The Montreal Recommendations on Recruitment: A Road Map towards Better Regulation

IOM
UN MIGRATION

This publication was made possible through support provided by Immigration, Refugees and Citizenship Canada, the Swiss Agency for Development and Cooperation, the Department of State's Bureau of Population, Refugees and Migration of the United States and the ministère des Relations internationales et de la Francophonie under the framework of the IOM Global Conference on the Regulation of International Recruitment. However, the views expressed do not necessarily reflect the official policies of the Government of Canada, Government of Switzerland, Government of the United States and Gouvernement du Québec.

IOM gratefully acknowledges the support of its donors in the production of this publication and Katharine Jones, its lead author.

Publisher: International Organization for Migration
17 route des Morillons
P.O. Box 17
1211 Geneva 19
Switzerland
Tel.: +41 22 717 9111
Fax: +41 22 798 6150
Email: hq@iom.int
Website: www.iom.int

Cover photo: © IOM 2013/Laxmi PRASAD NGAKHUSI

PUB2020/009/EL

The Montreal Recommendations on Recruitment: A Road Map towards Better Regulation

IOM UN MIGRATION

IRIS ETHICAL RECRUITMENT

Immigration, Refugees and Citizenship Canada
Immigration, Réfugiés et Citoyenneté Canada

Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Agency for Development and Cooperation SDC

Québec

Contents

Introduction

Regulators have a responsibility to establish and effectively enforce the legal and policy framework under which labour recruiters and employers operate and guarantee their compliance. With the aim of improving the inter-jurisdictional regulation of international labour recruitment, 100 regulators from more than 30 countries gathered at the Global Conference on the Regulation of International Recruitment, in Montreal, Canada, in June 2019. The International Organization for Migration (IOM) co-hosted this conference in partnership with the Government of Canada and the Gouvernement du Québec, the Swiss Agency for Development and Cooperation and the Department of State's Bureau of Population, Refugees, and Migration of the United States. The event brought together senior policymakers, leading experts and practitioners from ministries of Labour, Foreign Affairs and Immigration, supported by experts from international and regional organizations, including IOM, International Labour Organization (ILO) and Organization for Security and Cooperation in Europe (OSCE). Through two days of presentations, round-table discussions and break-out sessions, participants articulated recommendations to improve the regulation of international recruitment in nine principal areas:

(1) Protecting migrant workers;
(2) Recruitment fees;
(3) Registration and licensing;
(4) Administration, inspections and enforcement;
(5) Ratings, rewards and rankings;
(6) Access to grievance mechanisms and dispute resolution;
(7) Bilateral, regional and multilateral mechanisms;
(8) Migrant welfare and assistance; and
(9) Maintaining the momentum on regulation.

The 55 recommendations, reproduced below with accompanying commentary, are consistent with international human rights and labour standards, the ILO General Principles and Operational Guidelines for Fair Recruitment[1] and the multi-stakeholder standard established by the International Recruitment Integrity System (IRIS).[2] They provide diverse, practical guidance to governments to enable more effective regulation of international recruitment and protection of migrant workers.

[1] See http://ilo.org/global/topics/fair-recruitment/WCMS_536755/lang--en/index.htm.

[2] For more information about the IRIS Standard, see https://iris.iom.int/iris-standard.

