

DRAFT

**OSCE-Guide on
Gender-Sensitive Labour
Migration Policies**

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Executive Summary

Introduction

Labour migration has moved to the top of the policy agenda in many countries of origin, transit and destination. Governments at both ends of the migration spectrum are increasing their regulatory capacities to manage labour mobility for the mutual benefit of migrants and societies. International Organizations and informal fora, such as the Global Forum on Migration and Development, provide space for deliberations between the stakeholders in order to create viable avenues for efficient, and at the same time humane, migration policies. One important feature of today's migration is tied to the role of women. More women are leaving their countries of origin than ever before. Many female migrants tend to be channelled into feminised sectors of production as well as into the service sector, a significant number of whom find themselves in low-paid jobs despite having obtained a high level of education in their countries of origin. Additionally, little attention has been given to the fact that female migrants are also often confronted with gender-specific problems, such as sex-based discrimination or the challenge of organising transnational family life. This Guide attempts to diagnose some of the most pressing gender-issues in contemporary labour migration and to showcase good gender-sensitive labour migration policy practices. The cases are mainly, but not exclusively, taken from the OSCE area. In a number of OSCE participating States and Mediterranean Partners for Co-operation a broad range of innovative responses, which aim to counter the problems faced by female migrant workers and enable them to achieve their goals, can be found. Although changes of attitudes towards gender-relations is a long-term process, gender-sensitive policies, in all their forms, can make a significant difference to the living and working conditions of female migrant workers.

Origins and aims of the Guide

The **Guide on Gender-sensitive Labour Migration Policies** results from the OSCE's efforts to facilitate the incorporation of gender into labour migration policies. The "*Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination*" (OSCE, IOM, and ILO) stressed the role of women in the process of migration as well as the feminisation of migration. While migration policies appear neutral in verbatim, in practice they can have differential, direct or indirect, impacts on women and men, and on the relations between them, even when such an effect was neither intended nor envisaged. Given this, the Guide seeks to highlight the rationale behind the inclusion of, and the ways to implement, gender-sensitive measures into the migration policies of countries of origin and destination, as well as in bi- and multilateral agreements. Through presenting good practices and providing tools on how to shape migration processes, the Guide aims to assist and encourage states, particularly those in the OSCE area, to make their labour migration policies more gender-sensitive; in so doing it hopes migration policies will come to be formed in a more gender just way.

In short, the Guide follows four objectives:

- (a) to serve as a **practical policy tool for policy makers and parliamentarians** in the OSCE area including the Mediterranean Partners for Cooperation;
- (b) to analyze **existing labour migration policies for gender-sensitivity**;
- (c) to identify **gender gaps in policies and provide solutions, and**;

(d) to give examples of **good practices and innovative models** from destination, origin and transit countries that can serve as inspiration and guidance to increase gender-sensitivity and promote gender-just outcomes.

Conceptually, the Guide follows a **rights-based approach** as outlined by the Beijing Platform of Action of the Fourth World Conference on Women (1995). This approach has been transferred into the policy field of labour migration. There are three crucial rights dimensions which should be reflected in gender sensitive labour migration policies, they are: (a) women's rights to legal migration opportunities; (b) women's rights within the migration process, for example, to safe and secure recruitment, faire remuneration and decent working conditions; and (c) women's rights realised through migration, such as encouraging the potentially positive outcomes.

Gender-sensitive labour migration policies have been defined in the Guide as policies recognizing that women and men migrate; they address similarities and differences in the migration experiences of women and men; they follow a two-way approach, encompassing general provisions to protect migrants as well as include provisions which specifically target women. Gender-sensitive labour migration policies recognize that female migrant workers may experience discrimination at all stages of the migration process as well as the disadvantages caused by the intersection of sex, age, class and ethnic marginalization. They acknowledge the economic and social contributions made by female labour migrants to their societies of origin and destination. Such policies are change-oriented, this includes: developing enabling policy and legislative environments that provide equality of opportunity to men and women; ensuring equality of access and benefits; introducing temporary special measures to compensate for past discrimination that may adversely affect women's current situation; empowering potential, actual and former migrants, especially female migrant workers, to exercise choices, access resources and claim rights.

The Guide also makes mention of relevant **international legal frameworks** such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 1995 Beijing Platform of Action, the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the ILO Conventions on Migrant Workers (C. 97, C. 143), the ILO Declaration on Fundamental Principles and Rights at Work and ILO's Multilateral Framework on Labour Migration.

Migration as a Priority Issue for OSCE participating States

Migration related issues have a long tradition in the work of the **Organization for Security and Cooperation in Europe**: the OSCE Helsinki Final Act (1975) identified the freedom of movement as one of its founding commitments, along with ensuring the well-being of migrant workers. The "Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination" by the OSCE, the IOM and the ILO (2006)¹ and its Mediterranean edition (2007)² were direct follow-ups of the recommendation made at the OSCE 13th Economic Forum on "Demographic Trends, Migration and Integrating persons belonging to National Minorities: Ensuring Security and Sustainable Development in the OSCE area", held in Prague on 23-27 May 2005. Since the 13th Ministerial Council held in Ljubljana in December 2005, and the adoption of the Decision on Migration and the Ministerial Statement on Migration at the 14th OSCE Ministerial Council held in Brussels in December 2006, migration has been placed firmly on the OSCE agenda of political priorities. The organizational focus on migration related issues will continue also in 2009 under the Greek OSCE Chairmanship as the theme of the 17th OSCE Economic and Environmental Forum is

“Migration management and its linkages with economic, social and environmental policies to the benefit of stability and security in the OSCE region”.

