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**OIC OUTLOOK
REPORTS**



Labour Migration Trends and Policies in OIC Member Countries

OIC Outlook Report

No: 2021/1





OIC OUTLOOK REPORTS

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Labour Migration Trends and Policies in OIC Member Countries

KENAN BAGCI, SESRIC

OIC Outlook Report

No: 2021/1

The Statistical, Economic and Social Research and Training
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ABSTRACT / ملخص / Résumé

OIC countries are both senders and receivers of millions of international migrants, accounting for 31% of global emigration and 27% of global immigration. The majority of migrants are economic migrants, who leave their country of origin purely for economic reasons. Empirical data and evidence suggest that protecting the rights of migrant workers enhances the development and productivity benefits of migration, while the violation of their rights contributes to social and economic disintegration. For effective management and better utilization of migration, governments should formulate and implement comprehensive and carefully crafted policies on migration in line with international standards. OIC countries should also enhance their cooperation and dialogue at the regional and international levels to promote and protect the wellbeing of migrant workers, and maximize the developmental impact of migration.

تعتبر بلدان منظمة التعاون الإسلامي جهات مرسله ومستقبلة لملايين المهاجرين الدوليين على حد سواء، وهي تمثل 31% من الهجرة العالمية إلى الخارج و27% من الهجرة العالمية الوافدة. وتعد غالبية المهاجرين مهاجرين اقتصاديين يغادرون بلدانهم الأصلية لأسباب اقتصادية بحتة. وتشير البيانات والأدلة التجريبية إلى أن حماية حقوق العمال المهاجرين تعزز منافع الهجرة الإنمائية والإنتاجية، بينما يسهم انتهاك حقوقهم في التفكك الاجتماعي والاقتصادي. ومن أجل الإدارة الفعالة للهجرة واستخدامها على نحو أفضل، ينبغي للحكومات أن تضع وتنفذ سياسات شاملة ومحددة بعناية بشأن الهجرة وفقا للمعايير الدولية. كما ينبغي لبلدان منظمة التعاون الإسلامي أن ترفع من مستوى تعاونها وحوارها على الصعيدين الإقليمي والدولي لتعزيز وحماية رفاه العمال المهاجرين، وزيادة الأثر الإنمائي للهجرة إلى أقصى حد ممكن.

Les pays de l'OIC sont à la fois émetteurs et récepteurs de millions de migrants internationaux, représentant 31% de l'émigration mondiale et 27% de l'immigration mondiale. La majorité des migrants sont des migrants économiques, qui quittent leur pays d'origine pour des raisons purement économiques. Les données empiriques et les preuves suggèrent que la protection des droits des travailleurs migrants renforce les avantages de la migration en termes de développement et de productivité, tandis que la violation de leurs droits contribue à la désintégration sociale et économique. Pour une meilleure gestion de la migration, les gouvernements devraient formuler et mettre en œuvre des politiques globales et soigneusement élaborées en matière de migration, conformément aux normes internationales. Les pays de l'OIC doivent également renforcer leur coopération et leur dialogue aux niveaux régional et international afin de promouvoir et de protéger le bien-être des travailleurs migrants et de maximiser l'impact de la migration sur le développement.



1 Labour Migration in OIC Countries

International migrants play a significant role in the development of both sending and receiving countries. Without the human, economic and cultural capital that migrants bring to their countries of destination, it would not be possible to attain efficiency in many production and services activities. Similarly, remittances account for a significant share of the gross domestic product (GDP) of many developing countries, making important contributions to the welfare of vulnerable groups in their societies. The UN Agenda 2030 for Sustainable Development recognizes migration as a core development consideration, and migrant women, men and children as a vulnerable group to be protected, and as agents of development. It has a number of targets such as increasing the volume of remittances as a percentage of GDP (SDG indicator 17.3.2), reducing remittance costs (SDG indicator 10.c.1), and reducing recruitment costs paid by migrant workers (SDG indicator 10.7.1).

At the OIC cooperation level, migrant workers have been part of several strategic documents and action plans. The OIC Ten Year Programme of Action 2016-2025 (OIC-2025) aims at fostering cooperation for exchange of expertise and manpower and promoting transfer of knowledge, experiences and best practices in the area of migration. Similarly, migrant and foreign contract labour is one of the six main components of the OIC Framework for Cooperation on Labour, Employment and Social Protection, which aims to increase the constructive effects of migration for development. Another critical document in the area of labour is the OIC Labour Market Strategy 2025, which pays special attention to migrant workers within the framework of promoting labour productivity.

In this connection, this report aims to assess the current trends and policies in OIC countries with respect to labour migration. It presents a broad overview of the nature of migration, its impacts on development for both sending and hosting countries. It also provides a review of laws and policies pertaining to the management of migrant workers in OIC countries. A number of policy recommendations have been made for OIC countries to address some of the challenges faced by the migrant workers and better utilize their potential.

To start with, Figure 1 shows the bilateral migrant stocks across OIC, developed and non-OIC developing countries based on the World Bank Migration and Remittances Data, which was last published in November 2017. The database reports a total of 267 million international migrants.¹

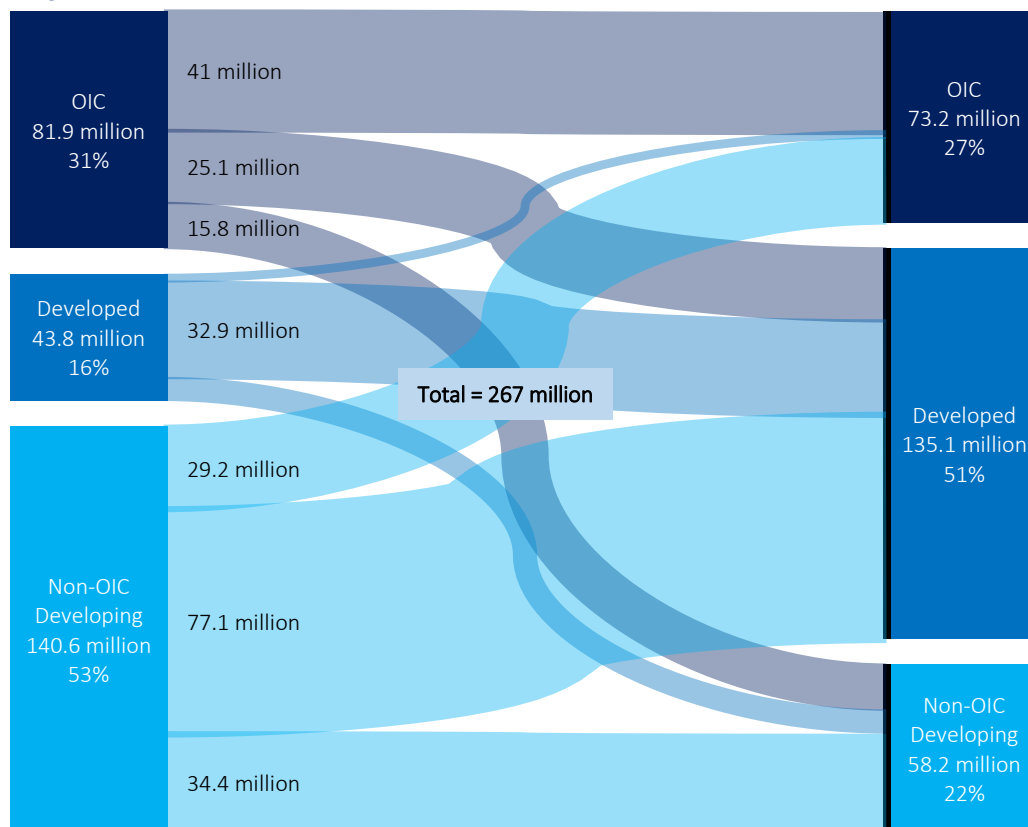
¹ The total number of migrants reported by the World Bank (267 million) for bilateral migrant stocks is higher than the aggregate data reported by UNDESA (258 million) for the year 2018, but the 2018 World Bank data is the only source and



OIC countries account for 31% of total international migration with 82 million emigrants, 42 million of which (50%) is towards other OIC countries, 25 million (31%) towards developed countries and 16 million (19%) towards non-OIC developing countries. The total number of migrants from developed countries is about 44 million and they immigrate mainly to other developed countries (75%). Non-OIC developing countries are the source of 53% of global migrants, or 141 million, whereas developed countries are the main destination for people migrating from non-OIC developing countries (55%). Globally, 51% of migrants live in developed countries. OIC countries received more than 29 million from non-OIC developing countries, but only 3 million migrants from developed countries.

It is estimated that the main motivation for the majority of migrants is to work abroad and have access to better economic opportunities. With regard to the definition of migrant workers, paragraph 14 of the International Labour Organization (ILO) Guidelines concerning statistics of international labour migration (ILO, 2018a) provides that:

Figure 1: Bilateral Migration Stock across Regions



Source: World Bank Migration and Remittances Data, November 2017.

the latest available data on bilateral migrant stocks. Noting the differences among different datasets, this report relies mainly on the UNDESA database for aggregated data on international migration, but utilizes the World Bank Migration and Remittances Data to analyse the bilateral stocks of migrants across regions.



“The concept of international migrant workers is meant to measure the current labour attachment of international migrants in a country, irrespective of the initial purpose of migration, and of others who are not usual residents of the country but have current labour attachment in the country of measurement. In this context, the terms ‘international migrant workers’ and ‘international migrant and non-resident foreign workers’ are equivalent. They are defined, for statistical purposes, as all persons of working age present in the country of measurement who are in one of the following two categories:

- (a) *usual residents*: international migrants who, during a specified reference period, were in the labour force of the country of their usual residence, either in employment or in unemployment;
- (b) *not usual residents, or non-resident foreign workers*: persons who, during a specified reference period, were not usual residents of the country but were present in the country and had labour attachment to the country, i.e., were either in employment supplying labour to resident producer units of that country or were seeking employment in that country.”

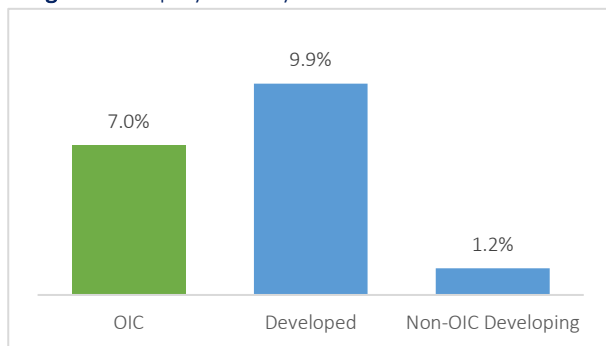
The statistics on migrant workers are relatively harder to obtain. However, apart from forced migration and migration for educational purposes, the most common reason for migration is to find better opportunities for full employment and income generation. The latest global estimate by the ILO was published in 2021 with the reference year of 2019. Accordingly, the stock of migrant workers is estimated at 169 million in 2019. The 2019 estimate indicates an increase of 5 million migrant workers (3%) from the 2017 estimate of 164 million migrant workers, and an increase of 19 million (12.7%) from the 2013 estimate of 150 million migrant workers (ILO, 2021). According to the United Nations Department of Economic and Social Affairs (UNDESA) database, there were an estimated 272 million international migrants worldwide in that year, 245 million of which were at working age (15 and older). Hence, international migrant workers in 2019 constituted 62.1% of all international migrants and 69.0% of all working age migrants. Their share was 59.2% of all international migrants and 70.1% of all working age migrants in 2017 (ILO, 2018). Consequently, an estimated 31% of all working age migrants remain out of labour market in destination countries.

Individual country estimations are available at the ILO statistical database on international labour migration, which includes statistics at various degree of time series availability. While the most recent data available can be a decade old for a few countries, the data are available for the majority up until 2019 or even 2020. The database does not include statistics on some major destination countries within the OIC, such as United Arab Emirates and Qatar. Considering the relative importance of migrant workers in GCC countries, the ILO data is complemented with the data provided by GCC Stat depending on their availability. However, in order to provide an evaluation of the latest situation in OIC countries with regard to labour migration, the available statistics are used to make some broad assessments.



