



International  
Labour  
Organization

Fair  
Recruitment  
Initiative

# ► ILO Fair Recruitment Initiative Strategy 2021-2025

Taking stock, moving forward





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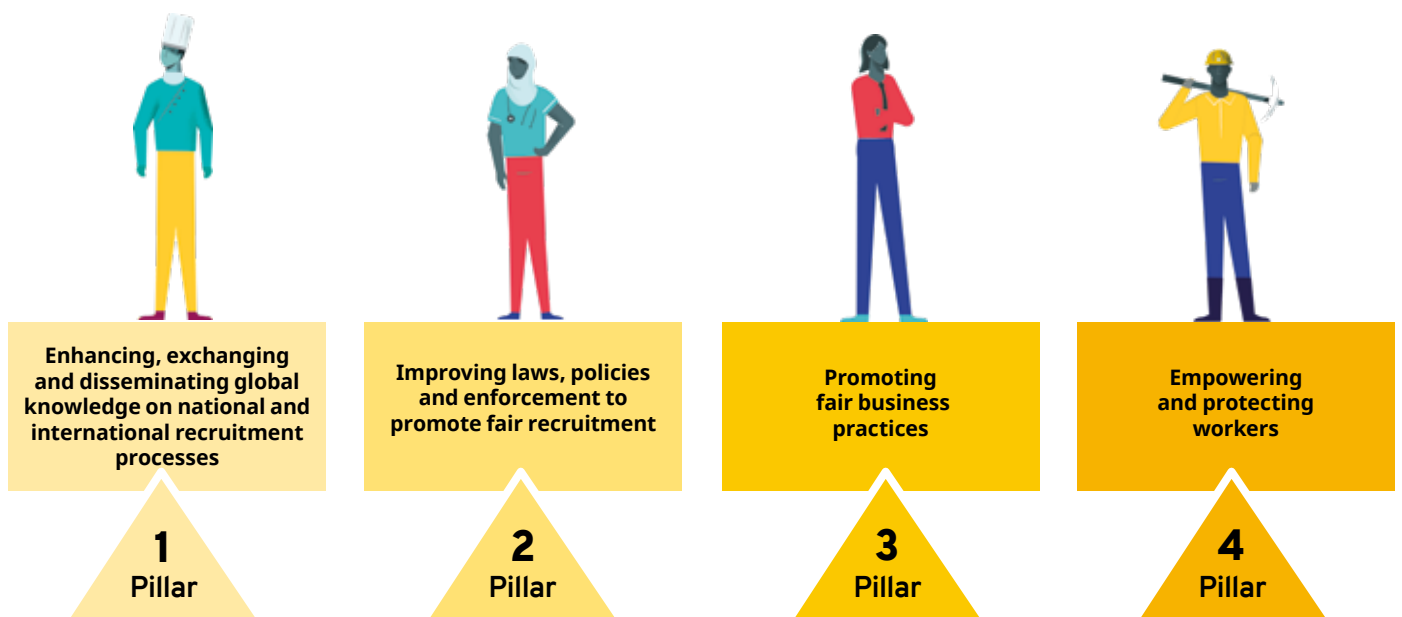
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## ► The ILO's Fair Recruitment Initiative

The Fair Recruitment Initiative (FRI) was launched in 2014 as part of the ILO Director General's call for a Fair Migration Agenda. Since its launch, the FRI has been critical to ILO's work in the area of national and international recruitment of workers and has added renewed impetus and visibility to this important topic. Throughout the implementation of the first phase of the strategy between 2014 and 2019, the role of ILO and its constituents has expanded and the development of additional knowledge, tools and guidance has contributed to advancing the international debate on this subject.

The second phase of the Initiative will continue to be grounded in relevant international labour standards (ILS), global guidance on fair recruitment, and social dialogue between governance institutions and actors of the labour market – i.e. those who directly experience the challenges and opportunities of implementing fair recruitment practices. The FRI has combined global policy dialogue, knowledge and data generation with on-the-ground interventions where tools are tested, implemented, and expertise created.

