

FAIR RECRUITMENT INITIATIVE The way forward: from policy to practice

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Concept Note and preliminary agenda



► Fair Recruitment: Essential Standards and Persistent Challenges

Fair recruitment has been described as "the origin of decent work" highlighting its critical role in protecting workers and ensuring the effective functioning of labour markets. As major transitions are transforming the world of work, new challenges arise that demand renewed commitment and concerted action, including in the labour recruitment domain. In this context, adequate regulation and monitoring of recruitment actors and practices are more essential than ever to achieve social justice.

However, **recruitment-related abuses** - such as discrimination, contract deception and the extortion of high fees from workers – **remain widespread**, both within and across borders. These risks are **particularly heightened for migrant workers** as they often get trapped into deceptive or coercive recruitment, sometimes leading to forced labour and trafficking in persons. Recent ILO research reveal that migrant workers are three times more likely to be in forced labour than other workers, largely due to unfair recruitment practices. The illegal profits generated from the payment of recruitment fees and related costs by migrants in forced labour amount to an estimated 5.6 US billion.¹

Within countries, workers also encounter significant challenges. Exorbitant recruitment fees resulting in debt bondage, discrimination and deception also affect internal migrants and local job seekers. Instances of forced recruitment also persist in some contexts, including through state imposed forced labour, involving the forced mobilization of civil servants and others for agricultural work or coercive labour transfers where workers are penalized if they refuse their assignments.

Such abusive practices undermine the functioning of labour markets and the protection of workers, both internationally and domestically.

► Fair Recruitment Initiative: A Decade of Progress and Future Outlook

In response to these challenges, in 2014, the ILO Director General ILO launched the <u>Fair Recruitment Initiative (FRI)</u>. Grounded in international labour standards, social dialogue and equality, the FRI adopts a holistic approach to recruitment. It addresses labour and human rights protection especially for workers at highest risk of exploitation, and also serves as a critical enabler of decent work and well-functioning labour markets.

¹ Profits and poverty: The economics of forced labour | International Labour Organization (ilo.org)



The FRI aims to ensure recruitment practices, both nationally and across borders that:

- are transparent and effectively regulated, monitored, and enforced
- protect all workers' rights, including fundamental principles and rights at work, and prevent forced labour and trafficking in persons
- efficiently inform and respond to employment policies and labour market needs, including for recovery and resilience

The FRI has been implemented in two phases: 2014- 2020 and 2021-2025. It involves close collaboration with governments, employers' and workers' organizations, the private sector and other key partners.

The FRI emphasizes the need for well regulated, strong labour market institutions and social dialogue. It promotes effective cooperation between private and public employment services to ensure effective job and skill matching, and it aims to create a level playing field for employers and private employment agencies. As such it also facilitates integration of migrant workers and nationals.

Additionally, the FRI calls for the establishment of effective implementation and monitoring systems both within and across borders to ensure all actors involved abide to these principles and that violations are brought to justice, including remedies for victims. Such measures require support to labour inspectorates to effectively inspect private employment agencies and detect recruitment violations as well as support trade union role in monitoring recruitment practices and providing relevant services to migrant workers in countries of origin and destination. Achieving fair recruitment therefore requires an integrated approach, engaging all actors in the world of work and ensuring policy coherence.

At the heart of the FRI are the <u>General Principles and Operational Guidelines for Fair Recruitment</u>, which are completed by a <u>Definition of Related Recruitment Fees and Costs</u>. Together, these documents represent the most comprehensive, negotiated global guidance on recruitment steering the ILO's action and inspiring relevant stakeholders at all levels.

The work of the FRI is organized on four strategic pillars, each with specific targets identified with ILO constituents and partners:





To mark the 10th anniversary of the FRI, the ILO reviewed its achievements and is consolidating successful practices and lessons learned to identify gaps, future priorities, and emerging challenges. These practices cover areas such as migrant workers resource centres, building public employment services capacity to support migrant workers, strategies of adaptation of recruitment practices to crises contexts, employment centres to facilitate labour migration, revision of legal framework governing recruitment practices, inclusion of fair recruitment consideration in the negotiations of bilateral agreements.