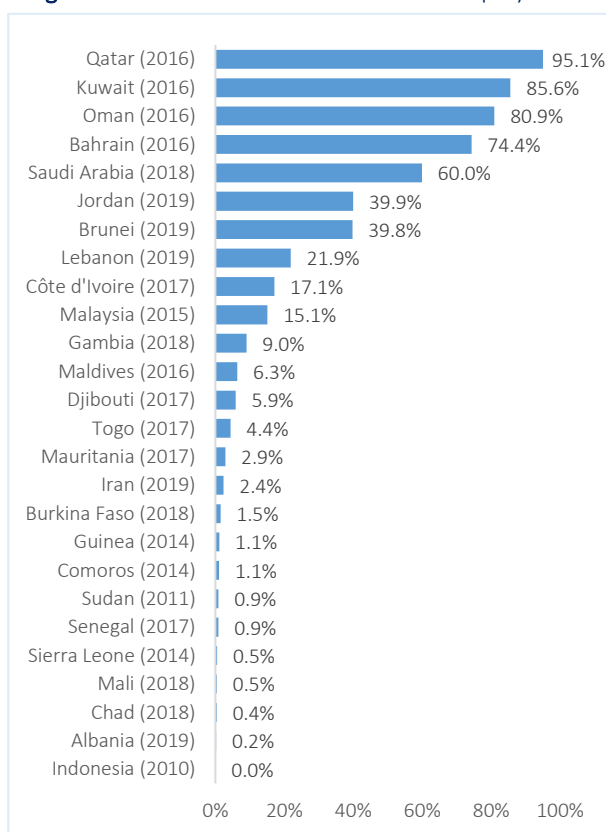


Figure 2: Employment by Non-Citizens



Source: Authors' calculations based on ILO Statistics on international labour migration, April 2021. Data covers the most recent statistics available for 23 OIC, 29 developed and 46 non-OIC developing countries.

Figure 3: Share of Non-Citizens in Total Employment



Source: ILO Statistics on international labour migration and GCC Stat.

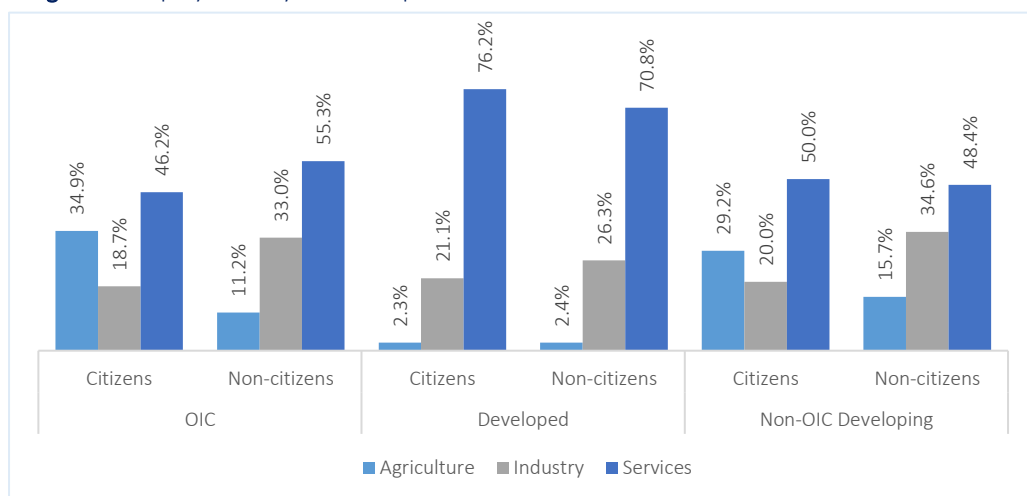
An analysis based on the latest data available reveals that migrant workers account for an average of 7% of total employment in 23 OIC countries (Figure 2). This share averages at 9.9% for 29 developed countries and 1.2% for 46 non-OIC developing countries. It does not provide a full picture of the whole OIC group, but is indicative of the relatively strong presence of migrant workers in OIC countries, when the 4.7% share of migrant workers at the global level is considered. Figure 3 presents the share of non-citizens in total employment in OIC countries for which data are available. Migrant workers constitute a significant share of employment in the Gulf countries, including Qatar, Kuwait, Oman, Bahrain and Saudi Arabia, ranging between 60% and 95%. Albeit not reported in the ILO database, estimates for United Arab Emirates indicate a rate of foreign workers that is close to 90%. According to the ILO (2021a), migrants in the six GCC States account for over 10% of all migrants globally, while Saudi Arabia and the United Arab Emirates host respectively the third and fifth largest migrant populations in the world. The Arab States² are collectively estimated to host 24.1 million migrant workers (or 14.3% of global migrant workers), 19.9 million of which are men (ILO, 2021b).

When the sectoral distribution of migrant workers across regions is

² In ILO (2021b), the group of Arab States includes 12 States, covering GCC countries, Iraq, Jordan, Lebanon, Palestine, Syria and Yemen.



Figure 4: Employment by Citizenship and Sector



Source: Authors' calculations based on ILO Statistics on international labour migration, April 2021. Data covers the most recent statistics available for 24 OIC, 31 developed and 48 non-OIC developing countries.

considered, a different composition is observed in all regions. In the case of OIC countries, migrants are employed at a larger rate in industry and services as compared to local workers, where 33% of migrants are employed in industry, 55% in services and only 11% in agriculture (Figure 4). In developed countries, the distribution of migrant workers across sectors is much closer to that of domestic workers. The share of workers in agriculture is almost the same in two groups, but migrants are employed more in industry than in services as compared to domestic workers. Finally, in non-OIC developing countries even if migrants are employed mostly in the services sector, as in the group of OIC and developed countries, their share is slightly below the share of local workers. On the other hand, by employing almost 35% of migrants, the industry sector is relatively more migrant intensive as compared to the 20% share of local workers in the sector.



2 Labour Mobility and Economic Growth

Greater economic integration and increasing level of liberalization in flows of goods and services have contributed to the ease of movement of labour. International migration today is one of the central features of globalization, providing major opportunities for development. It also sets certain challenges in sharing prosperity and having access to common rights. According to UN DESA 2020 mid-year estimations, there are globally more than 280 million people living outside their countries of birth or nationality, which is 13 million higher than the total migrants reported by the World Bank in its bilateral migrant stock database. This corresponds to 3.6% of the total world population compared to 2.8% in 1995. Around 26.8% of international migrants are either younger than 20 years or older than 65 years.³

In most cases, information on the reason to migrate is not available. Therefore, policy makers around the world frequently face the challenge of designing, implementing and monitoring evidence-based policies for migrant workers. Unavailability of comprehensive data on migrant workers also prevents making analysis on the overall characteristics and trends in labour migration in many regions. According to the ILO (2021b), migrant workers globally represent 4.9% of the global labour force, with men constituting 58.5% of migrant workers. They are mostly employed in high-income (67.4%) or upper-middle-income countries (19.5%), but a significant share of them is working in the Arab States and Asia and the Pacific. As reported by ILO (2021b), migrant workers constitute 41.4% of the labour force in the Arab States.

The mobility of labour provides major economic contributions for both the origin countries and destination countries. This section overviews some of the important economic impacts of migration with reference to OIC countries. Economic impacts on origin countries are mainly related to remittances. On the other hand, migrant workers make important contributions to destination countries by providing needed skills for their labour market.

2.1 Economic Impacts of Migration on Origin Countries

The impact of migration on countries of origin varies greatly depending on the age, qualifications, size and income levels of emigrants as well as labour and product market conditions in the country. The major impact is usually considered in the flow of remittances, which can significantly contribute to growth and poverty reduction in the countries of origin. To have a narrower scope

³ As reported in <https://migrationdataportal.org/>





in this section, the potential impacts are firstly reviewed based on the skill levels of the migrants. Then a detailed assessment is made on the remittance flows.

In general, the emigration of low-skilled labour force can be positive for the labour market in the origin country. It can help to reduce unemployment, increase labour force participation and earn higher wages for remaining low-skilled workers. The declining number of lower skilled labour as a result of emigration may also help to alleviate poverty, assuming that poor people remaining in the country will be able to earn higher wages, find new income generation opportunities or receive remittances. Remittances may increase expenditure on education and participation in education (especially for girls) by helping to finance schooling and reducing the need for child labour (ILO/OECD/WB, 2015). Numerous studies find a positive impact of remittances on education (Ratha et al., 2011). Migration can also significantly help reduce poverty by increasing the income levels of low-skilled migrants and their families. One caveat is that migration is costly and poor people usually do not have enough financial resources or the skills required for successful emigration to high-income countries. The decision to migrate is sometimes made with inadequate information and at high risk and cost, particularly if the migration is irregular (WB, 2006). When they migrate, they also face major challenges in obtaining a job in developed countries due to a lack of basic skills and social networks.

Therefore, immigration usually takes place among higher skilled people with a certain level of financial resources. The emigration of high-skilled workers from developing countries has increased since the 1970s, which is commonly referred as brain drain. The increase in high-skilled migration is further assisted by the selective immigration policies introduced by developed countries. Losing the skilled labour force is expected to harm an economy due to a fall in productive capacities. Brain drain represents a loss of public investment in education as well as in potential tax revenues. They would support innovation and technological progress in their origin countries and improve productivity by implementing higher value-added tasks and transferring knowledge to lower skilled labour (ILO/OECD/WB, 2015). Opportunities to achieve economies of scale in skill-intensive activities may be reduced as well. Highly educated people are instrumental in improving governance, encouraging the education of children, and strengthening the institutional capacity, all of which may be reduced through the emigration of such people (WB, 2006). However, if it is already difficult for skilled labour to find a suitable job, emigration would have a more limited impact. Yet, if overall economic conditions and stability improve and the economy requires a highly skilled workforce, emigration can be again harmful.

There are also instances where skilled migration is beneficial for origin countries. This could be mainly through higher remittance flows associated with higher earnings abroad. In addition, a well-educated diaspora can improve access to capital, technology, information, foreign exchange, and business contacts for firms in the country of origin. It seems difficult to generalize about the impact of skilled migration, but it will definitely harm if it happens in certain sectors, especially health (Katseli et al., 2006). In some cases, even if high-skilled emigration were found to be detrimental to standards of living in the countries of origin, they also face serious obstacles



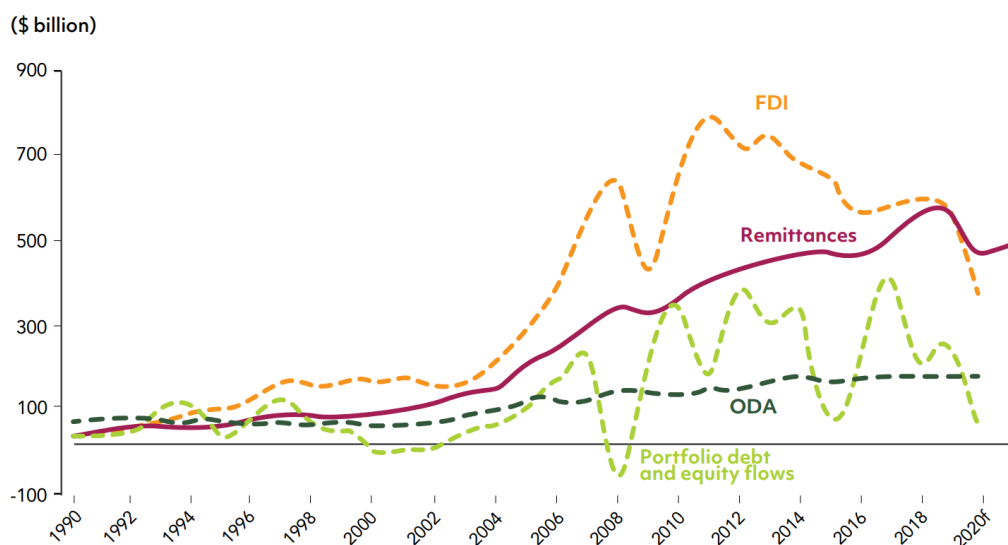


in reducing it. This is mainly because emigration is a result of failed development policies at home (OECD, 2016).