Continued from Phase I, the four-pronged approach of the FRI, which puts tripartism and social dialogue at the centre, is implemented in close collaboration with governments, representative employers' and workers' organizations, the private sector and other key partners:



Its centrepiece is the [General Principles and Operational Guidelines for Fair Recruitment \(GPOG\)](#), adopted in 2016, complemented by the [Definition of Recruitment Fees and Related Costs](#), adopted in 2018, to be read jointly. Both documents were negotiated by a tripartite group of experts and adopted by the ILO's Governing Body. They constitute the most up-to-date, internationally agreed guidance in the area of recruitment. They are grounded in international labour standards; were adopted through a process of tripartite social dialogue; and are informed by extensive research. The guidance is therefore the most legitimate reference point for private and public actors seeking guidelines on recruitment policies and practices. They are being used by international organizations and have served as a reference point for global and regional processes focusing on migration and forced labour, as well as the development and revision of national regulatory frameworks and bilateral labour agreements.<sup>1</sup>

## ► Vision and mission

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### Vision statement

Recruitment practices<sup>2</sup> nationally and across borders are grounded in labour standards, developed through social dialogue, ensure gender equality. Specifically, they:

1. Are transparent and effectively regulated, monitored, and enforced;
2. Protect all workers' rights, including fundamental principles and rights at work, and prevent human trafficking and forced labour;
3. Efficiently inform and respond to employment policies and labour market needs, including for recovery and resilience.

### Mission statement

To develop and disseminate knowledge, promote rights, build capacities, foster social dialogue, reform regulations, and build partnerships to advance fair recruitment.



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<sup>1</sup> Including the International Organization for Migration (IOM), the International Trade Union Confederation (ITUC), the Global Compact on Safe, Orderly and Regular Migration, the Revised Migration Policy Framework for Africa (2018-2030), among others (see Annex 1).

<sup>2</sup> In line with the General Principles and Operational Guidelines, the term recruitment includes the advertising, information dissemination, selection, transport, placement into employment and – for migrant workers – return to the country of origin where applicable. This applies to both jobseekers and those in an employment relationship.

### 1 Pillar

## Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes

The second phase of the FRI will consolidate and expand on existing knowledge and data. In light of the current global health pandemic, the FRI will examine the impact COVID-19 is having on recruitment practices, including on potentially discriminatory practices in different sectors of the economy and geographical regions, and identify and document emerging practices to build back better.

The Fair Recruitment Initiative will continue to generate and update statistical data on recruitment fees and related costs with a view to:

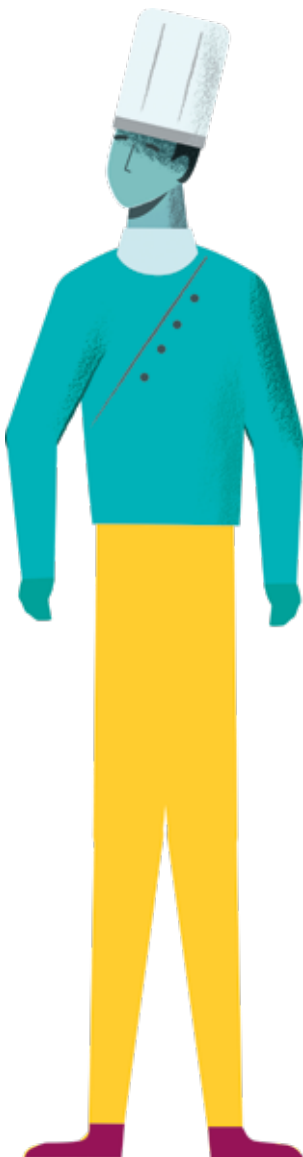
- quantifying them to understand and make visible the impact they have on workers, employers, recruitment agencies and societies;
- monitoring progress over time and establishing links between recruitment costs and violation of labour rights, especially fundamental principles and rights at work;
- analysing the relationship between relevant policy choices and recruitment costs and advocating for policy and legislative reform, and calling for global commitment and action to eliminate them.

The FRI will also launch a knowledge hub to develop and exchange research, data, good practices, and to highlight areas with deficits against fair recruitment principles. Within the spirit of the ILO Centenary Declaration for the Future of Work, 2019, the hub will take a human-centred and forward-looking approach, advancing and disseminating knowledge, tools and data, and connecting experts and organizations across regions in key thematic areas, such as on labour inspection, public procurement, access to justice and remedies, and statistical data, among others.