The OSCE’s 2004 Action Plan for the Promotion of Gender Equality stresses that “effective gender-mainstreaming with the goal of achieving gender equality, is important if full use is to be made of the human capital in the OSCE area. Gender equality contributes to comprehensive security, which is a goal of OSCE activities in all three dimensions. Gender-mainstreaming is a way of contributing to attaining this goal. The gender perspective should therefore be taken into account in the Organization’s activities, projects and programmes”.³ Furthermore, the Action Plan underlines OSCE support to participating States in implementing relevant commitments to promoting equality between women and men.⁴ The OSCE recognizes that both men and women will profit from gender equality. Promoting gender equality is also a priority of the OSCE Greek Chairmanship.

Creating legal labour migration channels for women also contributes to the reduction of trafficking in human beings, which is another priority for the OSCE. The 2003 Action Plan to Combat Trafficking in Human Beings (THB) and subsequent Ministerial Decisions addressing the issue of child trafficking, as well as trafficking for labour exploitation, attests to the commitment of the OSCE participating States and Chairmanship to seek the eradication of this problem from our region. Facilitating legal channels for migrant workers is one of recommended principles in the Action Plan under prevention. By covering a number of areas related to the protection of migrant labour from exploitative working conditions, the Guide highlights important areas of work when attempting to address THB in countries of destination in relation to identification, assistance and protection of victims. Trafficking for labour exploitation is a complex issue sharing many links to migration, as such the Office of Special Representative have carried out since 2004 a number of high level conferences under the aegis of Alliance Against Trafficking in Persons, along with publications dedicated to this issue in order to assist the participating States in addressing this problem. In 2009, under the aegis Alliance Against Trafficking in Persons with the support of the Greek OSCE Chairmanship, the Special Representative will host a “Technical Seminar on Trafficking for Labour Exploitation Focusing on the Agricultural Sector”.

Chapter 1: Gender and Migration: Background and Tools for Gender-Sensitive Labour Migration Policies

Today around half of the world’s 200 million migrants are women. The feminisation of migration is a global trend, however with different regional speed and intensity. The phenomenon is most impressive in **Asia**, however, feminisation of migration can also be seen in the **European Union** countries. Although a significant overrepresentation of men can be noticed in intra-European migration, the sex-ratio for non-EU immigrants bends towards women.⁵ In Southern Europe and some other countries, women immigrants outnumber men (especially in Cyprus, Portugal and Malta, but also in France, Poland, Belgium and Italy), while in Eastern Europe men clearly dominate the picture. The highest male prevalence was observed in Slovenia where men represented more than 80% of the total number of registered foreigners. Only the Netherlands had equal numbers of men and women, in total and among working-age migrants. Another indicator of feminisation is when female migrants of certain nationalities exceed the number of men of the same nationality. The proportion of foreign women of Indian origin, for example, clearly exceeds that of men in the United Kingdom and in Austria.⁶ We observe the same development concerning women from the Philippines in the United Kingdom, Switzerland, Greece, Italy and Austria. Among migrants of Turkish origin, women predominate in Greece, the United Kingdom and Italy. In Spain, in 2003, the share of

women originating from several Latin American countries and the Philippines largely outnumbered that of men in the foreign population. Eurostat data shows that women are on average two years younger when they migrate than men.⁷

Surveys also signal a feminisation of migration from **Central Asia** to Russia, however, the percentage of women is lower than elsewhere and the feminisation process is slower than in other regions. A 2008 ILO study shows that in the Kyrgyz Republic women constitute 30% of labour migrants, whereas 70% are men.⁸ The sex composition of migratory flows from the Kyrgyz Republic to Kazakhstan is the same considering the employment opportunities in various areas.⁹

When looking at the **distribution of the female migrant labour force by sector** in comparison to the percentage of female nationals, it is obvious that in the European Union domestic services, healthcare and social services, as well as hotel and restaurant work and, to a lesser extent, the education sector, have received a growing percentage of the female foreign labour force. This concentration is rooted in both the forces of supply and demand.

Policies are not indifferent to gender; rather, they can be gender-biased, gender-blind, gender-neutral or gender-sensitive. To **encourage the construction and implementation of gender-sensitive policies** which take the gender-dimension of migration into account and will thus lead to a fairer and more equal outcome for women, the Guide recommends some **methodological tools** which could help States in their efforts to make their policies more gender sensitive. They are:

- (a) use of sex-disaggregated data,
- (b) introduction of gender mainstreaming in all migration policies and programmes,
- (c) use of gender impact assessments to systematically evaluate if specific labour migration programmes and policies have different impacts on men and women,
- (d) development of quantitative and qualitative indicators, both are recommended in migration policies as gender-relations can only be partially measured by quantitative indicators, and
- (e) establishment of self-evaluations and external evaluations to constantly reassess the appropriateness and success of already established policies.