THE MONTREAL RECOMMENDATIONS ON RECRUITMENT: A ROAD MAP TOWARDS BETTER REGULATION

1. PROTECTING MIGRANT WORKERS THROUGH RECRUITMENT REGULATION

2. RECRUITMENT FEES

3. REGISTRATION AND LICENSING

4. ADMINISTRATION, INSPECTIONS AND ENFORCEMENT

5. RATINGS, REWARDS AND RANKINGS: INCENTIVIZING LEGAL COMPLIANCE

6. ACCESS TO GRIEVANCE MECHANISMS AND DISPUTE RESOLUTION

7. BILATERAL, REGIONAL AND MULTILATERAL MECHANISMS

8. MIGRANT WELFARE AND ASSISTANCE

9. MAINTAINING THE MOMENTUM ON REGULATION

1. Protecting migrant workers through recruitment regulation

Governments bear the responsibility to protect the rights of all persons within their jurisdiction, including migrant workers, and ensure that recruitment for employment in their jurisdiction takes place in a way that respects, protects and fulfils internationally recognized human rights. In addition to protecting migrant workers, governments should seek to regulate employment and recruitment in a manner that is clear, transparent and effectively enforced. One goal of recruitment regulation should be to enhance transparency in international recruitment to make it easier for regulatory authorities to monitor and enforce compliance, and for workers to seek effective remedy against offenders. A further goal of recruitment regulation should be to "level the playing field" to ensure that recruiters and employers comply with the same international standards and that exploitative recruiters are not able to profit from undercutting compliant agencies. Increased collaboration between national inspectorates of origin and destination States can support the development and implementation of effective recruitment regulation.

Recommendations

1. Governments at relevant levels should adopt or, where necessary, strengthen laws and regulations to promote fair and ethical recruitment in compliance with international standards. Relevant laws and regulations should encompass all stages of the recruitment process, apply to all actors performing recruitment functions and apply to all workers, including those in an irregular migration situation. Governments should review and update current laws and regulations to also cover online recruitment.
2. Enforcement of recruitment regulation should not be used as the reason to take action against undocumented migrant workers. The principal aim of recruitment regulation should be to protect all migrant workers, regardless of their legal status.

© IOM 2007/Angelo JACINTO

2. Recruitment fees

International migrants are often charged fees and related costs for their recruitment, visas and work permits. Other charges may include medical tests and vaccinations, pre-departure orientation and training, transportation, accommodation and administrative or document processing. Migrants may be charged by the employer or by travel agents, medical centres, training centres, accommodation providers and, in some cases, by corrupt officials demanding "kick-backs" or bribes. Some of the money goes towards fixed migration costs, such as for travel, processing visas and applying for a passport. However, even legitimate costs are often inflated with additional "service fee" charges levied by recruiters. If employers fail to pay any or all these costs, recruiters transfer them to migrants. In some cases, origin-country recruiters bribe employer human resource departments to win their business. These "costs" are then included in the recruitment fees charged to migrants, inflating the cost even more. Migrants may pay the total fee prior to their departure, often relying on informal and formal loans. In other cases, they may be charged deductions from their salary or are required to make payments from employment earnings once in the destination country. The ILO definition of recruitment fees and related costs, which accompanies the General Principles and Operational Guidelines for Fair Recruitment, provides an internationally agreed definition and clearly states that such fees and costs should not be charged to workers.

Approaches to regulating fees and related costs vary significantly across the world. Many countries of destination have adopted legislation to prohibit the charging of recruitment fees to workers. Others allow recruitment fees to be charged up to a "fee ceiling" (such as one month's salary or 10% of a monthly salary) aimed at preventing the worst extremes of debt bondage. In still other cases, States prohibit worker fees in specific sectors that are regarded as high risk but not in others. Nevertheless, even in States where worker fees are prohibited, there is often no corresponding legislation that requires employers to pay the full cost of recruitment. This is an important distinction and gap. In contrast, many multinational companies have publicly committed to the Employer Pays Principle in order to root out recruitment fees charged to workers in their supply chains.[3] Finally, to address inconsistencies in relevant jurisdictions, some countries of origin and destination – when negotiating bilateral agreements – have agreed to limit, reduce or prohibit fee-charging to migrant workers.

[3] For more information about the Employer Pays Principle, see https://ihrb.org/employerpays/the-employer-pays-principle.

> Prospective employers, public or private, or their intermediaries, and not the workers, should bear the cost of recruitment. The full extent and nature of costs, for instance costs paid by employers to labour recruiters, should be transparent to those who pay them.
>
> – ILO General Principles and Operational Guidelines for Fair Recruitment

Recommendations

3. Governments should take measures to eliminate the charging of recruitment fees and related costs to workers and jobseekers, using the ILO definition as a guide.
4. Employers should be supported by regulatory authorities with clear guidance related to "charge rates", which indicates the likely range of fees that they might reasonably be charged by labour recruiters who comply with all relevant national laws and policies. Where employers are offered or pay lower amounts, this would be a potential indication that fees have been charged to workers.
5. Employers should be required to pay salaries through a bank account supplemented with a written or electronic payslip to facilitate transparency and monitoring. In performing due diligence, employers should be encouraged to ensure that the bank accounts used by workers are their own and that they have full, unhindered access to them (such as proof of holding the relevant bank card).
6. Employers should be required to conduct due diligence on their supply chains to ensure that no recruitment fees have been charged to workers. Employers should be required to establish financial compensation schemes to refund any recruitment fees charged to workers where these are found.