The Hub will create or support networks among practitioners and experts on fair recruitment and intersecting areas, thereby facilitating a “community of practice” among experts, practitioners from governments and social partners, and other organizations advocating for fair recruitment, through organizing peer-to-peer support and learning opportunities, or exploring innovative approaches and new areas of work. The hub will also serve as a vehicle to promote innovations through each of the FRI strategic pillars, and ensure that the results of innovations are examined to assess and enable scale and replication. The research and data collected and exchanged will serve as a lens to analyse how different policy choices affect various groups e.g. women, migrants, workers with disabilities and other equity-seeking groups.

The “hub” will also help translate knowledge gained from pilot interventions into (applicable) policy messages to bolster global debate, and development of new legislation, policies or voluntary mechanisms grounded in experience and international standards. It will also allow the identification of practical challenges/questions faced by constituents in the implementation of global guidance and hence develop a set of targeted, tailored tools to address such challenges. Knowledge will feed into training and capacity building activities and tools.

Finally, the FRI will continue its engagement with journalists to support the production of quality reporting on forced labour and fair recruitment issues, creating or strengthening networks of specialized journalists, as well as building partnerships with those institutions who have the capacity and mandate to take forward media training and outreach.





## Targets

- ▶ **Target 1.1** Quality data and research in key thematic areas or sectors, including the care economy, agriculture, construction, transport and services, are produced and disseminated.
- ▶ **Target 1.2** Evidence-based and innovative tools and guidance are produced and disseminated.
- ▶ **Target 1.3** ILO fair recruitment standards, principles, including the fundamental principles and rights at work, and guidelines are prominent on the global and regional agendas and pilot innovations are promoted.
- ▶ **Target 1.4** Training and capacity building is effectively delivered in cooperation with ITC-ILO, and materials developed, adapted and updated to address their emerging needs.
- ▶ **Target 1.5** The general public has increased access to information about abusive recruitment practices and their impact in terms of forced and bonded labour and human trafficking, including through improved and accurate reporting by the media on this topic.



## Improving laws, policies and enforcement to promote fair recruitment

Beyond knowledge sharing, the second phase will strengthen its focus on implementation of fair recruitment on the ground, particularly to work on regulatory reforms at national and bilateral level, including the ratification and effective implementation of international labour standards. By promoting robust social dialogue, the Fair Recruitment Initiative will support constituents in their efforts to align their laws and policies to the relevant International Labour Standards – especially ILO Convention No. 181 – the GPOG and the Definition on Recruitment Fees and Related Costs, while ensuring that the principle of non-discrimination is adhered to. The FRI will also be part of ILO’s response to the COVID-19 pandemic towards a new social contract with reconstruction and resilience based on climate-friendly jobs with rights, just wages, universal social protection and inclusion.

Targeted support to regulatory efforts, implementation of legislation and policy, and to effective oversight and enforcement mechanisms is necessary to create the enabling environment needed for fair recruitment practices to prosper. Effective regulations can create the necessary “level playing field” for compliant recruiters and employers to operate in the market, to help safeguard workers’ rights, to adhere to the fundamental principles and rights at work, and to reduce the breadth and range of opportunities for less-scrupulous actors to operate. The second phase of FRI will move towards focused action on labour market activation, access and transition, ensuring that the regulatory framework for fair recruitment is in place, which should ultimately support job creation and employment opportunities.

Where applicable, the FRI will seek to integrate fair recruitment components in constituents’ national strategies to eradicate forced labour and human trafficking developed by Alliance 8.7 Pathfinder countries.<sup>3</sup> In addressing root causes of forced labour and human trafficking, the FRI will prioritize solutions for non-discrimination and labour market activation. The FRI will further leverage the Alliance’s processes and diverse stakeholders to deepen Alliance members’ understanding of the synergies between recruitment violations, forced labour and human trafficking. National capacities and mechanisms will be enhanced to adopt preventive measures and ensure access to effective remedies.