When employing these methodological tools, policy makers should be aware that their efforts may be hampered if the other interconnecting policy areas are not taken into consideration. For instance, in order for gender mainstreaming efforts undertaken in one field to be successful, developments in other policy fields concerned with migration also need to be considered (labour market policies, border and security policies, social policies, trade negotiations etc.).

Key questions regarding the chapter topic:

- What is gender mainstreaming and why is it important to integrate a gender perspective in labour migration policies?
- How to identify feminization of labour migration?
- What would be the most feasible methods and tools to use to include a gender perspective in labour migration policies?
- What would be the main challenges integrating a gender perspective in labour migration policies? How could these challenges be met?

Chapter 2: Policies and Practices in Countries of Destination

The face of destination countries in the OSCE area is changing – while countries such as Canada and the United States have traditionally been destination countries, Russia, Kazakhstan and Spain are increasingly becoming new migrant hubs. Countries differ in their **admission policies**. Common approaches are the human capital model, which assesses prospective immigrants on certain criteria; the employer-led model, which matches employers' needs with specific immigrant candidates; and the shortage model, which identifies certain occupations with shortages that employers are allowed to fill with migrants. However, many countries admission policies do not fit into a single model, therefore hybrid systems are likely to dominate immigrant selection in the future as they facilitate selecting immigrants in ways that correspond with a country's traditions and with the way in which its economy and labour market operates.

This chapter reviews existing **permanent admission policies** found in destination countries in terms of their gender impacts. In particular gender issues in point systems are examined. To ensure that gender disparities in such systems are taken into account, the Guide recommends that gender impact assessments are carried out and that care is taken when designing how points are provided to ensure, as far as possible, equal opportunity between men and women.

The chapter also looks at **temporary labour migration programmes**. Temporary labour migration is common in a broad range of occupations, for instance: agriculture, construction, tourism, entertainment and domestic and care work among others. Some of these sectors are highly feminised. To avoid irregular migration and stem the vulnerability of female migrant workers, attractive legal employment schemes are necessary. This is particularly the case for the often informal employment of domestic workers and private care-takers. In order to protect employees working in private homes, the Guide recommends that governments consider where this is not the case, to include domestic work into national labour law, make contracts more common in the sector, ensure faire payment of wages for migrant workers and untie visas from particular employers. Being tied to an employer and/or being forced to live in the same household as the employer creates a situation in which the employee is more likely to be exposed to dependency and exploitation.

The actions of trade unionists, NGOs and migrants' organizations, as well as corporations and modes of cooperation between state and non-state actors are also examined. The Guide suggests a range of good practices including reaching out and organizing migrant workers in novel ways; collaborating across the boundaries of institutions and organizations; disseminating information on labour rights to female migrant workers; advocating and providing legal support, especially in situations of personal crisis and violence; and, helping female migrant workers access specialised and general services. Furthermore, the Guide suggests that collaboration of governments with non-state actors in the field of gender-sensitive migration policies often facilitates the achievement of policy goals which governments would otherwise not manage alone.

Key questions regarding the chapter topic:

- How do permanent labour admission policies in your countries take gender dimension into account? Are there gender gaps in current policies, if so, how can they be addressed? Could you give examples of some good practices and innovative models in this area?
- Since quotas is seen as an important tool of labour migration management, should countries of destination which are implementing such quota system seek to address the

problem of gender imbalance towards migrant women by allocating a certain percentage of the job placements to this target group?

- What are the challenges/or barriers to attract more female workers into high-skill sectors (e.g., research and development, telecommunication, IT, sciences, etc)? What needs to be put in place in countries of destination to tap into this “pool” of highly skill workers (e.g., additional incentives, such as language training while in the job, long term employment accompanied by residence permits, family reunification rights within the period of duration of the permit, etc)?
- Sound integration policies are important factors to ensure successful permanent labour migration. Do your integration programmes specifically target female migrant workers and if not do they take gender differences into account?
- Temporary labour migration is common in occupations such as domestic and care related services. These sectors have been identified as particularly vulnerable to exploitation of female migrant workers. What good practices and policies could you share that make these migrant workers less vulnerable to exploitation and abuse in their work place (e.g. extending national labour regulations to domestic work, enforcement of model employment contracts, setting standards on decent work for domestic workers, decoupling work permits from a single employer)?
- What can be done to improve legal employment opportunities for female migrants to eradicate irregular employment situations?

Chapter 3: Gender-Sensitivity in Bi- and Multilateral Agreements

Bilateral and multilateral agreements are increasingly being used by states wishing to better manage labour migration. Only a small number contain specific provisions concerning women or gender and/or have included gender experts in their construction; thus, they largely ignore the different ways agreements draw upon, incorporate and treat women and men.

The Guide suggests that female migrant workers can benefit from two different types of provisions in **bilateral agreements**: **(a) general good practices** which have a positive impact on women such as protective provisions in sectors not covered by national labour law, e.g. domestic work; the recognition of skills and qualifications; fair work and wage conditions; access to and coverage of health care and social security benefits as well as their portability across national systems; flexible provisions for family reunification; and, **(b) gender-specific provisions** such as gender impact assessments and the participation of gender experts as integral procedural components; acknowledgement of women specific vulnerabilities; grievance mechanisms; fair consideration of female applicants; and training of staff in a gender and rights-based perspective.

