

## **Compendium of Good Practice Policy Elements in Bilateral Temporary Labour Arrangements<sup>a</sup>**

Global Forum on Migration and Development (GFMD)

Follow-up on GFMD 2007 Roundtable 1.2, “Temporary Labour Migration as a Contribution to Development: Sharing Responsibility”  
Co-chaired by the Governments of Spain and Morocco

### **Precondition 1: Legal Access to Labour Markets**

<u>Good Practice Policy Element</u>	<u>Parties</u>	<u>Description of the arrangements and selected examples of implementing mechanisms</u>
<b>Share information in order to better match labour supply and demand</b>	Greece - Albania Greece - Bulgaria <sup>1</sup>	<ul style="list-style-type: none"> <li>• In these agreements on seasonal workers, Greek governmental authorities assess the annual need for seasonal agricultural workers from Bulgaria and Albania and grant residence and work permits according to the demand by Greek employers.</li> </ul>
	Portugal - Bulgaria Portugal - Romania <sup>2</sup>	<ul style="list-style-type: none"> <li>• The Portuguese Republic Ministry of Labour and Social Solidarity and the national authorities in Bulgaria and Romania agree to exchange information on work opportunities and the sectors in which they exist, the availability of workers, and the definition of common technical criteria regarding the classification of professional activities.</li> </ul>

<sup>a</sup> This compendium is provided as a follow-up activity to Roundtable 1.2 of the first Global Forum on Migration and Development (GFMD). It is a living document and intended to provide an overview of those good practice policy elements in bilateral temporary labour arrangements that could contribute to development and give access to foreign labour markets, at all skill levels, while controlling irregular migration and protecting the human and social rights of migrants.

The compendium builds on the good practices identified in the Roundtable 1.2 discussions and background paper, and is organized according to the three preconditions for temporary labour migration programmes to work for origin and destination countries identified in that paper. It also draws on the Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination, published by the Organization for Security and Cooperation in Europe, the International Organization for Migration, and the International Labor Organization; the ILO Multilateral Framework on Labour Migration; the experiences of the three organizations; and certain publicly available information. In addition, it draws governments’ responses, through GFMD focal points, to a request from the Governments of Spain and Morocco in April 2008 to share their experiences in the area of bilateral temporary labour migration arrangements.

The compendium is not intended to provide an exhaustive list of bilateral arrangements for temporary labour migration, but is rather a compilation of certain good policy practices on this topic. It has been prepared to stimulate discussion at an expert seminar prior to the second GFMD in October 2008, and should be read in conjunction with the paper resulting from that event.

The preparation of the compendium did not involve formal evaluation of the policy elements included herein, although such an evaluation could be useful and could be considered as follow-up activity. Furthermore, the inclusion of good practice policy element(s) of a specific arrangement does not represent the endorsement of that arrangement in its entirety. For example, concerns have been raised with respect to the protection of migrants’ human rights in the context of certain of the arrangements, yet these arrangements are still included in the compendium because they contain provisions which represent good practice policy elements in other important areas. The provisions of the arrangements listed here may in some cases not be fully implemented, and unfortunately it is beyond the scope of this exercise to assess the degree of implementation.

The collection of arrangements in this document may underrepresent the activities of some countries in this field, because of the disparity in information available publicly.

The authors recognize that due to a number of factors, including the limitation of publicly available information on several of the arrangements, these materials would benefit from additional input and further review in order to make them more accurate, complete, and therefore useful to States and other relevant stakeholders. The Compendium is a work in progress. Therefore any comments and suggestions are very welcome and should be sent to Cynthia Bryant at IOM-Geneva (by e-mail to [cbryant@iom.int](mailto:cbryant@iom.int) or by fax to +41 22 798 61 50), to be incorporated into future versions.

	<p>Portugal – Ukraine Portugal – Cape Verde<sup>3</sup></p>	<ul style="list-style-type: none"> <li>• These bilateral agreements establish that Portuguese authorities will transmit job offers addressing Ukrainian and Cape Verdean workers to national authorities in Ukraine and Cape Verde, via the Portuguese Embassy in Kiev and the Cape Verdean Embassy in Lisbon respectively.</li> </ul>
	<p>Spain - Bulgaria Spain - Colombia Spain - Dominican Republic Spain - Ecuador Spain - Mauritania Spain - Morocco Spain - Romania Spain - Senegal<sup>4</sup></p>	<ul style="list-style-type: none"> <li>• In these agreements regulating labour migration flows, the Spanish authorities, through Spanish Embassies in origin countries, notify the origin countries' authorities of the number and type of workers needed, taking into account existing job offers. (There is no set quota; rather, the employers in Spain request a certain number of needed workers.) Origin countries in turn notify the Spanish authorities, through the Spanish Embassies, of the possibility of meeting this demand with their nationals willing to go to Spain.</li> </ul> <hr/> <p style="text-align: center;"><b>Spain- Ecuador Implementing mechanism:</b></p> <p style="text-align: center;"><i>The Ecuadorian Verification and Control Unit (Unidad de Verificación y Control, UVC)</i></p> <p><i>Under the framework of the bilateral labour agreement with Spain, this Unit was created in 2002 with the support of the IOM Mission in Ecuador pursuant to an agreement with the Ministry of Foreign Affairs. This Unit receives job vacancy notices from Spanish enterprises and matches the job offers with the most appropriate candidates through a large database.</i></p>
	<p>Canada - Barbados Canada - Jamaica Canada - Mexico Canada - Trinidad and Tobago Canada - Organization of Eastern Caribbean States<sup>5</sup></p>	<ul style="list-style-type: none"> <li>• Based on bilateral MoUs, the Seasonal Agricultural Workers Scheme (SAWP) is managed by Human Resources and Skills Development Canada (HRSDC). Canadian employers submit requests, which have to be approved by HRSDC, for foreign agricultural workers. The approved requests are then communicated via Canadian network contacts in Mexico and to private recruitment agencies in the participating Caribbean countries. Finding the workers to fill the required demand is then the responsibility of the countries of origin.</li> </ul>
	<p>Italy - Egypt<sup>6</sup></p>	<ul style="list-style-type: none"> <li>• The Integrated Migration Information System (IMIS Phase 1) facilitates legal migration and insertion in the receiving country through a labour database and a job-matching system. The target groups include potential migrants and qualified Egyptians abroad.</li> <li>• IOM provides assistance to the Government of Italy and the Egyptian Government (Ministry of Manpower and Emigration, MME, and Emigration and Egyptians Abroad Sector, EEAS) in implementing IMIS, which was created within the framework of the larger EU-Egypt Association Agreement.</li> </ul>
<p><b>Build capacity to improve human resource development, technology transfers, and skills training</b></p>	<p>Italy - Egypt<sup>7</sup></p>	<ul style="list-style-type: none"> <li>• IMIS Plus, the second phase of the IMIS project, will upgrade the capacity of the Egyptian External Employment Department at the Ministry of Manpower and Emigration (MME), and is implemented by IOM. The training component of the project is made up of six kinds of inputs: (1) On-the-job training on basic IT and technical support, applying the skills acquired under IMIS Phase 1, (2) Information Technology, covering various web development, data management, computer graphics and security programmes, (3) Data gathering and analysis by the Research Unit (4), Language training to improve skills for the EEAS and at intermediate level for the EED , (5) Translation skills upgrading for translators and (6) Study tours and fellowships.</li> <li>• IMIS Plus focuses on building the capacity of human resources to implement the job-matching module set up during IMIS phase 1. It will help the Egyptian MME to guarantee proper validation procedures and matching.</li> </ul>