As Bilateral Labour Migration Agreements (BLMAs) are one of the key instruments to regulate, promote and monitor fair recruitment practices across borders, the FRI will link into ILO’s work on developing guidance on Bilateral Labour Migration Agreements, including through the UN Network on Migration.

The FRI will seek to collect, systematize and disseminate emerging practices to address the multiple adverse impacts of the COVID-19 pandemic on recruitment opportunities, the recruitment agency industry, sectors severely affected by the crises, as well as on workers and employers, and their organizations, with a view to addressing pre-existing challenges and build a better post-crisis reality on recruitment.

Recognising that international labour standards are a crucial building block of effective regulation, the FRI will build on synergies with ILO work to promote the ratification and effective implementation of relevant International Labour Standards.<sup>4</sup> In particular, this will involve supporting member States to take steps towards the ratification of Conventions Nos. 88 and 181, developing synergies with the follow-up to the recommendations of the Standards Review Mechanism Tripartite Working Group as requested by the Governing Body.

The viewpoint of representative employers’ and workers’ organizations is often lacking when policy makers develop recruitment laws and policies. The FRI will seek to set up or reinforce existing mechanisms for tripartite and bipartite social dialogue to ensure clear understanding of needs and challenges on both sides.

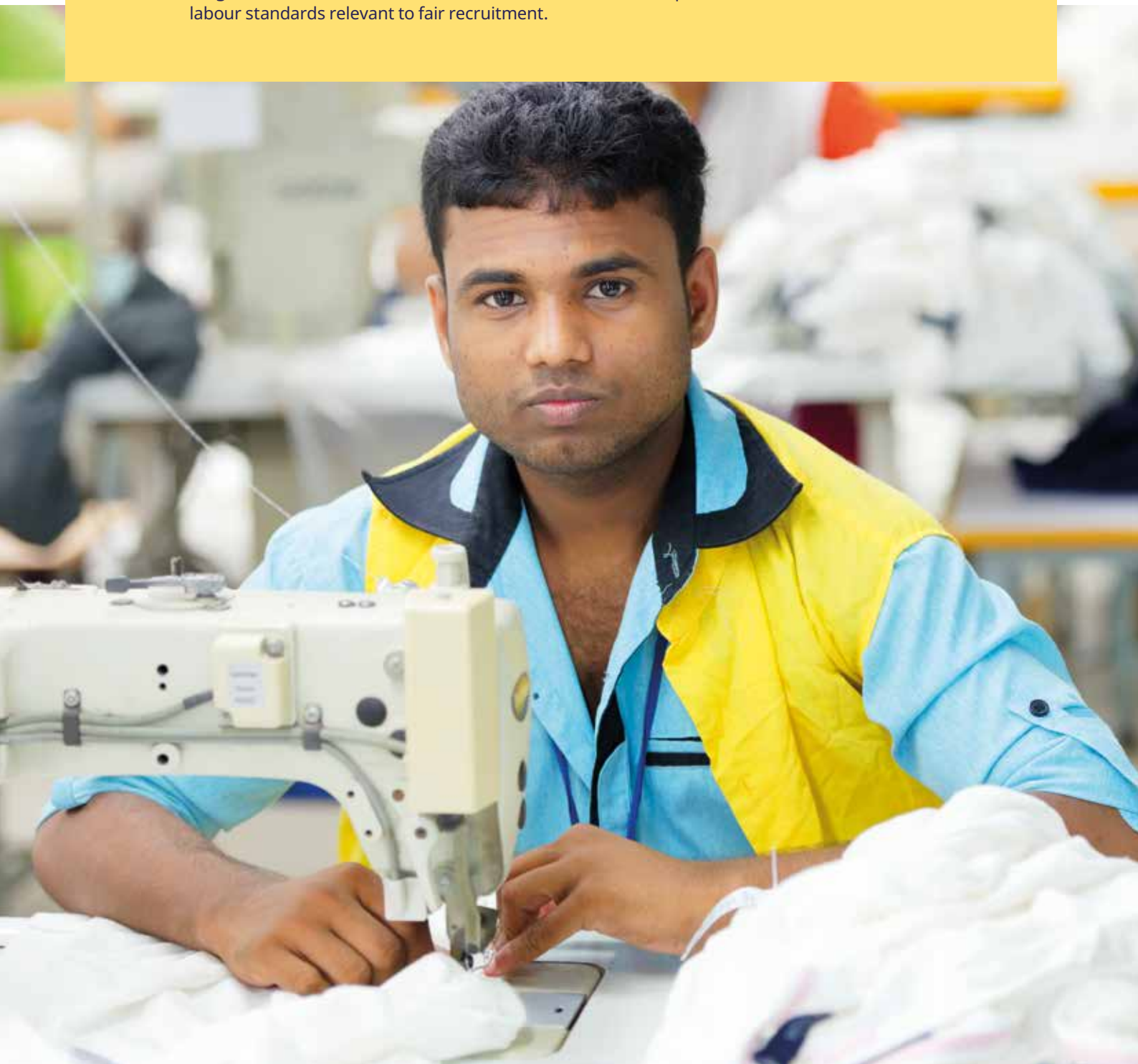


<sup>3</sup> Pathfinder countries are committed to accelerate efforts to achieve SDG target 8.7, including through mobilising national stakeholders around national strategies on eradicating forced labour, human trafficking and child labour.

<sup>4</sup> Relevant International Labour Standards include ILO Conventions Nos. 88, 97, 141, 181 and 189, Protocol No. 29 and Recommendations Nos. 201 and 203.



