

V. Administration of Labour Migration

To meet the policy objectives of protecting citizens working abroad and of optimizing the benefits of labour migration, it is essential that there is adequate institutional capacity and inter-ministerial coordination. This includes giving the management of labour migration due priority in overall development and foreign policy and in the allocation of resources.

Governments in organized labour-sending countries are committing more technical and financial resources to the formulation and implementation of labour migration policies. Over the last two decades, a number of specialized institutions have come up to address concerns about foreign employment. Some experts note that the “bureaucratization” of labour migration policy has reached very sophisticated levels in some Asian countries (Abella, 2000). Nevertheless, other experts point out that research into the issue of institutional capacity for an effective administration of international labour migration has been neglected (Achacoso, 2002).

Administration of labour migration is usually governed by an Emigration Act or Decree. Implementation of the relevant legislation is usually the responsibility of the Ministry of Labour, but in some cases a separate Ministry has been created for overseas affairs. Within the Ministry, most advanced labour-sending countries have a foreign employment bureau or its equivalent responsible for protection, welfare and pro-

motion. In the case of the Philippines, there are three entities, one for protection and promotion functions (POEA), a second for welfare and adjudication functions (Overseas Workers Welfare Administration or OWWA), and a third for skills development, training and certification. In addition to a foreign employment bureau, some countries have a public sector arm for recruitment (Bangladesh, Pakistan). In Azerbaijan, the Ministry of Labour has a migration service responsible for the placement of workers abroad which has deployed over 200 health personnel to Saudi Arabia.

Two other ministries also engaged in the labour migration process are the ministry of home affairs or of the interior for passport issuance and immigration, and the ministry of foreign affairs (MFA) for promotion and interstate cooperation. The supporting role of MFA is clearly an important one. For example, in Kyrgyzstan, MFA’s Department of Migration Service is mandated to play an important role, inter alia, in:

- protection and ensuring migrants’ rights, including foreign workers and Kyrgyz working abroad, in compliance with the norms of international law and Kyrgyz legislation;
- facilitation and strengthening international cooperation in migration.

V.1 Establishing the Policy-making Team¹

Managing migration successfully requires close cooperation and coordination of almost the entire Ministerial Cabinet. It cannot be emphasized strongly enough that the continued and active participation of all major stakeholders of the migration programme, including the Ministries of Labour, Foreign Affairs, Interior, Justice, and Immigration, is critical for ensuring the successful implementation of an overseas employment programme.

V.1.1 Sharing the overseas employment programme burden

Links among agencies need to be strengthened, or established, where they have not yet been created. This inter-agency approach helps to focus diverse government resources on a rapid response to the needs of migrant workers and on overcoming loopholes that allow unscrupulous recruiters to take advantage of vulnerable applicants. An example of Inter-Agency Coordination and Cooperation can be found in Annex 4.

For instance, the cost of gathering information on market conditions and developments, which must be undertaken on a continuing basis, can be reduced if organ-

ized in tandem with embassy personnel. This is currently not the case with many countries of origin since their Ministries of Labour and of Foreign Affairs have no clearly defined linkages. While this task is made easier with the advent of modern facilities like the Internet, there is still no substitute for old-fashioned methods for gathering and analyzing data: manual work, identification of hidden opportunities, contacts with recruitment and human resource managers of foreign companies.

There is a critical need to bring all the key actors of this complex system together in what management development specialists refer to as “getting the whole system into the room.” Bringing all persons representing crucial interdependencies together is a matter of mutual benefit and requires commitment to team-building or future planning sessions in order to harmonize and develop ongoing relationships.

Cooperation and coordination among agencies does not come automatically, but must be nurtured throughout the process with the creation of a positive environment, establishment of mechanisms and of regular and consistent interaction. Management of the migration process must be conceptualized as a combination of several independent organizations in close and continuing interaction with a designated agency, as discussed below in Section V.1.2.

The lead role is taken by the *Ministry of Labour*, since labour migration is primarily an employment issue. *Ministry of Foreign Affairs* is responsible for providing diplomatic services and for the protection of migrant workers while they are in a foreign land. The *Ministries of Justice and/or the Interior* will have their share of responsibilities, since migration policy must be embodied into legislation and their prosecutorial and security services will be required to handle cases of violations.

Traditionally, *Education and Health Ministries* are not included among the vital stakeholders in migration but, given the growing and persistent demand for trained nurses, teachers, caregivers, and even agricultural workers, they are often invited in order to ensure that the country's curriculum development can accommodate demands in the international labour market. The *Ministry of Education* will be involved in training issues and in developing the education curricula which will give future graduates the qualifications need to work abroad and skills enhancement and development courses for prospective and deployed migrant workers.

The *Ministry of Information's* expertise is necessary for disseminating information on illegal recruitment and other illegal activities from which prospective migrant workers should be shielded. Migrant workers must also be given official brochures and documentation during the first steps towards employment abroad so they will not be influenced by false information and deceptive practices. Since foreign exchange will be a residual (if not primary) objective of an overseas employment programme, the *Central Bank* must provide banking systems for the safe and expeditious transfer of money and find ways to reduce the transaction costs of remittances. *Social Security and other Welfare Services* contribute their mechanisms for providing migrant workers with welfare packages. Police and other law enforcement agencies have a role to play in upholding the law, investigating complaints of illegal activities, and detaining illegal recruiters.