Progress has been undeniably significant over the last decade on advancing knowledge and awareness on recruitment related challenges, developing guidance and tools for appropriate policy and regulatory responses, adapting legal frameworks, piloting innovative approaches, and building workers' and employers' capacity to recognize and implement fair recruitment in practice. Yet, effective enforcement, implementation and scalability of results remain major challenges, limiting impact on the ground. This is more timely and relevant than ever, given the significant efforts underway to expand labour-related migration pathways as a critical means of promoting regular and orderly migration and as an alternative to refugee resettlement. Such a rapid expansion can bring additional risks if not properly managed and supported.

To ensure that recruitment practices truly benefit workers, employers and governments, strengthening implementation and enforcement is essential. This requires practical, concrete and localized solutions, testing and upscaling "intervention models", including from a sectorial perspective, and building operational capacity of relevant stakeholders.

Another key element is in emphasizing that fair recruitment is the place where decent work starts for all workers without discrimination, whether national or migrant workers, in all sectors, recruited locally or across international borders, through any type of recruitment channel. For this reason, the FRI will step up its efforts to promote multistakeholder approaches and further expand and deepen engagement that cuts across ILO areas of work, fostering collaboration and partnership within and outside the ILO at all levels.



Finally, the FRI tripartite Advisory Committee, active since 2021 and currently co-chaired by Mexico and Qatar, will be expanded in scope to ensure broader geographic representativeness for example to include South America and the Pacific, and will continue to provide strategic guidance in moving the agenda forward, identifying emerging challenges and suggest appropriate responses and partnership opportunities to amplify impact.

Objective

In consultation with the tripartite members of the Advisory Committee, the ILO proposes **a global strategic discussion to help shape the future of the Fair Recruitment Initiative** in line with the needs of its constituents. The aim is to build on the FRI's achievements, with a view to foster enhanced collaboration and global commitment to practically and effectively implement and enforce fair recruitment for all workers.

This will be an opportunity for the ILO and its constituents to announce significant deliverables, including a new global FRI strategy for coming next years; new source of funding for the FRI; new strategic partnerships; and to discuss the governance of the FRI (including the expansion of advisory committee membership). The ambition of the FRI will depend on the technical and financial capacity of its members (including resource mobilization) and a willingness from key partners and stakeholders to contribute to the FRI.

Building on the 10th anniversary stocktaking exercise and a proposed strategy document for the future of the Fair Recruitment Initiative, the conference specifically seeks to:

- **1.** Review progress and exchange on the FRI achievements and challenges over the past decade.
- **2.** Present the new global strategy for the FRI (2026 2030) and explore innovative, solution-oriented approaches to implement fair recruitment in new and emerging contexts.
- **3.** Enhance partnerships and seek opportunities to build alliances and synergies with relevant stakeholders to amplify impact.
- **4.** Engage with development partners on the means to sustain and upscale fair recruitment progress around the world going forward.



Participants

The event will gather **governments**, **workers and employers' representatives** from countries with a commitment to promote fair recruitment, promising practices to share and/or prior engagement with ILO's Fair recruitment Initiative.

Members of the FRI Advisory Committee will be targeted in priority. This includes:

- Government representatives (9): Bangladesh, Brazil, Ghana, Italy, Kenya, Mexico, Philippines, Qatar, Trinidad and Tobago, Tunisia, United States
- Workers' Organizations Vice Chair: International Trade Union Confederation (ITUC)
- Employers' Organizations Vice Chair: International Organization of Employers (IOE)
- Donors: Swiss agency for Development and Cooperation (SDC), European Commission (EC)

In addition, and given the aim of the conference to promote peer to peer exchange on a wide scale, **invitations will be extended beyond the Advisory Committee to target ILO tripartite constituents from a broader list of countries** to ensure geographic and thematic diversity.

Finally, selected experts and resource persons from global organizations will be invited, such as:

- Global Union Federations
- Labour recruiters' organizations
- International Organizations
- Civil society, multi-stakeholders' initiatives and academia