Migrant workers can also contribute to their home countries after they return. Return migrants are more likely to establish new businesses and create employment due to the accumulation of savings and human capital while abroad. In addition, they can facilitate trade and investment flows between origin and destination countries by utilizing their network in both countries.

Remittances are becoming increasingly significant for the development of low- and middle-income countries (LMICs). According to World Bank (2020a), remittance flows to LMICs became larger than foreign direct investment (FDI). In 2020, global remittance flows are expected to fall due to a fall in wages and employment of migrant workers in host nations due to the pandemic. The fall in oil prices triggered significant income losses for migrant workers in oil-exporting countries, including GCC countries and Russia, which are an important source of remittances to Central, South and South-Eastern Asian countries. However, FDI flows are expected to fall even more sharply in 2020, which will further strengthen the importance of remittances as a source of external financing for LMICs (Figure 5).

Figure 5: Remittances and Other External Flows to Low- and Middle-Income Countries

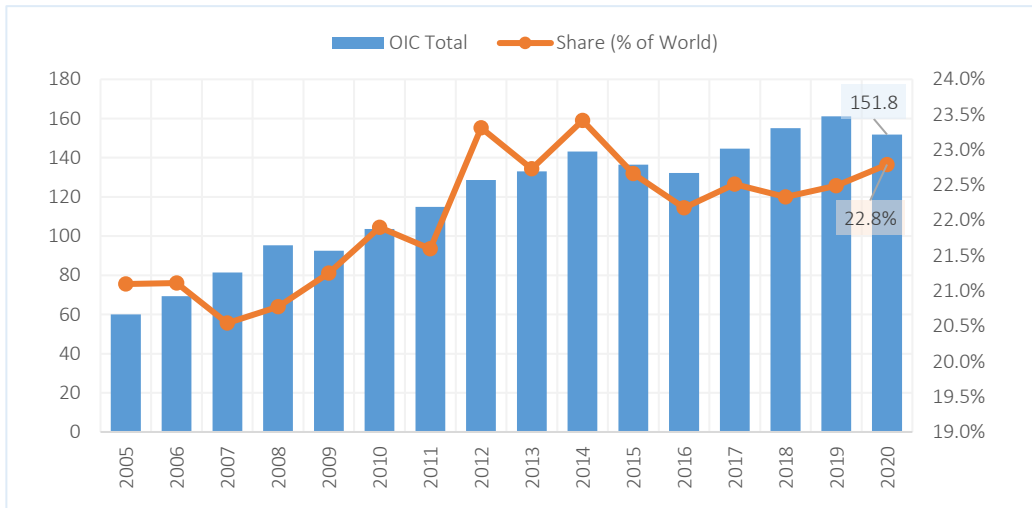


Source: World Bank (2020a).

In the light of the above discussions, remittances are the most critical channel through which migration can support development. Total remittance flows to OIC countries have been increasing over the past years to reach USD 161 billion in 2019. With the impact of the COVID-19 pandemic, total remittances fell to USD 152 billion, but the share of OIC countries in global remittance flows increased to 22.8% in 2020 (Figure 6). Yet, this share is still below the highest level observed in 2014 (23.4%) during the period 2005-2020. Egypt, Pakistan, Nigeria, Bangladesh and Indonesia were the OIC countries with the highest remittance inflows (Figure 7). As reported



Figure 6: Remittance Flows to OIC Countries (Billion USD)

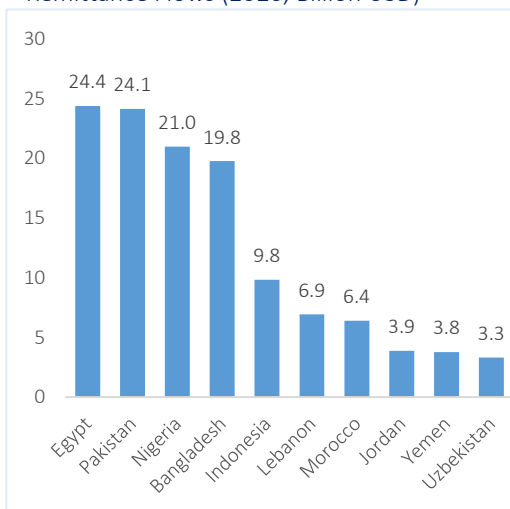


Source: Authors' calculations based on World Bank Remittances Database, Oct 2020.

by ILO (2021a), migrants in the Arab States remitted over USD 124 billion in 2017, with the United Arab Emirates and Saudi Arabia ranking second and third globally in terms of remittance outflow (after the United States), and Kuwait and Qatar ranking eighth and tenth respectively.

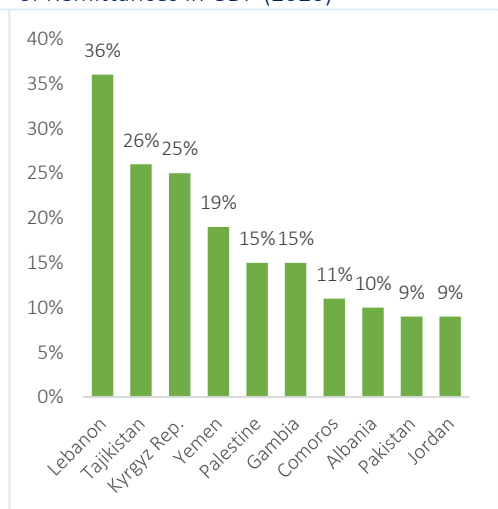
As a share of GDP, remittances play the most significant role in Lebanon with a share of 36%, followed by Tajikistan (26%) and Kyrgyz Republic (25%). The share of remittances in total GDP is above 10% in five other OIC countries (Figure 8), reflecting the tremendous importance of migrant workers' earnings for the sending communities.

Figure 7: OIC Countries with Highest Remittance Flows (2020, Billion USD)



Source: World Bank Remittances Database, Oct 2020.

Figure 8: OIC Countries with Highest Share of Remittances in GDP (2020)



Source: World Bank Remittances Database, Oct 2020.

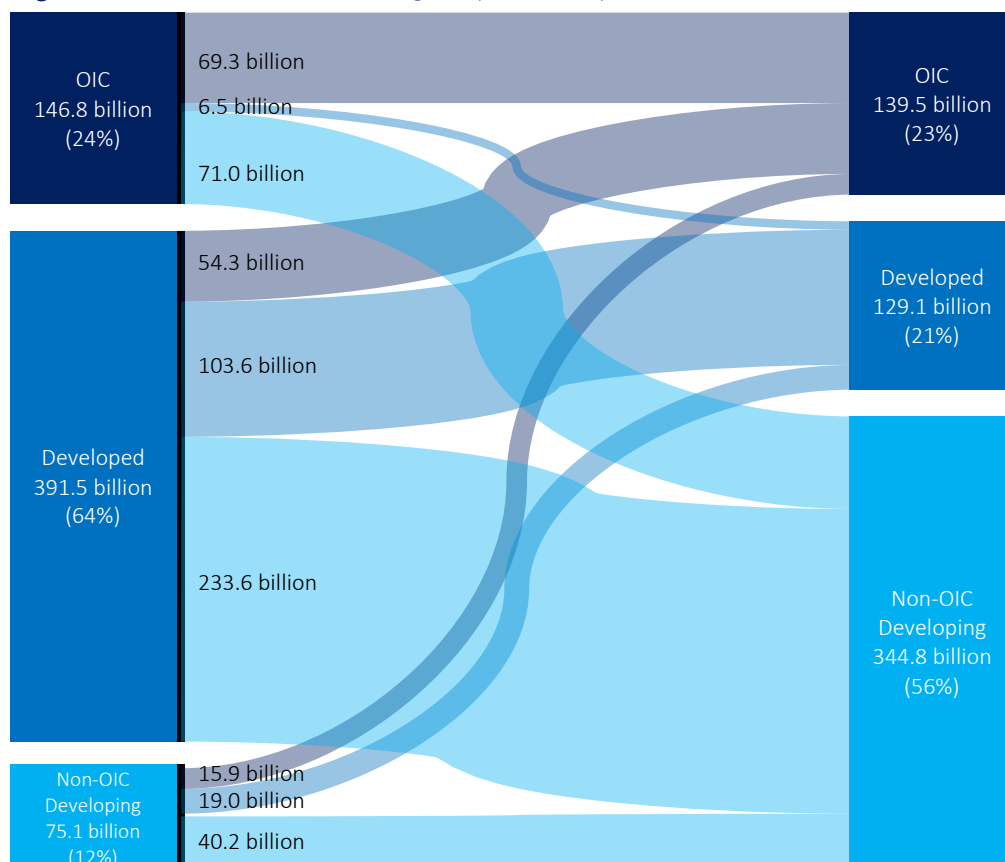




Even though OIC countries receive a significant amount of remittances, the aggregate outflows surpass the aggregate inflows. According to the World Bank Migration and Remittances Data published in November 2017, total remittance outflows from OIC countries were approximately USD 7 billion higher than total remittance inflows. Moreover, more than half of the remittances are transferred to non-OIC developing countries (Figure 9). On the other hand, developed countries are by far the largest sender of remittances with a 64% share in total, which mostly flow to non-OIC developing countries. The share of OIC countries in total remittance flow from developed countries is only 13.9%. While OIC countries account for 23% of global remittance inflows, the share of non-OIC developing countries is 56%.

A major impediment in remittance flows is the high cost of sending money. In order to facilitate remittance flows to lower income countries, there is a need to reduce remittance costs and recruitment costs for low-skilled migrant workers, as highlighted in SDGs (10.c.1). According to the Remittance Prices Worldwide database, the Global Weighted Average recorded at 4.8% in Q4 2020. This is the first quarter in which this figure has been recorded below 5.0%. Over the last

Figure 9: Remittance Flows across Regions (Billion USD)



Source: Author's calculation based on World Bank Migration and Remittances Data, November 2017. The country groups on the left represent the source countries (remittance outflows) and that are on the right represent the recipient countries (remittance inflows).



five years, this figure has decreased by approximately 0.8 percentage point – recorded at 5.6% in Q4 2015 (World Bank, 2020b). This is still more than double the SDG target (10.c) of 3% by 2030. ILO/OECD/WB (2015) notes that, since the beginning of the global effort for reduction of remittance services cost, a total of nearly \$63 billion has been saved by migrants and their families thanks to lower prices. If the costs are reduced to 1%, that would release a saving of 30 billion dollars per year, which is larger than the entire bilateral aid budget going to Africa per year.

2.2 Economic Impacts of Migration on Destination Countries

Limited data on migrant workers prevent making a comprehensive analysis on their contribution to host economies. It is often argued that immigrants displace native workers but the available evidence does not support this widespread perception. Results usually differ depending on the research approach and the country but the studies mostly find only marginal effects on wages and employment on average, with potentially more impact on low-skilled workers (ILO/OECD/WB, 2015). Literature pays more attention to the extent to which the skills brought by migrants are substitutes or complements to those of native workers. When there is a high rate of substitution in skills, migrant workers would increase the competition for jobs and reduce the average wage for such skills. In the case of a high rate of complementarity, national workers may earn higher wages due to an increase in productivity. Moreover, migration has a demographic impact, not only by increasing the size of the population but also by changing the age pyramid of receiving countries (Gagnon, 2014). Migrants tend to be more concentrated in the younger and economically active age groups compared with natives and therefore contribute to reduce dependency ratios.