V.1.2 Designated autonomous body

The government institution directly responsible for handling the migration process is usually located under the authority and supervision of their respective Ministers or Secretaries of Labour. Several countries

have established such bureaux, including:

- India: Office of the Protector of Emigrants created in 1983;
- Sri Lanka: Sri Lanka Bureau of Foreign Employment (SLBFE) created in 1985;
- Pakistan: Bureau of Emigration and Overseas Employment created in 1972;
- Philippines: Philippine Overseas Employment Administration (POEA) created in 1982;
- Tajikistan: State Migration Service: established in 1998.

It is important that these designated agencies are capable of responding expeditiously to the issues raised by the dynamic nature of migration. In the Philippines, for example, policies emanate from a Governing Board composed of only five people:

- a representative from the land based sector;
- a representative from the sea-based sector;
- one representative from the women's sector;
- the POEA Administrator;
- the Secretary of Labour who chairs the board.

In this way, the layers of hierarchy of authority are reduced, while communication and policy decision-making are facilitated. The OEP's structure and procedures can be amended relatively easily by a Governing Board of this nature and this will ensure a rapid response to the changing nature and dynamism of migration.

In addition, governments should be prepared to introduce and enact legislative instruments (laws, decrees, memorandum orders, circulars, etc.) quickly to provide these statutory bodies with the ability to adjust to changes in global labour markets and developments in the industry.

From 1982 to the first quarter of 2000, POEA issued a total of 829 Memorandum Circulars that are either new policy documents, updates of existing policies and procedures, or guidelines and information for all sectors involved in the programme. Similarly, a large number of laws were passed or considered between 1987 and 1991, as shown by Table V.1, indicating the ongoing concern of government officials to plug loopholes or strengthen the labour migration programme to meet the changes occurring in the overseas labour market.

TEXTBOX V.1

Institutions Dealing with Labour Migration – State Migration Service of Tajikistan

The State Migration Service (SMS), under the Ministry of Labour and Social Protection of the Population, acts as a coordinator with a central office and local branches. It is responsible for general policy and regulations with respect to labour migration. It also

- participates in the preparation of projects for inter-state agreements and other normative documents;
- organizes of the work on external labour migration and employment of foreign citizens in the Republic of Tajikistan;
- ensures licensing of activities of the persons engaged in the sending and recruiting of labour and implements control of the observance of licensing requirements;
- implements control over realization of projects and programmes on the employment of citizens of

Republic of Tajikistan, as well as over activities of legal and natural persons, over the observance of contractual conditions;

- participates, together with diplomatic representations and consular institutions in other states, in the investigation of cases of violation of rights of migrant workers, citizens of Republic of Tajikistan.

It also makes recommendations for immigration quota, as well as oversees implementation of inter-state agreements. In 2002, three representative agencies for the Ministry of Labour were established in the Russian towns of Moscow, Novosibirsk, and Volgograd.

Source: Technical Cooperation Centre, IOM Vienna.

TABLE V.1

Bills and Resolutions on Labour Migration filed by the Philippine Congress, 1987-1991

	House of Representatives (200 members)	Senate (24 members)	Total
Bills	32	23	55
Resolutions	46	41	87
Total	78	64	142

Source: Asia (1992).

V.2 Crafting the Policy

Crafting a policy for labour migration needs to take into account the international labour migration environment and should be directed towards meeting the following overall objectives, as indicated in Chapter II:

- protection and welfare of migrant workers;
- optimizing the benefits of labour migration and mitigating adverse impact;
- inter-state cooperation and institutional capacity building.

These overall objectives are also, respectively, social, developmental and strategic in nature, and can be broken down into specific objectives and activities under each of the three overall objectives. In addition, the policy should have the following characteristics (Abella, 1997):

- consistency with the national development plan;
- comprehensive;
- ability to establish order in migration;
- fair and transparent;
- effective and efficient;
- gender sensitive.

V.2.1 Consistency with the National Development Plan

Policy pronouncements on migration need to be placed within the context of an overall labour and employment strategy with appropriate interfacing with other development policies such as education, foreign affairs, trade and investment. The strategy will necessarily include goals and objectives such as promotion of employment, protection of nationals abroad, acquisition of new skills, improvement of the use of remittances to assist in national development, and reintegration into society of returning migrants.

Pronouncements on labour migration policy should also define the government's relationship with the private sector in this area and indicate that there is a supportive policy environment through the participation of other ministries. When developing international labour migration policy, the following key questions need to be addressed:

- Does the policy complement the State's overall development plan?
- How does it assess the social and economic im-

part of the policy in terms of brain drain and any sudden disruption of social services?

- Is there a mechanism to account for these effects?

Labour migration policy should be in harmony with the State's overall development plan. Even if labour migration policy will have a positive impact on foreign currency earnings and on domestic unemployment rates, it should not detract from a holistic approach towards development.

