



Introducing Gender Aspects into Bilateral Labour Agreements (BLA)

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Objective of the Session

- To raise awareness of the gender-sensitive measures in BLAs and MoUs;
- To provide tools that can be used for designing and implementing more gender-sensitive BLAs and MoUs;
- Information on ethical recruitment of foreign professionals.



What are the Bilateral and Labour agreements (BLA) and Memorandums of Understanding (MoU)

- BLAs and MoU's are increasingly being used by states in order to manage labour migration.
- Agreements are formal mechanisms of interstate co-operation that are legally binding.
- Most BLAs regulate temporary labour migration, and only a few agreements permit permanent migration.
- Most of the agreements lack **specific provisions** on women or gender equality.

Gender Specific Tools for the Bilateral and Labour agreements (BLA) and Memorandums of Understanding (MoU)

- Gender impact assessments of bilateral agreements helps to take into account the specific vulnerabilities inherent in female-dominated sectors
- Include the participation of gender advisers with expertise on labour migration
- Gender-sensitive monitoring mechanisms
- Provide gender training to administrative staff implementing bilateral agreements

Female migrants can benefit from two types of provisions in bilateral agreements

- General good practices that have positive impact on women.
 - Protective provisions in sectors not covered by national labour law (domestic work)
 - Recognition of skills and qualifications
 - Fair work and wage conditions
 - Access and cover of health care and social security benefits as well as their portability across national systems
 - Flexible provisions for family reunification
- Gender Specific provisions
 - Gender Impact assessments
 - Acknowledgement of female-specific vulnerabilities
 - Complaint mechanisms

What is Ethical Recruitment?

- Some countries suffer brain drain and de-skilling of their (health sector) professionals
- The adoptions of ethical recruitment codes by several OSCE countries are notable attempts at minimizing the damage.
- **To discuss:** Should recruiting countries compensate those countries losing their (health care) workers or should recruitment only happen upon an agreement between the country of origin and country of destination.



Gender and Ethical Recruitment

- Ethical recruitment codes follow the general pattern shown in bilateral labour migration agreements of not explicitly mentioning gender or women, despite governing a highly feminized sector.
- Importance of the monitoring system of the ethical recruitment
- Extended use of ethical recruitment codes, by expanding them to private sector

Group Exercise

Objective of the group work:

- Understand the importance of including a gender dimension in BLAs and MoUs, as well as consider the inclusion of specific gender-sensitive measures throughout the design and implementation of such agreements;
- Be familiar with tools for designing and implementing more efficient and sustainable BLAs, MoUs, and codes for ethical recruitment of foreign professionals from a gender perspective.

Group Exercise

Methodology of the group work

- 4 persons in every group
- Two persons of each group represent the negotiators from the Country of Origin and two are from Country of Destination.

Task: Design a gender-sensitive Bilateral Labour Agreement

Presentation of the exercise: Explain the results of the negotiation and the outcome of the inclusion of specific gender-sensitive measures throughout the design.

**THANK YOU FOR YOUR
ACTIVE PARTICIPATION!**