According to ILO/OECD/WB (2015), immigrants represented 47% of the increase in the workforce in the United States, 45% in Canada and 70% in Europe over the past decade. Moreover, they represented 31% of the increase in the highly educated labour force in Canada, 21% in the United States and 14% in Europe. New immigrants represented 22% of entries into expanding occupations in the United States and 15% in Europe during the decade 2000-2010 (OECD/EC, 2014). Obviously, the migrant workers are filling an important gap in the labour markets of the host economies by providing the most needed skills. Especially in developed countries, they are taking jobs with lower skill requirements that are regarded by domestic workers as unattractive. There is also evidence that migrants arrive with skills and abilities, and so supplement the stock of human capital of the host country (OECD, 2014). Evidence from the United States, for example, suggests that skilled immigrants contribute to boosting research and innovation, as well as technological progress (Hunt, 2010).

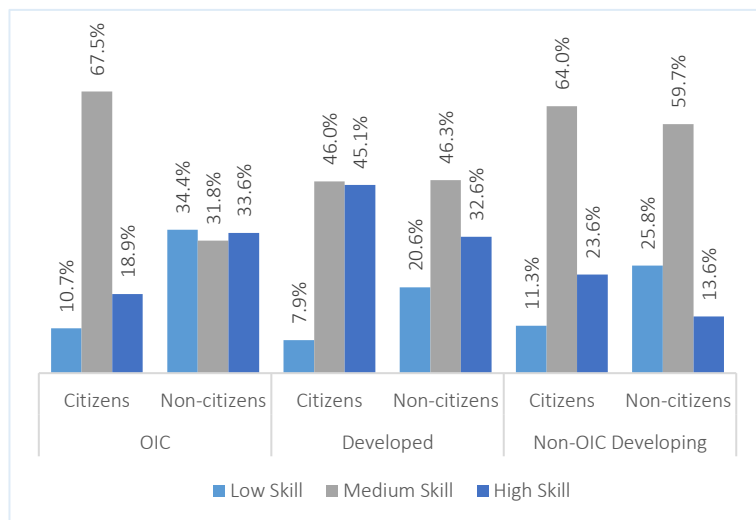
While migrants with higher levels of education and skills are beneficial for the host countries, it is not necessarily a desirable situation for the origin countries, implying a brain drain. According to OECD (2019), between 2000/01 and 2015/16, the share of migrants with a high level of education rose from 27% to 35% for those born outside of the OECD, and from 21% to 30% for those born in an OECD country. In the meantime, the share of non-OECD migrants with a low level of educational attainment decreased from 38% to less than 30% and from 45% to 34% for



those born in an OECD country. Today, as compared to the early 2000s, there are more tertiary educated foreign-born migrants in OECD countries than low-educated migrants.

Figure 10 depicts the average distribution of domestic and foreign workers in terms of skills levels across country groups for the latest available year. The data are available for a limited number of countries in the groups of OIC and non-OIC developing countries, but the aggregates are presented to provide a general perspective. In OIC countries, the domestic workers possess mostly medium skills, but the

Figure 10: Employment by Citizenship and Skills Level



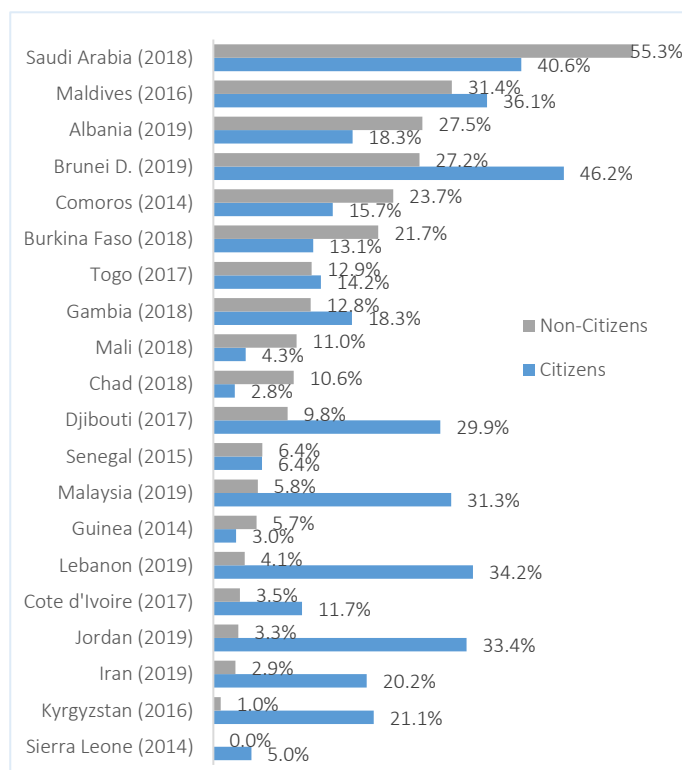
Source: Author's calculations based on ILO Statistics on international labour migration, April 2021. Data covers the most recent statistics available for 20 OIC, 30 developed and 47 non-OIC developing countries.

skills set of migrants are more evenly distributed across skills levels. It is noteworthy to observe that the share of workers with higher skill levels is well above the national averages, making an important contribution to the overall skill endowment of the member countries. In the other country groups, low skilled migrants have a greater share than low skilled citizens do. Among the OIC countries for which data are available, high skilled migrant worker has the greatest share in Saudi Arabia with 55%, followed by Maldives (31%), Albania (28%) and Brunei Darussalam (27%), according to ILO statistics on international labour migration (Figure 11).

Migrant workers represent a considerable share of the workforce in major high-income countries and make important contributions to societies and economies. However, they face major challenges in accessing social protection measures, including health care and income security, making them more vulnerable than the locals to a variety of socio-economic shocks, including the latest COVID-19 pandemic (ILO, 2020a). As the COVID-19 pandemic highlights, migrant workers often are engaged in jobs that are characterized by high levels of temporary, informal or unprotected work, mainly in construction, transport, services (including tourism, restaurants and hospitality), and agriculture sectors. Moreover, many migrants face high social and economic costs in the migration process, inequality and discrimination in the workplace in destination countries, and difficulty in integration (OECD/EU, 2018).



Figure 11: Share of Workers with High Skills by Citizenship



Source: ILO Statistics on international labour migration, April 2021.

Immigration is not only a phenomenon for the advanced countries, it has an increasing weight on the socioeconomic development of low- and middle-income countries. More than one-third of international migrants reside in developing countries (OECD/ILO, 2018). Policy debate on how immigrants affect host countries remains lively in the case of developing countries, as in the case of developed countries. A study by OECD/ILO on immigrant workers in developing countries shows that immigrants usually have higher rates of labour force participation and employment than domestic workers. However, the quality of jobs taken by immigrants

remains a concern because they often face a lack of decent work. It estimates that immigrants' contribution to GDP ranges from about 1% in Ghana to 19% in Côte d'Ivoire, with an average of 7%. Moreover, the immigrants' contribution to value added exceeds their population share in employment in half of the partner countries (OECD/ILO, 2018).

In terms of public finance, evidence suggests that migrants contribute more in taxes and social contributions than they receive in individual benefits in most developed countries. OECD (2013) provided evidence that the fiscal impact of the cumulative waves of migration that arrived over the past 50 years in OECD countries is on average close to zero; rarely exceeding 0.5% of GDP in either positive or negative terms. Migrants contribute to the financing of public services and infrastructure, albeit to a lesser extent than the native-born. The report concludes that immigrants are thus neither a burden to the public purse nor are they a panacea for addressing fiscal challenges. In the case of developing countries, Immigrants help increase overall public revenues, but the increase may not be always sufficient to offset the public expenditures they generate. Overall, immigrants' net fiscal contribution in developing countries is therefore generally positive but limited (OECD, 2018). This is in line with the available evidence for OECD countries.





3 Laws and Policies on Migrant Workers

Directly or indirectly, migration affects almost all countries around the world as origin, transit or destination countries. This requires every country to have laws and policies pertaining to the management of migration. Yet, the lack of comprehensive data often constitutes a challenge in formulating and implementing policies on migration.

Income disparities, political instabilities, employment opportunities, demographic changes and business requirements are some of the push and pull factors that prompt the mobility of labour force at all skill levels. There are important contributions made by migrant workers to the countries in which they work and to their countries of origin. However, international reports frequently reveal inadequate regulatory frameworks for managing foreign workers. There are also often complaints on private employment and recruitment services as well as illegal practices to trap foreign jobseekers into indecent jobs and inappropriate working conditions. Unequal access to social security benefits and public services further disadvantages foreign workers in terms of attaining a decent life.

Whenever they migrate, immigrants face limited legal protection of their countries of nationality, which makes them vulnerable to possible exploitation and abuse. Rights and decent work conditions for migrant workers would be safeguarded by legal protection provided by destination countries, but many countries simply do not have adequate legislation and policies to manage regular migration, reduce irregular migration and ensure decent work for them (GCRCRM, 2019). There are international standards providing a framework for the protection of migrant workers as well as the preservation of States' interests, such as *the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* and ILO Conventions No. 97 and 143. An effective migration policy would require a firm foundation of legal norms and political will to protect to rights of every human being.

In this connection, this section takes a look at international conventions concerning migrant workers and then reviews bilateral agreements for managing labour migration among the OIC countries. It concludes with an overview of country level policies pertaining to the management of migrant workers in OIC countries.

3.1 International Conventions

Depending on the scale and diversity of migrant workers, each state develops its own policies to effectively manage labour migration. There are also international standards adopted by



governments, workers and employers to set basic minimum standards for migrants to work in safety and dignity. The United Nations and the ILO have also adopted several standards specifically aimed at protecting international migrant workers' rights. They aim to inspire the development of national legislation, policies and practices in accordance with international standards. Millions of workers have benefited from national laws enacted to comply with international labour standards.

The member states of the ILO adopted four instruments (two Conventions and two accompanying Recommendations) specifically for addressing labour migration and the protection of international migrant workers:

- Migration for Employment Convention (Revised), 1949 (No. 97) and Recommendation (Revised) 1949, (No. 86)
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the Migrant Workers Recommendation, 1975 (No. 151).

Conventions or Protocols are legally binding international treaties that may be ratified by member states, but recommendations are non-binding, but authoritative guidelines that do not have to be ratified.

More than seven decades after its adoption, the ILO Convention No. 97 has been ratified by only 51 countries, 11 of which are OIC countries (Albania, Algeria, Burkina Faso, Cameroon, Guyana, Kyrgyz Republic, Malaysia (Sabah), Morocco, Nigeria, Somalia and Tajikistan). Only two countries ratified the Convention over the last decade, namely Morocco and Somalia, and it will enter into force in Somalia in 2022 (NORMLEX – ILO, 21 April. 2021). The ratification status of the ILO convention No. 143 is even lower. 26 countries around the world ratified the Convention and 10 of them are from the OIC region, namely Albania, Benin, Burkina Faso, Cameroon, Guinea, Mauritania, Somalia, Tajikistan, Togo and Uganda (NORMLEX – ILO, 21 April 2021). Apparently, major migrant receiving countries are not signatory to relevant international conventions, which is even more critical than the low number of ratifications.

ILO (2019) provides the main objectives of both conventions. Accordingly, Migration for Employment Convention (No. 97) promotes the conclusion of bilateral labour agreements (BLAs) between States where there is a considerable flow of migrant workers. BLAs can help origin, transit and destination countries by including specific provisions to combat abusive migrant recruitment practices, promote sound skills and job matching, portability of social security entitlements, etc. The accompanying ILO Recommendation No. 86 contains a model bilateral agreement in its Annex.

Migrant Workers (Supplementary Provisions) Convention (No. 143) is the first attempt of the international community to address the problems arising out of irregular migration and illegal employment of migrants, while laying down the general obligation to respect the basic human rights of all migrant workers. Actually, it aims to prevent all forms of irregular migration in abusive conditions, including the unlawful or unauthorized employment of migrant workers. It also includes targeted provisions to address the problems arising out of irregular migration flows and





illegal employment of migrants and on suppressing the activities of organizers of clandestine movements of migrants and their accomplices. Additionally, Convention No. 143 recognizes the need to ensure full respect for the human rights of all migrant workers, including those in an irregular situation.

Both Conventions do not affect the right of each Member State to refuse entrance or stay and to determine the methods of entry and stay. However, they recall that mere loss of employment of migrant workers legally in the territory should not automatically lead to irregular migration, nor imply the withdrawal of his/her residence and work permit. Moreover, the migrant workers should enjoy equality of treatment in respect of security of employment, the provision of alternative employment, relief work and retraining.