V.2.2 Comprehensiveness

Labour migration policy should reflect the government's overall programme and take into account the diverse areas where migrants are likely to go. It should incorporate the State's intentions in entering into bilateral or multilateral agreements with receiving countries for the protection of migrant workers. Policy should also introduce programmes that address the welfare of migrant workers during re-integration on their return home. Key questions to be addressed include:

- Does the policy take into account the well-being of migrant workers and also of their families?
- Does it contain mechanisms for the protection of migrant workers?
- Does it consider the need for skills enhancement or development for migrants leaving to work abroad and on their return?
- Does it consider the "brain gain" to reverse the "brain drain"?
- Does it envision negotiation of bilateral or multilateral agreements to commit receiving states to protect national workers?

V.2.3 Protection of migrant workers

Since labour migration involves a series of processes, policy should take into account the establishment of mechanisms to enforce order in the migration process. The policy should include introduction of legislation against illegal acts and for the protection of migrant workers embarking for overseas work.

- Are there measures in place to protect the worker at every step of the migration process?
- Is there a mechanism for redress of grievances while the worker is abroad and on his or her return?

V.2.4 Fairness and transparency

Labour migration policy should represent a wide consensus, based on prior consultation with the different sectors of society. Policy goals should also be clearly stated with a view to addressing certain development needs of the State and should result from consultation and consensus with the sectors involved. Among key questions to be addressed are:

- Is the policy the product of consultation and participation with a wide range of expertise and of sectors in society?
- Is it based on research?

V.2.5 Effectiveness and efficiency

Policy on labour migration should also empower administrative agencies by equipping them with mechanisms to enforce the measures introduced. Administrative agencies should seek to achieve these policy goals through the establishment of attainable targets within definite timeframes. Moreover, the policy should contain measures for checks and balances to ensure that agencies' performance is subject to oversight and monitoring.

- Is there an institution equipped with rules and mechanisms that can uphold and protect the rights of migrant workers and their families?
- Are there mechanisms to provide checks and balances in filing and adjudicating complaints against erring agents and representatives of state institutions?

V.2.6 Gender sensitivity

One way to achieve a gender sensitive policy is to place women experts in the team that would formulate the labour migration policy. Gender sensitivity takes into account the differences in socio-cultural roles, needs and opportunities, constraints and vulnerabilities of women and men (ILO, 2003c) The policy should consider the special needs of women by identifying aspects of the migration process where they are particularly vulnerable. The policy should also identify specialized job markets for women where they may be particularly exposed to abuse or exploitation while in the home country or the destination country, and take preventive measures. It should also account of special needs of women due to gender differences.

- Does the policy consider the different working conditions for women and for men working abroad?
- Does the policy provide for the identification and protection of women in vulnerable employment markets?
- Does the policy generate mechanisms in providing for these needs while in employment abroad and at the time of their return home?

V.2.7 Sample policy and procedural interventions

Several countries have introduced a number of policies and procedural interventions. An analysis of those already in place in four countries is shown in Table V.2 below. These can serve as a guide for the range of policies that must be in place in order to have a holistic OEP. While there are a large number of similarities in these countries' policies, there are significant differences in their substance and application.

TABLE V.2

Government Functions and Services Provided by Overseas Employment Programmes, Selected Labour-Sending Countries

Countries	Bangladesh	India	Sri Lanka	Philippines
Standard setting and enforcement				
Minimum standards for work contracts	*****	*****	*****	*****
Pre-employment briefing				*****
Pre-deployment briefing	*****		*****	*****
Restriction on passport issue	*****	*****	*****	
Emigration clearance to leave country	*****	*****	*****	*****
Trade test requirement		*****	*****	*****
State-subsidized skills training	*****	*****	*****	*****
Negotiation of supply agreements	*****	*****	*****	*****
Social security arrangements			*****	*****
Performance bond from worker		*****	*****	*****
Repatriation bond or fund		*****	*****	*****
Supervision of Private Recruitment				
Licensing/regulation of private recruiters	*****	*****	*****	*****
Ban/restriction on direct hiring	*****	*****	*****	*****
State operation of recruitment agency	*****	*****	*****	*****
Periodic inspection of recruitment agency	*****	*****	*****	*****
Limit recruitment fee charged to worker	*****	*****	*****	*****
Cash/security bond requirement	*****	*****	*****	*****
Regulation of job advertising	*****	*****	*****	*****
Renewal of contract clearance				*****
Joint and solidarity liability			*****	*****
Client referral service				*****
Settlement of Claims/Disputes				
Conciliation on site/upon return	*****	*****	*****	*****
Adjudication system		*****	*****	*****
Welfare Services				
Contribution to Welfare Fund	*****		*****	*****
Labour Attaché assistance	*****	*****	*****	*****
Welfare Centres			*****	*****
Welfare Officers			*****	*****
Low-cost insurance	*****		*****	*****
Legal aid to worker in distress on site	*****	*****	*****	*****
Repatriation assistance	*****	*****	*****	*****
Social welfare services	*****		*****	*****
Education facilities	*****		*****	*****
Scholarships for children of workers			*****	*****
Health/medical facilities				*****
Livelihood programmes for family				*****
Financial loan programme			*****	*****
Employment assistance for returnee				*****
Returnee training programme				*****
Trauma care centre for returnees			*****	
Duty-free privileges	*****	*****	*****	
Institutional Capacity				
Organizational chart	oooo	*****	*****	*****
Vision/Mission statements			oooo	*****
Written policies and procedures	oooo	*****	oooo	*****
Recruitment policies and procedures		*****	*****	*****
Planning system			oooo	*****
Management Information System			oooo	*****
Training policies and programmes			oooo	*****
Performance appraisal system			oooo	*****
Position description			oooo	*****
Records management		*****	oooo	*****
Incentives and promotions schemes			oooo	*****
Physical structures and equipment	*****	*****	*****	*****

Source: Achacoso (2002).

