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Organización Internacional del Trabajo



Organización Internacional para las Migraciones (OIM)
El Organismo de las Naciones Unidas para la Migración



MINISTERIO DE TRABAJO
Y SEGURIDAD SOCIAL

Labor Migration Workshop: Contributions from the Ministries of Labor of the Americas

13th and 14th of July, 2017 – San José, Costa Rica

RESULTS FROM THE SESSION WITH SUBGROUP 3

Participants: Mexico, Honduras, Paraguay, Panama, Costa Rica, Peru, Nicaragua, Colombia, CISS, IMO, ILO, COSATE/UCCAEP y CEATAL/COMPAREMEX.

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Support Rapporteur: Francesco Carella, ILO

TOPIC	RECOMMENDATIONS	BEST PRACTICES	CHALLENGES
CAPACITIES AND COMPETENCIES	All ministries of labor should have the mandate, competencies and capacities to contribute to the development, implementation, monitoring and evaluation of labor migration policy.	In Colombia, the Ministry of Labor has the Mobility Department, which is responsible for migration issues. The MFA has the Secretariat of the Inter-sectoral Commission on Migration.	The competence of the Ministries of Labor is limited to processing paperwork. Honduras has a migration unit in the direction of Employment, but with very limited powers.

	<p>Institutional strengthening of ministries of labor in the field of labor migration.</p> <p>Strengthen the role of labor market observatories and employment services in the area of migration.</p> <p>Strengthen coordination capacities among ministries and with other actors.</p>	<p>Costa Rica-Nicaragua bilateral agreement involved the Labor, MFA and Interior Ministries of both parties (6 institutions).</p> <p>Peru: inter-sectoral commissions that take into account Peruvians abroad, returnees, migrants in Peru.</p> <p>Panama: importance of undertaking the country's migratory profile.</p>	<p>Peru, the Ministry of Labor has 2 deputy ministries. Peru has approved a new migration policy this year; From this, the sectoral policy of labor migration will be developed.</p> <p>Mexico has no specific directorate dedicated to migration within the Labor Secretariat.</p> <p>Nicaragua has had labour migration in the Min Labor for more than 10 years. In 2005 a binational agreement was signed between Nicaragua and Costa Rica.</p> <p>Panama has a Labor Migration Department, but only for administrative formalities.</p>
TRIPARTITE GOVERNANCE	<p>Create a tripartite body (with government, employers and workers) to coordinate labor migration.</p> <p>Give a voice to the migrants themselves in these coordination bodies.</p>	<p>Brazil and the National Migration Council, tripartite and coordinated by the Ministry of Labor.</p> <p>Colombia and Peru, coordinated by Foreign Relations.</p>	<p>Tripartite governance of labor migration.</p> <p>In Costa Rica and several countries of the region, there is no tripartite body to discuss labor migration. In most countries the situation is similar.</p>
INTERNATIONAL CONVENTIONS INCLUDING THOSE ON SOCIAL SECURITY	<p>Ratify the relevant multilateral conventions, such as C97, C143, C181, C189, 1990 International Convention, Ibero-American Social Security Agreement.</p>		<p>Few ratifications in the region.</p>
	<p>Negotiate and ratify bilateral social security agreements between countries</p>	<p>Canada-Mexico and Canada-Spain have bilateral pension agreements.</p>	<p>Finalizing social security agreements is difficult (eg case of the agreement between Colombia and Peru that cannot be negotiated).</p>

		Mexico has regular meetings to monitor implementation (3-4 times per year).	Mexicans expelled from the US who do not recover their pensions.
	Establish in the OAS a unique social security framework in the lead-up to the 2018 World Pacts.		
COHERENCE AND PUBLIC POLICY MONITORING	<p>ILO can share the Multilateral Framework on Labor Migration and the database on good practices in labor migration.</p> <p>Need to monitor agreements in a tripartite manner.</p>	<p>Joint working visits by RC and Nicaragua to the workplaces of single workers.</p> <p>Certification for labor competencies of migrants (made by the Nicaraguan authorities).</p> <p>Costa Rica: the country has a comprehensive immigration policy.</p> <p>Mexico: policy for the reintegration of returnees.</p>	The need for policy coherence.
	Adopt harmonized competency frameworks, which are the same for the whole region.		The need to harmonize competency framework across countries.
	Take into account new forms of labor relations (new trends in labor markets).	How to regularize telework: agreement between TUNAM and CDMX.	"Virtual Migration", the precarization of work due to the technological factor of international teleworking.
DETAILS/INFORMATION	<p>Use the RIAL platform to share information on labor migration in the region.</p> <p>Use the new ILO online platform on labor migration, possibly in conjunction with that of the RIAL.</p> <p>International organizations should continue both to offer training and to conduct studies on labor migration.</p>	Business Compliance Guide (ILO - Central America). It could be re-oriented toward labour migration.	

	<p>Training: Labor Migration Academy to be brought to the Americas; Facilitate access to the other courses of the International Training Center of the ILO</p> <p>GUIDANCE for entrepreneurs on the link between human rights, including labor, and migration - access to information for many SMEs</p>		
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