3. Registration and licensing

Registration and licensing act as a shorthand for States to grant legal status to and formalize businesses. Companies that operate without required documentation are considered to be operating illegally. Effective licensing and registration schemes enhance enforcement as regulators and users can distinguish legal from illegal actors. However, existing schemes vary enormously. This includes the standards to which recruiters must comply, as well as the extent and frequency of inspections. In many countries, significant numbers of informal recruiters operate outside or on the margins of the licensing framework. This places significant limitations on the scheme's overall effectiveness and represents a substantial challenge for regulators. At the same time, international recruitment involves multiple actors across more than one legal jurisdiction. This makes establishing accountability and legal liability for recruitment-related abuses a challenge. Global principles and guidance on how recruitment should be practised are now firmly established by the ILO General Principles and Operational Guidelines for Fair Recruitment and the IRIS Standard. These can be transposed into national law and policy through licensing and registration schemes, while greater transparency and accountability can be introduced through joint liability. Transparency and disclosure requirements can also be powerful items in a regulator's toolbox.

Recommendations

7. Regulators are encouraged to implement and improve effectiveness of licensing and registration of labour recruiters to increase transparency and legal accountability across jurisdictions and within supply chains.
8. All actors that engage in recruitment, whether individuals or enterprises, should be registered either through licensing or a registration scheme. Such schemes should be supported by an inspections and sanctions regime to address non-compliance (see below).
9. Governments should require recruiters to comply with a globally recognized ethical code of conduct for recruitment consistent with established international guidance, such as the IRIS Standard and ILO General Principles and Operational Guidelines for Fair Recruitment. The Code of Conduct of the World Employment Confederation is an example of a standard adopted by a global industry association.[4]

[4] See https://wecglobal.org/world-employment-confederation-global/code-of-conduct-2/.

10. Governments should publish the names and contact details of all licensed and registered recruiters and this should be kept regularly updated. Authorities should also publish the details of recruiters who are under investigation for non-compliance and whose licence or registration has been suspended or revoked, and the reasons for this. Sub-agents should have their names and contact details publicly available in local-level government offices or other relevant institutions, including Migrant Resource Centres (MRCs).
11. Governments should implement schemes to enhance transparency and disclosure, for example by requiring the following: (a) employers to disclose the names of the labour recruiters they contract; and (b) recruiters to disclose the names of their business partners. Disclosure of this kind could be established as a pre-condition or requirement for accessing migrant worker programmes.
12. Governments should require licence and registration holders to annually report the steps they are taking to combat exploitation, including addressing risks of trafficking in persons and forced labour. This would ensure that recruitment regulation is consistent with and reinforces new modern slavery legislation that targets large companies.
13. Governments should improve how applicants for licensing or registration are screened. This can include conducting criminal checks through international bodies such as INTERPOL and/or requiring applicants and licencees to provide background and criminal checks from their jurisdictions of residence and operation. Governments may also consider requiring applicants to submit a certificate of "good character" as part of the screening process.
14. Governments should consider the effectiveness of requiring licence holders to deposit a financial security or bond as a commitment to good behaviour, with bonds being used in case of any compensation awarded against them in civil claims.