Legend: ***** = in place and fully implemented | oooo = in place but minimal implementation/development

V.3 Institutional Mission and Vision Statements

A country’s labour migration policy is a statement laying out the State’s intentions with regard to labour migration. However, a sound State policy on labour migration, which usually leads to the creation of government institutions, still needs to be well-managed and directed towards the attainment of set goals. Policy-makers must bear in mind that as institutions and subordinate offices are created, the people working in these units may become cloistered within a closed environment and, over time, may identify themselves only in terms of their office. As a result, the overall goal, for which these

offices were created, may be lost or buried under the weight of everyday tasks.

Statements of mission and vision are tools for strengthening agencies and their employees’ commitment and creating such statements is therefore a major step in institutional capacity-building. Well-thought out and articulated mission and vision statements help all members of the organization, whether at the highest or the lowest echelon, to understand their common purpose and goals. Each office, department or agency can develop its own mission and vision statements in consonance with the overall policy for migration policy set by the State. As Peter Drucker (1993) states:

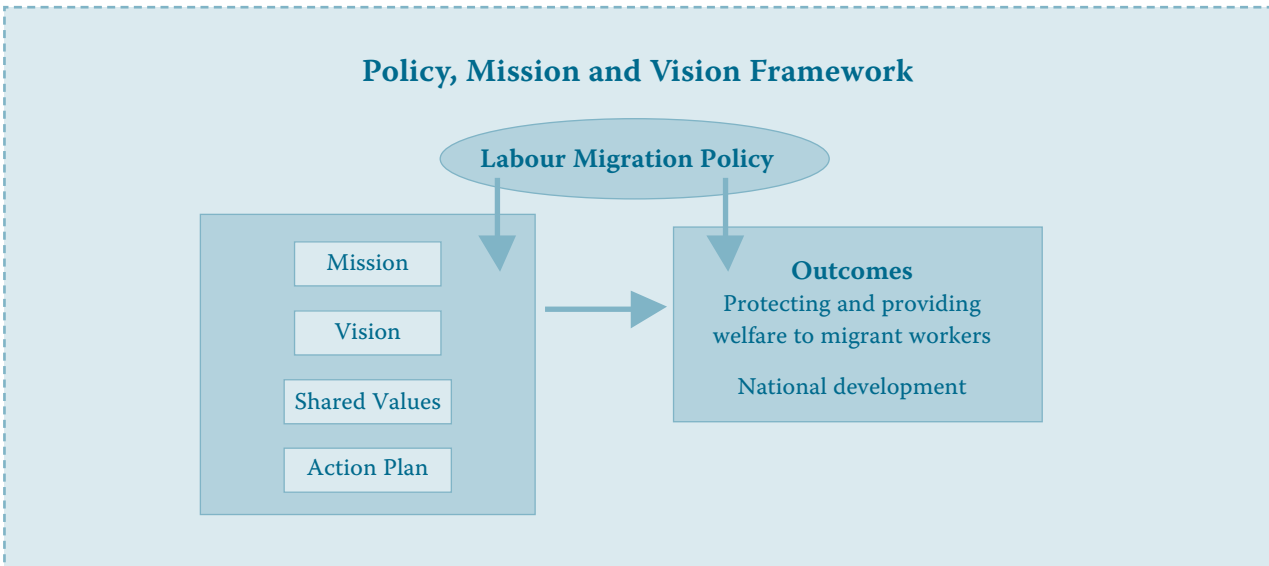
They (government agencies) must therefore have a clear mission that translates into operational goals and that provides for effective action. Of course, businesses also deteriorate if they do not have a clear mission; they become diffused and their efforts splinter... A government agency will start to flounder almost immediately unless it clearly defines its mission and emphasizes the mission again and again.

These five questions must be addressed in strengthening institutional capacity:

- | | | |
|--|---|--------------------------------|
| 1. What is our business? | = | Visioning (Vision and Mission) |
| 2. Who are our clients? | = | Targeting |
| 3. What do our clients consider value? | = | Situation/Needs Analysis |
| 4. What have been our results? | = | Performance Review/Evaluation |
| 5. What is our plan? | = | Action Planning |

The effect of the construction of mission and vision statements can be seen through the following framework:

FIGURE V.1



The *mission* states the goals the office or institution hopes to accomplish within the context of the labour migration policy. The *vision* states how the office will develop and its objectives to be attained within a certain period of time, in response to the question “what do we want to become?” As a social group working towards the accomplishment of a mission, individuals must share certain common values with their clients, values which both agents and clients consider important in the accomplishment of tasks. POEA has provided an example of a Mission/Vision statement:

MISSION:

Corollary to its mandate, POEA’s mission is “to ensure decent and productive employment for Overseas Filipino Workers.”