	<p>South Africa - Cuba  South Africa-Iran  South Africa-Tunisia<sup>8</sup></p>	<ul style="list-style-type: none"> <li>• These cooperation agreements provide for the training of South African doctors in Cuba/Iran/Tunisia, and promote health research, academic collaboration, health policy and programmes, biotechnology, vaccine production and pharmaceutical development.</li> </ul>
	<p>Spain - Colombia  Spain - Dominican Republic  Spain - Ecuador  Spain - Mauritania  Spain - Morocco  Spain - Senegal<sup>9</sup></p>	<ul style="list-style-type: none"> <li>• These agreements regulating labour migration flows provide for a selection committee composed of representatives of the contracting party governments responsible for selecting the best qualified workers for existing job offers and conducting training courses that may be needed.</li> </ul> <hr/> <p style="text-align: center;"><b>Spain –Colombia Implementing mechanism:</b></p> <p style="text-align: center;"><i>Temporary and Circular Labour Migration (TCLM) model</i></p> <p><i>Within the framework of the TCLM, which implements the Spain-Colombia agreement, the National Training Institute in Colombia (SENA) is involved in designing and developing training programmes for the labour migrants to support the process of establishing income-generating activities in Colombia. Colombian labour migrants under the TCLM model transfer to their communities of origin the skills and know how acquired in Catalonia. Development Projects are identified, designed and implemented by labour migrants with the support of local governments, international development agencies and their savings.</i></p>
	<p>France - Mauritius<sup>10</sup></p>	<ul style="list-style-type: none"> <li>• This agreement facilitates the issuance of a visa for a temporary stay with the title of ‘Etudiants’ for Mauritian students who would like to complete their higher education with professional experience after finishing their studies in France or a higher educational institute in Mauritius linked to a French University for a duration of 6 months, which is renewable once. Under the visa category ‘Stagiare’, Mauritian students can finish their studies in France with a maximum stay of 12 months. This type of visa also allows Mauritians who work for French or for a Mauritian company, partner to a French Company, to go to France to undertake a training internship. Under the theme “Migration and Development”, 500 Mauritians are allowed to work in France for 15 months to acquire better professional skills. This visa can be renewed only once for an additional 15 months. As part of an exchange programme limited to a maximum of 200 workers, young professionals between 18-35 years of age are allowed to work in France for a maximum of 18 months to improve their skills.</li> </ul>
<p><b>Identify all stakeholders and involve countries of origin, non-governmental stakeholders as well as international organizations in the selection and recruitment of workers</b></p>	<p>Private Canadian entity – IOM - Colombia  Private Canadian entity - IOM - Honduras *  Private Canadian entity - IOM - Mauritius<sup>11</sup> *</p> <p>* tripartite, not bilateral</p>	<ul style="list-style-type: none"> <li>• IOM, in conjunction with government authorities of Colombia, Honduras and Mauritius, establishes mechanisms for the identification, pre-selection, and recruitment of migrant workers who are sent to work for the private entity in Canada.</li> </ul>

	<p>FERME (Private Canadian Farmers Association) - IOM *</p> <p>IOM-Guatemala<sup>12</sup> *</p> <p>* set of two bilateral agreements</p>	<ul style="list-style-type: none"> <li>IOM cooperates to assist with the selection process of candidates that will fulfil the Canadian demand for seasonal agricultural workers, working in coordination with the Guatemalan Ministry of Labour to assure compliance with work procedures and immigration requirements for seasonal workers, and makes all travel arrangements for seasonal migrant workers.</li> </ul>
	<p>Spain - Bulgaria</p> <p>Spain - Colombia</p> <p>Spain - Dominican Republic</p> <p>Spain - Ecuador</p> <p>Spain - Mauritania</p> <p>Spain - Morocco</p> <p>Spain - Romania</p> <p>Spain - Senegal<sup>13</sup></p>	<ul style="list-style-type: none"> <li>These agreements to regulate labour migration flows provide for selection committees in the countries of origin, including representatives from both the embassies of countries of origin and employers in the country of destination. Third party involvement, such as private intermediaries, is being avoided to decrease the incidences of fraud and other bad practices and to ensure that the legal channels are being used.</li> <li>The high quality of pre-selection of candidates by the authorities in Morocco, Columbia and Ecuador, proposing three possible candidates, largely explains the success of these programmes.</li> </ul> <hr/> <p style="text-align: center;"><b>Spain- Colombia Implementing mechanism:</b> Temporary and Circular Labour Migration (TCLM) model - Unió de Pagesos<sup>14</sup> and IOM Colombia</p> <ul style="list-style-type: none"> <li><i>The Unió de Pagesos, a farmers' union in Catalonia, in close coordination with IOM Colombia, helps to implement Spain's bilateral labour agreements with the Colombian Government. This union assists efforts to match supply and demand, including a process by which employers communicate labour needs. It also arranges authorizations, documentation and visas; hosts the workers by provision of accommodation, integration measures and training; and initiates development projects in the country of origin.</i></li> </ul>
	<p>Canada - Barbados</p> <p>Canada - Jamaica</p> <p>Canada - Mexico</p> <p>Canada - Trinidad and Tobago</p> <p>Canada - Organization of Eastern Caribbean States<sup>15</sup></p>	<ul style="list-style-type: none"> <li>As part of Canada's Seasonal Agricultural Workers Scheme (SAWP) with the Caribbean and Mexico, based on bilateral MoUs, Human Resources and Skills Development Canada (HRSDC) cooperates closely with private agencies, including Foreign Agricultural Resource Management Services (FARMS) in Ontario and Nova Scotia, and the Foundation of Enterprises for the Recruitment of Foreign Labour (FERME), in Quebec, New Brunswick, and Prince Edward Island.</li> </ul>
	<p>Italy - Albania<sup>16</sup></p> <p>Italy - Tunisia<sup>17</sup></p>	<ul style="list-style-type: none"> <li>Employers and employers' associations are involved in requesting specific migrant workers or a certain number of workers through the Italian Ministry of Labour.</li> </ul>

