate bilaterally, multilaterally or regionally with other countries of origin and with countries of destination to regulate recruitment practices. Coordination among countries of origin should avoid a race to the bottom, where countries accept low labour standards so as to compete for their citizens' access to labour markets. Countries have also reached bilateral agreements in high-migration corridors to improve labour rights in general, and recruitment practices in particular processes. For instance, a

2012 memorandum of understanding between Bangladesh and Jordan seeks to align workers and employers' rights with international standards. A 2013 agreement on domestic worker recruitment between Saudi Arabia and the Philippines protects both parties in a migrant worker contract by setting out their respective responsibilities, and foresees the resolution of disputes through diplomatic channels. As a major labour-receiving country, Saudi Arabia has recently entered multiple agreements on labour migration with countries within the Arab region (Jordan and Morocco) and outside it (Cambodia, Chad and India).

Bilateral agreements and memorandums of understanding between labour-sending and receiving countries aim to better protect migrant workers, especially domestic migrant workers, from abuse

and poor working conditions, and to further regulate recruitment practices. For example, an agreement between Jordan and Indonesia on domestic workers aims to improve overall recruitment practices and reduce migration costs, with penalties for employers who fail to comply with requirements, such as issuing work and residence permits. A similar agreement was established in 2014 between India and Saudi Arabia. Other countries that have signed bilateral agreements include Qatar with Indonesia and Viet Nam; the United Arab Emirates with Indonesia, the Philippines and Viet Nam; and Kuwait with Indonesia and the Philippines. However, the ILO highlights that without solid labour laws and enforcement, the protection value of such bilateral agreements is minimal, and warns of factors that limit the positive impact of such agreements, specifically citing that some GCC countries' agreements are established merely as diplomatic instruments with little evidence to suggest serious intent for implementation. Such agreements might not address the inherently exploitative nature of some recruitment systems, such as elements of the *kafala* system, and could offer a workaround by introducing some innovative features into a fundamentally unethical system. Lastly, given the modest demand for jobs in countries of origin, and the possibility to hire workers from a range of sending countries, countries of destination have greater bargaining power, which may reduce the effectiveness of the agreements.<sup>61</sup>

*i. Provide access to affordable financing:* Migrants and their families often have to borrow large sums of money to afford the initial cost of migration. This can lead to crippling debt, especially where families borrow from moneylenders and pawnshops that charge high interest rates. In his 2017 report,<sup>62</sup> the Special Representative of the Secretary-General for Migration

recommends that sending countries should help migrant workers finance their migration by increasing financial inclusion, and by fostering partnerships between local non-governmental organizations and banks, for example, particularly in poor and rural areas. Expanding low-interest loan programmes would be a viable first step to widening access. Some countries have already experimented with this approach. For instance, in Bangladesh, banks provide pre-departure loans set at the maximum recruitment fee to meet migration costs, with loan repayments collected from guarantors in the home country rather than from migrants abroad. They also establish branches in countries of destination to facilitate and reduce the cost of remittances, and provide business loans should migrants choose to return home. The Governments of Nepal and Sri Lanka have also experimented with such programmes. For example, the Sri Lankan Government serves as a guarantor for worker loans from some commercial banks; however, such loan programmes become financially unviable if migrants are unable to repay. The Government of the Philippines had to suspend a similar programme for that reason in 2008. More importantly, the existence of such programmes reinforces a system where workers are faced with high recruitment costs leading to debt, which therefore does not resolve the problem.<sup>63</sup> The KNOMAD surveys show that Egyptians in Kuwait borrowed 85 per cent of their migration cost. However, the survey also shows that many were able to take out loans at very low interest rates, mostly from relatives.<sup>64</sup> Moreover, the KNOMAD surveys reveal that access to financing is less problematic than previously thought.

Lastly, professional recruiters are not involved in all types of labour migration. It is therefore paramount to understand where the recruitment industry is relevant and where it is not, so as to advance global

and regional endeavours to understand and promote SDG indicator 10.7.1. Accordingly, policy interventions are also needed to reduce migration costs in migration corridors that do not heavily rely on recruiters and formal intermediaries.

### *iii. Increase migrant workers' salaries*

Although migrant workers should not pay any recruitment cost, it may take time to fully establish regulatory and implementation frameworks to reach this goal. Since net recruitment costs are measured as a proportion of migrant workers' annual salary, a short-term way of decreasing the net cost involves increasing migrants' income. To this end, countries and other stakeholders should regulate the minimum wage in countries of destination through national legislation or bilateral agreements between host and sending countries, or by proactively promoting migration to countries with higher minimum and average wages. Moreover, income is often dependent on skills. Thus, training migrants for better-paid jobs and awarding them certificates recognized in destination economies can considerably lift migrants' salaries. The Philippines has negotiated a minimum salary for its domestic workers in the United Arab Emirates. However, fixing some salaries in a migration corridor could lead to wage differences among nationalities doing the same type of work in countries of destination, thus exacerbating inequalities between migrant workers.

Governments and regional processes should standardize job contracts and inform all parties of key aspects of the placement, such as duties, expectations and remuneration, in line with the ILO Fair Recruitment Initiative. This would reduce mismatches between jobs and workers, provide evidence in the event of legal redress, and ultimately reduce costs.

## **2. Labour rights and safe environments for migrant workers, particularly women and those in precarious employment**

SDG 8 asserts that decent work lies at the heart of sustainable development, and that safe and secure working conditions are a fundamental part of decent work, as is the protection of labour rights and safe working environments.<sup>65</sup> The New York Declaration for Refugees and Migrants reaffirms the importance of protecting labour rights and ensuring a safe environment for migrant workers and those in precarious employment, and of protecting women migrant workers in all sectors. The Special Rapporteur on the rights to freedom of peaceful assembly and of association stressed that the impact of the lack of assembly and association rights for migrant workers was compounded by harsh immigration laws, unscrupulous labour recruitment organizations, militarized labour systems and rights-restricted structures in export processing zones. Migrant domestic and agricultural workers, who are often excluded from labour law protection both at home and abroad, are doubly exploited and marginalized.<sup>66</sup>

The present section focuses on two concrete indicators that monitor progress under SDG target 8.8, and which directly reference migrants. It discusses the extent of migrant-specific and gender-disaggregated data on occupational health and safety, and the labour rights of migrant workers. It also outlines a series of recommendations to support national policymakers and international, regional and local actors working on migration and displacement in taking concrete steps to improve the working conditions and advance the rights of migrant workers.

### **(a) Methodology for measuring and preventing occupational injuries of migrants**

Preventing fatal and non-fatal occupational injuries of migrants is an important

### Box 14. Categories of economic costs related to occupational injuries

*Costs borne by workers:* loss of future earnings, and additional expenses for medical treatment and rehabilitation beyond those covered by insurance and compensation schemes.

*Costs borne by employers:* staff turnover, training replacement workers, loss of worker output, insurance premiums and legal costs incurred.

*Costs borne by the community:* social payouts, cost of incident investigation, workplace inspection and promotion activities by the Government, loss of human capital for fatal cases, and medical subsidies.

**Source:** Workplace Safety and Health Institute, 2013.

measurement of working conditions (SDG indicator 8.8.1). It is also connected to promoting SDG 3 on ensuring healthy lives and well-being for all, since occupational injuries also lead to financial costs. ILO estimates that the direct and indirect costs of work-related fatal injuries account for a loss of 4 per cent of the world's annual GDP, or \$2.8 trillion (box 14).<sup>67</sup>

An occupational injury is any personal injury, disease or death resulting from an occupational accident: an unexpected and unplanned occurrence, including acts of violence, arising out of or in connection with work.<sup>68</sup> International, national and local actors have yet to agree on how this indicator is measured and implemented with regard to migrant workers. The ILO campaign for the 2017 World Day for Safety and Health at Work emphasizes the need for countries to improve their capacity to collect and utilize reliable data on occupational safety and health, including the reporting challenges of indicator SDG 8.8.1. To this end, the ILO has launched a resource toolbox, including best practices and guidance material on promoting occupational safety and health, databases and references to international labour standards.<sup>69</sup>

Migration-specific questions should be included in existing surveys on occupational injuries. In some instances, new surveys need to be designed or administrative records

adjusted to account for migrant and non-migrant status. Egypt is currently the only Arab country for which data is available on occupational injuries in the SDG Indicators Global Database; however, although data on the frequency rates of such injuries for 2011 and 2012 are disaggregated by sex, disaggregation by migratory status is still unavailable.<sup>70</sup> Relevant data for SDG indicator 8.8.1 can be found in the ILOSTAT database under the categories: cases of fatal and non-fatal occupational injury by sex and economic activity, and fatal and non-fatal occupational injuries per 100,000 workers by sex and economic activity. Qatar is the only Arab country that provides continuous data for the last five years in the International Labour Organization Database (ILOSAT), but it is not disaggregated by migratory status. Moreover, data do not cover fatal injuries, and include only compensated injuries in the private sector while excluding incidents that did not lead to some degree of disability. Therefore, the numbers provided severely underestimate the overall rate of occupational injuries.