VISION:

Its vision is to be a culturally sensitive, customer-driven and business-oriented advocate of the overseas Filipino workers’ well-being. It will actively support generation of employment through the licensed recruitment entities, and on a government-to-government arrangement. It will facilitate, enhance and preserve employment of Overseas Filipino Workers.

Based on these statements, the question of how to accomplish the mission will be answered by a series of administrative mechanisms. It is essential that these details be mapped out, since they will be very useful in identifying the strengths, so that they can be encouraged, and weaknesses, so that they can be rectified. Mission and vision statements should be regularly assessed and re-stated.

TEXTBOX V.2

Learning from the POEA Process

1. Providing an Administrative Manager

Reorganization of POEA took place in 1987, during which a third position of Deputy Administrator for Management Services was created in order to ensure that POEA’s administrative machinery contributed towards the attainment of its mission and objectives in the most efficient and effective manner. In this way, the Philippine government emphasized its view that the promotion and protection of the welfare of migrant workers is equally dependent on building, creating and sustaining a migration institution which delivers efficient and effective services.

This new post was overall responsibility for the mechanics and organization of POEA’s bureaucracy and representative units, as well as for administrative questions. The most challenging aspect of this position is resolving administrative problems relating to the implementing of policies and objectives. It is essential for ensuring the smooth internal workings of the organization.

2. Written Policies and Procedures

In many developing countries, written policies and procedures are often inadequate or missing. Producing written statements of an institution’s procedures and objectives (mission, programmes, and policies) is not only essential to good management, but also serves to institutionalize and standardize operations and procedures. This ensures a rational environment for all concerned.

Standardization of procedures, particularly in when these involve regular interaction with the general public, is a strong deterrent to the exercise of discretionary powers and arbitrariness in decision-making by authorities, which have been shown to be major factors in the commission of graft and corruption.

Against this backdrop, all POEA’s policies, procedures, plans and programmes are available in writing and cover as many anticipated eventualities as possible in detail. These procedure manuals also serve as a valuable tool in standardizing operating procedures and for training the organization’s new entrants.

3. Initiative and Innovation

When challenged with issues that affect the success of its daily operations and the ability to meet its goals, labour-sending countries can still find ways and means to overcome these obstacles by introducing new and creative approaches. Creating an environment for innovation and development of initiatives in a situation where they, as labour-sending countries, are often at a disadvantage is challenging but can be achieved. While it is necessary for destination and sending countries to achieve a consensus on norms and standards in approaches to international labour migration for both sides to experience a semblance of order in the conduct of the overseas employment programme between countries, the following examples show that labour-sending countries can also innovate in order to initiate or quicken the process.

Learning from the POEA Process (continued)

(a) In Diplomacy

Realizing that solutions were sometimes hindered by procedural and administrative matters, POEA proposed the establishment of “joint technical committees” to the Japanese and Saudi Arabian Ambassadors. These committees were charged with harmonizing and coordinating procedural and administrative matters relating to the recruitment and processing of workers migrating to these countries.

With the consent of both parties, these joint technical committees met regularly to discuss administrative and procedural concerns. POEA and the Saudi Arabian Ambassador were able to negotiate a mutually acceptable employment contract for household helpers through the efforts of the “joint technical committee.”

As far as other countries were concerned, POEA arranges regular informal luncheons or dinners with Ambassadors and other embassy officials, primarily to maintain good relations and to exchange notes on developments of mutual interest and concern. Foreign embassies are routinely provided with copies of POEA’s official publications and memorandum circulars.

(b) In Services

Being primarily a service-oriented institution, POEA introduced numerous policies and programmes designed to improve conditions for migrant workers. Prominent among these was discussions with the banking industry which, at that time, was reluctant to handle the remittances of migrant workers due to a misperception about the amount of paper work involved.

In response to numerous complaints about the lack of reliability of “courier services” and the subsequent loss or “reductions” in remittances, the banks were encouraged to introduce banking mechanisms to facilitate the transfer of remittances and speed up the distribution of funds to intended beneficiaries. They were also invited to extend their services to migrant workers by setting up desks within POEA premises, thus encouraging workers to open bank accounts and learn of other services on site.

(c) Red Tape

The documentation required of potential migrant workers entails the completion of time-consuming and costly procedures with several government agencies. Well-meaning efforts can be easily neutralized by the debilitating problem of red tape, a common problem in many developing countries, where little is

Source: IOM (2005b).

achieved without a multitude of clearances, signatures, permits and stamps.

For example, the requirement for every worker to secure a clearance from POEA prior to returning to his worksite was perceived as a necessary, important and indispensable control mechanism. Every year, thousands of migrant workers schedule their annual vacation to coincide with the Christmas holidays. Although this influx occurred regularly and always during a month shortened by holidays, the system would dissolve into near panic and frayed nerves for all.

After a thorough review and revision of existing procedures and requirements, the entire process was reduced from the previous average of three to five working days to an average of three hours: documents submitted at 8 am could be released by 11 am the same day, if they were in order. Applicants were informed of each step of the process and what to expect within a particular timeframe. Any undue delay would be identified by the supervising authority and could lead to a summary investigation.