<p><b>Enhance and enable specific types of temporary labor migration, including circular and sector-specific migration</b></p>	<p>Spain – Colombia<sup>18</sup></p>	<ul style="list-style-type: none"> <li>The agreement between Spain and Colombia for the regulation and control of migratory flows contains a chapter on ‘Special Provisions for seasonal workers’ which allows seasonal migrants who have been selected to work temporarily in Spain, to get future contracts in Spain should they comply with the obligation to report within a month of their return to Ecuador to the Spanish consular office that issued their visa.</li> </ul> <hr/> <p style="text-align: center;"><b>Spain- Colombia Implementing mechanism:</b> <i>Temporary and Circular Labour Migration (TCLM) model - Unió de Pagesos<sup>19</sup> and IOM Colombia</i></p> <ul style="list-style-type: none"> <li>These circular migration arrangements allow migrants who have already been selected for overseas employment one year to re-enter the Spanish labour market more easily the following season. Seasonal migrant workers remain, on average, six to nine months in the host society and three to six months at home. The consolidation and replication of the model, financed by the AENEAS EC program, is opening new opportunities in Spain and Colombia.</li> </ul>
	<p>Canada - Barbados Canada - Jamaica Canada - Mexico Canada - Trinidad and Tobago Canada - Organization of Eastern Caribbean States<sup>20</sup></p>	<ul style="list-style-type: none"> <li>Within the purview of Canada's Seasonal Agricultural Workers Scheme (SAWP) with Mexico and Caribbean nations, workers obtain multiple-entry visas to Canada to enable continuation of circular migration.</li> </ul>
	<p>Italy - Albania Italy - Tunisia<sup>21</sup></p>	<ul style="list-style-type: none"> <li>Through the provision of multiple-entry visas to seasonal workers, these agreements give entry priority to previous seasonal workers.</li> </ul>
	<p>South Africa - Cuba South Africa-Iran South Africa-Tunisia<sup>22</sup></p>	<ul style="list-style-type: none"> <li>The agreement concerns the temporary recruitment of doctors and qualified health personnel from Cuba/Iran/Tunisia to fill labour shortages in the health sector in South Africa.</li> </ul>
	<p>South Africa - Mozambique South Africa - Lesotho South Africa - Botswana South Africa - Swaziland South Africa - Malawi<sup>23</sup></p>	<ul style="list-style-type: none"> <li>These agreements for the mining industry between South Africa and select SADC countries (Mozambique, Lesotho, Botswana, Swaziland and Malawi) enable South African mining companies to recruit foreign workers from these SADC countries to fill labour shortages and transfer knowledge and skills.</li> </ul>
	<p>United Kingdom (Department of Health) - India United Kingdom (Department of Health) - Philippines<sup>24</sup></p>	<ul style="list-style-type: none"> <li>These MoUs enable the UK to recruit registered nurses and other healthcare professionals (physiotherapists, radiographers, occupational therapists, biomedical scientists and other Allied Health Professionals that are regulated by appropriate professional bodies in both countries) from the Philippines and India (except from the four Indian states Andhra Pradesh, Madhya Pradesh, Orissa and West Bengal, which receive development assistance from the UK and have lower per-capita numbers of healthcare personnel).</li> </ul>

	Philippines - Japan <sup>25</sup> Indonesia- Japan	<ul style="list-style-type: none"> <li>The Economic Partnership Agreement (EPA) between the countries contains a provision to allow entry of Filipino and Indonesian nurses and caregivers into Japan. A certain number of Filipino and Indonesian nurses and caregivers will be permitted to go to Japan to obtain nursing qualifications, professional training, or language training, for periods of up to four years<sup>26</sup>.</li> </ul>
	Greece - Egypt <sup>27</sup>	<ul style="list-style-type: none"> <li>Under this agreement, mainly covering the fisheries sector, temporary labour migrants are subject to specific regulations regarding the possibility to change employer, the extension of their stay in the country for an additional three-month period after their labour contract has come to an end, and are eligible for the transfer of social security rights and pensions on a mutual basis.</li> </ul>
	France - Mauritius <sup>28</sup>	<ul style="list-style-type: none"> <li>This agreement provides for the possibility of renewal of all residence permits entitled “Etudiants”, “Migration et développement”, “Jeune professionnel” and “Competences et talents”. Under the visa “Competences et talents”, Mauritian individuals who, due to their skills and competencies are likely to contribute significantly to the scientific, intellectual, cultural, sports or humanitarian development of France and, directly or indirectly, of that of Mauritius, are allowed to stay in France for three years. The quota is limited to 150 Mauritian professionals to avoid brain drain of the highly-skilled.</li> </ul>
<b>Enable equal access for women to employment</b>	Unió de Pagesos <sup>29</sup> and IOM Colombia	<ul style="list-style-type: none"> <li>Under the TCLM model IOM, local governments, Unió de Pagesos, AESCO (NGO based in Colombia and Spain) offer jobs to women and men under an equal access gender policy.</li> </ul>
<b>Recognize skills and qualifications to facilitate entry into destination labour market</b>	Canada - Barbados Canada - Jamaica Canada - Mexico Canada - Trinidad and Tobago Canada - Organization of Eastern Caribbean States <sup>30</sup>	<ul style="list-style-type: none"> <li>As part of Canada’s Seasonal Agricultural Workers Program (SAWP) with the Caribbean and Mexico, based on bilateral MoUs, rural workers from depressed regions in Mexico are selected and take up jobs requiring higher skills than the opportunities available to them at home, with higher wages as well. The qualified workers are mostly recognized under skill level C (intermediate and clerical), followed by skill level A (professionals), and level B (skilled workers).</li> </ul>
	UK Department of Health - Spanish Ministry of Health Spain - Philippines <sup>31</sup>	<ul style="list-style-type: none"> <li>The UK-Spain agreement provides for recognition of Spanish nurses’ skills in the UK.</li> <li>Under the Spain-Philippines MoU, nurses and other highly-skilled Filipino workers are allowed into Spain and are afforded the same protections as Spanish workers.</li> </ul>
<b>Address irregular migration with arrangements for legal migration opportunities as one option to restrain irregular movements of people<sup>b</sup></b>	Argentina - Bolivia <sup>32</sup>	<ul style="list-style-type: none"> <li>This agreement stipulates reciprocal regularization, through a renewable temporary residence permit, for those nationals who reside irregularly in the other country and have evidence of employment. At the same time, it allows migration opportunities for nationals of one country who wish to settle in the other for work or business purposes.</li> </ul>

<sup>b</sup> By including this subcategory, the authors do not endorse the practice of requiring that countries of origin sign readmission agreements, or other agreements directly aimed at curbing irregular migration, as a precondition for the opening of legal migration channels.