The migration of healthcare professionals is an important domain of female dominated labour migration. However, for a number of countries in the Global South the large-scale emigration of nurses and doctors has caused a range of problems for their health care systems. The Guide suggests that some of these problems could be addressed by the introduction of **ethical recruitment codes**. These codes prohibit the active recruitment of health personnel in developing countries unless a government-to-government agreement has been signed condoning such actions. Furthermore, ethical recruitment codes agree that those who are recruited should not be charged fees for obtaining overseas employment; should be given adequate information about the prospective job prior to emigrating; and, should be given proper services for integration and training. In order to strengthen the innovative instrument

of ethical recruitment codes, the Guide makes a number of suggestions, for instance: that the codes' also cover the private sector (so far only the public health care sector has subscribed to such codes), that they also oversee temporary staff, that they are made legally binding, that adherence is monitored through an institutionalized system, and last but not least, that national strategies to tackle the nursing shortage in countries of origin and destination are established in order to guarantee the sustainable access to good-quality health professionals for all populations. The Guide recommends the use of ethical recruitment codes, as well as expanding them to other sectors in which employees are recruited from countries which suffer from severe brain-drain.

In sum, bi- and multilateral agreements are good tools to include gender-sensitive measures. As of now most agreements are not explicitly engendered, the Guide recommends gender sensitivity training for all staff involved in the creation of such agreements and holding consultation with gender experts early in the planning stage and in negotiations.

Key questions regarding the chapter topic:

- In your experience, what are the key elements which should be included in a BLA/multilateral agreement in order to empower and protect female migrant workers, while also responding to the needs in countries of destination (e.g. market needs, social, etc.) within the migratory process (from recruitment to return/reintegration)?
- Based on your experience, have extensive information services provided prior to migration proven more efficient compared to on-site assistance and information in countries of destination? What combination has shown to be most cost effective?
- Is it appropriate for countries of origin/destination to be setting or enforcing selection criteria which bear no connection with labour skills and performance of the workforce, but rather help produce "desirable" outcomes, such as return, or policies which lead to age discrimination? Should not the legal framework covering/protecting the domestic labour force be the guiding instrument when considering recruitment and selection procedures for migrant workers? (The idea here is that the BLA should not contain discriminatory clauses, such as clear age or marital status discrimination when it comes to the recruitment and selection of female migrant workers.)
- Should the BLA contain budgetary provision, time frame and a foreseen revision and evaluation clause (including gender impact assessment)? Should the results of an independent evaluation be made public as a tool for lessons learned or just as an instrument for discussion between the signatories and stakeholders?

Chapter 4: Policies and Practices in Countries of Origin

Countries of origin are in a unique position, they have access to migrants before, during and after migration; given this, they can play an important role in facilitating safe migration and in improving the situation of their female migrant workers. Achieving this not only requires policies developed with these aims in mind, but also developing an **institutional set-up** which includes: (a) gender-trainings for all staff and gender desks, gender action plans or gender review panels in all migration-related governmental departments and service providers; (b) a gender-perspective in long-term policy planning; and (c) close collaboration with other governments and within the country between different stakeholders on gender-issues.

The **regulation of private employment agencies** is another important issue for countries of origin. Although recruitment agencies may be helpful to migrants, they can act as “double-

edged swords” if they demand high placement fees and offer contracts under false pretences that might expose women to danger as well as physical and sexual exploitation. An important step towards the regulation of employment agencies is the ratification of the ILO Convention No. 181, that prohibits private employment agencies from charging workers for their services, spells out the basic rights of workers including their rights to join trade unions. However, due to the low ratification rate of the ILO Convention No. 181, this Guide highlights and recommends further measures which can work to regulate recruitment agencies. For example, governments of origin countries could consider educating ‘to-be’ labour migrants on the dangers of recruitment while at the same time supplying them with general information and the means to be cautious when looking for foreign employment. Such information could be provided by state agencies and non-state organisations through so-called **pre-departure services**. Due to the variation in quality of pre-departure programmes, the Guide suggests some basic criteria for quality assurance: pre-departure programmes need to be sufficient in duration, easy to access and free of charge.

Protective measures should be central to governments’ policies which aim to ensure safe migration of their citizens. Many countries have established services and provide help through their **diplomatic missions**; those staffing such missions need to be trained how to help female migrant workers in distress. Some governments have even developed foreign sponsor watch lists, where foreign sponsors who have a history of (domestic) violence against their female migrant workers are documented in order to avoid re-occurrences. Another measure introduced by some countries, mainly outside the OSCE region, are age-limitations, whereby women under a certain age are not allowed to emigrate and work in certain jobs. Age limits are problematic because they are considered discriminatory and they may not prevent older female migrant workers from being exploited or abused at work. Furthermore, such policies may result in that young women wanting to work abroad are channelled into more dangerous migration routes if they are banned from regulated and legal means of migration. Thus, the Guide does not recommend introducing age-limitations to protect female migrants; rather, the Guide recommends providing intending female migrant workers with as much information and knowledge as possible about legal foreign employment and access to pre-departure support services.