- Targets**
- ▶ **Target 2.1** National laws and policies are adopted, in consultation with social partners, and implemented to support employment creation and protect workers throughout the recruitment process.
  - ▶ **Target 2.2** Increased number of countries that have introduced/improved their recruitment enforcement system to monitor recruitment violations and provide effective remedies.
  - ▶ **Target 2.3** Increased number of countries that agree or renegotiate bilateral labour agreements in line with ILO standards and principles, and through social dialogue at all stages.
  - ▶ **Target 2.4** Workers' and employers' organizations engage effectively in bipartite or tripartite social dialogue in the area of recruitment.
  - ▶ **Target 2.5** Increased number of countries that have taken steps towards the ratification of international labour standards relevant to fair recruitment.



### 3 Pillar

## Promoting fair business practices

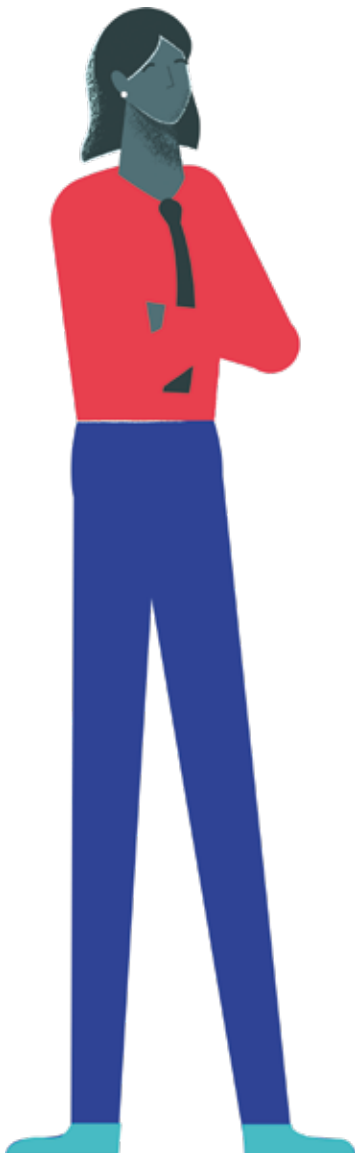
Fair recruitment helps to create decent work, provides new job opportunities and improves labour market functioning, prevents labour and human rights violations, including discrimination, during the recruitment process that can lead to situations of forced labour including deception, illegal retention of documents, and worker debt resulting from the payment of recruitment fees and related costs, among others.

During its first phase, the FRI produced knowledge and tools to support businesses in their commitment to promote fair business practices at all levels, but particularly at the global level through the ILO Global Business Network on Forced Labour (GBNFL), and at the corridor level through a pilot initiative carried out between Nepal and Jordan. The second phase of the FRI will encourage and strengthen employers' action to promote fair recruitment through policy advocacy, service provision and outreach to employers.