	Italy - Albania Italy - Tunisia	<ul style="list-style-type: none"> <li>Italy concluded readmission agreements with Albania and Tunisia in conjunction with labour agreements.</li> </ul>
	Spain –Colombia Spain - Ecuador Spain - Morocco <sup>33</sup>	<ul style="list-style-type: none"> <li>Spain signed readmission agreements with Colombia, Ecuador and Morocco in conjunction with bilateral labour agreements for seasonal migrant workers. Colombia’s readmission has been in place for the last 9 years through the TCLM-model. Less than 10% of selected Colombian workers have failed to return home.</li> </ul>
	EU - Egypt <sup>34</sup>	<ul style="list-style-type: none"> <li>In the EU-Egypt Association Agreement, the parties agree to regular dialogue on social matters which are of interest to them, in order to find ways to achieve progress in the field of movement of workers. It also provides for “Co-operation for the prevention and control of illegal immigration and other consular issues,” including reciprocal readmission agreements.</li> </ul>

**Precondition 2: Protection by Improving Work Outcomes and Skills of Migrants**

**2a. Monitoring and evaluation of employment**

<p align="center"><b>Inform workers of legal migration opportunities and of their rights and obligations</b></p>	Spain - Bulgaria Spain - Colombia Spain - Dominican Republic Spain - Ecuador Spain - Mauritania Spain - Morocco Spain - Romania Spain - Senegal <sup>35</sup>	<ul style="list-style-type: none"> <li>The agreements foresee the contracting parties’ organization of educational campaigns to inform potential migrants of their rights and obligations through clear programme guidelines, to prevent the risks and consequences of irregular migration, to prevent the use of counterfeit or altered documents, and to discourage the use of networks that traffic in human beings.</li> </ul>
	Guatemala - Mexico <sup>36</sup>	<ul style="list-style-type: none"> <li>As part of this bilateral seasonal worker programme, the Guatemalan government initiated a mass information campaign on legal migration options to Mexico for Guatemalan agricultural workers.</li> </ul>
<p align="center"><b>Protect migrant workers from recruitment fees and high transportation costs</b></p>	China - Australia <sup>37</sup>	<ul style="list-style-type: none"> <li>This MoU aims to prevent recruitment agents from collecting high recruitment fees from Chinese migrants who want to work in Australia. Chinese recruitment agencies that hire migrants without charging a fee are listed on the websites of the Australian Department of Immigration and Citizenship and the Chinese Ministry of Commerce.</li> </ul>

	Spain – Colombia <sup>38</sup>	<ul style="list-style-type: none"> <li>The bilateral agreement between Spain and Colombia states in general terms that the job offer should include who'll cover the ticket. The entity responsible in Colombia (SENA) for its follow up informed that: <ul style="list-style-type: none"> <li>a) 50/50 for temporarily workers. This was confirmed by the Pagesos farmers union. It is mandatory for the Spanish companies to cover 50% of the ticket cost.</li> <li>b) For highly-skilled or long term workers costs depend on the negotiations between the company and the workers.</li> </ul> </li> </ul>
	Private Canadian entity – IOM Colombia Private Canadian entity - IOM - Honduras * Private Canadian entity - IOM - Mauritius <sup>39</sup> *  * tripartite, not bilateral	<ul style="list-style-type: none"> <li>In the case of Canadian companies, they assume the total amount of transportation costs. As per regulations of the Canadian Government no recruitment fees may be charged to the worker.</li> </ul>
	China - Mauritius <sup>40</sup>	<ul style="list-style-type: none"> <li>Under this MoU on bilateral labour service cooperation, Mauritian employers may recruit Chinese workers only from companies on an established, government-approved list, and must apply for exceptions.</li> </ul>
	Philippines - United Kingdom Department of Health <sup>41</sup>	<ul style="list-style-type: none"> <li>The MoU describes in detail requirements for the Philippine Overseas Employment Administration (POEA) and the National Health Service (NHS) in the UK to guarantee transparency and prevent potential abuse in the recruitment of health care workers. The employer, NHS, pays the cost of initial application, entry visa application costs and the costs of initial airfare to the UK provided workers remain in the post for 12 months, as well as a contribution to the Worker's Welfare Fund and the Employees' Guarantee Trust Fund, both administered by the POEA. The agreement also includes requirements related to preparation of workers for overseas stay.</li> </ul>
	Sri Lanka - Qatar <sup>42</sup>	<ul style="list-style-type: none"> <li>Sri Lanka's MoU with Qatar for the regulation of Sri Lankan labour in Qatar prohibits the recruiting agency from collecting any sum from the worker, and also requires the employer to pay the worker's transportation both to and from Qatar, at the beginning and end of the work period.</li> </ul>
<b>Guarantee fair work and wage conditions</b>	China - Mauritius <sup>43</sup>	<ul style="list-style-type: none"> <li>In addition to setting out government cooperation with respect to the hiring of Chinese workers, this agreement provides that Mauritius, through its labour inspection services, shall protect the rights and interests of the Chinese workers as provided for in Mauritian law as long as they are in Mauritius and possess valid work and residence permits.</li> </ul>
	Greece - Egypt <sup>44</sup>	<ul style="list-style-type: none"> <li>Under reciprocal regulations, temporary migrant workers from both countries are entitled to rights equal to those of national workers, including the same working conditions, wages and leave. Additionally, Egyptian temporary workers in Greece can change employers and stay for three more months after their work contract expires to allow the possibility to find another job.</li> </ul>



	<p>Sri Lanka - Jordan Sri Lanka - Libya Sri Lanka - Qatar Sri Lanka - United Arab Emirates<sup>45</sup></p>	<ul style="list-style-type: none"> <li>• All of these MoUs for regulation of Sri Lankan labour in the countries of destination stipulate the type of information to be included in the employment contract, including accommodation, salary, conditions of work, and responsibility for travel expenses.</li> <li>• Sri Lanka's MoUs with Jordan, Libya, and the UAE allow, in cases of delayed payment of three months or more, the worker to change place of work without the agreement of the employer.</li> <li>• The MoUs specify processes for resolving any dispute which may arise. The agreements with Jordan and Libya specify that Sri Lanka's Bureau or Ministry of Foreign Employment and the host countries' Ministries of Labour will serve as intermediaries to resolve any dispute arising between the employer and employee. The Qatar and UAE MoUs specify that complaints should first be lodged with the respective Ministry of Labour (and Social Affairs). According to all four MoUs, where an amicable settlement cannot be reached, the dispute shall be referred to judicial authorities.</li> </ul>
	<p>Republic of Korea- 14 countries of origin including Vietnam, the Philippines and Thailand<sup>c</sup>-</p>	<ul style="list-style-type: none"> <li>• Since 2004 the Republic of Korea has signed MoUs with 14 countries of origin under the Employment Permit System (EPS), a system for recruiting foreign workers. The EPS guarantees basic rights for foreign workers such as minimum wage, industrial accident compensation insurance and other basic labour rights.</li> </ul>
<p><b>Ensure the same health care and social security benefits for migrant workers as for local workers</b></p>	<p>Canada - Barbados Canada - Jamaica Canada - Mexico Canada - Trinidad and Tobago Canada - Organization of Eastern Caribbean States<sup>46</sup></p>	<ul style="list-style-type: none"> <li>• As part of Canada's Seasonal Agricultural Workers Scheme (SAWP) with the Caribbean and Mexico, based on an MoU, migrant workers are insured under the Workplace Safety and Insurance Act (WSIA) for workplace injuries. Maternal and parental leave benefits are also provided to migrant workers; migrant agricultural workers under the Canada Pension Plan will be entitled to benefit from it if they become severely disabled during the working years or once they are 60.</li> </ul>
	<p>Private Canadian entity – IOM Colombia Private Canadian entity - IOM – Honduras * Private Canadian entity - IOM - Mauritius<sup>47</sup> *</p> <p>* tripartite, not bilateral</p>	<ul style="list-style-type: none"> <li>• The private Canadian entity enables and ensures that each worker has access to health care coverage while working in Canada, and informs the workers of the coverage.</li> </ul>
	<p>Spain - Bulgaria<sup>48</sup></p>	<ul style="list-style-type: none"> <li>• This Agreement on Social Security enables reciprocal portability of social security benefits of migrant workers of the respective states who reside in the other country, and contains provisions on compensation and pensions (inter alia, for temporary work disablement, maternity, occupational disease or accident, unemployment.)</li> </ul>
<p><b>Ensure enforcement</b></p>	<p>Canada - Mexico<sup>49</sup></p>	<ul style="list-style-type: none"> <li>• The Mexican authorities monitor the return of their workers who participate in the Canadian programme.</li> </ul>