TABLE 1: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: Participation Status of OIC Countries

Participant	Ratification / Accession	Participant	Ratification / Accession
Albania	2007	Kyrgyz Republic	2003
Algeria	2005 (with reservations)	Libya	2004
Azerbaijan	1999	Mali	2003
Bangladesh	2011	Mauritania	2007
Benin	2018	Morocco	1993 (with reservations)
Burkina Faso	2003	Mozambique	2013
Cameroon	<i>Signed but not ratified</i>	Niger	2009
Chad	<i>Signed but not ratified</i>	Nigeria	2009
Comoros	<i>Signed but not ratified</i>	Senegal	1999
Egypt	1993 (with reservations)	Sierra Leone	<i>Signed but not ratified</i>
Gabon	<i>Signed but not ratified</i>	Syria	2005 (with reservations)
Gambia	2018	Tajikistan	2002
Guinea	2000	Togo	2020
Guinea-Bissau	2018 (with reservations)	Turkey	2004 (with reservations)
Guyana	2010	Uganda	1995 (with reservations)
Indonesia	2012		

Source: United Nations Treaty Collection, April 2021.

The UN convention on migrant workers' rights, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, is the most comprehensive international treaty governing the rights of migrant workers. It complements these two ILO instruments on migrant workers but it is broader in scope and goes beyond labour issues. Adopted by General Assembly resolution 45/158 of 18 December 1990, the treaty entered into force only in 2003 (UNESCO, 2009). With its 93 articles, the Convention recognises the



human rights of migrant workers and sets a standard in terms of access to justice as well as decent working and living conditions. Thereby, it guides national migration policies and fosters international cooperation for respecting the human rights of migrant workers and combatting their exploitation.

However, only 56 states have ratified it as of April 2021, reflecting the lack of political willingness and interest in protecting the rights of migrant workers (United Nations Treaty Collection, 2021). From the OIC group, 26 Member States are party to the convention and another five Member States have signed but not ratified yet (Table 1). Apparently, there is a greater level of awareness within the OIC region compared to the rest of the world in terms of migrant workers' rights.

3.2 Bilateral and Regional Agreements for Managing Labour Migration

With the rise of migrant workers, bilateral labour arrangements (BLAs) on labour migration have become important tools to facilitate the recruitment of workers, particularly low-skilled workers, and the protection of their rights. BLAs are also encouraged by the ILO Convention No: 97 and accompanying recommendation No: 86. This section will largely utilize the information provided by Wickramasekara (2015), who analysed 151 BLAs in different regions across the world for the ILO. Some changes might have happened since the publication of the report, but it is the most recent report conducting such a comprehensive analysis on BLAs.

The study found a wide variation in terms of their objectives, duration, protection clauses and mechanisms for monitoring and evaluations. Overall, bilateral agreements (BAs) represent about half of the mapped agreements followed by Memorandum of Understanding (MOUs) which represent about one third. The Framework Agreements have dominated French agreements with Africa. The assessment of BAs and MOUs can be geared to the three major objectives common to all BLAs: effective governance of labour migration flows, protection of migrant workers, and promoting development benefits of migration. Some of the additional findings of the study were as follows:

- Only a few agreements explicitly aim to protect migrant workers, while policy makers often project this as a major objective of agreements entered into.
- Ministries of Labour were parties to most of the agreements reviewed except where there were dedicated Ministries of Migration.
- The average BLA contains about 11 of the 27 provisions of the 1949 ILO model agreement regarding temporary migrants. However, actual practice may not be compliant with the detailed guidance provided in the instrument.
- Agreements have made progress in addressing the full migration cycle (i.e., pre-departure, arrival and stay, and return/reintegration).
- Some BLAs include provisions to help improve the economic and social development of origin countries.





The study identified a number of positive developments and trends. For instance, countries with no previous history of concluding BLAs have started to enter into such agreements (e.g., Republic of Korea and Kingdom of Saudi Arabia). Dedicated domestic worker agreements (Saudi Arabia, Jordan and Malaysia) are addressing concerns of this group of workers, usually not covered by labour laws. There is a growing interest in the development of standard or model employment contracts for migrant workers and the inclusion of articles on the role of bilateral agreements in new migration laws. Examples include Saudi Arabia domestic worker model employment contracts; Qatar Foundation Mandatory Standards of Migrant Workers' Welfare for Contractors & Sub-Contractors; and Overseas Employment and Migrants Act 2013 of Bangladesh (ILO/KNOMAD, 2015).

Moreover, there is increasing attention on recruitment costs as a major cause of poor governance and protection gaps in labour migration. According to Wickramasekara (2015), 62% of total agreements include a reference to recruitment, where 'fair and transparent' recruitment was mentioned only in the India-UAE 2011 MOU. The Saudi Arabia domestic worker agreements contain specific provisions for joint regulation of recruitment agencies, and reduction of related recruitment costs. Its agreement with the Philippines mentions: "Ensure the recruitment of domestic workers through recruitment offices, companies or agencies that practice ethical recruitment and are licensed by their respective governments".

In general, the article relating to the employment contract mentions that the contract should specify the applicable wage, and in some cases other allowances. Some Malaysian agreements contain this provision: "The basic wages offered shall be clearly stated in the terms of the contract of employment and shall be similar to the basic wages offered to Malaysian workers in the same capacity". Recent domestic worker agreements of Saudi Arabia and Malaysia include a provision to pay wages directly into the bank accounts of workers. The Saudi Arabia agreements prohibit levying of recruitment fees on workers, and unlawful deductions from their wages. While UAE agreements do not mention payment of wages into bank accounts, the country has a separate regulation (Wage Protection System) requiring all employers to do so. Saudi Arabia also has been extending such a regulation gradually to all companies. It is reported that Qatar labour law also has been amended recently to require payment of wages into bank accounts of workers (Wickramasekara, 2015). This is to prevent cases where employers pay only a minimum part of the wage into bank accounts (as a proof of complying with the regulations), paying the rest by hand to avoid taxes or for other reasons.

Gender concerns, social dialogue and prohibition of confiscation of travel and identity documents have been absent in almost all agreements. Confiscation of travel or identity documents is a major cause of forced labour situations, only 6% of agreements included such provision in agreement text. This is a problem in some OIC countries, which restrict the mobility of workers through the sponsorship system or tying a worker to a specific employer. The Saudi Arabian agreements on domestic workers have set a precedent in this case by including a provision for the retention of such documents by workers.



TABLE 2: OIC Countries that are Party to Bilateral Agreements or Protocols on Labour Migration

Albania	Czechia, Italia, Turkey
Algeria	Belgium, Chile, France, Morocco, Tunisia
Azerbaijan	Turkey
Bahrain	India, Nepal, Philippines
Benin	Burkina Faso, Côte d'Ivoire, France, Niger, Senegal, Togo
Burkina Faso	Benin, Côte d'Ivoire, France, Mali
Cameroon	France
Côte d'Ivoire	Benin, Burkina Faso, France, Mali, Niger, Senegal, Togo
Egypt	Cyprus, Italy, Netherlands, Sudan, Greece (in progress), Morocco and Tunisia
Gabon	France, Senegal
Indonesia	Philippines
Iran	Qatar, Turkey
Jordan	Philippines
Kuwait	Egypt, India, Philippines
Libya	Morocco, Pakistan, Turkey
Malaysia	Pakistan, Singapore, Sri Lanka and Thailand
Mali	Burkina Faso, Côte d'Ivoire, France, Senegal, Togo
Mauritania	France, Senegal
Morocco	Algeria, Belgium, Canada, Denmark, France, Germany, Libya, Egypt, Luxembourg, Netherlands, Portugal, Québec, Qatar, Romania, Spain, Sweden and Tunisia
Mozambique	Portugal
Niger	Benin, Côte d'Ivoire
Oman	India, Nepal
Pakistan	Denmark, Libya, Malaysia, United Kingdom
Qatar	Bangladesh, China, Gambia, India, Iran, Macedonia, Morocco, Nepal, Pakistan, Somalia, Sudan, Tunisia, Turkey
Saudi Arabia	India
Senegal	Benin, Côte d'Ivoire, Gabon, France, Mali, Cabo Verde, Mauritania
Sudan	Egypt, Qatar
Togo	Benin, Côte d'Ivoire, France, Mali
Tunisia	Algeria, Austria, Belgium, Egypt, France, Germany, Italy, Luxembourg, Libya, Morocco, Netherlands, Portugal, Qatar, Spain
Turkey	Albania, Austria, Azerbaijan, Belgium, Bosnia-Her., Bulgaria, Czechia, Denmark, France, Georgia, Germany, Iran, Netherlands, Quebec, Libya, Luxembourg, Macedonia, Norway, Qatar, Romania, Switzerland, Sweden, United Kingdom
United Arab Emirates	India, Philippines

Source: ILO (2017), Gulf Labour Markets, Migration, and Population (GLMM) Programme, and Bilateral labour arrangements (BLAs) on labour migration of ILO - <https://www.ilo.org/global/topics/labour-migration/policy-areas/measuring-impact/agreements/lang--en/nextRow--0/index.htm>





Table 2 provides a list of OIC countries that signed bilateral agreements or protocols with other OIC and non-OIC countries to manage labour migration. It is constructed with the help of several resources, but may still not be exhaustive. Table is further extended by adding the counterparts of the agreements as separate entries, in case they are not reported in original sources. Evidently, bilateral agreements and protocols are one of the critical instruments in managing migration and protecting their rights in many OIC countries.

At the OIC cooperation level, migrant workers have been part of several strategic documents and action plans. The OIC Ten Year Programme of Action 2016-2025 (OIC-2025), which was adapted at the 13th Islamic Summit held in Istanbul during 10-15 April 2016, aims at fostering cooperation for exchange of expertise and manpower and promoting transfer of knowledge, experiences and best practices. In the area of labour, it aims at conducting joint action and training programmes with a view to generating considerable improvements in labour market conditions in OIC countries, thereby reducing unemployment, increasing labour productivity, and improving the state of occupational health and safety. More specifically, the Goal 2.9/v of the OIC TYPOA-2025 aims to “*promote* the exchange of information and best practices as well as strategies, policies and experiences in the area of occupational safety and health, employment, social protection and *migration*, with a view to promoting a culture of prevention and control of occupational hazards” (Goal 2.9.14).

Similarly, the OIC Framework for Cooperation on Labour, Employment and Social Protection, which was adopted during the second Islamic Conference of Labour Ministers (ICLM) in Baku in 2013, aims to facilitate collaboration and cooperation among the OIC member states through certain ways and means. Migrant and foreign contract labour is also centred in the framework document as one of the six main cooperation areas of the agreement. Migrant and foreign contract workers in an irregular situation are usually at high risk of exploitation. In this context, the framework aims to increase the constructive effects of migration for development and accelerate brain gain, among others (see Box 1 for the list of actions).

Another critical document in the area of labour is the OIC Labour Market Strategy 2025, which was prepared by the SESRIC and welcomed by the 4th Islamic Conference of Labour Ministers that was held in Saudi Arabia during 21-22 February 2018. The strategy document has 21 strategic goals and 162 actions under five different thematic areas. It pays special attention to migrant workers within the framework of promoting labour productivity and recommends the following two actions: (i) develop mechanisms to retain skilled labour by providing decent work opportunities and to mitigate the adverse impact of the loss of skilled people through *migration* (Action 4.1.5); (ii) facilitate inward *migration* of skilled labour to improve the quality of the labour force and transfer new skills (Action 4.3.5).