4. Administration, inspections and enforcement

How the regulation of recruitment is monitored and enforced has a direct impact on its effectiveness. In many jurisdictions, a licence or registration is not a guarantee that the recruiter is fully compliant with relevant laws and policies. Prosecutors and judges often lack training and understanding of the issues, which means that the range of available sanctions are rarely applied even where prosecutions are brought. At the same time, the deterrence value of sanctions is low, as cases often do not reach court and even where they do, prison sentences are rarely imposed on recruiters who offend. Effective monitoring requires substantial resources, as well as a mandate that allows for investigation of offences. There is an urgent need to develop cross-jurisdictional dialogue to open the potential for bilateral investigations of international recruitment practices. Intelligence gathered during monitoring and enforcement is valuable in conducting root cause analyses that policymakers can use to identify gaps in policy that need to be examined and addressed.

> Governments should effectively enforce relevant laws and regulations, and require all relevant actors in the recruitment process to operate in accordance with the law.
>
> – ILO General Principles and Operational Guidelines for Fair Recruitment

Recommendations

15. Governments should improve inspections of labour recruiters, supported by the commissioning of a global review of best inspection practices to better understand how these could be conducted. Potential models of inspection could include risk-based and intelligence-led inspections, a supply chain approach that includes inspections of employers and companies that hire/supervise recruited migrant workers, and unannounced, on-site inspections.
16. Governments should strengthen and adequately resource labour inspectorates and other relevant inspection authorities and ensure that they are effective in investigating all stages of the recruitment process.
17. Governments should provide a means for migrant workers to safely and meaningfully participate in all stages of the inspection and enforcement process, including – where necessary – the extension of migrant residency and work permits to enable them to participate in relevant court proceedings against alleged perpetrators.

18. Governments should consider the development, adoption and implementation of programmes to hold employers and recruiters to account, either individually or jointly, such as joint liability schemes.
19. Governments should establish an anonymous, multilingual national (or subnational if more appropriate) reporting "hotline" to identify non-compliance of recruiters, as well as identify illegal recruiters.
20. Governments should facilitate the introduction of information-sharing protocols between relevant departments and levels of government to maximize the potential for increasing intelligence about the international recruitment industry.
21. Governments should consider the effectiveness of the current range of criminal, civil and administrative penalties available to inspectorates, prosecutors and judges and consider whether additional penalties should be introduced. Appropriate penalties could include the following: (a) revoking the licences of non-compliant agencies and banning their directors from operating a business for a set period of time; (b) increasing the size of the financial security or bond required for each breach of compliance; (c) a system of administrative penalties or fines for illegally charged recruitment fees, with amounts imposed proportionate to amount of fee charged; (d) forcing the closure of non-compliant recruiters; and (e) financial restitution for victims.
22. Governments should develop and disseminate educational materials, as well as online and in-person training that raises employer awareness about risks and consequences related to unethical recruitment.
23. Governments should also introduce a range of penalties (commensurate to the harm caused to the migrant worker) aimed at employers who subcontract non-compliant or illegal recruiters.
24. Governments should establish a firewall between immigration authorities and regulatory bodies responsible for recruitment to encourage reporting while protecting migrant workers. Where migrant workers' employment authorization is contingent on continued employment, but that employment is disrupted or discontinued as a result of an inspection or determination of non-compliance, governments should provide impacted migrant workers either with lawful status to remain (such as to participate as witnesses in investigations and/or prosecutions) or a means to transfer lawfully to another employer. Enforcement of recruitment regulation should not be used as action against undocumented migrant workers. The principal aim of recruitment regulation should be to protect all migrant workers, regardless of legal status.

25. Regulatory authorities in origin and destination States should develop mechanisms that would allow for conducting joint investigations into labour recruiters, considering which authority has the strongest intelligence and consequently the best chance of success prosecuting the offender.

26. Governments of origin countries should properly resource the deployment of labour attachés to destination States. Labour attachés can effectively scrutinize the end-to-end process of recruitment and can screen out unlicensed or non-compliant recruiters. They are also ideally placed as a coordinating link between the monitoring and enforcement bodies in the destination State and the home authorities.

27. Governments are encouraged to reinforce enforcement efforts by implementing comprehensive and ongoing programmes to raise public awareness about the risks of unethical recruitment and irregular migration.