<sup>c</sup> Statement by H.E. Joon Jae Lee, Ambassador of the Republic of Korea to UAE, Abu Dhabi, January 22, 2008.

	Spain - Bulgaria Spain - Colombia Spain - Dominican Republic Spain - Ecuador Spain - Mauritania Spain - Morocco Spain - Romania Spain - Senegal <sup>50</sup>	<ul style="list-style-type: none"> <li>Spain has introduced a claims mechanism where abuses and exploitation of migrant workers can be addressed and remedy be sought.</li> <li>The central Spanish Administration ensures the compliance of employers with the provision of adequate housing through inspections and makes sure that the wages agreed upon in the contracts are adhered to by employers.</li> <li>The agreements enable migrants to be re-selected to work abroad and re-enter Spain again in the following year only if they complied with their obligation to return to their country of origin and report to the Spanish embassies there. Furthermore, seasonal workers who participated for four years in the temporary work programmes and returned all these years at the end of the season have access to a more stable work permit in a preferential way.</li> </ul>
<b>Integrate monitoring and evaluation measures</b>	Canada - Mexico FERME (Private Canadian Farmers Association) - Mexico <sup>51</sup>	<ul style="list-style-type: none"> <li>In addition to the availability of clear programme guidelines and the collection and dissemination of programme statistics, a regular analysis of the programme function and a regular convening of the programme stakeholders take place. For 34 years, the Canadian government, together with employers, meets with their Mexican counterparts from the Ministry of Labour and Mexican employer organizations annually to assess the temporary labour programme. The location of these systematic yearly evaluations alternates between Canada and Mexico.</li> <li>In collaboration with Mexican authorities, FERME has carried out an economic impact assessment of the costs and benefits of the programme on seasonal agricultural workers to ensure that all stakeholders involved benefit from the temporary labour migration.</li> </ul>
<b>2b. Improving work skills and outcomes</b>		
<b>Provide pre-departure language training and cultural orientation</b>	Private Canadian entity – IOM - Colombia Private Canadian entity - IOM - Honduras * Private Canadian entity - IOM - Mauritius <sup>52</sup> *  * tripartite, not bilateral	<ul style="list-style-type: none"> <li>Prior to departure, workers are given English language training, as well as courses on cultural adjustment and integration (provided by IOM).</li> </ul>
	Italy - Moldova Italy - Sri Lanka <sup>53</sup>	<ul style="list-style-type: none"> <li>On behalf of the Italian government, IOM provided a language training course and pre-departure orientation for caregivers from Sri Lanka and Moldova bound for Italy.</li> </ul>
<b>Cooperate among countries of origin to protect migrant workers in countries of destination</b>	Philippines - Indonesia <sup>54</sup>	<ul style="list-style-type: none"> <li>The agreement identifies the promotion and protection of migrant workers' welfare and rights as priorities for co-operation. The MoU establishes joint working groups through the two countries' embassies in destination countries, and foresees cooperation in the training and certification of migrant workers and provision of legal aid for the protection of their rights. These arrangements include exchange of information, materials, experience, experts and staff.</li> </ul>

<b>Facilitate equal access of female migrant workers</b>	[We are looking for more agreements guaranteeing <b>protection of female migrant workers</b> . Suggestions are welcome.]	
	Private Canadian entity – IOM Colombia Private Canadian entity - IOM - Honduras * Private Canadian entity - IOM - Mauritius <sup>55</sup> *  tripartite, not bilateral	<ul style="list-style-type: none"> <li>• IOM establishes mechanisms for the identification, pre-selection, and facilitation of final selection, visa-processing and transit assistance of migrant workers who are sent to work for the private entity in Canada. Women are equal to men regarding employment, so as to be hired and work at the plant.</li> </ul>
<b>Ease access to financial systems and enhance financial transfers</b>	Mexico - US based banks <sup>56</sup>	<ul style="list-style-type: none"> <li>• In the U.S., Mexican irregular migrants can open a bank account via regulated financial institutions and remit money with an ID issued by their Consulate.</li> </ul>
	Caixa Española - Central Bank of Ecuador <sup>57</sup>	<ul style="list-style-type: none"> <li>• In this agreement with the Caixa Español (a Spanish bank), 53 Ecuadorian financial institutions are integrated in an agreement to minimize the transfer costs of remittances.</li> </ul>
	Banco Solidario of Ecuador (a private bank) - A set of Spanish banks <sup>58</sup>	<ul style="list-style-type: none"> <li>• Banco Solidario of Ecuador together with a set of Spanish banks developed a savings account called “My Family, My Country, My Return” based on remittances. The account allows migrants to fully control their finances while abroad and accumulate savings to invest after their return home.</li> </ul>
	Egypt - Italy <sup>59</sup>	<ul style="list-style-type: none"> <li>• Implemented by IOM, the Integrated Migration Information System PLUS (IMIS PLUS) seeks to capitalize on the potential of Egyptian expatriates to contribute to development in Egypt. IMIS PLUS disseminates information on its website about Egyptian investment and work opportunities to Egyptian migrants.</li> </ul>
<b>Promote inclusion of migrants in society of destination country</b>	Argentina - Bolivia Argentina - Peru <sup>60</sup>	<ul style="list-style-type: none"> <li>• The Bilateral Migration Agreement grants the right to equal access to education for children of migrants residing in the respective other country, including in situations where their parents are in an irregular status.</li> </ul>
<b>Facilitate family reunification</b>	Argentina - Bolivia <sup>61</sup>	<ul style="list-style-type: none"> <li>• The Additional Protocol to the Migration Agreement extends all the rights (to a temporary residence permit) to spouses, children and parents of the migrants covered by the Agreement.</li> </ul>
	Italy - Albania Italy - Tunisia <sup>62</sup>	<ul style="list-style-type: none"> <li>• Family reunification is not possible under these labour agreements unless a one-year residence permit is acquired, but family members have the right to work in Italy.</li> </ul>