Moreover, the 4th Islamic Conference of Labour Ministers approved two important agreements to facilitate intra-OIC labour migration. The first one is the provisions of the OIC Agreement on Mutual Recognition Arrangement (MRA) of Skilled Workforce aimed at facilitating intra-OIC skilled labour mobility. The second one is the provisions of the OIC Standard Bilateral Agreement



BOX 1: Program of Action Regarding Migrant Labour OIC Framework for Cooperation on Labour, Employment and Social Protection

- Increasing the constructive effects of migration for development, including better management of migration and promotion of migrant and foreign contract workers;
- Creating an accurate statistical data system on immigrants;
- Exchanging information and data on regular migration, through seminars, conferences, training programmes, briefing, among others, in order to collect, analyse and disseminate reliable statistical data on migration and to facilitate the maximum benefit of the multidimensional aspects of international migration and development, including exchange of information on services rendered to their respective diasporas;
- Establishing common rules and regulations to ensure that migrant flows take place in accordance with established rules and under conditions that are mutually beneficial to the countries involved;
- Accelerating brain gain by promoting the return of the diaspora to their original countries;
- Within the framework of foreign employment policy, establishing a “Labour Migration Administration as a self-regulating national body to coordinate its executive policies in the development strategy and as a system of migration flows management;
- Improving cooperation among the relevant institutions of the origin-transit-destination countries;
- Facilitating movement of workers within member states through such measures as visa issuance, remittances and residence permits, and the signing of bilateral agreements;
- Ensuring the exchange of experts and personnel between the relevant institutions of the member states; and
- Promote elaboration of an OIC multilateral convention addressing migrant labour issues among others.

on Exchange of Manpower aimed at facilitating admission and movement of the workforce within OIC member states.

Recognition of skills and qualifications in the destination country may be a challenge for migrant workers to obtain a job matching their skills. In this regard, the first agreement is critical in promoting intra-OIC mobility among the skilled workforce and improving access for them to the OIC labour market. According to the second agreement, the recruitment of workers will be regulated both in accordance with relevant laws, rules and procedures of the two countries, and by international labour standards of non-discrimination and prohibition of slavery. In order to attain greater labour mobility and achieve higher economic standards at the intra-OIC cooperation level, implementation of these agreements would be very instrumental.

In addition to various strategic documents, action plans and arrangements at the OIC level, there are also a number of regional and sub-regional agreements on various aspects of migration. The Economic Agreement between the Countries of the Gulf Cooperation Council (GCC) entered into force in December 2001. The Agreement stipulates that GCC natural and legal citizens of any Member States shall be accorded similar treatment to that of its own citizens in all economic activities. It requires the Member States to adopt necessary policies for the achievement of balance in the demographic structure and labour force to ensure social harmony in Member States. The Agreement also requires the Member States to adopt the necessary policies to rationalize the employment of foreign workers (GLMM, 2021).





There are also non-binding inter-government consultative processes to enable dialogue and coordination among labour sending and receiving countries. Established in 2003, the Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia or the *Colombo Process* aims to provide a forum for Asian labour-sending countries to share experiences on overseas employment and optimize development benefits from organized overseas employment among its Member States, namely Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam.⁴

In the same fashion, the *Abu Dhabi Dialogue* (ADD) was established in 2008 as a forum for dialogue and cooperation between Asian countries of labour origin and destination. The ADD consists of the twelve Member States of the Colombo Process and six Gulf countries of destination: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, as well as Malaysia. The ADD aims to enable safe, orderly and regular labour migration in some of the world's largest temporary labour migration corridors. Through multilateral dialogue and cooperation, the ADD helps to ensure that Member States develop partnerships for adopting best practices, and are in a position to learn from one another's experience.⁵

Another example of such initiatives is the ASEAN Forum on Migrant Labour, which promotes knowledge and experience sharing and develop recommendations to advance the implementation of the principles of the ASEAN Declaration on Protection and Promotion of the Rights of Migrant Workers. The Declaration calls for both the receiving states and sending states to strengthen the political, economic and social pillars of the ASEAN Community by promoting the full potential and dignity of migrant workers (ASEAN, 2007). It also sets obligations for sending and receiving states as well as individual commitments by its member states.

3.3 Current Policies Pertaining to the Management of Migrant Workers in OIC Countries

Even if there is evidence that regular migrants make a positive contribution to the economies in which they live and work, the perceptions of foreign workers are widely negative due to concerns such as declining wages and job opportunities for native workers. Due to high political and social sensitivities, governments often face a challenge in designing and implementing appropriate policies, rules and regulations in managing migrant workers and protecting their rights. The lack of appropriate policies not only eliminates any concerns by native workers, but also worsens the working conditions of migrants, which also paves the way for the exploitation of migrants associated with unethical recruitment practices.

Clear and well implemented migration policies can spur economic growth by better utilizing the skills and capabilities possessed by foreign workers. Considering the need for a diverse set of skills by businesses, such regulations enable firms to have access to the right skills where the skills set

⁴ See <https://www.colomboprocess.org/about-the-colombo-process> for more information about the Colombo Process.

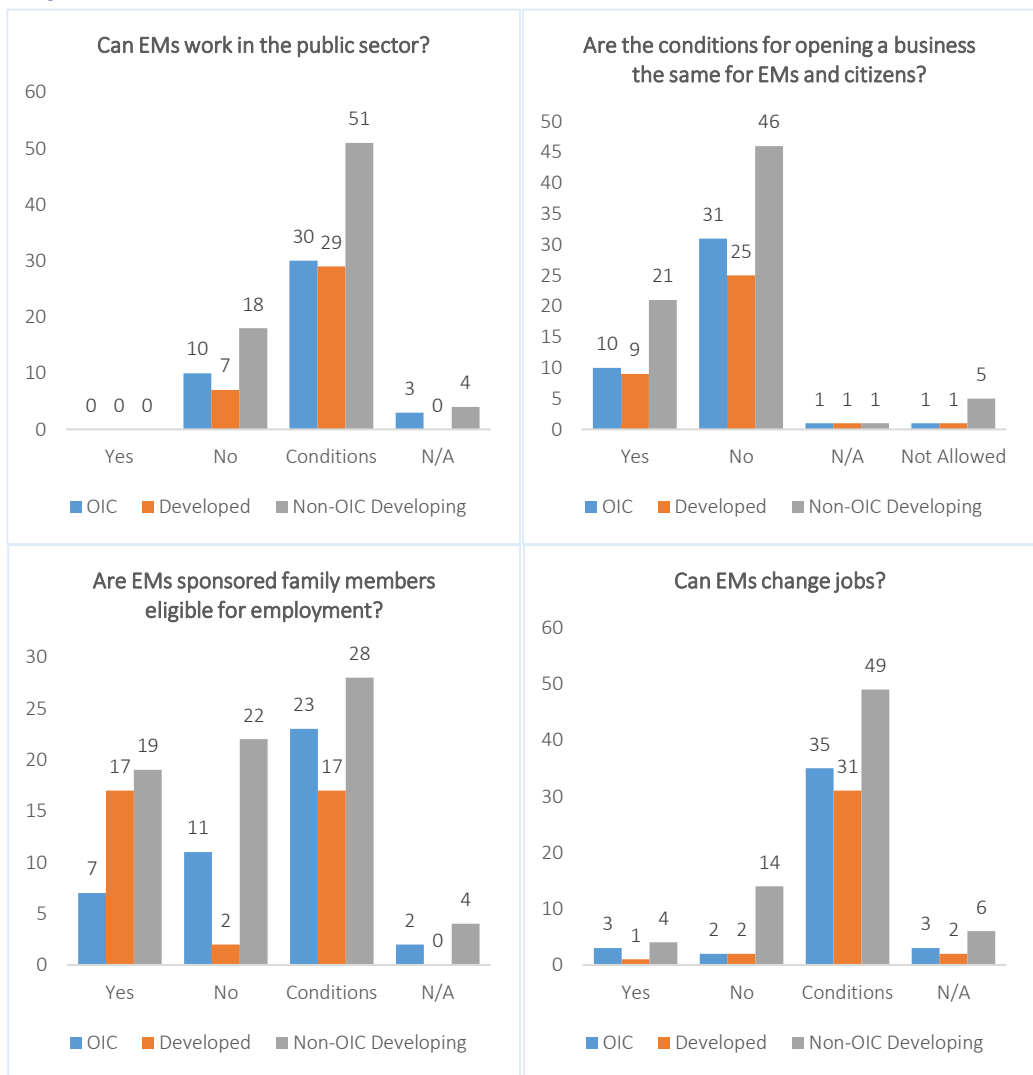
⁵ See <http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue> for more information about the ADD.





of domestic workers are not matching. Policies should also tackle the challenge of high economic and social costs incurred by migrants. The vulnerability of migrant workers raises by informal intermediaries or employment agencies, some of whom operate outside of the regulatory system. Migrant workers are subject to frequent abusive practices during the recruitment and placement processes, including physical and sexual violence, excessive fees, debt bondage or illegal wage deductions linked to repayment of recruitment fees (GMG, 2015). This situation is usually further exacerbated when people are forced to migrate due to internal conflicts, wars and disasters.

Figure 12: Economic Opportunities of Migrant Workers - I

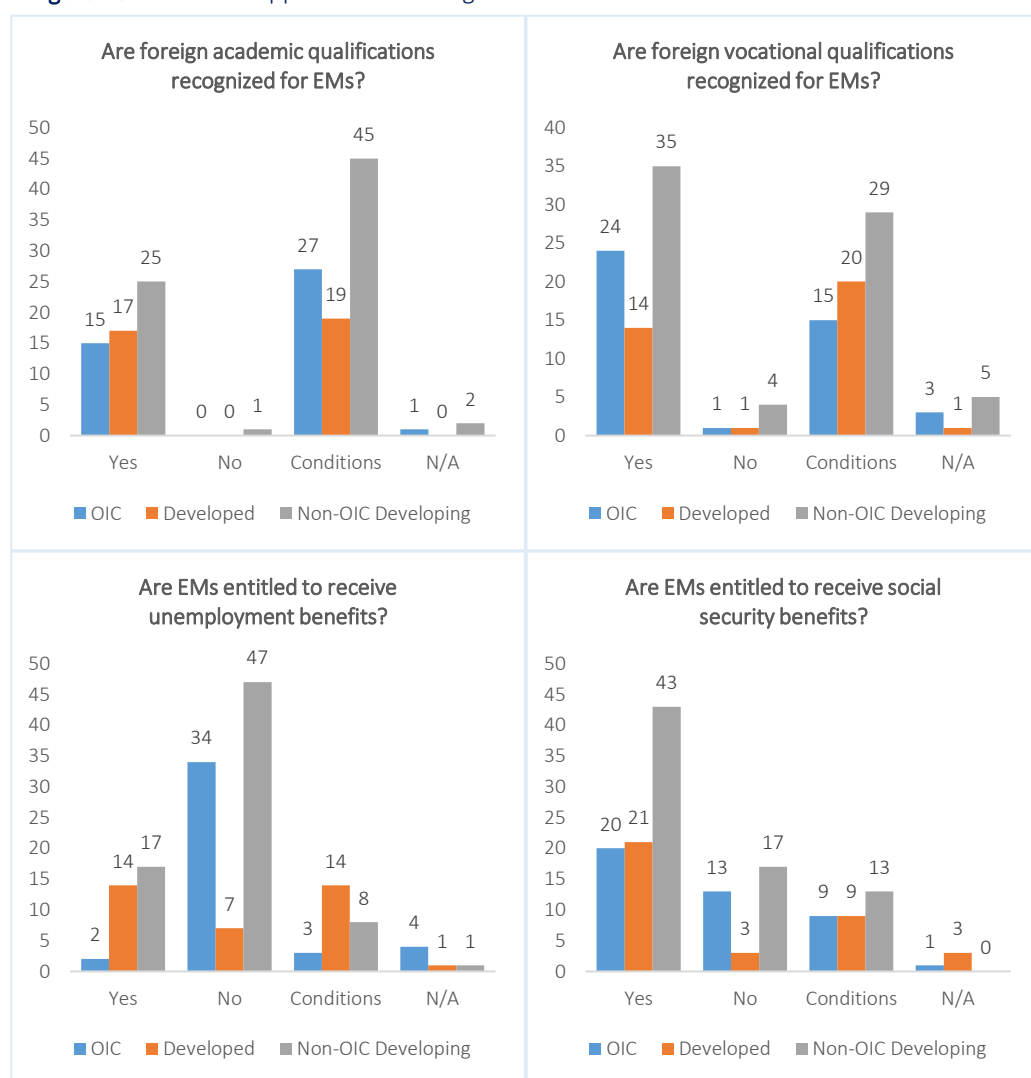


Source: Author's calculation based on KNOMAD (2020). EM: Economic Migrants.