Key questions regarding the chapter topic:

- What are the challenges you foresee given the current environment (e.g., the financial crisis, the need to retain certain groups of skilled workers, such as individuals in the health sector, while respecting the freedom of movement, etc) to organize female labour migrants while optimizing the benefits to all parties involved (migrants, government, employers, etc)?
- In concrete terms how to include female migrant workers’ issues as part of the inter-ministerial or other equivalent structure, in order to respond adequately to the needs of all?
- Based on your experience can you identify a common challenge your government or organization have faced concerning providing adequate protection for female migrant workers from dubious recruitment practices/or from exploitative/unfair employment practices in countries of destination? How did your government/organization overcome this problem in relation to providing those in need with adequate services (pre-departure, welfare and social services)?
- How can countries of origin ensure "de facto" employment contracts that guarantee a fair wage and adequate provisions to protect female migrant workers from abuse? Could you share some concrete examples where this has been achieved? Main obstacles?

- When trying to promote recruitment of and use of legal migration channels for female migrant workers, what are the main challenges governments and other relevant stakeholders in countries of origin face?

Chapter 5: Limiting the Social Costs of Migration: the ‘Left-Behind’ and the Re-Integration of Women Labour Migrants

Parental migration or migration of only one member of the family has always been common. However, the number of ‘left-behind’ differs significantly by origin country. There is no general trend towards an increase in the number of the ‘left behind’; to the contrary, recently, in some countries such as Moldova and Albania, the number of children and spouses left behind has decreased significantly. For example, in Albania in 1990 only 3% of migrants left together with their family, by 1995 this number had increased to 31% and in 2006 it increased again to 58%.¹⁰ In some regions predominantly men leave for labour migration; in those regions, women often make up the majority of the inhabitants. This scenario can have mixed effects on the women left behind: On the one hand, women may increase their civil and economic participation at the community level as they take over activities that used to be performed by men; however, on the other hand, they may feel overwhelmed by the increase in tasks and responsibilities. Countries with high levels of out-migration have developed programmes that **address the situation of the left-behind**. Moldova and the Philippines provide good examples. The Guide argues that there is a need for programmes that offer special services to heads of households left behind, as well as access to regular public services. Furthermore, the Guide recommends that governments and civil society organizations should provide important information about the migration process to the ‘left-behind’ and empower the relatives of labour migrants to actively cope with the challenges resulting from separation.

Remittances are considered to be the ‘backbone’ of migration since they contribute to development and poverty reduction. However, along with their positive contributions come countervailing social and economic costs. Thus, in order to promote the positive impact, remittance programmes should go hand in hand with income-generating and local development programmes. **Remittances are gendered; gender differences occur in sending, receiving and spending**. Furthermore, financial systems appear to be gender-blind and, therefore, do not take the different positions of men and women into account (i.e. some women cannot access bank accounts without male consent). In light of this, governments should aim to foster equal access to financial services for both men and women and provide women with the necessary knowledge to transfer and to use remittances to their best benefit.

A significant number of labour migrants wish, at some point, to return and **reintegrate** into their societies of origins. However, many face real challenges. As a consequence, the Guide suggests that reintegration policies and/or programmes should encompass a broad range of political, social and economic activities. Different groups of returning female migrants, such as single women or mothers, highly-skilled women or low-skilled women, require **different types of reintegration programmes**. It is, for example, important to accommodate highly-skilled women in local job markets in order to create an adequate professional surrounding and in order to fully use their qualifications in the local economy. Thus, reintegration programmes should include a variety of services and strategies to smooth the process of returning.

Questions raised by this Chapter are:

- How can the situations of the left-behind be improved?
- How can both monetary and social remittances be best optimized?
- What are good ways of promoting and facilitating reintegration?

¹ OSCE/IOM/ILO 2006.

² OSCE/IOM/ILO 2007.

³ OSCE 2004a.

⁴ OSCE 2004V

⁵ Numbers for the EU are based on: Eurostat 2008.

⁶ Moreno-Fontes Chammartin 2008: 4.

⁷ Numbers for the EU are based on: Eurostat 2008.

⁸ ILO, International Labour Organization in print.

⁹ Asian Development Bank/El-Pikir 2005: 24-29.

¹⁰ Institute for Economy 2007.