While none of the available data on occupational injuries in the SDG Indicators Global Database are disaggregated by migration status, some countries, such as the United States (figure 49), provide disaggregated data in their national databases. However, data collection methods should also take into account that migrant workers tend

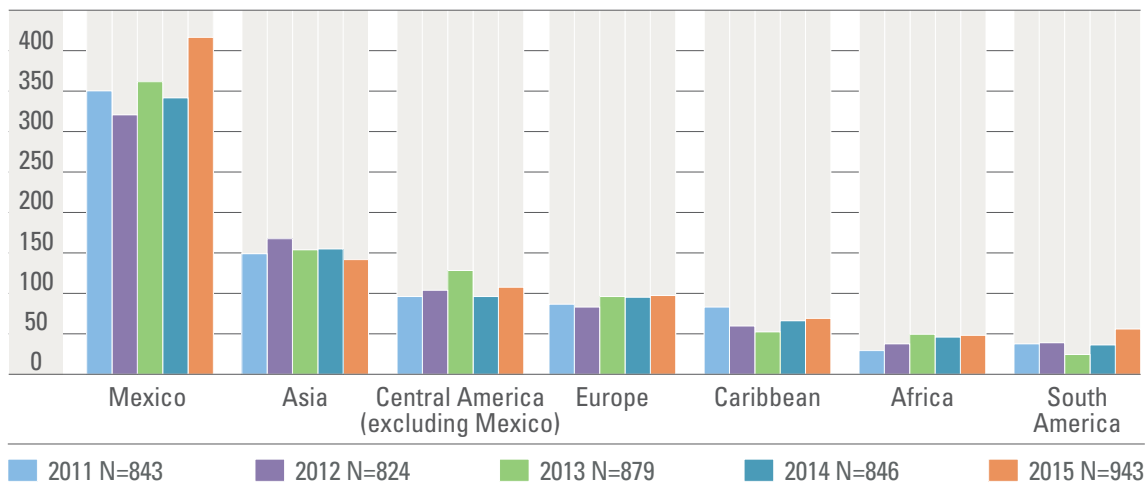
to underreport their migration status fearing adverse consequences, especially those in an irregular situation. The lack of national data in the Arab region on occupational safety and health makes it impossible to estimate migrant workers' injuries based on the share of migrant workers in specific sectors. Only few countries provide data for the last five years, and rarely have information for multiple years. Only Qatar listed a decreasing trend of non-fatal occupational injuries per 100,000 workers over the period 2009-2015. Egypt offered stagnating numbers for cases of fatal occupational injury by economic activity for 2011, 2012 and 2014.<sup>71</sup> The 2014-2015 KNOMAD surveys on migrant workers who had returned to their countries of origin show that, when asked about injuries and sickness at work, migrant workers indicate fever, heat stress and cuts as the most common reasons for being unable to work; fatigue was also mentioned.

To improve working conditions for migrant workers, policymakers must understand workplace safety conditions and the challenges faced by particular sectors. However, the lack of data on occupational injuries does not only stem from insufficient capacity to collect and

analyse information or from an inadequate scope of inspections. There is also a lack of political commitment to adhere to international occupational safety and health standards and to enforce existing national policies and regulations.<sup>72</sup>

The international framework on occupational safety and secure work environments is mainly guided by the 1981 Occupational Safety and Health Convention (No. 155) and its 2002 Protocol, the 1985 Occupational Health Services Convention (No. 161) and its Recommendation, and the 2006 Promotional Framework for Occupational Safety and Health Convention (No. 187) and its Recommendation. Given that migrants in the Arab region work predominantly in the construction sector, especially in GCC countries, the 1988 Safety and Health in Construction Convention (No. 167) is of particular relevance. Only four countries in the Arab region, namely Algeria, Bahrain, Iraq and the Syrian Arab Republic, are party to at least one of those conventions on occupational safety and health. Most Arab countries have not ratified any of these international legal instruments (table 7).

**Figure 49.** Fatal injuries involving foreign-born workers in the United States by country or region of birth, 2011-2015



Source: United States, Bureau of Labour Statistics, 2016.

Note: 'N' indicates total number of fatal injuries per year across regions.

### Box 15. Occupational injuries in the construction sector in GCC countries

Migrant workers in the construction sector are frequently exposed to various hazards, and therefore have a comparatively high rate of fatal and disabling occupational injuries.<sup>a</sup> Although national legislation in the United Arab Emirates demands adequate preventive equipment to protect workers against the dangers of occupational injuries, they are too general and do not provide specific references to on-site safety, leading to less rigorous implementation of safety measures by contractors. The United Arab Emirates, in collaboration with ILO, has been promoting increased safety for migrant workers on construction sites. Two-thirds of patients admitted to hospital for work-related injuries in the United Arab Emirates are from India.

In a study of more than 1,100 construction workers, Qatar's National Human Rights Committee found that 11 per cent reported being injured at work, and more than half of those blamed a lack of adequate safety measures and procedures in the workplace.<sup>b</sup> The construction sectors in Kuwait and Saudi Arabia are considered highly dangerous. As many migrant workers in GCC countries speak Hindi or Urdu as their first language, instructions in Arabic or English are inadequate. If low-skilled workers are not literate, they require pictures and illustrations to understand safety instructions. Consequently, more needs to be done to ensure the safety of migrant workers on construction sites.

**Source:** Compiled by ESCWA and IOM.

<sup>a</sup> ILO, 2017e, p. 3.

<sup>b</sup> Study on the Conditions of Unskilled Labour Force in the Construction Sector in Qatar, Qatar National Human Rights Committee, quoted in DLA Piper, 2014, p. 78.

#### (b) Recommendations for ensuring safe working environments

To ensure safe and secure working environments for migrant workers, countries in the Arab region should undertake the following:

*i. Adopt international standards and establish national policies on occupational health and safety for migrant workers*

To advance SDG target 8.8 measured by occupational injuries, and to ensure that migrant workers have the same safe working conditions and occupational health coverage as national workers, Arab countries should ratify international ILO standards on occupational safety and health, in particular, and other conventions encompassing the working conditions of migrant workers, in general. Arab Governments should develop national policies on occupational safety and health that establish a system of defined rights, responsibilities and duties and create a

national preventative safety and health culture, in accordance with international standards.<sup>73</sup>

*ii. Promote awareness, education and training*

Awareness-raising and education on occupational risks are key elements in reducing work-related injuries. The Safety in the Heat programme is a noteworthy example of preventive and protective measures.<sup>74</sup> Since over 50 per cent of migrant workers in the United Arab Emirates work outdoors,<sup>75</sup> the programme uses a broad multimedia campaign, including posters, pamphlets, videos and websites, targeting employers and workers to raise awareness on the perils of working in extreme heat during the summer months in GCC countries. The campaign also included training for supervisors and health and safety personnel and materials in different languages, and improved the monitoring of programme effectiveness through a hospital-based injury surveillance system. In addition to targeting large

employers, programmes should address occupational safety and health conditions in small and medium enterprises, and in the informal economy.<sup>76</sup> All GCC countries have introduced regulations to interrupt outdoor work during the extreme summer heat. Qatar banned midday outdoor work during the summer months when casualties at the World Cup construction sites increased. However, not all employers comply with this ban, and some reduce workers' wages for working fewer hours. Additional health and safety regulations have been introduced through the Workers' Welfare Standards of Qatar, requiring safer conditions on construction sites and in worker accommodation.<sup>77</sup>