5. Ratings, rewards and rankings: Incentivizing legal compliance

Incentivizing compliance can be a relatively low-cost but effective way of achieving change. Such approaches are in their infancy but are now starting to be viewed as a positive way to shift existing market norms towards ethical recruitment. Incentives may target employers or recruiters. Rankings of recruiters, where these are developed, should be based on the international principles of ethical recruitment reflected in the IRIS Standard. It is important that indicators of recruitment quality (that is, how good the standard of recruitment is) are used to evaluate recruiters rather than those of quantity (that is, how many people are recruited). Publishing such rankings is expected to improve recruiter compliance because reputable employers will seek out the highest ranked recruiter, bringing new opportunities for business and growth. High-ranking recruiters may also benefit in jurisdictions where they are offered a "fast-track" process for visa or work permit applications. Facilitating quicker recruitment can provide them with a competitive advantage, which others may strive for, thus encouraging a "race to the top". At the same time, government procurement of goods and services involves extensive supply chains, often directly or indirectly linked to recruitment services. In such cases, governments may consider integrating a requirement to demonstrate a commitment to ethical recruitment in public tenders.

Recommendations

28. Governments should consider, develop and implement meaningful, globally recognized and evidence-based ratings, rankings and reward schemes for labour recruiters targeted at incentivizing compliance with applicable national laws and policies and ethical recruitment standards.
29. Governments should consider introducing a ranking system that includes rewards such as the following: (a) fast-tracked visa or work permit applications for licence-holding recruiters that demonstrate regular compliance; (b) reduced reporting requirements; or (c) access to cheap credit and/or business loans.
30. Governments should conduct, commission or consult existing research into what works in incentivizing compliance, including consulting with recruiters, employers and workers.
31. Governments should establish a rewards commission comprising representatives from government, the recruitment industry, employers' associations, trade unions and civil society that can monitor the impact of the scheme and share learning.

32. Governments should introduce ethical recruitment standards as a condition of entry into public procurement processes.

33. Governments should consider supporting and/or establishing electronic platforms that will allow workers and their organizations, civil society organizations (CSOs) and employers to independently review recruiters and periodically assess them.[5]

[5] Two examples of electronic platforms include the following: (a) Recruitment Advisor (https://recruitmentadvisor.org/), developed by a consortium of trade unions; and (b) *Contratados* (https://contratados.org/en/content/home), an initiative led by the US-based non-profit, *Centro de los Derechos del Migrante*.

6. Access to grievance mechanisms and dispute resolution

State-supported remedy can take many forms, including formal apology, restitution, rehabilitation, compensation (financial and otherwise) and formal court-ordered sanctions. In theory, migrant workers can lodge complaints in their own country or in the country of destination via their embassies and consulates, although this is often limited in practice. It is critical that migrants can access grievance and dispute resolution mechanisms at home, as well as in the country of destination. As it stands, migrants in countries of destination often face several barriers in accessing such mechanisms (including language, geographical isolation and lack of means to attend interviews or hearings) and fear and risk deportation or detention if they report exploitation to the authorities.

> Governments should take steps to ensure the availability and operation of grievance and other dispute resolution mechanisms that are accessible in practice, rapid and affordable.
>
> – ILO General Principles and Operational Guidelines for Fair Recruitment

Recommendations

34. Migrant worker empowerment is a vital measure to ensure that the rights of migrant workers are respected at all stages of the recruitment and migration process. This includes the availability of grievance and other dispute resolution mechanisms, which should be widely publicized. Governments should ensure the following: (a) workers can access such mechanisms without discrimination and fear of retaliation; (b) potential barriers to use, including linguistic and financial barriers, are overcome; and (c) mechanisms are accessible across jurisdictions, which could include enabling migrants to seek compensation from their recruiter in countries of origin in cases when they have been exploited by their employer in the country of destination.