Spain - Colombia Spain - Dominican Republic Spain - Ecuador Spain - Mauritania <sup>63</sup>	<ul style="list-style-type: none"> <li>• These agreements provide a right to the migrant workers to maintain their family group, as provided under Spanish law.</li> </ul>
---	--

**Precondition 3: Ensuring Temporariness of Migration**

<b>Ease reintegration and recognition of skills</b>	Spain - Colombia Spain - Dominican Republic Spain - Ecuador Spain - Mauritania <sup>64</sup>	<ul style="list-style-type: none"> <li>• Include projects to facilitate voluntary return through training and recognition of the experience acquired in Spain, by providing for the creation of bi-national small- and medium-sized enterprises, the development of human resources, and transfer of technology.</li> </ul>
	Spain-Colombia <sup>65</sup>	<ul style="list-style-type: none"> <li>• The Spain-Colombia bilateral labour agreement includes a chapter on ‘The Migrant’s return’ which provides steps to be taken to promote re-entry of migrant workers in Colombia with the value added from their immigration experience as a factor for economic, social, and technological development.</li> </ul> <hr/> <p style="text-align: center;"><b><i>Spain- Colombia Implementing mechanism:</i></b>  <i>Temporary and Circular Labour Migration (TCLM) model -</i>  <i>Unió de Pagesos</i><sup>66</sup> Colombian Local Governments – International Development Agencies</p> <ul style="list-style-type: none"> <li>• Unió de Pagesos provides reintegration, retraining support and co-development training to returning Colombian and other migrants.</li> </ul>
	France - Mauritius <sup>67</sup>	<ul style="list-style-type: none"> <li>• Under this agreement, Mauritian worker returnees with a “Compétences et talents”, “Migration and Development” or a “Young Professional” Visa are entitled to a social and professional reintegration programme including professional training as well as some financial and material aid to help them to establish an economic activity which aims at creating employment.</li> <li>• Under the exchange programme for young professionals, the qualifications corresponding to the ones required in the job offers are recognized.</li> </ul>
<b>Provide possibility for repeat migration</b>	FERME (Private Canadian Farmers Association) - IOM * IOM-Guatemala <sup>68</sup> *  *set of two bilateral agreements	<ul style="list-style-type: none"> <li>• Cooperation with the Government of Guatemala based on an MoU</li> <li>• Contract between government and recruitment agencies: IOM established a programme where Guatemalan seasonal agricultural workers are recruited and transferred on behalf of employers in FERME, the Québécois farmers’ association, with a return rate of almost 100%<sup>69</sup> and high probability of being selected again the next year.</li> </ul>

	Spain - Dominican Republic Spain - Morocco <sup>70</sup>	<ul style="list-style-type: none"> <li>Spanish labour agreements require migrant workers to report to Spanish consular authorities on return to country of origin to create incentives for return by offering the prospect of obtaining longer-term residence status in Spain upon employment offer.</li> </ul>
	Spain-Colombia <sup>71</sup>	<ul style="list-style-type: none"> <li>The agreement between Spain and Colombia for the regulation and control of migratory flows contains a chapter on 'Special Provisions for seasonal workers' which allows seasonal migrants who have been selected to work temporarily in Spain, to get future contracts in Spain should they comply with the obligation to report within a month of their return to Colombia to the Spanish consular office that issued their visa.</li> </ul> <hr/> <p style="text-align: center;"><b>Spain- Colombia Implementing mechanism:</b> <i>Temporary and Circular Labour Migration (TCLM) model - Unió de Pagesos<sup>72</sup> and IOM Colombia</i></p> <ul style="list-style-type: none"> <li>These circular migration arrangements allow migrants who have already been selected for overseas employment one year to re-enter the Spanish labour market more easily the following season. Seasonal migrant workers remain, on average, six to nine months in the host society and three to six months at home. The consolidation and replication of the model, financed by the AENEAS EC program, is opening new opportunities in Spain and Colombia.</li> </ul>
<b>Provide for portability of retirement pensions; social security; health benefits</b>	Philippines - Austria Philippines - Belgium Philippines - Canada Philippines - France Philippines - Netherlands Philippines - Spain Philippines - Switzerland Philippines - United Kingdom <sup>73</sup>	<ul style="list-style-type: none"> <li>The Bilateral Social Security Agreements, complementary to the bilateral labour agreements between the Philippines and the respective countries, ensure reciprocal equal treatment of migrant workers in the respective other country. They enhance the possibility to file claims by enabling beneficiaries to lodge them in the respective agencies in the other country, and provide continuation of benefits regardless of where the Filipino worker resides (the Philippines, the other country or a third country). They also add periods of participation in the social security system in both countries to calculate the eligibility for benefits.</li> </ul>
	India – Belgium <sup>74</sup>	<ul style="list-style-type: none"> <li>Under reciprocal regulations for workers from both countries, social security entitlements, pensions and disability insurance can be mutually transferred between India and Belgium.</li> </ul>
	Greece - Egypt <sup>75</sup>	<ul style="list-style-type: none"> <li>Under reciprocal regulations for workers from both countries, social security entitlements and pensions can be mutually transferred between Greece and Egypt.</li> </ul>
	Spain - Bulgaria <sup>76</sup>	<ul style="list-style-type: none"> <li>The Bilateral Administrative Agreement on Social Security enables reciprocal portability of social security benefits of migrant workers of the respective states who reside in the other country.</li> </ul>

<sup>1</sup> Bilateral Agreement between the Hellenic Republic and the Republic of Bulgaria on seasonal workers (signed 1995, remains in force until the end of the transitional period on 1 January 2009, during which the freedom of movement of Bulgarian citizens seeking employment in the European Union (EU) is restricted.)

---

Bilateral Agreement between the Hellenic Republic and the Republic of Albania on seasonal workers (1997, still in force).

<sup>2</sup> Agreement between the Portuguese Republic and the Republic of Bulgaria on the Reciprocal Employment of Respective Nationals. Signed September 26, 2002. <http://www.gddc.pt/siii/ib.asp?id=1529>. Valid for 5 years and is automatically extended for another year, unless differently stated by the parties to the agreement. In any case, valid only until 2010, as the transitory period post-admission will expire and Romanians will not need a work visa anymore.