### *iii. Build statistical capacity*

Limits on the capacity to collect comprehensive disaggregated data often make evidence-based policy programming problematic. The ILO plan of action 2010-2016 on occupation safety and health outlines several activities for countries to build national legislation and programmes tackling fatal and non-fatal occupational injuries. To implement effective programmes that reach all migrant workers at risk in hazardous work conditions, national efforts and resources should be directed at understanding the gender dynamics of labour migration and the distinct challenges migrant workers face in different sectors, such as agriculture, domestic work, the apparel industry and construction. Ministries of health, agriculture, labour and immigration should assist institutions in collecting relevant information. However, to protect migrants' human rights, it is important to shield individual health data from immigration enforcement agencies, so as to not deter irregular migrants from using medical services. Moreover, collaboration with insurance or social security bodies can improve the collection and compilation

of accurate statistics on occupational injuries.<sup>78</sup> This issue is connected to the Cape Town Global Action Plan for Sustainable Development Data that aims to strengthen and expand programmes on household surveys, integrated survey systems, business and other economic surveys, population and housing censuses, and civil and vital statistics, so as to meet the requirements of the 2030 Agenda.<sup>79</sup>

### *iv. Implement labour inspection and complementary enforcement strategies*

To examine the safety of a work site, frequent and unannounced inspections should be conducted. However, most Arab countries do not have enough inspectors to properly assess working conditions and enforce existing regulations.<sup>80</sup> For labour inspections to function as a tool to enhance adherence to labour standards, it is paramount that such inspections focus on monitoring working conditions and advocating workplace compliance, rather than checking the legal status of migrant workers. The latter is the responsibility of immigration department officials, and confounding the two tasks can be detrimental to effectively monitoring working conditions in sectors with a sizeable share of migrant workers.

To enable risk assessments and monitor progress made at the national level, tripartite committees on occupational safety and health should be established, comprising government officials, employers and workers. Further measures can include publishing the status of workplace conditions, excluding project bidders with poor safety records, increasing insurance premiums, withdrawing permits, and other incentive and penalty schemes. It is in the interest of countries and employers to curb the frequency of fatal and non-fatal occupational accidents, given their economic costs in terms of compensation,



lost working time, interrupted production and medical expenses.<sup>81</sup> Countries must also ensure access to effective complaint and grievance mechanisms in case of violations. Consulates of countries of origin should offer easily accessible services for affected migrant workers in countries of destination.

### (c) Migrant labour rights

SDG indicator 8.8.2 focuses on international norms and national legislation protecting labour rights. It recognizes that disaggregated data on migrant workers, particularly female workers who are often employed in domestic work, are crucial for assessing their protection level. The methodology includes a complex matrix of 108 evaluation criteria for violations of, and progress in, trade union rights in law and in practice.<sup>82</sup> At present, indicator 8.8.2 concentrates explicitly on the right to freedom of association and the right to collective bargaining. Related international legal instruments include the Convention concerning Freedom of Association and Protection of the Right to Organise, 1948 (No. 87); and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Most Arab countries have not ratified these long-standing ILO frameworks. GCC countries (except Kuwait), which host most labour migrants in the region, have not taken any steps towards ratification (table 7).

#### *i. Methodology for measuring national compliance*

In its Global Rights Index 2016, the International Trade Union Confederation (ITUC) paints a bleak picture of labour rights in the Arab region (table 8). Although data are not disaggregated by migration status, the report makes explicit reference to migrant workers in Lebanon, Qatar, Saudi Arabia and the United Arab Emirates. It states that the complete lack of freedom of association, and the *kafala* system that subjects millions of migrant workers to

the risk of forced labour, continues to be pervasive throughout Gulf countries.<sup>83</sup> Most GCC countries prohibit or severely limit migrant worker unionization and strikes, although they make up the majority of the private-sector workforce in countries like Qatar.<sup>84</sup> In the United Arab Emirates, construction workers have reportedly been arrested and deported for striking against low wages and poor working conditions.<sup>85</sup> Representation and voice at work are crucial to guaranteeing labour rights and the improvement of labour conditions for migrant workers. In Lebanon, the Government dismissed efforts to form a union to strengthen legal protection for domestic migrant workers' rights.<sup>86</sup> However, migrant workers organize informally and build support communities, which is critical for those who have little access to formal support systems like consulates and embassies.<sup>87</sup> Other countries with explicit restrictions on migrant workers forming, joining or serving in a union office include Algeria, Kuwait, Libya, Mauritania, Saudi Arabia, the Syrian Arab Republic, Tunisia and Yemen.<sup>88</sup> Labour rights indicators provide comprehensive numerical and textual information on country-level compliance with freedom of association and collective bargaining rights (figure 50).

While SDG indicator 8.8.2 only specifies freedom of association and collective bargaining, the full realization of labour rights and protection relates to other areas of labour exploitation, forced labour and discrimination in employment. Many migrant workers report unequal treatment depending on nationality, and the inability to terminate a contract unilaterally or change employers under the *kafala* system. The most frequently cited rights violation is withholding passports and other travel documents. Furthermore, it is critical to understand that different groups of migrant workers face differing challenges regarding

**Table 7.** Ratifications of ILO conventions related to SDG indicators 8.8.1 and 8.8.2 in the Arab region

Country	ILO conventions related to SDG indicator 8.8.2		ILO conventions related to SDG indicator 8.8.1			Total number of ratifications
	No. 87: Freedom of association	No. 98: Collective bargaining	No. 155: Occupational safety and health	No. 187: Promotional framework for occupational safety and health	No. 167: Safety and health in construction	
Bahrain	–	–	+	–	–	1
Kuwait	+	+	–	–	–	2
Oman	–	–	–	–	–	0
Qatar	–	–	–	–	–	0
Saudi Arabia	–	–	–	–	–	0
United Arab Emirates	–	–	–	–	–	0
Algeria	+	+	+	–	+	4
Libya	+	+	–	–	–	2
Morocco	–	+	–	–	–	1
Tunisia	+	+	–	–	–	2
Egypt	+	+	–	–	–	2
Iraq	–	+	–	+	+	3
Jordan	–	+	–	–	–	1
Lebanon	–	+	–	–	–	1
Syrian Arab Republic	+	+	+	–	–	3
Comoros	+	+	–	–	–	2
Djibouti	+	+	–	–	–	2
Mauritania	+	+	–	–	–	2
Somalia	+	+	–	–	–	2
Sudan	–	+	–	–	–	1
Yemen	+	+	–	–	–	2
<b>Total number of ratifications</b>	<b>11</b>	<b>16</b>	<b>3</b>	<b>1</b>	<b>2</b>	

Source: ESCWA and IOM calculations, based on NORMLEX Information System on International Labour Standards. Available from [www.ilo.org/dyn/normlex/en/](http://www.ilo.org/dyn/normlex/en/) (accessed 17 February 2017).

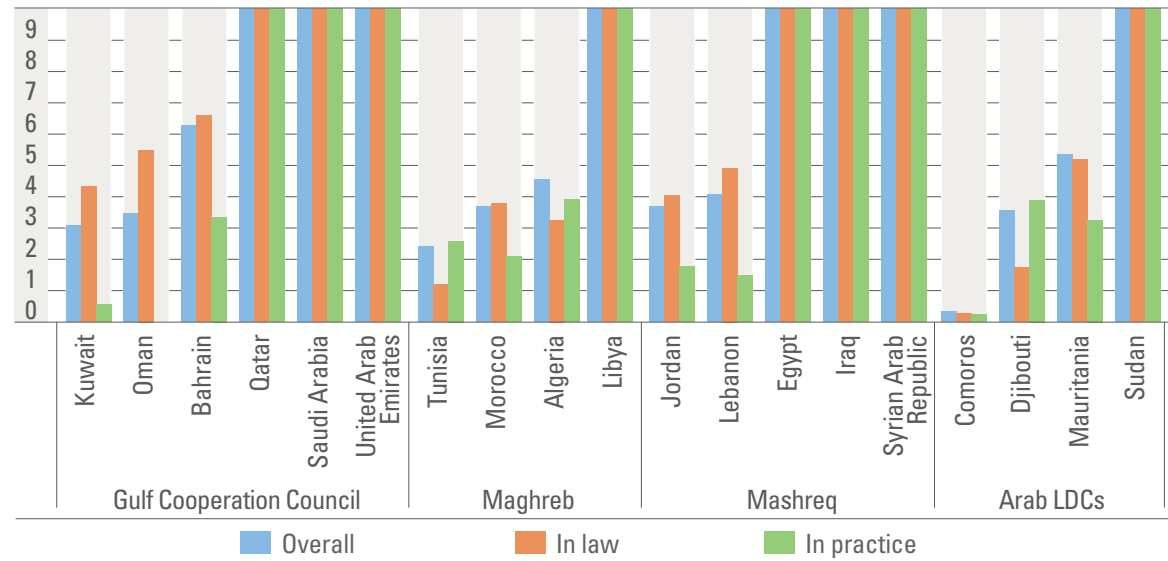
Note: Cells with plus signs indicate ratification, and cells with minus signs indicate non-ratification.