35. Governments should explore expanding the range of remedies (for instance, financial compensation), which migrants can seek where they have been extorted or exploited, making sure that access to them is easy and free to migrants. Support should be provided to migrants to seek financial compensation from their employer where they have been charged recruitment fees or otherwise been extorted or exploited by the recruiter used by that employer.
36. Governments should support and fund the establishment of toll-free, CSO-led 24-hour anti-trafficking/labour exploitation hotlines to ensure that appropriate assistance is offered to those who need it and workers are adequately informed about grievance mechanisms, and to monitor patterns of labour exploitation.
37. Governments should produce multilanguage leaflets, posters, mobile phone applications and non-text-based resources, such as videos and podcasts to distribute pre- and post-arrival (available in airports, community spaces and government offices) that inform migrants how to access grievance mechanisms and what help they can receive. These resources should also inform migrants about what evidence should be collected (such as wage slips and contracts) to support a resulting claim.
38. Governments should provide training to labour attachés and/or social welfare attachés in grievance and dispute resolution mechanisms so that they can provide adequate support to migrants working abroad.

7. Bilateral, regional and multilateral mechanisms

Government-to-government agreements establish recruitment channels through public employment services. Bilateral labour agreements (BLAs) have legal status, while memoranda of understanding (MoUs) are non-binding, easier to negotiate and amend and often preferred by governments. It is important that implementation and information-sharing provisions and review mechanisms are included. Including model contracts would be a valuable and low-cost way to improve the standards of employment without legislative change. Bilateral agreements are not commonly negotiated on a tripartite basis (that is, involving relevant governments, employers and workers' representatives), but having them negotiated on this basis could be a positive future development.

Recommendations

39. Governments are encouraged to include provisions to promote ethical recruitment in the BLAs and/or MoUs they negotiate and conclude. In particular, such frameworks for cooperation should include provisions requiring that employers pay the full costs of recruitment and that workers do not pay recruitment fees and related costs. They should also require use of model employment contracts that comply with national laws and international standards.
40. Frameworks for cooperation should include consular protection and consider mechanisms to ensure regular review and evaluation (including by workers and/or their representatives) and effective monitoring and implementation.
41. Governments should explore the potential for expanding government-to-government involvement in recruitment, including through public–private partnerships.
42. Governments should explore the potential to introduce, expand and sustain ethical recruitment corridors based on the IRIS Standard and methodology.

8. Migrant welfare and assistance

Low-paid international migrants employed in high-risk economic sectors are particularly vulnerable to exploitation in countries of destination. Migrants often arrive in the country of destination not fully understanding their legal rights and entitlements or how to access them. Post-arrival assistance and orientation are therefore invaluable; however, in locations where such support is provided, it is often under-resourced or funded by private donors and implemented by local non-profit or civil society organizations. Access to such forms of migrant worker welfare and assistance are necessary for migrants to realize their basic human rights, including the fundamental principles and rights at work. Migrant welfare funds, pre-departure programmes, credit, health care, return assistance, compensation for workplace illness or injury, emergency lodging and shelter, legal services and bereavement services may all fall under the heading of "migrant welfare and assistance". International organizations as well as CSOs have invested in developing pre-decision, pre-departure and pre-employment programmes that train and disseminate information to migrants prior to leaving home. These schemes are intended to inform and educate migrants about their rights at all stages of the migration cycle, the risks associated with migration, what assistance is available in countries of destination, financial literacy and managing remittances. Post-arrival support in the form of labour or social welfare attachés are pivotal in helping migrants access assistance.

> Governments should…ensure that workers have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment.
>
> – ILO General Principles and Operational Guidelines for Fair Recruitment

Recommendations

43. Governments should review what assistance is available to migrants, including addressing any gaps in coverage, funding available, the need for bilateral or multilateral dialogue and the appropriateness of service providers. This could also include consulting with relevant stakeholders, such as trade unions and CSOs, who may be at the forefront of migrant welfare and assistance provision.
44. Governments should support the establishment of MRCs in countries of origin, as well as in countries of destination. MRCs can provide a physical space with associated multilingual staff for migrants to seek information about migration, employment, labour recruiters, access to healthcare, housing and grievance and dispute resolution mechanisms. MRCs may also facilitate access to free legal assistance.