Protocol Annex to the Agreement between the Government of the Portuguese Republic and the Government of Romania on the Temporary Residence of Romanian Citizens for the Provision of Work in Portugal. Signed July 19, 2001. Entered into force, January 21, 2006. <http://www.gddc.pt/siii/ib.asp?id=1797> Valid for 5 years and can be extended for another five years, unless differently stated by the parties to the agreement. This agreement is valid only until 2010, as the post-EU-admission transition period will expire and Romanians will not need a work visa anymore.

<sup>3</sup> Protocol on Temporary Emigration of Workers from Cape Verde for Employment in Portugal. Signed in Praia on September 18, 1997  
Protocol on Temporary Emigration of Workers from the Ukraine for Employment in Portugal. Signed in Kiev on 12 February, 2003.

<sup>4</sup> Agreement between Spain and Bulgaria\* Concerning the Regulation of Labour Migration Flows between Both States. Signed October 28, 2003. [http://www.ikuspegi.org/documentos/legislacion/boe\\_15\\_diciembre\\_2003.pdf](http://www.ikuspegi.org/documentos/legislacion/boe_15_diciembre_2003.pdf).

Agreement between Spain and Colombia Concerning the Regulation of Labour Migration Flows. Signed May 21, 2001. [http://www.ikuspegi.org/documentos/legislacion/Acuerdo\\_flujos\\_COLOMBIA.pdf](http://www.ikuspegi.org/documentos/legislacion/Acuerdo_flujos_COLOMBIA.pdf).

Agreement between Spain and the Dominican Republic Concerning the Regulation of Labour Migration Flows. Signed December 17, 2001. <http://www.lexureditorial.com/boe/0202/02281.htm>.

Agreement between Spain and Ecuador Concerning the Regulation of Labour Migration Flows. Signed May 29, 2001. <http://www.lexureditorial.com/boe/0107/13269.htm#ind01132691>.

Agreement between the Kingdom of Spain and the Islamic Republic of Mauritania Concerning the Regulation of Labour Migration Flows Between Both States. Signed July 25, 2007. [http://noticias.juridicas.com/base\\_datos/Laboral/ai011007-aec.html#c4](http://noticias.juridicas.com/base_datos/Laboral/ai011007-aec.html#c4).

Agreement between Spain and Morocco on the Work Force. Signed July 25, 2001. <http://www.ikuspegi.org/documentos/legislacion/aem-25-7-01.pdf>.

Agreement between Spain and Romania\* Concerning the Regulation of Labour Migration Flows. Signed January 23, 2002. [http://www.ikuspegi.org/documentos/legislacion/acuerdo\\_Espana\\_Rumania.pdf](http://www.ikuspegi.org/documentos/legislacion/acuerdo_Espana_Rumania.pdf).

\* "The transitional period laid down in the Treaty of Accession of the Republic of Bulgaria and Romania shall last for a maximum of two years in Spain, from 1 January 2007, the date of accession. Notwithstanding the above, at the end of the first year, the Government, in conjunction with the social partners, shall assess the effects of the application of the said transitional period and, depending on the conclusions reached, shall agree to continue this period until the end of the two years or, where appropriate, shall deem it to be finished and shall from that time fully apply Community legislation on the free movement of workers to Bulgarian and Romanian workers." EURES: The Job Mobility Portal. <http://www.europa.eu.int/eures/main.jsp?acro=free&lang=en&countryId=ES&fromCountryId=BG&accessing=0&content=1&restrictions=1&step=2>.

<sup>5</sup> The Caribbean Seasonal Agricultural Worker Program in Canada was inaugurated in 1966 as a pilot program between Canada and Jamaica. Since then, it has expanded to include Mexico, Jamaica, Trinidad and Tobago, Barbados and the Organization of Eastern Caribbean States. For additional information, see Verma, V. et al. The Regulatory Framework of the Caribbean Seasonal Agricultural Workers Program. The North-South Institute, 2007, and Andrew S. Downes, The Canadian Seasonal Agricultural Workers Program: the experience of Barbados, Trinidad and Tobago and the OECS, paper presented at the conference on CSAWP held in Barbados May 7-8, 2007, sponsored by the North-South Institute.

<sup>6</sup> The IMIS project started July 1, 2001 and ended on August 31, 2005. For more information on IMIS, please contact the International Organization for Migration – Cairo. For more information on how the larger EU-Egypt Association Agreement addresses irregular migration in parallel with arrangements for legal migration opportunities, see Section 2 below.

<sup>7</sup> The IMIS PLUS program started in 2007. For information about IMIS Phase 1, see note 6.

<sup>8</sup> Agreement between the Government of the Republic of South Africa and the Government of the Republic of Cuba on Cooperation in the Field of Health signed in Pretoria on March 31, 2001. The first agreement between South Africa and Cuba was signed in 1995, and as of 2002, six teams of doctors had travelled from South Africa to Cuba. For more information on this program, see Daniel P. Hammett, "From Havana With Love: A Critical Case Study of South-South Development Co-operation Operating Between Cuba and South Africa in the Health Care Sector." The University of Edinburgh: College of Humanities and Social Sciences: School of Social and Political Studies, September 2003. Available at <http://www.era.lib.ed.ac.uk/bitstream/1842/572/2/DanHCuba.pdf>. We are still verifying that this arrangement is ongoing. For more information on the agreement please also consult the Treaty Section of the Department of Foreign Affairs of the Republic of South Africa, <http://www.dfa.gov.za/foreign/bilateral/index.htm>.

Cooperation Agreement between the Government of the Republic of South Africa and the Government of the Republic of Tunisia on Public Health and Medical Sciences signed in Tunis on November 24, 1999.

Agreement between the Government of the Republic of South Africa and the Government of the Islamic Republic of Iran on Cooperation in the field of Health signed in Tehran on December 14, 2004.

<sup>9</sup> Agreement between Spain and Bulgaria\* Concerning the Regulation of Labour Migration Flows between Both States. Signed October 28, 2003. [http://www.ikuspegi.org/documentos/legislacion/boe\\_15\\_diciembre\\_2003.pdf](http://www.ikuspegi.org/documentos/legislacion/boe_15_diciembre_2003.pdf).

Agreement between Spain and Colombia Concerning the Regulation of Labour Migration Flows. Signed May 21, 2001. [http://www.ikuspegi.org/documentos/legislacion/Acuerdo\\_flujos\\_COLOMBIA.pdf](http://www.ikuspegi.org/documentos/legislacion/Acuerdo_flujos_COLOMBIA.pdf).

---

Agreement between Spain and the Dominican Republic Concerning the Regulation of Labour Migration Flows. Signed December 17, 2001. <http://www.lexureditorial.com/boe/0202/02281.htm>.

Agreement between Spain and Ecuador Concerning the Regulation of Labour Migration Flows. Signed May 29, 2001. <http://www.lexureditorial.com/boe/0107/13269.htm#ind01132691>.