**Table 8.** Global Rights Index 2016: violations of workers' rights

	Global Rights Index 2016	Country
5+	No guarantee of rights due to the breakdown of the rule of law	Iraq, Libya, Palestine, Somalia, Sudan, Syrian Arab Republic
5	No guarantee of rights	Algeria, Egypt, Qatar, Saudi Arabia, United Arab Emirates
4	Systematic violation of rights	Bahrain, Jordan, Kuwait, Lebanon, Oman, Tunisia, Yemen
3	Regular violation of rights	Morocco
2	Repeated violation of rights	-
1	Irregular violation of rights	-

Source: International Trade Union Confederation (ITUC), 2016.

Note: No data is available for the Comoros.

**Figure 50.** Labour rights indicator scores for countries in the Arab region, 2012

Source: Kucera and Sari, 2016.

Note: Countries with a score of 10 received the most negative score by default due to a general prohibition of the right to establish and join organizations and/or conduct collective bargaining in law and in practice. No data are available for Palestine and Somalia; Yemen was dropped from the list due to inconsistent data.

the protection of their labour rights. Reforms of national labour laws in many Arab countries have done little to assist marginalized groups, such as domestic migrant workers, labour migrants with irregular immigration status, and refugees entering the labour market. Furthermore, where changes in legislation occur, they are regularly not implemented in practice, as shown in figure 50.

#### ii. Rights of migrant domestic workers

Countries in the Arab region host the greatest number of migrant domestic workers in the world: national figures report around 1.6 million, accounting for 17.9 per cent of all migrant workers in the region.<sup>89</sup> Other estimates peg migrant domestic workers in Gulf countries at 2.5 million.<sup>90</sup> Most Arab countries have failed

### Box 16. Gender dimensions of migrant domestic work

Around 70 per cent of domestic workers are women, and they are among the most vulnerable groups of migrant workers. They face poor working conditions and insufficient legal protection. Most labour laws do not cover the inspection of private domiciles. Many employers of domestic workers are not considered 'employers' under national labour laws, and often do not fully understand their obligations under employment or immigration laws.

Domestic workers often live at their employers' domicile, creating isolation that can lead to further vulnerability. Those factors disproportionately affect women and reinforce gender disparities in terms of access to decent work, and impact the achievement of the Sustainable Development Goal (SDG) 1 on poverty eradication, SDG 5 on gender equality and SDG 8 on decent work. Although female migrant workers dominate domestic work, half of the world's male migrant domestic workers reside in Arab countries. An estimated 10 per cent of male migrant workers in the region are domestic workers but the majority are employed as drivers or gardeners rather than housekeepers, thus highlighting the 'genderization' of domestic labour migration.<sup>a</sup> Migrant domestic workers usually earn less than other migrant workers, and experience wage discrimination depending on their country of origin.<sup>b</sup> Recognition of these gendered dimensions has emphasized gender mainstreaming across the SDGs, with specific focus on female migrant workers in target 8.8.

**Source:** Compiled by ESCWA and IOM.

<sup>a</sup> ILO, 2013b, pp. 21, 28 and 50.

<sup>b</sup> Kathiravelu, 2016.

to include migrant domestic workers in national legislation reforms, thus placing them at risk of exploitation.<sup>91</sup> The reports of human rights organizations overwhelmingly criticize the level of abuse suffered by domestic migrant workers under the *kafala* system. Human Rights Watch recently published dire accounts of domestic workers in Jordan, Oman, Qatar and the United Arab Emirates.<sup>92</sup> There is a stark dissonance between national regulations, if they exist, and the reality for domestic migrant workers. Reported cases include physical, sexual and verbal abuse, involuntary confinement, and the denial of food or medical care by the employer. Other common issues are contract substitutions, withholding payment, and excessive working hours. Though prohibited by law, employers regularly confiscate passports. High recruitment costs leave workers vulnerable to debt bondage and forced labour. Moreover, the absence of inspections and inadequate legal aid leave victims of abuse without support or access to justice. They often

face countercharges by employers and police bias if they try to escape. Successful prosecution of forced labour cases is rare.<sup>93</sup> Despite hosting a large number of domestic workers, no Arab country has ratified the 2011 ILO Domestic Workers Convention (No. 189). However, it is hoped that national efforts, such as Morocco's new law regulating work for domestic workers, will help protect thousands of women and girls from exploitation and abuse.<sup>94</sup>

Countries of origin have largely been unable to institute sufficient safeguards for their workers. Most domestic workers in Arab countries come from Bangladesh, Ethiopia, Indonesia, India, Nepal, the Philippines, Sri Lanka and the Sudan. Countries like Indonesia, Nepal and Sri Lanka have criticized abuses and have adopted initiatives to increase salaries and protection for their migrant workers.<sup>95</sup> Complaints have been submitted, particularly to GCC countries. Indonesia has implemented a migration ban to

### Box 17. Refugees and labour rights in Jordan

Jordan has one of the highest proportions of refugees among its population in the world, and the Government has vowed to issue up to 200,000 work permits to Syrian refugees under the Jordan Compact to work in the country's export-oriented development zones. To facilitate the process, Jordan has waived work permit fees for Syrian refugees over a set period, to ensure that refugees can participate in the formal economy with better labour rights.

Jordan also actively promotes job creation for women refugees in the garment manufacturing sector. In addition to promoting skills-upgrading in the Jordanian workforce, the Better Work Jordan initiative, implemented by the International Labour Organization (ILO) and the World Bank, supports refugees in gaining access to the apparel industry and building the necessary skills. However, the number of Syrian refugees who have obtained work permits remains very low, and the scheme does not give Syrians a choice of where to work. Despite limitations, such initiatives are key to establishing an enabling framework for refugees and achieving self-reliance, which is a critical element of the Comprehensive Refugee Response Framework adopted by the General Assembly in September 2016.

Source: ILO, 2016a.

several countries, including Oman, where traffickers abuse the *kafala* sponsorship system to their advantage. However, the policy does not stop migration and puts domestic workers at risk of trafficking or forced labour when they and recruitment agencies bypass the ban. However, countries like Bangladesh promote migration of domestic workers to the Arab region, without adequately advocating protection and higher salaries.<sup>96</sup>

#### iii. Protection needs and rights of refugees

Refugees constitute another especially vulnerable group. As described in chapter 1, most refugees and IDPs originate from Iraq, Libya, Palestine, the Syrian Arab Republic, the Sudan and Yemen, and remain to a large extent in the Arab region, mostly in the Mashreq. For refugees and asylum seekers, the ability to engage in decent work can be crucial to their survival and self-sufficiency. Through work, refugees can bring growth and prosperity to host communities. The diverse skills, professional experience and entrepreneurial spirit offered by refugees can help fill labour shortages or gaps in

local markets, benefiting both refugees and host communities. The preamble to the 1951 Refugee Convention states that refugees should enjoy the widest possible exercise of their fundamental rights and freedoms. The Convention also contains specific provisions protecting the right to work for refugees. As such, refugees must benefit from the right to work, as provided for under international and regional human rights law.