45. Authorities responsible for designing orientation programmes for migrant workers should ensure that they have clarity in their objectives, intended audiences and content. To be most relevant, content should be tailored to individual destination countries and include information about migrants' rights, including access to remedy at home as well as in countries of destination. Governments may wish to allow workers' representatives, including CSOs and trade unions, to input into the design of pre-departure programme content as well as to deliver it. The participation of migrant returnees in programmes has also been highlighted as a model of good practice.
46. Governments should ensure that migrant workers are effectively informed about their rights and protections in the jurisdiction of employment and how to access assistance. This could include commissioning or supporting a CSO or trade union to produce relevant country-based electronic and paper-based "Know your Rights" leaflets.
47. Governments of countries of origin are encouraged to consider if and how post-arrival resources available to their nationals can be shared to overcome the high cost of maintaining them. Origin country governments may also consider sharing costs associated with post-arrival MRCs or labour and social welfare attachés.
48. Governments of origin and destination countries should provide support for free legal assistance for migrants to access grievance and dispute resolution mechanisms regardless of immigration status. Diplomatic missions in countries of destination play a key role in post-arrival registration, orientation and assistance. As such, governments of origin countries should consider appointing a staff lawyer and/or paralegal to work alongside labour attachés. Legal help is essential to assist migrants in receiving access to justice and reduce the reported excessive workloads of labour attachés.
49. Governments should strive for cooperation among all relevant public agencies and institutions, and effective dialogue with employers, recruiters, trade unions and CSOs to promote migrant welfare and assistance.

9. Maintaining the momentum on regulation

At the conclusion of the Global Conference on the Regulation of International Recruitment, participants were asked to provide recommendations and guidance to IOM and the international community to ensure that action is taken and momentum on the topic is maintained.

Recommendations

50. IOM, ILO and their global partners should facilitate multi-jurisdictional dialogue and collaboration with the aim of improving the regulation of international recruitment, including the alignment of national and subnational law and policy with relevant international standards.
51. IOM is strongly encouraged to convene a biennial Global Forum on the Regulation of International Recruitment in order to sustain and advance progress. The Global Forum should be supplemented by regional forums integrated into existing Regional Consultative Processes.
52. A coordinated, global thematic communications and awareness programme should be implemented, including webinars and seminars, in order to advance dialogue, learning and collaboration between countries of origin and destination.
53. Multi-stakeholder "communities of practice" coordinated at national level should be co-created to support regulators to sustain attention, commitment, leadership and adequate resourcing for recruitment regulation and protection of migrant workers.
54. IOM and ILO should develop international guidance and provide technical support to develop BLAs and MoUs. This could include compendia of good practice and facilitating access to supporting reports and data that could help regulators to effectively address relevant topics.
55. IOM should expand the implementation of IRIS to establish and sustain new ethical recruitment corridors.

Relevant resources

Gangmasters and Labour Abuse Authority

n.d. Homepage. Available at https://gla.gov.uk/.

International Labour Organization (ILO)

2014a Protocol of 2014 to the Forced Labour Convention, 1930 (P029). Available at https://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029.

2014b Forced Labour (Supplementary Measures) Recommendation, 2014 (R203). Available at https://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:3174688:NO.

2019 General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs. Geneva. Available at https://ilo.org/global/topics/fair-recruitment/WCMS_536755/lang--en/index.htm.

International Recruitment Integrity System (IRIS)

n.d. Homepage. Available at https://iris.iom.int/.

Office of the High Commissioner for Human Rights

2011 *Guiding Principles on Business and Human Rights: Implementing the United Nations' "Protect, Respect and Remedy" Framework*. United Nations, New York.

Pillinger, J.

2015 *Running an Effective Migrant Resource Centre: A Handbook for Practitioners*. International Organization for Migration (IOM), Budapest. Available at https://publications.iom.int/books/running-effective-migrant-resource-centre-handbook-practitioners.

Stefanov, R. and D. Mineva

n.d. *Practitioners Toolkit: Drafting, Implementing, Reviewing and Improving Bilateral Agreements and Memoranda of Understanding to Tackle Undeclared Work*. European Platform Tackling Undeclared Work, European Commission.

International Organization for Migration
17 route des Morillons, P.O. Box 17, 1211 Geneva 19, Switzerland
Tel.: +41 22 717 9111 • Fax: +41 22 798 6150
Email: hq@iom.int • Website: www.iom.int