A thorough review of policies adopted by individual OIC countries is beyond the scope of this study. Instead, a group-wise evaluation of major policy dimensions is presented below to evaluate the policy directions and derive some policy suggestions. The analysis relies on a recent database published by KNOMAD (2020) of the World Bank. KNOMAD has compiled a global database of national legal frameworks affecting the integration of economic migrants (EMs) and refugees in 152 countries, including 43 OIC, 36 developed and 73 non-OIC developing countries, to compare their respective treatment with that of citizens under formal national laws and regulations as of 2016. Data are provided for 20 qualitative indicators across four dimensions: economic opportunities, health care, housing, and political integration. This section provides a

Figure 13: Economic Opportunities of Migrant Workers - II



Source: Author's calculation based on KNOMAD (2020). EM: Economic Migrants.



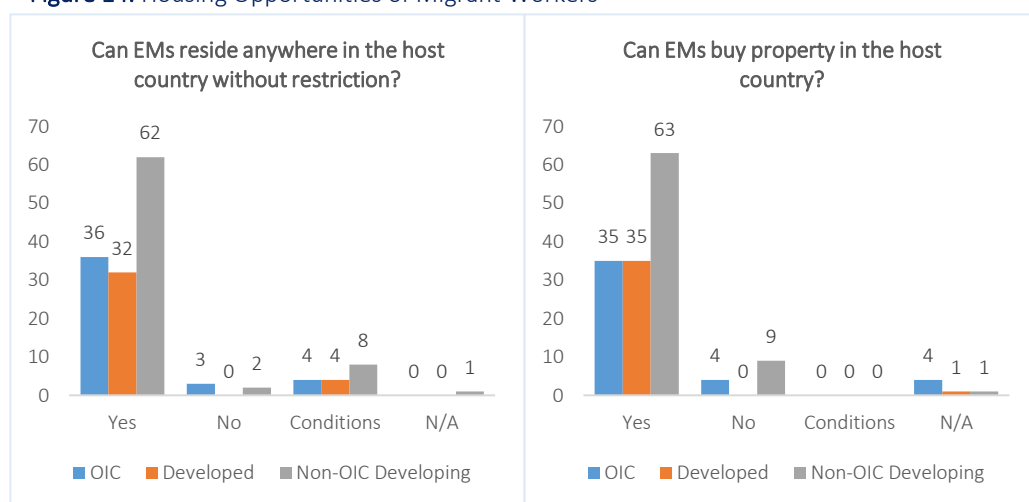
discussion of selected indicators for OIC countries in comparison with developed and non-OIC developing countries.

Figure 12 shows the number of countries that grant certain economic rights under four indicators. The first indicator is about whether countries allow emigrants to work in the public sector. None of the countries in the sample unconditionally allow migrants to work in the public sector. In 10 OIC countries, it is legally prohibited for migrants to work in the public sector. Migrants in 30 OIC countries can get authorization to work in the public sector if employment in that specific profession is not restricted by law for migrants and if they receive a job offer. There is approximately a similar situation in the other country groups. In terms of conditions for opening a business, 10 OIC countries apply the same conditions for migrants and citizens, but a majority of them do not grant the same conditions for migrants, putting them into disadvantaged positions. A similar observation is also made in the other country groups.

There are restrictions on the employability of family members of migrant workers in many countries across the groups. In only 7 OIC countries, family members are legally eligible for formal employment (private, public, or self-employed), while 11 OIC countries do not allow them to work at all and conditions apply in 23 OIC countries. Developed countries are more flexible in terms of granting employment opportunities for family members. Finally, in terms of the possibility to change jobs, the majority of countries allow the workers to change their jobs but under specific conditions determined by national laws and regulations.

Figure 13 presents four additional indicators under the economic opportunities category of the KNOMAD database. There are two indicators related to recognition of academic and vocational qualifications, which is very critical for migrants to find jobs matching their skills and qualifications. While there are 15 OIC countries that recognize foreign academic qualifications without any conditions, the remaining OIC countries recognize them only under certain

Figure 14: Housing Opportunities of Migrant Workers



Source: Author's calculation based on KNOMAD (2020). EM: Economic Migrants.

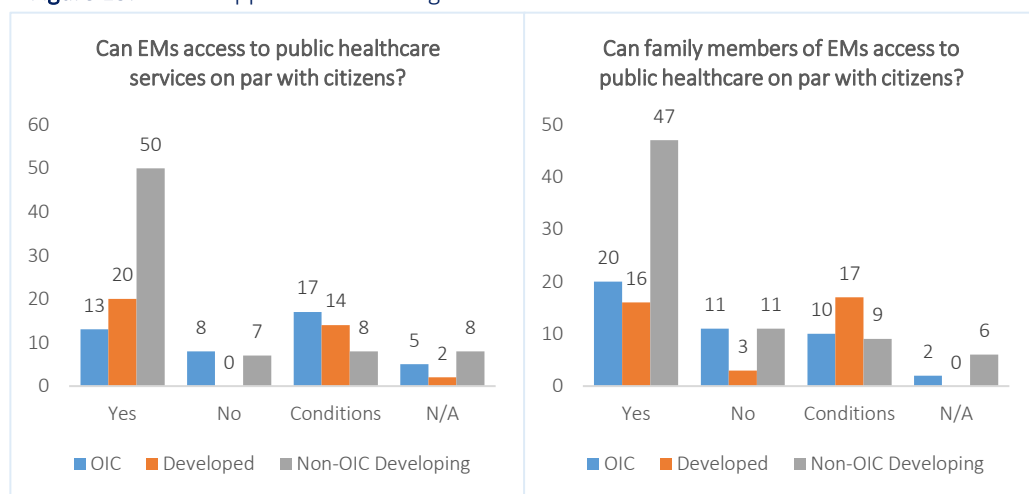


conditions. With respect to foreign vocational qualifications, the majority of OIC countries do unconditionally recognize those qualifications of foreign workers.

There are two additional indicators presented in Figure 13 that are related to benefits. 34 OIC countries do not allow migrant workers to receive unemployment benefits. Only 2 OIC countries entitle them to receive benefits and additional 3 OIC countries under certain conditions. Unavailability of unemployment benefits may put migrant workers into difficult situations in case they lose their jobs and remain temporarily unemployed. Developed countries are more generous in entitling foreign workers to receive such benefits. In terms of social security benefits, a significant number of countries entitle migrant workers to receive such benefits. There are 20 OIC countries that unconditionally entitle migrants to receive social security benefits, plus 9 more countries with conditional entitlements.

Another aspect related to the rights of migrant workers is housing opportunities. While some countries only allow migrants to rent a house, some others permit them to buy such properties as well. While some countries restrict the movement of workers within the country, such restrictions may not apply in some others. Such measures are directly related to the overall prosperity of migrants living in the host country. Almost all countries allow migrants for unrestricted residence in any place in the country (Figure 15). Similarly, a vast majority of the responding countries permit migrant workers to buy property while having formal residence permits.

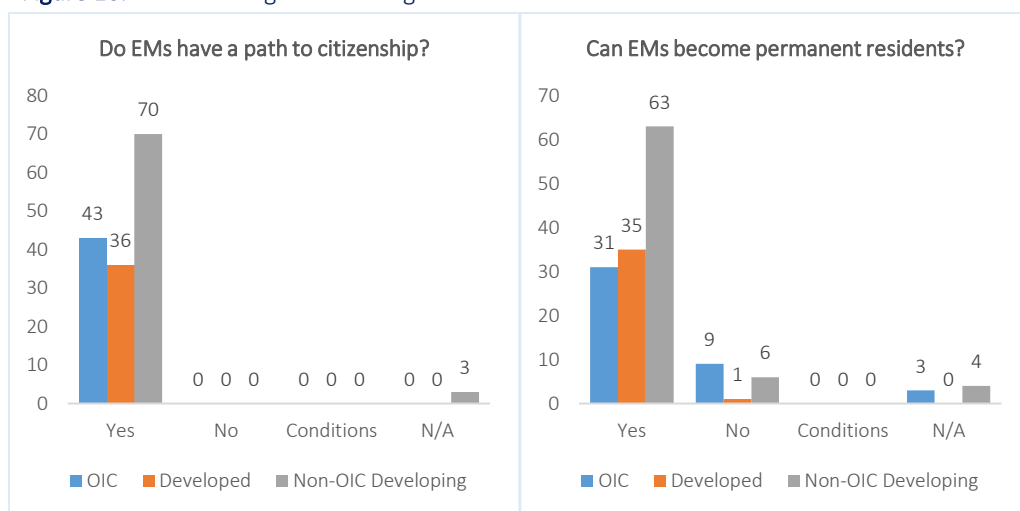
Figure 15: Health Opportunities of Migrant Workers



Source: Author's calculation based on KNOMAD (2020). EM: Economic Migrants.



Figure 16: Political Integration of Migrant Workers



Source: Author's calculation based on KNOMAD (2020). EM: Economic Migrants.

The health index of the KNOMAD database assesses whether national laws entitle migrant workers access to health care services on an equal basis with citizens, as well as whether laws provide their families/dependents access to public health care services. As provided in Figure 15, foreign workers are entitled to access public health care services on an equal basis with citizens in 13 OIC countries. While conditions apply in 17 countries, the law does not provide public health care access to migrant workers in eight OIC countries. With respect to the access of family members to public healthcare services, a greater number of OIC countries (20) entitle the family members to access public healthcare services on an equal basis with citizens, but also a greater number of OIC countries (11) put restrictions in accessing the public healthcare services.

Finally, the political integration index of the database measures the extent to which host country laws allow migrants to access permanent residency and citizenship. All OIC countries provide an opportunity for migrant workers to have citizenship of the host country (Figure 16). This is also the case in other country groups. There are also opportunities for migrant workers to become permanent residents as per the national laws and legislation.

Table 3 provides a detailed presentation of current laws and policies in OIC countries for selected indicators of economic integration for migrant workers. Some OIC countries have more friendly regulations for migrants, such as Algeria and Uganda, as compared to others, such as Maldives and Saudi Arabia.