Owing to their irregular status or because of host government policies and practices restricting access to the formal sector, refugees often remain in the informal economy and rarely gain access to formal employment. Their precarious situation makes them more vulnerable to discriminatory labour and abusive recruitment practices, and to unsafe working conditions. Like labour migrants in irregular situations, refugees have little protection against violations of labour rights and forced and bonded labour.<sup>97</sup> Hosting large numbers of refugees poses various challenges, which are best addressed by developing programmes and policies geared towards the social

and economic development of the entire community, including job opportunities for all. Consequently, refugees and nationals can develop their skills, improve their livelihoods, and contribute to the local community together.<sup>98</sup>

#### (d) Recommendations for strengthening the labour rights of migrant workers

Countries and other stakeholders can advance the labour rights of male and female migrant workers through a range of normative and practical measures, including the following:

##### *i. Commit to international standards for migrant workers*

The normative framework for the protection of labour rights, including those of migrant workers, offers a strong system of standards and guiding principles for labour migration in the twenty-first century. However, commitment to international norms remains limited in the Arab region. As a fundamental basis for protecting migrants' rights, all countries must ratify the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and key ILO conventions on migrant workers. The 2016 United Nations Summit for Refugees and Migrants has renewed the impetus for migrant protection. The New York Declaration for Refugees and Migrants highlights the necessity for minimum labour standards, promotes the fight against forced labour, and stresses that migrants must enjoy rights and protection under international law. As explicitly referenced by SDG indicator 8.8.2 on workers' freedom of association and collective bargaining, all countries in the Arab region that have not yet ratified ILO fundamental conventions No. 87 and No. 98 should do so, and lift any current restrictions in their national

laws limiting freedom of association and the right to collective bargaining.<sup>99</sup> To ensure the protection of particularly vulnerable migrant groups, countries in the Arab region are called upon to ratify the 2011 ILO Domestic Workers Convention (No. 189), thus advancing the protection of migrant domestic workers' rights.

##### *ii. Continue to reform the kafala system*

Although recent reforms in several GCC countries have addressed some shortcomings of the *kafala* sponsorship system, many issues remain. A contract-based system in line with labour laws and enforcement that strengthen protection would give migrant workers more certainty about their rights, working conditions and compensation. Employers must uphold their obligations, and migrant workers must be empowered to seek redress in cases of rights violations. Under most sponsorship systems, workers must have permission from their employer to renew permits, terminate contracts, transfer to another employer and, in some cases, exit the country. Such sponsorship systems are directly related to SDG target 8.7, which aims to eradicate forced labour and end modern slavery.

Several countries in the Arab region have introduced mandatory standard contracts in recent years, setting maximum working hours, hours of rest, rest days and other conditions for decent work. After their failed attempt in 2015, Gulf countries should resume discussions on a harmonized standardized contract for migrant workers in specific sectors to ensure the same rights across countries of destination and migrants' nationalities. National labour law reforms must focus on developing comprehensive and inclusive migration policies that are human rights-based and gender-sensitive, and that consider the needs and rights of different

groups of migrant workers, such as domestic workers.

therefore, national policies should increase oversight of recruitment offices.

*iii. Develop and enforce evidence-based national policies*

Comprehensive national policies require comprehensive data. To formulate informed policies, Governments must collect meaningful, comprehensive and disaggregated information on migrants' rights and protection in practice. Arab countries must formulate more concrete enforcement policies in terms of how to ensure a robust inspection system that focuses on monitoring working conditions and advocating compliance with labour law, rather than checking on the legal status of migrant workers; follow up on accusations and violations; guarantee unbiased investigation by police and other officials; and levy adequate fines for perpetrators.

*iv. Improve access to means of redress and justice*

Access to grievance mechanisms is crucial for realizing labour rights, as it enables migrant workers to report rights violations. Without formal unions and associations, it is difficult for migrant workers to demand their rights and decent working environments. In 2014, Qatar implemented an electronic complaints mechanism in various languages commonly spoken by migrant workers. Such mechanisms should also be implemented by countries of origin, which would require adequate staffing and training in consulates and embassies, since they are the main source of information on rights, legal assistance and shelter for migrants. Special procedures should be created for domestic workers to register abuse and unfair treatment, since they are one of the most vulnerable groups of migrant workers. Abusive practices are perpetrated by both employers and recruitment agents;

*v. Foster cooperation on labour rights and conditions*

The 2017 report of the Special Representative of the Secretary-General for Migration emphasizes that key stakeholders, including employers, trade unions, training institutions and migrants, must be consulted in developing labour migration-related strategies. In this regard, it is crucial that labour migrants be allowed to form workers' associations and join trade unions.

Beyond national partnerships, labour mobility requires global, regional and bilateral cooperation and coordination to ensure safe working environments and the protection of labour rights. One method to achieve this is through the adoption of bilateral labour arrangements (agreements and memorandums of understanding). For example, a memorandum of understanding between Bangladesh and Jordan establishes that both parties must preserve the rights of workers and employers through legislation, in line with international standards and treaties.<sup>100</sup> While bilaterally agreed solutions cannot replace a comprehensive labour law that covers all migrant-intensive sectors and relevant enforcement mechanisms, such arrangements can improve labour conditions for certain groups and pave the way towards more comprehensive solutions. The Migration Governance Index encourages countries to form bilateral labour agreements that implement regulations for decent work and prevent extreme working conditions (heat, cold, radiation, etc.), undue recruitment fees or earnings below the minimum wage.<sup>101</sup> Bilateral labour arrangements are critical to promoting better working conditions for migrant workers. At the regional level,

### Box 18. General principles for international remittance services

The following five principles for international remittance services, developed by the World Bank and the Committee on Payments and Market Infrastructures in 2007, provide general guidelines to improve the remittance transfer market, and make services contestable, transparent, accessible and sound.

- **Transparency and consumer protection:** The market for remittance services should be transparent and have adequate consumer protection;
- **Payment system infrastructure:** Improvements to payment system infrastructure that have the potential to increase the efficiency of remittance services should be encouraged;
- **Legal and regulatory environment:** Remittance services should be supported by a sound, predictable, non-discriminatory and proportionate legal and regulatory framework in relevant jurisdictions;
- **Market structure and competition:** Competitive market conditions, including appropriate access to domestic payment infrastructures, should be fostered in the remittance industry;
- **Governance and risk management:** Remittance services should be supported by appropriate governance and risk management practices.

Remittance service providers should participate actively in the implementation of the general principles; and public authorities should evaluate what action to take to achieve public policy objectives by implementing the general principles.

**Source:** World Bank and Bank for International Settlements, 2007.

the 5+5 Dialogue on Migration in the Western Mediterranean, the Arab Regional Consultative Process on Migration and Refugee Affairs and the Abu Dhabi Dialogue are key discussion platforms for advancing the rights of migrant workers in the Arab region. Countries should recognize migrants' contributions to development, and how the implementation of the 2030 Agenda is inextricably linked to the protection of migrant workers. To gauge progress under the 2030 Agenda, Arab countries must support the establishment of a global independent database to monitor migrants' rights.<sup>102</sup>

### 3. Transfer costs of migrant remittances

To reduce inequality within and among countries as envisioned by SDG 10, target 10.c aims to decrease the transaction costs of migrant remittances to less than 3 per cent of the amount remitted and eliminate

remittance corridors with costs higher than 5 per cent by 2030. Less costly remittances mean that recipient households receive more money. Moreover, lower costs might encourage migrants or refugees to remit more, since high remittance costs could act as a deterrent to sending money. A 2008 cross-country regression study based on data from MoneyGram and Western Union found that a one percentage point reduction in transaction costs raised recorded remittances by 14-23 per cent.<sup>103</sup> The World Bank estimates that efforts to reduce remittance costs led to savings of approximately \$42.5 billion between 2009 and 2013.<sup>104</sup> The Addis Ababa Action Agenda aims to ensure that adequate and affordable financial services are available to migrants and their families in both home and host countries by reducing the average transaction cost of migrant remittances by 2030 to less than 3 per cent of the amount transferred, and by using new technologies, promoting financial literacy and inclusion, and improving data collection.



### (a) Remittance costs

There are many types of remittances: intra-family remittances, diaspora savings, philanthropic contributions, and/or diaspora investments. There are several factors that affect remittance costs, such as those incurred at the point of transfer, including transaction fees and exchange rates. Other costs are associated with acquiring the necessary documentation to send or receive funds, the channel in which receivers are paid (cash or credit), and the speed of the transfer.<sup>105</sup> At the macro level, an underdeveloped financial sector, weak competition between remittance service providers, a rigid regulatory environment geared towards preventing illegal financial transactions (money laundering and terrorist financing), lack of access to the financial sector, and hidden costs for both senders and receivers all contribute to higher remittance costs.