Annex

Ratification of International Conventions Protecting Migrant Workers and Women

OSCE Participating States

COUNTRY	CEDAW Convention 1979	ICERD Convention 1965	Protocol to Prevent, Suppress and Punish Trafficking 25-12-2003	The UN Intern. Conv. On the Protection of the rights of all migrants Dec-1990	The ILO Conventions on Migrant Workers 1975
Albania	11/04/94 (a) (b)	11/05/94 (a) (b)	12/12/00 (a) 21/08/02 (b)	05/06/07 (a) (b)	09/12/78 (a) 12/09/06 (b)
Andorra	15/01/97 (a) (b)	05/08/02 (a) 22/09/06 (b)			
Armenia	13/09/93 (a) (b)	23/06/93 (a) (b)	15/11/01 (a) 01/07/03 (b)		09/12/78 (a) 27/01/06 (b)
Austria	17/07/80 (a) 31/03/82 (b)	22/07/69 (a) 09/05/72 (b)	12/12/00(a) 15/09/05 (b)		
Azerbaijan	10/07/95 (a) (b)	16/08/96 (a) (b)	12/12/00 (a) 30/10/03 (b)		
Belarus	17/07/80 (a) 04/02/81 (b)	07/03/66 (a) 08/04/69 (b)	14/12/00 (a) 25/06/03 (b)		
Belgium	17/07/80 (a) 10/07/85 (b)	17/08/67 (a) 07/08/75 (b)	12/12/00 (a) 11/08/04 (b)		
Bosnia and Herzegovina	01/09/93 (a) (b)	16/07/94 (a) (b)	12/12/00 (a) 24/04/02 (b)	13/12/96 (a) (b)	09/12/78 (a) 02/06/93 (b)
Bulgaria	17/07/80 (a) 08/02/82 (b)	01/06/66 (a) 08/08/66 (b)	13/12/00 (a) 05/12/01 (b)		
Canada	17/07/80 (a) 10/12/81 (b)	24/08/66 (a) 14/10/70 (b)	14/12/700 (a) 13/05/02 (b)		
Croatia	09/09/92 (a) (b)	12/10/92 (a) (b)	12/12/00 (a) 24/01/03 (b)		
Cyprus	23/07/85 (a) (b)	12/12/66 (a) 21/04/67 (b)	12/12/00 (a) 06/08/03 (b)		09/12/78 (a) 28/06/77 (b)
Czech Republic	22/02/93 (a) (b)	22/02/93 (a) (b)	10/12/02 (a) Not Ratified		
Denmark	17/07/80 (a) 21/04/83 (b)	21/06/66 (a) 09/12/71 (b)	12/12/00 (a) 30/09/03 (b)		
Estonia	21/010/91 (a)	21/10/91 (a) (b)	20/09/02 (a) 12/05/04 (b)		
Finland	17/07/80 (a) 04/09/86 (b)	06/10/66 (a) 14/07/70 (b)	12/12/00 (a) 07/09/06 (b)		
France	17/07/80 (a) 14/12/83 (b)	28/07/71 (a) (b)	12/12/00(a) 29/10/02 (b)		
Georgia	26/10/94 (a) (b)	02/06/99 (a) (b)	13/12/00 (a) 05/09/06 (b)		
Germany	17/07/80 (a) 10/07/85 (b)	10/02/67 (a) 16/05/69 (b)	12/12/00 (a) 14/06/06 (b)		
Greece	02/03/82 (a) 07/06/83 (b)	07/03/66 (a) 18/06/70 (b)	13/12/00 (a) Not Ratified		
Holy See		21/11/66 (a) 01/05/69 (b)			