TABLE 3: Selected Indicators of Legal Provisions for Migrant Workers

Country	Recognition of foreign academic qualifications	Recognition of foreign vocational qualifications	Application of national minimum wage policy	Social security benefits	Access to public healthcare services	Possibility of permanent residency
Albania	Yes	Yes	Yes	Conditions	Yes	Yes
Algeria	Yes	Yes	Yes	Yes	Yes	Yes
Azerbaijan	Conditions	Conditions	Yes	No	Conditions	Yes
Bahrain	Conditions	N/A	No	No	Conditions	Yes
Bangladesh	Yes	Yes	Yes	No	Yes	No
Benin	Conditions	Conditions	Yes	Yes	Conditions	Yes
Burkina Faso	Yes	Yes	Yes	Yes	N/A	Yes
Cameroon	Conditions	Yes	Yes	Yes	N/A	Yes
Chad	N/A	N/A	Yes	Yes	Yes	N/A
Cote d'Ivoire	Conditions	Yes	Yes	Yes	Yes	Yes
Djibouti	Yes	Yes	Yes	No	No	No
Egypt	Conditions	Yes	N/A	Conditions	Conditions	No
Gabon	Conditions	Conditions	Yes	Yes	Conditions	N/A
Guinea	Conditions	Yes	Yes	Yes	Yes	Yes
Indonesia	Conditions	Conditions	Yes	Conditions	Conditions	Yes
Iran	Yes	Yes	Yes	Yes	N/A	Yes
Iraq	Yes	Yes	Yes	Yes	No	Yes
Jordan	Conditions	N/A	N/A	Yes	Conditions	Yes
Kazakhstan	Conditions	No	Yes	Conditions	Conditions	Yes
Kuwait	Conditions	Yes	Yes	No	Conditions	No
Kyrgyz Rep.	Conditions	Conditions	Yes	Yes	Yes	Yes
Lebanon	Conditions	Conditions	Yes	No	No	No
Malaysia	Conditions	Yes	Yes	Conditions	Conditions	Yes
Maldives	Conditions	Conditions	N/A	No	No	No
Mali	Conditions	Yes	Yes	Yes	Yes	Yes
Mauritania	Yes	Yes	Yes	Conditions	Conditions	N/A
Morocco	Conditions	Conditions	Yes	Yes	Conditions	Yes
Mozambique	Conditions	Conditions	Yes	Yes	Yes	Yes
Nigeria	Yes	Yes	Yes	No	No	Yes
Oman	Yes	Yes	No	No	No	Yes
Pakistan	Conditions	Yes	No	N/A	No	Yes
Qatar	Conditions	Conditions	N/A	No	Conditions	No
Saudi Arabia	Conditions	Conditions	No	No	No	No
Senegal	Conditions	Yes	Yes	Yes	Yes	Yes
Sudan	Yes	Yes	Yes	Conditions	Yes	Yes
Syria	Yes	Yes	Yes	Yes	Yes	Yes
Gambia	Yes	Yes	N/A	Conditions	Conditions	Yes
Togo	Conditions	Yes	Yes	No	N/A	Yes
Tunisia	Yes	Conditions	Yes	Conditions	Conditions	Yes
Turkey	Conditions	Conditions	Yes	Yes	N/A	Yes
Uganda	Yes	Yes	Yes	Yes	Yes	Yes
UAE	Conditions	Conditions	N/A	No	Conditions	No
Uzbekistan	Conditions	Conditions	Yes	Yes	Conditions	Yes

Source: KNOMAD. 2020. "Migration and the Law." Global Knowledge Partnership on Migration and Development (KNOMAD), World Bank, Washington, DC.



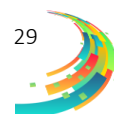
4 Policy Recommendations

Labour migration has been an important source of economic and social development in both origin and destination countries. At a time when there are significant demographic imbalances across developed and developing countries, requirements for a diverse set of skills for increasingly sophisticated production and services activities further demonstrate the rising importance of the foreign labour force. This makes labour mobility a particularly essential instrument in promoting economic and social development across regions.

Nevertheless, in most parts of the world, there is a highly politicized climate of constant negativity affecting public discourse and policymaking surrounding the issue of migration, including legal labour migration. It is definitely important to pay attention to legitimate concerns in destination countries to avoid social tensions over job opportunities, wages and the burden on public expenditures. However, it should not be a source of reluctance to formulate regulatory frameworks in line with international standards in protecting the basic human rights of migrants, which are too easily violated or neglected. If countries are concerned about high rates of emigration, efforts also need to be intensified to improve conditions for potential migrants at their origin by creating decent jobs and improving their well-being.

The working and living conditions of immigrants affect their ability to contribute to their host countries' economies. This requires public authorities and other stakeholders in destination countries to prioritise protecting the rights of immigrants and preventing all forms of discrimination and racism. Women constitute approximately half of all international migrants and special policies should be developed to address their vulnerabilities while migrating, finding a job and actually working. The formulation and implementation of policies on migrants are likely to be more effective when they are based upon extensive consultation with a diverse set of stakeholders.

Regulatory frameworks to address the misconduct related to unethical recruitment practices are also largely inadequate or not properly enforced in many countries, including some OIC countries. Implementation of such frameworks would help to realize the United Nations 2030 Agenda for Sustainable Development (SDG) Goal 8 on economic growth, productive employment and decent work, which includes the target '*protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment*' and Goal 10 on reducing inequality within and among countries, which includes the target '*facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies*'.





In order to benefit from labour migration, OIC countries can identify the needs for skills and accordingly design their policies to attract foreign labour. Adapting migration policies to labour market needs would also provide more legal pathways to migrant workers. When regulated appropriately, private employment and recruitment services improve labour-market functioning by matching jobseekers to a decent job. Governments and businesses should avoid the temptation of lowering labour costs through migration to gain advantages in international trade.

In fact, there is a need for greater attention on the recognition and use of migrants' skills. The migration of highly skilled labour with some work experience abroad constitutes a significant share of migrants, but much of this potential is not utilized. In almost all OECD countries, highly educated immigrants have lower employment rates than native-born with the same formal qualification level. Where highly skilled immigrants are in employment, they are almost twice as likely to be overqualified for their job (ILO/OECD/WB, 2015). Recognition of skills and work experience obtained while abroad is also important for return migrants, which would enhance employability and occupational prospects for returnees.

Considering the persistent hurdles in the international transferability of skills and in order to overcome such challenges and better utilize the potential of migrant labour, the Fourth Session of the Islamic Conference of Labour Ministers, held in February 2018 in Jeddah adopted the provisions of the OIC Agreement on Mutual Recognition Arrangement of Skilled Workforce and urged member states to enter into bilateral or multilateral negotiations on sectoral MRAs. The agreement aims to formulate a framework for promoting intra-OIC mobility among the skilled workforce and improving access for them to the OIC labour market.

Developing mechanisms to initiate knowledge and experience sharing among the OIC countries would significantly improve the institutional capacities in addressing various challenges related to migrant workers. Successful modalities and best practices in integration of migrant workers, reducing illegal migration, facilitating skills recognition, or developing policies to reduce brain drain would be part of such mechanisms towards exchanging knowledge and experience among the OIC countries.

Remittances are a critical source of income for many low-income households in some OIC countries. High remittance fees can divert a disproportionate share of migrants' income, resulting in lower consumption in destination countries and lower remittances sent home. Measures should be taken to reduce the cost of sending remittances in order to avoid such a diversion in the total income generated by migrants. Moreover, policies can be developed to better utilize the remittance flows in origin countries by channelling them to productive investments.

Regional and international cooperation and dialogue are crucial in promoting fair, safe, orderly and well-governed labour migration systems, safeguarding the rights of migrant workers as well as fighting against human smuggling and trafficking. Bilateral and multilateral regional agreements, in line with international standards and good practices, can be instrumental in managing the international recruitment of labour and addressing other policy challenges linked



to labour migration. Moreover, many developing countries lack comprehensive policies to facilitate the integration of immigrants. This can generate serious problems of social cohesion and reduce immigrants' ability to contribute to the development of their host countries (OECD/ILO, 2018). OIC countries may develop special policies to address such challenges, where local authorities can play an active role.

Finally, any policy and associated actions depend on good quality data and evidence. Insufficient data prevents making a comprehensive assessment of the needs for foreign labour and how to manage them to generate better economic and social outcomes. Therefore, OIC countries should invest more in improving their capacities in collecting migration related data to facilitate a more in-depth analysis of their impacts. The data to be collected would include, among others, socioeconomic characteristics of immigrants, their skills and qualifications, working conditions, their level of integration, access to education and health services, economic conditions in their origin countries, and investment in their skills while residing in the host country.





References

- ASEAN (2007). ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. Available at <https://www.ilo.org/dyn/migpractice/docs/117/Declaration.pdf>
- Gagnon, J. (2014). "Demographic Change and the Future of the Labour Force in the EU27, in other OECD Countries and Selected Large Emerging Economies", *Matching Economic Migration With Labour Market Needs*, OECD Publishing, Paris.
- GCRCRM (2019), The Global Campaign for Ratification of the Convention on the Rights of Migrants, available at <https://migrantsrights.org/campaign.htm>
- GFMD (2020). Background paper - Theme 1: The Governance of Labour Migration in the Context of Changing Employment Landscapes and Future of Work. Global Forum on Migration and Development. Available at https://gfmddcivilsociety.org/wp-content/uploads/2021/01/rt_session_1_background_paper_on_labour_migration_governance_final.pdf
- GLMM (2021). Gulf Labour Markets, Migration, and Population (GLMM) Programme. Legal Database. Available at https://gulfmigration.org/category/database_legal/
- GMG (2015). *Realizing the inclusion of migrants and migration in the Post-2015 United Nations development agenda*, GMG Discussion Paper, April 2015. Global Migration Group
- Hunt, J. (2010). "Skilled Immigrants' Contribution to Innovation and Entrepreneurship in the US". *Open for Business: Migrant Entrepreneurship in OECD Countries*. OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264095830-en>.
- ILO (2017). Available at <https://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54405>.
- ILO (2018a), Guidelines Concerning Statistics of International Labour Migration, ICLS/20/2018/Guidelines, Department of Statistics, Geneva: International Labour Organization.
- ILO (2018b), ILO Global Estimates on Migrant Workers: Results and Methodology, 2nd ed., Department of Statistics, Geneva: International Labour Organization.
- ILO (2019). Ratification and Implementation of ILO Conventions 97 and 143 on Migrant Workers to Achieve Fair Labour Migration Governance. Available at https://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_717848.pdf
- ILO (2020a). Social Protection for Migrant Workers: A Necessary Response to the Covid-19 Crisis. ILO Brief, 23 June 2020. Available at https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_748979.pdf
- ILO (2021a). Labour Migration. Available at <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>. Accessed on 22 April 2021.
- ILO (2021b), ILO Global Estimates on Migrant Workers: Results and Methodology, 3rd ed., Department of Statistics, Geneva: International Labour Organization.



ILO/KNOMAD (2015). *Bilateral agreements and memoranda of understanding on migration of low skilled workers: A Review*, Research Brief, Labour Migration Branch, International Labour Office, Geneva and Thematic Working Group 3, KNOMAD, The World Bank.

ILO/OECD/WB (2015). *The Contribution of Labour Mobility to Economic Growth*. Joint paper for G20 Labour and Employment Ministers' Meeting. Ankara, Turkey, 3-4 September 2015.

Katseli, L.T., R.E. Lucas and T. Xenogiani (2006). *Effects of migration on sending countries*. Turin, OECD.

OECD (2013). "The fiscal impact of immigration in OECD countries" in *International Migration Outlook 2013*. OECD Publishing, Paris.

OECD (2014). *Is migration good for the economy?* Migration Policy Debates. May 2014. <https://www.oecd.org/migration/OECD%20Migration%20Policy%20Debates%20Numero%202.pdf>

OECD (2016). *Perspectives on Global Development 2017: International Migration in a Shifting World*. OECD Publishing, Paris. https://doi.org/10.1787/persp_glob_dev-2017-en

OECD (2019). *Global trends in migration towards OECD countries between 2000/01 and 2015/16*. Migration Data Brief, No: 4, June 2019. <https://www.oecd.org/migration/mig/Migration-data-brief-4-EN.pdf>.

OECD/EC (2014). *Matching economic migration with labour market needs*. OECD and European Commission. OECD Publishing, Paris.

OECD/EU (2018), *Settling In 2018: Indicators of Immigrant Integration*. OECD Publishing, Paris/European Union, Brussels.

OECD/ILO (2018). *How Immigrants Contribute to Developing Countries' Economies*, OECD Publishing, Paris. <http://dx.doi.org/10.1787/9789264288737-en>

Ratha, D., et al. (2011). *Leveraging migration for Africa: Remittances, skills and investments*. Washington DC, World Bank.

UNESCO (2009), *Migration and Human Rights: The United Nations Convention on Migrant Workers' Rights*, Edited by R. Cholewinski, P. de Guchteneire and A. Pécoud. Paris: UNESCO Publishing; Cambridge, England: Cambridge University Press.

Wickramasekara, P. (2015). *Bilateral agreements and memoranda of understanding on migration of low skilled workers: a review*. Report prepared for the Labour Migration Branch of the International Labour Organization, Geneva.

World Bank (2020a). *COVID-19 Crisis through a Migration Lens*. Migration and Development Brief 32. April 2020. Washington DC: World Bank.

World Bank (2020b). *Remittance Prices Worldwide*. Issue 36. December 2020. Washington DC: World Bank.