### (b) Methodology for collecting data on remittance costs

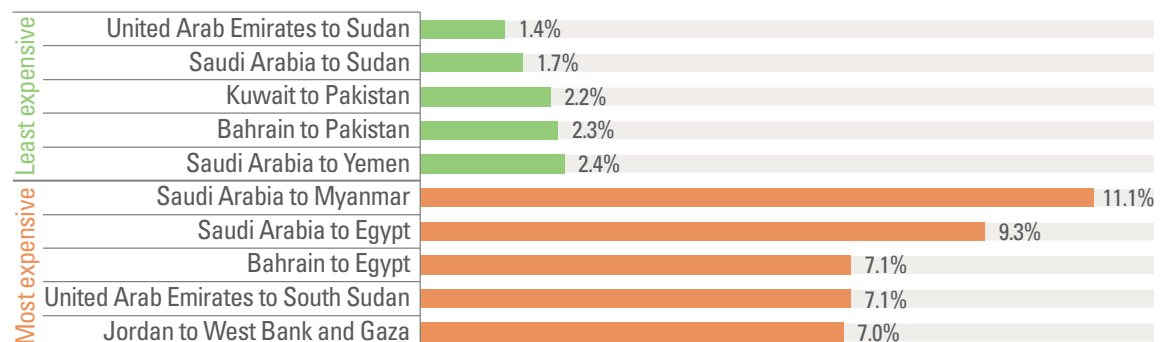
Several variables are involved in calculating the transfer cost of remittances, including the transaction fee, the exchange rate and margin, and the speed of service. In principle, all those elements must be captured in the information to the consumer; however, this is not always the case in practice.<sup>106</sup> Since 2008, the World Bank has collected data on bilateral remittance

costs for two amounts per corridor: the local currency equivalent of \$200 and \$500. The database has covered 365 remittance-sending corridors since 2016. The corridors studied flow from 48 remittance-sending countries to 105 receiving countries. Data is collected by researchers posing as customers, contacting firms within each corridor. Researchers collect data within each corridor on the same day, to control for fluctuations in exchange rates and other changes in fee structures. In most cases, data is captured from the main sending location/area for a corridor to the capital city or most populous city in the receiving market. However, data collection efforts need to increase significantly to fully reflect global practices: the 200 countries and territories for which United Nations statistics are provided constitute over 41,000 bilateral corridors. In addition, remittance cost surveys should not consider only urban populations in capital cities. Remittance costs to rural areas, which are often less integrated into financial markets, also need to be sufficiently assessed.

### (c) Trends of remittance transfer costs

In the Arab region, the highest transfer costs occur when funds are sent from Saudi Arabia to Myanmar, where the sender has to pay over a tenth of the amount remitted in fees (figure 51). Egyptians in Saudi Arabia and Bahrain have to pay 9.3 per cent and 7.1 per

**Figure 51.** Top five least and most expensive remittance corridors in the Arab region, 2016



**Source:** ESCWA and IOM calculations, based on World Bank, 2016a.

**Note:** Following the World Bank's methodology on the global average total cost of sending remittances, the data reflect the simple average of the total cost for sending \$200 charged by each remittance service provider in 2016 included in the Remittance Prices Worldwide database.

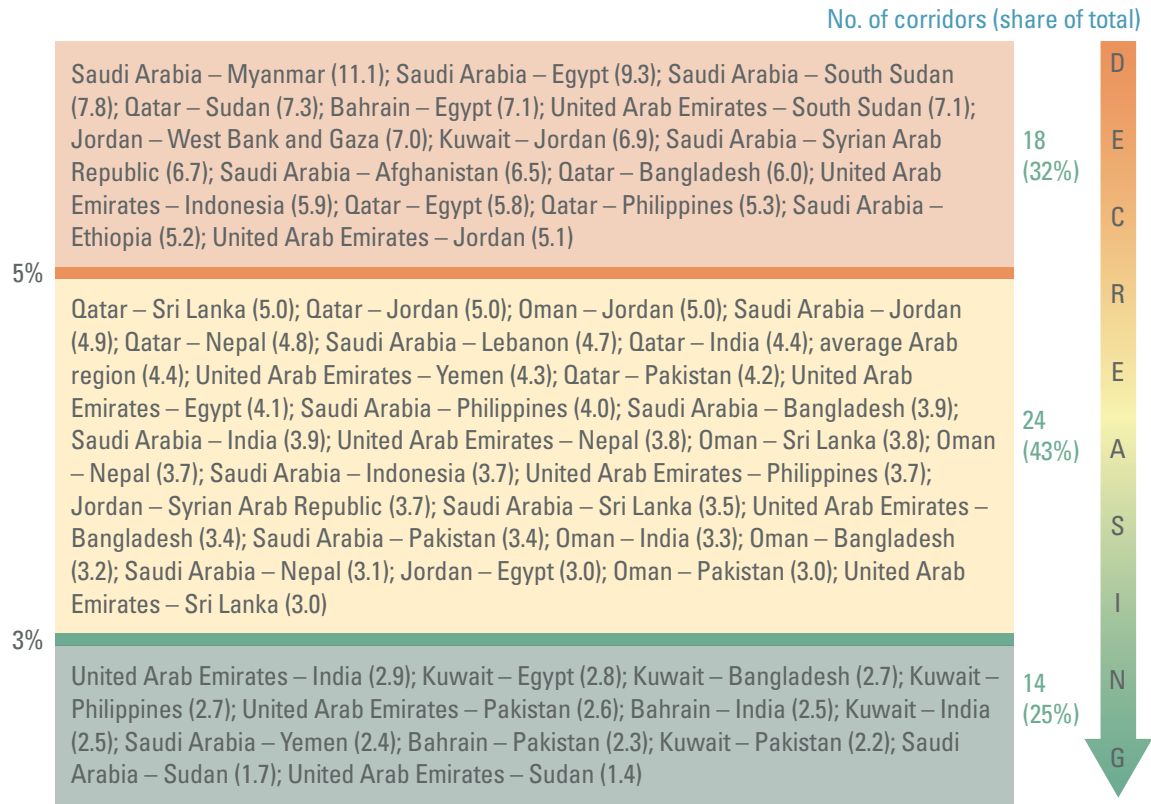
cent, respectively, to send money home. The least expensive corridors for remitting funds are between Saudi Arabia and the United Arab Emirates to the Sudan, amounting to less than 1.8 per cent of the transmitted \$200.

The average cost of sending remittances in the Arab region stood at 7.6 per cent as at the fourth quarter of 2016, slightly higher than the global average of 7.4 per cent for the same period. The average cost of sending remittances to the Arab region decreased from 8.4 per cent to 7.4 per cent from the third quarter to the fourth quarter of 2015 following the inclusion of new low-cost remittance corridors in the calculation, mainly from GCC to other Arab countries. The cost of sending money to the Arab region is highest from OECD countries, particularly to Lebanon. Remittance costs from some GCC countries to other Arab countries are below the regional average, such as from Kuwait, Saudi Arabia and the United Arab Emirates, partly because some commercial banks provide low cost services. For instance, the Saudi Central Bank reported a 63 per cent increase in the number of remittance service providers in banks between 2011 and 2015.<sup>107</sup> However, the cost of sending a base amount of \$200 from Saudi Arabia to Algeria, Djibouti and Tunisia remains exceptionally high, reaching 25 per cent of the principal through MoneyGram, since few remittances flow from the GCC subregion to those countries. The second highest cost at 20 per cent of the principal is from the United Arab Emirates to the same three countries. The lowest costs are from Bahrain and Oman to Palestine at 0.3 per cent of the principal, followed by Saudi Arabia and Kuwait to Egypt at 0.5 per cent and 0.8 per cent, respectively, given the high volume of remittances. Overall, the average cost of sending \$200 from both non-Arab and GCC countries to nine Arab remittance receiving countries – Algeria, Djibouti, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen – was 7.6 per cent, which is comparable to the Arab region average, while the average cost of sending \$1,000 was 3.1 per cent of the principal.<sup>108</sup>

Figure 52 shows that among all 56 corridors with available data, of which at least one country is in the Arab region, 32 per cent of the corridors are above the 5 per cent threshold and 43 per cent are below the 5 per cent threshold, but still above the 3 per cent target threshold. A quarter of all corridors are in the “green zone” of 3 per cent and less. The World Bank’s Remittance Prices Worldwide database shows that there are over 50 remittance service providers where the average cost of sending \$200 is as low as 1 per cent and over 300 providers where it is below 5 per cent, demonstrating that the proposed goal of reducing transfer costs to less than 3 per cent by 2030 is attainable. Many major remittance service providers have scrapped fees for account-to-account transfers in high volume corridors, such as India.<sup>109</sup>