A one stop processing centre for both land-based and sea-based migrant workers was established for this procedure, thus allowing applicants to have documents required for work overseas secured in one place. All government agencies involved in the migration process are required by law to establish branches within POEA’s premises. The Department of Foreign Affairs, for example, has set up an office for accepting applications and issuing passports, while the National Bureau of Investigation issues police clearances. The system was simplified in order to prevent bureaucrats from delaying the processing of papers without any legitimate reason.

This is a step towards the eventual electronic linking of data bases maintained by government agencies involved in the migration process. Currently, three electronically-operated systems are in place: E-receipt issued conjointly for POEA and OWWA transactions; E-Submission which processes employment contracts encoded by agencies and transmitted to POEA via the internet; and E-Card, which carries the migrant worker’s permanent identification number, replacing the Overseas Employment Certificate (OEC) previously required for exit procedures. The E-Card can also be used for obtaining OWWA membership, sending remittances, receiving discounts in shopping malls and for paying bills, as a credit card.

V.4 Monitoring and Evaluating Performance

Administrative structures need to be monitored and their performance assessed through the introduction of parameters for monitoring and evaluation. Table V.3 offers an example of monitoring Key Research Areas in Performance in the labour migration process

on the basis of key indicators. It should be noted that the areas of performance correspond to the phases of the labour migration process. The indicators, however, are empirically set as parameters to gauge performance. These are measurable factors on which the performance can be reflected. Level of satisfaction as indicated in some areas can be measured in terms of how many are satisfied or the decrease in complaints regarding the performance in that area.

TABLE V.3

Monitoring Performance Indicators

Phase	Performance	Indicators
Market determination and promotion	<ul style="list-style-type: none"> workers deployed; properly matched jobs with the workers qualification and skills; determination and projection of the employment demand; diversification of labour deployment in different countries. 	<ul style="list-style-type: none"> greater number of workers deployed, reduced unemployment; employer satisfaction, fewer complaints or sackings of workers for poor performance; precision in determining and projecting employment demand; more countries of destination; wider areas or types of jobs.
Recruitment	<ul style="list-style-type: none"> curbing illegal recruitment; curbing trafficking of migrant workers; efficient licensing of recruitment agencies; efficient information campaign regarding proper application and recruitment; facilitating smooth recruitment. 	<ul style="list-style-type: none"> number of arrests, prosecutions and convictions of illegal recruiters and traffickers; number of licensed recruiters; number of arrests of illegal recruiters; number of complaints about processing of recruitment licences; reduced time and higher quality of service in processing of recruitment papers; reduced time and higher quality of processing of licences for recruitment agencies; wider dissemination of information regarding procedures for application and recruitment; wider dissemination of information on blacklisted abusive overseas employers and recruiters.
Pre-departure	<ul style="list-style-type: none"> curbing contract substitution; facilitating pre-departure seminars; conducting appropriate training programmes; preventing maltreatment, exploitation, or sexual abuse through training and seminars. 	<ul style="list-style-type: none"> reduced number of cases of contract substitution; sufficient pre-departure seminars; client satisfaction in seminars; client satisfaction in training seminars; more passes of trade tests after the seminars; reduced number of complaints of maltreatment, abuse, and exploitation.

TABLE V.3

Monitoring Performance Indicators (continued)

Phase	Performance	Indicators
Journey	<ul style="list-style-type: none"> • facilitating safe and smooth departure; • eradication of excessive travel fees collected at the airport; • curbing smuggling of migrant workers; • elimination of abuse or victimization at the airport/departure point. 	<ul style="list-style-type: none"> • reduced number of complaints victimization or hassles on departure; • reduced number of complaints regarding extortion or collection of excessive fines before departure; • reduced number of incidents of smuggling of migrant workers.
Arrival	<ul style="list-style-type: none"> • ensuring safe arrival through assistance from embassy officials; • assurance of adequate accommodation as specified in the contract. 	<ul style="list-style-type: none"> • reduced number of complaints regarding the lack of embassy assistance; • reduced number of complaints about inadequate accommodation.
Working	<ul style="list-style-type: none"> • curbing contract substitution; • reduction, if not eradication, of violations against the workers; • attention to and resolution of complaints filed with the labour attaché. 	<ul style="list-style-type: none"> • reduced number of cases of contract substitution; • reduced number of complaints regarding violations of workers rights; • increased number of resolution of complaints filed with the labour attaché.
Termination of contract	<ul style="list-style-type: none"> • coordination with employer on repatriation of migrant workers for cases of illegal termination of contract in violation of the work agreement; • reduction, if not elimination, of cases of non-payment of wages and benefits. 	<ul style="list-style-type: none"> • increased number of coordinated or resolved cases of repatriation; • reduced number of cases of non-payment of benefits or wages upon termination of contract.
Re-employment	<ul style="list-style-type: none"> • assistance for re-employment of terminated migrant workers. 	<ul style="list-style-type: none"> • increased number of assisted cases for re-employment; • reduced number of complaints regarding the lack of assistance.
Return or reintegration	<ul style="list-style-type: none"> • provision of benefits to returning migrant workers; • facilitation of smooth return; • curbing extortion or victimization at the airport/arrival point upon return; • assistance and training for business ventures, loans, or re-employment; • resolution of cases regarding redress or grievances relating to contract violations; • smooth procedures for claiming benefits by reduction of bureaucratic procedures; • provision of support systems for families; • provision of financial advice for families. 	<ul style="list-style-type: none"> • increased number of satisfied claimants of migrant worker benefits; • reduced number of complaints regarding migrant worker's return; • adequate number and quality of assistance for returning migrant workers; • reduced number of complaints of extortion or victimization at the airport/arrival point upon return; • increased number of resolved cases relating to complaints and grievances; • reduced time and higher quality of service in processing migrant workers' claims; • adequate number and quality of support systems and of financial advice to migrant workers' families.
Legislative and diplomatic efforts	<ul style="list-style-type: none"> • adequacy of laws to address the protection of migrant workers and their welfare; • existence of concluded bilateral and multilateral agreements for their protection; • accession or ratification of international legal instruments. 	<ul style="list-style-type: none"> • sufficient number and quality of legislations to protect and provide welfare for migrant workers; • approximate equality in number of bilateral or multilateral agreements with the number of countries of deployment; • greater number of international legal instruments acceded to or ratified.