Hungary	06/06/80 (a) 22/12/80 (b)	15/09/66 (a) 04/05/67 (b)	14/12/00 (a) 22/12/06 (b)		
Iceland	24/07/80 (a) 18/06/85 (b)	14/11/66 (a) 13/03/67 (b)	13/12/00 (a) Not Ratified		
Ireland	23/12/85 (a) (b)	21/03/68 (a) 29/12/00 (b)	13/12/00 (a) Not Ratified		
Italy	17/07/80 (a) 10/06/85 (b)	13/03/68 (a) 05/01/76 (b)	12/12/00 (a) 02/08/06 (b)		09/12/78 (a) 23/06/81 (b)
Kazakhstan	26/08/88 (a) (b)	26/08/98 (a) (b)	31/07/08 (a) (b)		
Kyrgyz Republic	10/02/97 (a) (b)	05/09/97 (a) (b)	13/12/00 (a) 02/10/03 (b)		
Latvia	14/02/92 (a) (b)	14/04/92 (a) (b)	10/12/02 (a) 25/05/04 (b)		
Liechtenstein	22/12/95 (a) (b)	01/03/00 (a) (b)	14/03/01 (a) 20/02/08 (b)		
Lithuania	18-01-94 (a) (b)	08/06/98 (a) 10/12/98 (b)	25/04/02 (a) 23/06/03 (b)		
Luxembourg	17/07/80 (a) 02/02/89 (b)	12/12/67 (a) 01/05/78 (b)	13/12/00 (a) Not Ratified		
The former Yugoslav Republic of Macedonia	18/01/94 (a) (b)	18/01/94 (a) (b)	12/12/00 (a) 12/01/05 (b)		09/12/78 (a) 17/11/01 (b)
Moldova	01/07/94 (a) (b)	26/01/93 (a) (b)	14/12/00 (a) 16/09/05 (b)		
Monaco	18/03/05 (a) (b)	27/09/95 (a) (b)	13/12/00 (a) 05/06/01 (b)		
Montenegro	23/10/06 (a) (b)	23/10/06 (a) (b)	23/10/06 (a) (b)	23/10/06 (a) Not Ratified	09/12/78 (a) 03/06/06 (b)
Netherlands	17/07/80 (a) 23/07/91 (b)	24/10/66 (a) 10/12/71 (b)	12/12/00 (a) 27/07/05 (b)		
Norway	17/07/80 (a) 21/05/81 (b)	21/11/66 (a) 06/08/70 (b)	13/12/00 (a) 23/09/03 (b)		09/12/78 (a) 24/01/79 (b)
Poland	29/05/80 (a) 30/07/80 (b)	07/03/66 (a) 05/12/68 (b)	04/10/01 (a) 26/09/03 (b)		
Portugal	24/04/80 (a) 30/07/80 (b)	24/08/82 (a) (b)	12/12/00 (a) 10/05/04 (b)		09/12/78 (a) 12/12/78 (b)
Romania	04/09/80 (a) 07/01/82 (b)	15/09/70 (a) (b)	14/12/00 (a) 04/12/02 (b)		
Russian Federation	17/07/80 (a) 23/01/81 (b)	07/03/66 (a) 04/02/69 (b)	12/12/00 (a) 26/05/04 (b)		
San Marino	26/09/03 (a) Not Ratified	11/12/01 (a) 12/03/02 (b)	14/12/00 Not Ratified		09/12/78 (a) 23/05/85 (b)
Serbia	12/03/01 (a) (b)	12/03/01 (a) (b)	12/12/00 (a) 06/09/01 (b)	11/11/04 (a) Not Ratified	09/12/78 (a) 24/11/00 (b)
Slovak Republic	28/05/93 (a) (b)	28/05/93 (a) (b)	15/11/01 (a) 21/09/04 (b)		
Slovenia	06/07/92 (a) (b)	06/07/92 (a) (b)	15/11/01 (a) 21/05/04 (b)		09/12/78 (a) 29/05/92 (b)
Spain	17/07/80 (a) 05/01/84 (b)	13/09/68 (a) (b)	13/12/00 (a) 01/03/02 (b)		
Sweden	07/03/80 (a) 02/07/80 (b)	05/05/66 (a) 06/12/71 (b)	12/12/00 (a) 01/07/04 (b)		09/12/78 (a) 28/12/82 (b)
Switzerland	23/01/87 (a) 27/03/97 (b)	29/11/94 (a) (b)	02/04/02 (a) 27/10/06 (b)		
Tajikistan	26/10/93 (a) (b)	11/01/95 (a) (b)	08/07/02 (a) (b)	07/09/00 (a) 08/01/02 (b)	09/12/78 (a) 10/04/07 (b)
Turkey	20/12/85 (a) (b)	13/10/72 (a) 16/09/02 (b)	13/12/00 (a) 25/03/03 (b)	13/01/99 (a) 27/09/04 (b)	

Turkmenistan	01/05/87	29/09/94 (a) (b)	28/03/05 (a) (b)		
Ukraine	17/07/80 (a) 12/03/81 (b)	07/03/66 (a) 07/03/69 (b)	15/11/01 (a) 21/05/04 (b)		
United Kingdom	22/07/81 (a) 07/04/86 (b)	11/10/66 (a) 07/03/69 (b)	14/12/00 (a) 09/02/06 (b)		
United States of America	17/07/80 (a) (b)	28/09/66 (a) 21/10/94 (b)	13/12/00 (a) 03/11/05 (b)		
Uzbekistan	19/07/95 (a) (b)	28/09/95 (a) (b)	28/06/01 (a) 12/08/08 (b)		

(a) Date of signature, (b) Ratification

OSCE Partners for Co-Operation

Mediterranean Partners for Co-Operation

(a) Date of signature, (b) Ratification

COUNTRY	CEDAW Convention 1979	ICERD Convention 1965	Protocol to Prevent, Suppress and Punish Trafficking 25-12-2003	The UN Intern. Conv. On the Protection of the rights of all migrants Dec-1990	The ILO Conventions on Migrant Workers 1975
Algeria	22/05/96 (a) (b)	09/12/66 (a) 14/02/72 (b)	06/06/01 (a) 09/03/04 (b)	21/03/05 (a) (b)	
Egypt	16/07/80 (a) 18/09/81 (b)	28/09/66 (a) 01/05/67 (b)	01/05/02 (a) 05/03/04 (b)	19/02/93 (a) (b)	
Israel	17/07/80 (a) 03/10/91 (b)	07/03/66 (a) 03/01/79 (b)	14/11/01 (a) 23/06/08 (b)		
Jordan	03/12/80 (a) 01/07/92 (b)	30/05/74 (a) (b)			
Morocco	21/07/93 (a) (b)	18/09/67 (a) 18/12/70 (b)		15/08/91 (a) 21/06/93 (b)	
Tunisia	24/07/80 (a) 20/09/85 (b)	12/04/66 (a) 13/01/67 (b)	13/12/00 (a) 14/07/03 (b)		

OSCE Asian Partners for Co-Operation

COUNTRY	CEDAW Convention 1979	ICERD Convention 1965	Protocol to Prevent, Suppress and Punish Trafficking 25-12-2003	The UN Intern. Conv. On the Protection of the rights of all migrants Dec-1990	The ILO Conventions on Migrant Workers 1975
Japan (1992)	17/07/80 (a) 25/06/85 (b)	15/12/95 (a) (b)	09-12-02 (a) Not ratified		
Republic of Korea (1994)	25/05/83 (a) 27/12/84 (b)	08/08/78 (a) 05/12/78 (b)	13/12/00 (a) Not ratified		
Thailand (2000)	09/08/85 (a) (b)	28/01/03 (a) (b)	18/12/01 (a) Not ratified		
Afghanistan (2003)	14/08/80 (a) 05/03/03 (b)	06/07/83 (a) (b)			
Mongolia (2004)	17/07/80 (a) 20/07/81 (b)	03/05/66 (a) 06/08/69 (b)	27/06/08 (a) (b)		