Major international banks’ efforts at regulatory compliance, known as de-risking, continue to be a barrier to remittance cost reduction. The Financial Action Task Force, an intergovernmental body that combats illegal financial transactions globally, defines ‘de-risking’ as the phenomenon of financial institutions terminating or restricting business relationships with clients or categories of clients to avoid, rather than manage, risk.<sup>110</sup> In some cases, Governments view remittances as susceptible to illegal financial transactions, such as money laundering and financing terrorism, which can prompt them to close accounts and channels. According to a World Bank survey, account closures of money transfer operators are widespread, raising remittance costs and reducing access to remittance services, particularly in small markets and remote regions. De-risking has had a significant impact on remittance services in Somalia, prompting a partnership between the British Government and the World Bank, known as the Safer Corridor Initiative, to improve flows in the United Kingdom-Somalia remittance corridor, increase transparency, and support the development of a sound financial system in Somalia.<sup>111</sup>

**Figure 52.** Average remittance transfer cost by corridor in the Arab region, 2016



**Source:** ESCWA and IOM calculations, based on World Bank, Remittance Prices Worldwide.

**Note:** Following the World Bank’s methodology on the global average total cost of sending remittances, the data reflect the simple average of the total cost for sending \$200 charged by each remittance service provider in 2016 included in the Remittance Prices Worldwide database.

**(d) Recommendations for reducing remittance transfer costs**

The transfer costs of migrants’ remittances can be reduced effectively through a mix of regulatory, information, financial inclusion and technology interventions. However, such measures must consider the specific needs, potentials and preferences of different groups of women and men sending and receiving remittances, by undertaking the following.

*i. Collect highly disaggregated data on remittance transfer costs*

Effectively monitoring different financial mechanisms is the basis for reducing costs. The World Bank’s database on the price of transferring money in bilateral remittance channels is a first step. However, all data

and analysis must be gender-disaggregated: women and men earn and remit different amounts of money, use different methods, and spend their remittances in different ways. Moreover, further analysis is needed on sending money from and to rural areas, and in specifically challenging contexts such as post-conflict and crisis situations. Data collection should highlight which groups pay higher fees and are excluded from technological advances aimed at reducing transfer costs.

*ii. Provide migrants with more information*

In addition to obtaining accurate and up-to-date information, remitters should be informed of the safest and least expensive way to transfer monies. The recently launched SmarT indicator of the World Bank

estimates the costs that a consumer with adequate information could incur in each corridor. It is calculated as the simple average of the three least expensive services for sending \$200 in each corridor, expressed as a percentage of the total amount sent. Certain criteria are included in the SmARt indicator calculation, such as transaction speed, physical accessibility to the transaction location, and access to technology required for completing the transaction. The global average cost using this methodology is 5.54 per cent as at the fourth quarter of 2016, considerably lower than the global average of 7.40 per cent. A total of 54 of the 365 remittance corridors in the Remittance Prices Worldwide database possess fewer than three services that meet all the criteria for inclusion in the SmARt indicator index, and nine corridors have no services that qualify. This highlights the importance of financial inclusion initiatives in reducing remittance costs.<sup>112</sup> Apart from enabling consumers to choose the most cost-efficient transfer method, having access to sufficient and reliable information empowers them to launch redress procedures if problems arise with a remittance transfer.

*iii. Increase competition between remittance service providers*

Increasing the number of remittance service providers entails measures such as lowering capital requirements and loosening regulations. However, measures must be taken to ensure that partnerships between remittance service providers and postal and telecommunications service providers (for mobile transfers) are non-exclusive and allow new entrants.

*iv. Harness the power of technology and make advanced services accessible*

Remittance costs have been reduced in many countries owing to the use of digital money transfer platforms, particularly in

sub-Saharan Africa, which is the leading region in this field. It eliminates the need for physical access to locations to send and receive money, making payments faster and more secure, and enabling access to remittances in remote locations. However, stringent regulations on cross-border transactions and the de-risking behaviour of major financial institutions hinder the wider adoption of digital methods in remittance transfers.<sup>113</sup> There are several regulatory, security and legislative issues regarding international remittances that must be overcome in the policy domain. For instance, effective services require harmonization of banking and telecommunications regulations between States.<sup>114</sup> Currently, most mobile money transfers operate only domestically.<sup>115</sup> Given its large remittance market, banks in Saudi Arabia are establishing remittance departments, some of which work in partnership with postal services; some department services include electronic fund transfers.<sup>116</sup> Related strategies should focus on how different groups of migrants and their households at home can benefit from such technologies, and on how to overcome challenges related to Internet infrastructure and technical education.

*v. Promote financial inclusion for migrants and receiving households*

Remittance recipients and senders are often insufficiently included in financial systems: they may not have a bank account or know about different methods of sending money. For this reason, they often resort to more costly and sometimes risky mechanisms, especially migrant women who more commonly do not have access to bank accounts. Efforts to promote financial inclusion, especially in rural areas, and collaboration with financial institutions should include propagating information on the least expensive and most reliable ways to send and receive remittances. The Special Representative of the Secretary-

### Box 19. Technology can decrease transfer costs

A range of technological services have been developed to reduce remittance transfer costs. Services such as WorldRemit, a mobile money transfer company, decrease transaction costs and increase access to remittance services in remote areas. Money transfers are sent online using a payment card through computers or mobile apps, and the user has the option to send them directly into accounts, cash pick-up points or mobile wallets. Other mobile phone-based money transfer systems include BitPesa and MPesa that offer international money transfer services through mobile payment systems. Small amounts can be transferred between mobile money accounts, and larger amounts can be directly sent to bank accounts. BitPesa offers its services at a 3 per cent transfer fee, and payments are received in the home country 30 minutes later.<sup>a</sup> In addition to improving remittance flows and offering a low-cost alternative to money transfer operators and banks, services like MPesa increase financial literacy as the platform features basic banking services.<sup>b</sup> The provider has recently expanded its operations to India, providing a viable option for Indian migrant workers in the Arab region to send money home. Although poor and rural populations often do not have access to a formal bank account, mobile phone coverage exceeds 90 per cent. Therefore, sending remittances to mobile wallets offers a real alternative for those groups.<sup>c</sup>

**Source:** Compiled by ESCWA and IOM.

<sup>a</sup> Walecik, 2016.

<sup>b</sup> IFAD and the World Bank Group, 2015, p. 31.

<sup>c</sup> IFAD, n.d.

General for Migration stresses that remittances play a critical role in achieving SDG 1 on ending poverty and improving poor people's resilience to shocks, if they can be used as an entry point for financial inclusion.<sup>117</sup> Financial literacy and access to banking and other financial institutions, such as microfinance institutions and credit unions, increase access to various types of remittance services.<sup>118</sup> Remittance senders and receivers frequently interact with financial systems, which can be leveraged to create long-term relationships with financial institutions. It is therefore paramount to acknowledge that remittance-sending patterns are influenced by social norms, which are established by transnational households and their communities.<sup>119</sup> Studies show that low-income remittance-receiving households are more likely to save than other households, which increases their need for financial services and could simultaneously offer an increase in credit worthiness by using their remittance history as proof. Lastly, migrant workers need more financial services than just remittance services,

including to support long-term goals such as financing their return home.

#### *vi. Ensure remittance services in crisis situations*

While most activities related to remittances and diaspora investments take place outside of crisis scenarios, there is growing evidence that remittances to and from refugees can support the development of refugees and/or communities of origin.<sup>120</sup> Countries and other stakeholders can support those flows and exchanges, and ensure that they reach households and communities in distress, which are often cut off from formal banking and remittance channels.