In Phase II, the FRI will focus on the specific challenges for small and medium enterprises, which are often without human resource departments or additional resources to dedicate to recruitment procedures. The FRI will develop a toolkit for small and medium enterprises with easy-to-follow procedures and guidance to help them to most effectively mitigate potential risks and track the effectiveness of their recruitment procedures.

At the national and corridor level, the FRI aims to engage with compliant private recruitment agencies and their associations at national and global level. The FRI will support them to address challenges related to the adverse impact of the COVID-19 pandemic. This will include providing opportunities for peer-to-peer exchanges and learning; fostering innovative approaches; and promoting use of digital solutions to increase effectiveness and transparency in the delivery of fair and effective services to employers and workers.

At the global level, alliances with the International Organization of Employers (IOE), the World Employment Confederation (WEC), as well as with relevant business networks, will be further pursued to seize opportunities to showcase innovative approaches to recruitment. The FRI will build and expand on existing external alliances,<sup>5</sup> to further document and promote the business case for fair recruitment.



<sup>5</sup> Including the Alliance 8.7 working group on Supply Chains and Business Advisory Group, in particular when related to cross-border recruitment.

## Targets

- ▶ **Target 3.1** Businesses and employers in IOE's networks as well as ILO networks (e.g. ILO GBNFL & Alliance 8.7, the Child Labour Platform, etc.) and in selected sectors have increased awareness and access to knowledge, guidance and tools to change recruitment practices in a gender-responsive manner and implement ILO guidance.
- ▶ **Target 3.2** Businesses, particularly SMEs, have improved access to country and/or sector specific tools to conduct due diligence for fair recruitment practices.
- ▶ **Target 3.3** Private recruitment agencies (as well as public employment services as relevant) have increased awareness and access to knowledge, guidance and tools to change practices, conduct due diligence, and align with voluntary schemes.





## 4 Pillar

### Empowering and protecting workers

The FRI adopts a rights-based approach and seeks to promote protection of workers' rights at the recruitment stage, recognising that it is often during recruitment that workers face many significant challenges that lead to an increased risk of abuse and exploitation.

Workers' interests can be better reflected in national recruitment regulations and relevant bilateral labour migration agreements by promoting trade unions' effective participation in policy discussions and monitoring of recruitment processes as well as in labour migration governance more broadly. Trade unions have an instrumental role to play in promoting fair practices during the recruitment stage and, for those seeking employment abroad, fostering a positive migration experience. The ILO GPOG and Definition of Recruitment Fees and Related Costs provide guidance to national tripartite constituents in developing and implementing improved recruitment laws, policies and practices to better protect migrant workers and job seekers.

The protection of workers throughout the recruitment journey is all the more critical in the aftermath of the COVID-19 pandemic which has affected both workers and employers. The livelihoods of households around the globe have been jeopardised, creating new vulnerabilities owing to the sudden disappearance of previously-stable job opportunities and the generation of private debt on a massive scale.

The strategic alliance with the International Trade Union Confederation (ITUC) for the establishment of the global Recruitment Advisor<sup>6</sup> platform has been one of the most salient features of the FRI. This platform will be further strengthened in the future, including through the use of digital technology and social media. More broadly, the FRI will encourage and strengthen trade union action to promote and protect workers' rights through representation in social dialogue, policy advocacy, service provision and outreach to workers.



<sup>6</sup> [www.recruitmentadvisor.org](http://www.recruitmentadvisor.org)

- Targets**
- ▶ **Target 4.1** Trade unions have increased awareness and access to knowledge, guidance and tools to increase representation of migrant workers among their members.
  - ▶ **Target 4.2** Trade unions have increased awareness and access to knowledge, guidance and tools to improve and expand their activities to promote, support and advance fair recruitment, in cooperation when relevant with civil society organizations.
  - ▶ **Target 4.3** Workers are provided with independent, relevant, understandable and actionable information about their rights and obligations in recruitment, including on access to justice and remedies.
  - ▶ **Target 4.4** Workers can effectively access compensation and other remedies through justice and company-union grievance mechanisms and social dialogue.













Fundamental Principles and Rights at Work Branch (FUNDAMENTALS)

Labour Migration Branch (MIGRANT)

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