(a) Date of signature, (b) Ratification

Section 1.01 Annex 2: Ratifications of the ILO Declaration on Fundamental Principles and Rights at Work

OSCE Participating States

COUNTRY	Freedom of association and collective bargaining		Elimination of forced and compulsory labour		Elimination of discrimination in respect of employment and occupation		Abolition of child labour	
	Conv. 87 (1948)	Conv. 98 (1949)	Conv. 29 (1930)	Conv. 105 (1957)	Conv. 100 (1951)	Conv. 111 (1958)	Conv. 138 (1973)	Conv. 182 (1999)
Albania	1957	1957	1957	1997	1957	1997	1998	2001
Andorra								
Armenia	2006	2003	2004	4004	1994	1994	2006	2006
Austria	1950	1951	1960	1958	1953	1973	2000	2001
Azerbaijan	1992	1992	1992	2000	1992	1992	1992	2004
Belarus	1956	1956	1956	1995	1956	1961	1979	2000
Belgium	1951	1953	1944	1961	1952	1977	1988	2002
Bosnia and Herzegovina	1993	1993	1993	2000	1993	1993	1993	2001
Bulgaria	1959	1959	1932	1999	1955	1960	1980	2000
Canada	1972	Not Ratified	Not Ratified	1959	1972	1964	Not Ratified	2000
Croatia	1991	1991	1991	1997	1991	1991	1991	2001
Cyprus	1966	1966	1960	1960	1987	1968	1997	2000
Czech Republic	1993	1993	1993	1996	1993	1993	2007	2001
Denmark	1951	1955	1932	1958	1960	1960	1997	2000
Estonia	1994	1994	1996	1996	1996	2005	2007	2001
Finland	1950	1951	1936	1960	1963	1970	1976	2000
France	1951	1951	1937	1969	1953	1981	1990	2001
Georgia	1999	1993	1997	1996	1993	1993	1996	2002
Germany	1957	1956	1956	1959	1956	1961	1976	2002
Greece	1962	1962	1952	1962	1975	1984	1986	2001
Holy See								
Hungary	1957	1957	1956	1994	1956	1961	1998	2000
Iceland	1950	1952	1958	1960	1958	1963	1999	2000
Ireland	1955	1955	1931	1958	1974	1999	1978	1999
Italy	1958	1958	1934	1968	1956	1963	1981	2000
Kazakhstan	2000	2001	2001	2001	2001	1999	2001	2003
Kyrgyz Republic	1992	1992	1992	1999	1992	1992	1992	2004
Latvia	1992	1992	2006	1992	1992	1992	2006	2006
Liechtenstein								
Lithuania	1994	1994	1994	1994	1994	1994	1998	2003
Luxembourg	1958	1958	1964	1964	1967	2001	1977	2001
The former Yugoslav Republic of Macedonia	1991	1991	1991	2003	1991	1991	1991	2002
Moldova	1996	1996	2000	1993	2000	1996	1999	2002
Monaco								
Montenegro	2006	2006	2006	2006	2006	2006	2006	2006
Netherlands	1950	1993	1933	1959	1971	1973	1976	2002
Norway	1949	1955	1932	1958	1959	1959	1980	2000
Poland	1957	1957	1958	1958	1954	1961	1978	2002
Portugal	1977	1964	1956	1959	1967	1959	1998	2000

Romania	1957	1958	1957	1998	1957	1973	1975	2000
Russian Federation	1956	1956	1956	1998	1956	1961	1979	2003
San Marino	1986	1986	1995	1995	1985	1986	1995	2000
Serbia	2000	2000	2000	2003	2000	2000	2000	2003
Slovak Republic	1993	1993	1993	1997	1993	1993	1997	1999
Slovenia	1992	1992	1992	1997	1992	1992	1992	2001
Spain	1977	1977	1932	1967	1967	1967	1977	2001
Sweden	1949	1950	1931	1958	1962	1962	1990	2001
Switzerland	1975	1999	1940	1958	1972	1961	1999	2000
Tajikistan	1993	1993	1993	1999	1993	1993	1993	2005
Turkey	1993	1952	1998	1961	1967	1967	1998	2001
Turkmenistan	1997	1997	1997	1997	1997	1997	Not Ratified	Not Ratified
Ukraine	1956	1956	1956	2000	1956	1961	1979	2000
United Kingdom	1949	1950	1931	1957	1971	1999	2000	2000
United States of America	Not Ratified	Not Ratified	Not Ratified	1991	Not Ratified	Not Ratified	Not Ratified	1999
Uzbekistan	Not Ratified	1992	1992	1997	1992	1992	Not Ratified	2008

Source: ILO and Helen Schwenken, OSCE Consultant for the Guide