#### *vii. Prevent undue restrictions of legitimate remittance transfers*

Under this approach, the Financial Action Task Force recommends that financial institutions use a risk-based approach to more discretely identify clients that might conduct illegal financial transactions, such as money laundering or financing terrorism. Institutions are able to use

simplified processes for low-risk and low-value transfers (below \$1,000), which could prevent unduly restricting legitimate transfers to certain regions, especially those with already fragile economies dependent on remittances from abroad.<sup>121</sup>

#### *viii. Refrain from establishing taxes on remittances*

Faced with the need to supplement falling oil revenues, nearly all GCC countries have discussed remittance taxes, although no formal policies have been passed to date. Many concerns emerge from such a policy, including possible adverse effects on the labour market (for example, the region might become less attractive to migrant workers on whom it is highly dependent), and regressive effects on low-income workers who already struggle to send sufficient remittances. A tax could lead to changes in migrants' remitting behaviour, who might switch to informal channels to avoid the additional cost. This in turn raises security and policy concerns, and would impede efforts to collect reliable information on remittance behaviour.<sup>122</sup> A reduction in remittance flows could also increase remittance costs, which would significantly impact several countries, such as Egypt, Jordan and Yemen, that receive the largest absolute amounts of remittances from GCC countries relative to GDP.<sup>123</sup>

### C. Conclusion: Holistic migration governance can help achieve the SDGs

Countries have acknowledged the important and complex relationship between international migration and development and the need to deal with the challenges and opportunities that migration presents for countries of origin, transit and destination, and for migrants and their families.<sup>124</sup> Sustainable development and human mobility are interlinked in four ways: the level of development influences migration and displacement dynamics; migration, especially

migration based on rights and migrants' skills, leads to immediate development gains for migrants; migrants, including refugees, are contributors to sustainable development in their host, transit and origin communities; and migrants, refugees and displaced persons are often vulnerable populations whose specific needs have to be considered to 'leave no one behind'.<sup>125</sup> Governance schemes at various levels can play an important role in facilitating migration, strengthening inherent capacities, and addressing risks and challenges.

The 2030 Agenda and its SDGs provide a meaningful platform to consider migration and its direct and indirect links to development. Several SDG targets explicitly refer to migration, while other targets are relevant to human mobility even if they do not mention migration.

SDG target 10.7 anchors a broad notion of migration governance in the 2030 Agenda. It urges all governments and stakeholders to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. This target therefore acknowledges that it is possible to increase the quality and scale of migration's positive impact on the development of migrants, and of communities of origin, transit and destination. Well-managed migration policies can empower migrant women and men, protect their rights, ensure decent working conditions, and provide choices and liberties. For example, country policies on movements across borders and of foreign nationals have a direct impact on asylum seeker and refugee access to protection. Well-managed migration policies also focus on saving lives by search and rescue, both at sea and on land; and ensure the existence of protection-sensitive entry systems that provide humane and adequate reception centres, screening mechanisms, differentiated processing and referral, data collection, access to fair and efficient asylum procedures, and return and reintegration for persons found not in need of international protection.

With discussions underway on a United Nations global compact on safe, regular and orderly migration, and a global compact on refugees and its comprehensive refugee response framework, the international community must embrace the opportunity to promote international cooperation to harness the development potential of human mobility. The following key elements should be considered as a basis for establishing holistic migration governance regimes.

### **Key elements of migration governance**

*a. Enabling migrants must be the core goal of governance:* Enhancing the freedoms and capabilities of migrant men and women should be at the core of all migration governance schemes, reflecting the international obligation to consider migrant men and women as rights-bearers first. In addition, fostering the rights, skills and well-being of all migrants is a necessary condition for successful policy initiatives, which in turn promotes sustainable development for and by migrants.

*b. Interconnected SDGs require a holistic approach:* The present chapter elaborates on individual indicators and policy options required to achieve migration-specific SDG targets. The discussion also demonstrates that indicators are highly interconnected and that the broader issues behind them should be considered. For this reason, it is important to adopt a holistic approach to policymaking and programming, instead of focusing on individual indicators.

*c. Migration governance extends beyond migration policies:* Migration governance goes beyond migration policies. All existing frameworks and General Assembly resolutions recognize that development policies and related interventions must include gender-sensitive and migrant-specific elements. Sound migration policies in the narrow sense – understood as interventions that regulate how to leave the country and how to enter it, including

bilateral and multilateral agreements on migration – should consider key development concerns and empower migrants. However, it is important to recognize that migration-related policies and programmes go beyond migration policy options, and that policies and strategies on health, education, employment, investment, housing, urbanization, agriculture and rural development, gender, conflict and the environment must take into account migration, transit migration, internal displacement and refugees. Endeavours to mainstream migration in national and subnational public policies and development strategies are needed to fully account for the transversal character of migration and displacement.

*d. Collaboration between institutions is key for holistic migration governance:* Meaningful collaboration within and between institutions is vital for moving towards more holistic migration governance. Such institutions, including working groups, councils and commissions, promote institutional and policy coherence, and address the challenges that a fragmented institutional set-up and legal framework pose to coherent policy approaches, as highlighted in the outcome document of the 2013 United Nations High-level Dialogue on International Migration and Development.<sup>126</sup> Such institutions require the involvement of critical stakeholders, including migrant, refugee and diaspora organizations.

*e. Group and gender-specific needs and capacities must be considered:* Well-managed migration policies must consider the specific challenges faced by different segments of the population. For example, female migrant workers might require other basic health-care services, often related to sexual and reproductive rights, than those needed by male migrant workers who more often suffer occupational injuries in high-risk working environments. Policies that do not take into account different groups of migrants run the risk of further marginalizing those who are especially vulnerable, including irregular migrants.

Understanding those different dimensions allows for more effective and targeted policies. Wholly disaggregated data are therefore needed to understand such differences and prevent unforeseen negative policy outcomes.

*f. Evidence-based governance schemes require well-founded information:* The discussion on SDG indicators in the present chapter highlights the considerable gaps in data on migrant populations. Implementing SDG target 17.18 on building capacities to produce high-quality, timely and reliable data disaggregated by age, gender, race, ethnicity and migratory status is critical to understanding migrant-specific vulnerabilities and potentials with regard to general SDG targets.

*g. Migration governance extends beyond migrants:* Migration does not happen in a vacuum. In addition to having an effect on migrant men and women, migrant movements also involve communities of origin, transit and destination. For this reason, migration governance should consider where migration-specific interventions are needed and when interventions should target broader communities, including populations that are not on the move.

*h. Migration governance is about outcomes and impact:* The discussion on measurement frameworks for well-managed migration policies favours indicators at the input and output levels rather than at the outcome level: it is easier to assess whether a country has a certain policy or institution, than to assess their impact. Beyond the methodological challenges of designing measurements for such policies, it is paramount for policymakers to remember that good migration governance is first and foremost about outcomes and impacts.

*i. Multi-level governance is required:* Effective migration governance includes various levels of government, including local, national, regional, bilateral and global. Subnational entities, such as municipalities, often play a

critical role in catering to the needs of mobile populations or in engaging diasporas. At the regional level, the Arab Forum for Sustainable Development holds discussions on international migration, and considers regional sectoral reports on international migration. The roadmap developed by the Doha Declaration on the Implementation of the 2030 Agenda for Sustainable Development, adopted at the twenty-ninth ESCWA session, meaningfully considers how issues related to migration can be linked to implementing the SDGs and promoting sustainable development throughout the Arab region. Although managing the effects of large-scale displacement within and between countries in the region is a key priority for fostering sustainable development, activities should also focus on the migration-related SDG targets, in particular on protecting migrant workers' labour rights; promoting safe and secure working environments, in particular for women migrants; facilitating orderly, safe, regular and responsible migration; and reducing the transaction costs of migrant remittances.

The 2016 Human Development Report highlights that although a large majority of the world's countries have joined forces to promote world trade and investment protection, fewer than 50 countries are committed to protecting migrants' rights as human beings and their economic rights as workers.<sup>127</sup> The Special Rapporteur on the human rights of migrants said that better global migration governance would be advantageous for all States, because such a global phenomenon could not be dealt with unilaterally, bilaterally or even regionally.<sup>128</sup>

For this reason, countries and stakeholders should actively engage in discussions on the global compact on safe, regular and orderly migration, so as to facilitate migration and improve the working conditions and human rights of all migrants. Migration can accelerate sustainable development in all parts of the globe – everyone benefits from making human mobility easier, less expensive and safer. Ugia



Migration remains a prominent feature of the Arab region. The Arab region hosts nearly 35 million migrants and 19 million displaced persons. Over 26 million persons from Arab countries are living outside their country of origin. This report offers a new and emergent understanding of the critical nexus between migration and sustainable development. Exploring the trends and patterns of migration in the region and documenting progress in migration governance among Arab countries, this report presents recommendations for how the region can continue to improve in achieving both good migration governance and the sustainable development goals.

In line with the 2030 Agenda concept of “leaving no one behind,” this report provides a roadmap for progress. This report also comes at a key moment in time where the migration trends in regions across the world are being considered in the negotiations for the Global Compact on Safe, Orderly and Regular Migration.

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