V.5 Data Collection

Collection of data on labour migration is essential for producing statistical reports and for providing supporting information for policy-making and planning. In some countries of origin, information for the purpose of planning and monitoring overseas employment and monitoring is collected on flows and stocks of labour migrants abroad disaggregated by destination, gender, age, education and occupation. Labour attachés also assemble statistics on the nature of complaints registered with their embassies.

V.5.1 Terms and definitions

Migration, both internal and international, is often studied by looking at the number and characteristics of migrants and at the impact that migration has on migrants themselves and on geographical areas from which they come and to which they travel. While there are no universally agreed definitions, “international migrants” are often defined as any person who has changed his or her country of usual residence. The terms “usual residence” is typically defined as having lived, or intending to live, in the country for at least 12 months. Those who have been living or intend to live in the country for less time are not considered usual residents, but “short-term or temporary migrants”. The level of international migration, including labour migration, is measured using two concepts: stocks and flows.

The “international migrant stock” is the total number of international migrants living in a country at a particular point in time. The stock of international migrants is normally measured by the number of “foreign-born” or “foreigners” living in the country. The “foreign-born” residents are defined as those who were born outside their current country of residence, while “foreigners” are defined as those who do not have the citizenship of their current country of residence and, depending on how international migrants are defined, it is possible for foreigners to live in their country of birth, i.e. they are non-citizens who have never moved away from their country of birth. People born outside their country of residence, but are citizens at birth (e.g. born abroad of national parents living abroad), are often excluded from the “foreign-born” population. Depending on available data sources, some countries col-

lect information on the “foreign-born,” some collect information on “foreigners,” while others use a combination of both, to measure their stock of international migrants. The stock of international migrants can decrease over time due to death, naturalization of foreigners, or net out-migration, though it is more common for the stock of international migrants to increase, due to net in-migration.

Net international migration is the difference between the total number of migrants entering (in-migrants) and leaving (out-migrants) a country. The number of migrants entering or leaving a country over the course of a specific time period (e.g. one year) is measured by the migration flow. Migrations flows occur between two geographic areas, consisting of an origin and a destination. In-flows are the number moving into a given geographic area (e.g. country of destination), while out-flows are the number moving away from that same area (e.g. country of origin). The difference between in-flows and out-flows is net migration, which can be either positive or negative. Most countries collect migration flow data on an annual basis, though some survey-based questions use a five-year period. International migration flow data is normally reported for “foreigners,” rather than for “foreign-born”. In terms of available international migration data, in-flow data is much more common than out-flow data.

International labour migration is a sub-set of international migration, thus stocks and flows (ins and outs) will always be smaller than those for all international migrants. There are several ways to measure and define labour migration, which can yield different results. The broadest definition includes all international migrants who are currently in the labour force (both employed and unemployed) as labour migrants. This method is often used when measuring the total stock of labour migrants. A more restrictive definition counts labour migrants as only those who entered a country for the explicit purpose of employment. This can be measured in two ways, either through legal documents used to enter or live in a country (e.g. visa types or residence permits), or by asking the migrant why they moved to a country, thus receiving their subjective reason. Most labour migration flow data is based on legal reasons for admittance, using visa or residence permit data, but this system does not cover “irregular” migrants entering a country without legal permis-

sion. Methods measuring migrants in terms of usual residency often fail to capture temporary migrant groups like seasonal workers.

As a measure of the impact of international migration, migrant remittances are of great interest in the study of labour migration. International remittances are financial transfers from a migrant to household residents in their country of origin. Transfers can be monetary (cash, money transfers, cheques, etc.) or in-kind (goods, donations, payments for a household, etc.). Remittances are typically measured using “balance of payment” data compiled by relevant statistical authorities in member countries (typically the central bank or NSO). Balance of payments records cover a country’s economic transactions with the rest of the world. However, this data excludes information on “informal” (e.g. hand-carried) or “in-kind” remittances, as well as excluding most transactions made at money transfer centres. Household survey data can be used to collect more detailed information about migrant remittances.

V.5.2 Data sources

A number of data sources can be used to measure the stock and flow of international migrants, including labour migrants:

- household surveys (such as population censuses or labour force surveys);
- administrative registers (such as population registers or registers of foreigners);
- other administrative sources (such as residence permits, work permits, or asylum applications);
- data derived from exit controls;
- border collection data (visa types, at entry or exit from a country).

Migration data from different data sources are not comparable in all cases, due to differences in coverage, measurement, and the purpose behind each data source. For more information, see Annex 5.

V.5.2.1 Household surveys

The primary household survey used to collect stock data on international migrants is the population census. Depending on population coverage and definitions of usual residency, when combined with “place of birth” or “citizenship,” a good estimate of stock can be

attained, though there is often under-coverage of hard-to-enumerate populations, such as irregular migrants. If the census collects labour force data, these questions can be used to identify labour migrants. Previous residence questions can be used to estimate international migration in-flows. Questions about household members or family members living abroad can capture international migration out-flows, but will tend to underestimate total emigration. A major drawback of census data is that it is normally only conducted once every ten years (or every five years in the case of Canada), which makes the timeliness of data less useful.

Other household surveys, such as annual labour force surveys, can ask questions on place of birth, citizenship, and previous residence, as well as other dimensions of international migration, such as reasons for moving, but suffer from relatively small sample sizes, particularly for smaller groups, such as international migrants. This renders the validity of data suspect, particularly with regard to stocks and flows, even if detailed labour force information is collected. Another drawback to household surveys, particularly labour force surveys, is that they often do not collect information from collective housing or group quarters, which often house many recent international migrants.

Household surveys are a good source for collecting information about the characteristics of labour migrants. The International Labour Organization (ILO) is currently testing a number of migration-related questions for inclusion on international labour force surveys, using Armenia being one of its test countries. This module will help countries collect information about labour migrant stocks, labour migration processes, migrants’ occupations, motivations for moving, socio-demographic and economic characteristics of labour migrants, and migrant remittances.

V.5.2.2 Administrative registers

Many European countries have comprehensive population registers (i.e. Austria, Lithuania, Netherlands, Sweden), or registers of foreigners (i.e. Germany, Slovakia, Switzerland), which are accounts of legal residents within a country. Some countries even have registers of special populations such as asylum-seekers (e.g. Belgium, Slovenia). These registers can be used to measure the total stock of international migrants in a

country, as well as in-flows when new migrants are entered (in the case of population registers, usually after one year), and out-flows when people leave the country. Registers also often collect information on characteristics (age, sex, citizenship, etc.) of migrants. Some problems can occur when people (both natives and immigrants) leave a country and fail to deregister from the system. Registers also miss many undocumented immigrants living in the country, particularly those staying for short periods. Also, different countries have different criteria for including foreigners in flow data, which can make comparability across countries a problem.

V.5.2.3 Other administrative sources

Residence and work permit data, as well as visa-types, are often used to measure migration flows (e.g. France), particularly if the country does not have a population register. This data can provide counts on the number of foreigners granted an entry permit for permanent residence, the number departing from a permanent residence, and the number of nationals receiving permits for permanent residence outside their country of residence. Stocks can be measured by the total number of people holding current residence permits. This source is popular for the measurement of labour migration statistics, since residence and work permits are often issued on the basis of employment.

Asylum applications and new grants of refugee status can also be used in the measurement of labour migration, as many pending asylum cases become economically active while awaiting decisions. These sorts of data are limited in that it is difficult to capture stocks and outflows, since these statistics require an accounting of the number of expired permits and knowledge of whether that person has remained in the country or not, while it misses many nationals who might leave the country without formal declaration. Further, this data is not collected to measure migration statistics, but for administrative reasons, and hence there is little effort to abide by recommended international standards regarding migration statistics.

V.5.2.4 Data derived from exit controls

Countries of origin also have statistical sources producing information exclusively on international migrant workers generally as a by-product of procedures established to provide emigration clearance, especially in the labour-sending countries of South and South East Asia. Information on the number of workers departing each year, disaggregated by destination, gender, age, education and occupation is available from the Philippines, Sri Lanka and Thailand.²

V.5.2.5 Visa and border collection data

These data sources include information collected at international borders, such as types of visa issued (both before and after entry into the country), or entry and exit cards (e.g. International Passenger Survey for flights into the United Kingdom). Types of visa allow migrants to be placed in categories (student, employment or family reunification) and are often used to measure labour migration flows. Exit visas can be used by some countries for measuring out-migration, including that of nationals. Unauthorized migrants who are apprehended at borders are often registered, thus become the source of estimates of irregular migration into a country. For measuring labour migration, this data presents problems since work must be organized before entry into country in order for the migrant to be designated as a labour migrant. This method does not consider people entering on tourist visas or via family reunification but who later enter the labour force as labour migrants. Similarly, people issued temporary work visas who then overstay their visa and other “irregular” migrants are not counted in statistics from these sources.

V.2.6 Labour attaché reports

This is a valuable source of data on problems faced by migrant workers. The Philippines and Sri Lanka, for example, provide break-downs of total number of complaints received by number, country, gender and nature.

ENDNOTES

- 1 Sections V.1 - V.4 are largely reproduced from IOM (2005b).
- 2 For an illustration see www.slbfe.lk