Agreement between the Kingdom of Spain and the Islamic Republic of Mauritania Concerning the Regulation of Labour Migration Flows Between Both States. Signed July 25, 2007. [http://noticias.juridicas.com/base\\_datos/Laboral/ai011007-aec.html#c4](http://noticias.juridicas.com/base_datos/Laboral/ai011007-aec.html#c4).

Agreement between Spain and Morocco on the Work Force. Signed July 25, 2001. <http://www.ikuspegi.org/documentos/legislacion/aem-25-7-01.pdf>.

Agreement between Spain and Romania\* Concerning the Regulation of Labour Migration Flows. Signed January 23, 2002. [http://www.ikuspegi.org/documentos/legislacion/acuerdo\\_Espana\\_Rumania.pdf](http://www.ikuspegi.org/documentos/legislacion/acuerdo_Espana_Rumania.pdf).

\* "The transitional period laid down in the Treaty of Accession of the Republic of Bulgaria and Romania shall last for a maximum of two years in Spain, from 1 January 2007, the date of accession. Notwithstanding the above, at the end of the first year, the Government, in conjunction with the social partners, shall assess the effects of the application of the said transitional period and, depending on the conclusions reached, shall agree to continue this period until the end of the two years or, where appropriate, shall deem it to be finished and shall from that time fully apply Community legislation on the free movement of workers to Bulgarian and Romanian workers." EURES: The Job Mobility Portal. <http://www.europa.eu.int/eures/main.jsp?acro=free&lang=en&countryId=ES&fromCountryId=BG&accessing=0&content=1&restrictions=1&step=2>.

<sup>10</sup> Accord entre le Gouvernement de la République Française et le Gouvernement de la République de Maurice Relative au Séjour et a la Migration Circulaire de Professionnels, 23 September 2008.

<sup>11</sup> International Organization for Migration, Migration Management Services.

<sup>12</sup> "Seasonal Agricultural Workers Project: Canada – Guatemala." International Organization for Migration - Guatemala. Established in 2003. <http://www.oim.org.gt/SeasonalAgriculturalWorkersProject.pdf>

<sup>13</sup> See Note 4.

<sup>14</sup> For more information, contact International Organization for Migration – Colombia. <http://www.oim.org.co> and <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=292>.

<sup>15</sup> See Note 5.

<sup>16</sup> Seeking primary source.

<sup>17</sup> Agreement between the Government of the Italian Republic and the Government of the Tunisian Republic for the Employment of Seasonal Workers. Signed July 5, 2000. [http://www.anolf.it/circolari/accordo\\_tunisia.htm](http://www.anolf.it/circolari/accordo_tunisia.htm).

<sup>18</sup> See Note 4.

<sup>19</sup> For more information, contact International Organization for Migration – Colombia. <http://www.oim.org.co> and <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=292>.

<sup>20</sup> See Note 5.

<sup>21</sup> See Note 17. For more information on these agreements, see Daniela Bobeva and Jean-Pierre Garson, "Overview of Bilateral Agreements and Other Forms of Labour Recruitment," in *Migration for Employment: Bilateral Agreements at a Crossroads*. OECD, 2004. 11-29 at 16.

<sup>22</sup> Agreement between the Government of the Republic of South Africa and the Government of the Republic of Cuba on Cooperation in the Field of Health signed in Pretoria on March 31, 2001. The first agreement between South Africa and Cuba was signed in 1995, and as of 2002, six teams of doctors had travelled from South Africa to Cuba. For more information on this program, see Daniel P. Hammett, "From Havana With Love: A Critical Case Study of South-South Development Co-operation Operating Between Cuba and South Africa in the Health Care Sector." The University of Edinburgh: College of Humanities and Social Sciences: School of Social and Political Studies, September 2003. Available at <http://www.era.lib.ed.ac.uk/bitstream/1842/572/2/DanHCuba.pdf>. We are still verifying that this arrangement is ongoing. For more information on the agreement please also consult the Treaty Section of the Department of Foreign Affairs of the Republic of South Africa, <http://www.dfa.gov.za/foreign/bilateral/index.htm>.

Cooperation Agreement between the Government of the Republic of South Africa and the Government of the Republic of Tunisia on Public Health and Medical Sciences signed in Tunis on November 24, 1999.

Agreement between the Government of the Republic of South Africa and the Government of the Islamic Republic of Iran on Cooperation in the field of Health signed in Tehran on December 14, 2004.

<sup>23</sup> Seeking primary source.

<sup>24</sup> For information on the Memorandums of Understanding between the UK Department of Health and India/ the Philippines, see Appendix, UK Department of Health "Draft Code of Practice for the international recruitment of healthcare professionals," August 2004. [http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalasset/dh\\_4088850.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4088850.pdf). The Philippines agreement was signed in 2003. For further information on the UK's guidelines for such agreements, see Commonwealth Code of Practice for International Recruitment of Health Workers. [http://www.thecommonwealth.org/shared\\_asp\\_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-](http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-)

---

1B64C37E992A%7D\_CommonwealthCodeofPractice.pdf. See also Loizillon, Anaïs. Box 7.3, "Special agreements between countries and the Department of Health," in "Principal Labour Migration Schemes in the United Kingdom." Migration for Employment, OECD, 2004. 122.

<sup>25</sup> Agreement between Japan and the Republic of the Philippines for an Economic Partnership. Signed September 9, 2006. For Annex 8, Section 1, Part 6, see <http://www.mofa.go.jp/region/asia-paci/philippine/epa0609/annex8.pdf>. For the entire agreement, see <http://www.mofa.go.jp/region/asia-paci/philippine/epa0609/index.html>. For the Implementation Agreement, see <http://www.mofa.go.jp/region/asia-paci/philippine/epa0609/ia.pdf>.

<sup>26</sup> The Philippines -Japan EPA is still not approved by the Philippine Parliament. As the EPA would apply GATS Mode 4 for the free movement of service providers, Japan would have to apply the provisions to all countries due to the principle of the Most Favoured Nation clause used in the trade system of the World Trade Organization.

<sup>27</sup> Bilateral Agreement between the Hellenic Republic and the Arab Republic of Egypt (signed 1984, still in force), mainly covering the fisheries sector.

<sup>28</sup> See Note 10.

<sup>29</sup> See Note 20.

<sup>30</sup> See Note 5.

<sup>31</sup> For a description of the government-to-government agreement between Spain and the UK, see Dear Colleague letter on "Recruiting Healthcare Professionals from Spain," 3 April 2001. [http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH\\_4008196?IdcService=GET\\_FILE&dID=6974&Rendition=Web](http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH_4008196?IdcService=GET_FILE&dID=6974&Rendition=Web). The Spain-Philippines MoU was signed in June 2006; see "Spain opens health care sector to OFWs." *Business World* 30 June 2006, p. S1/12.

<sup>32</sup> Migration Agreement between Argentina and Bolivia. Signed 16 February 1998. Approved in Argentinean Law 25.098, promulgated 5 May 1999. [http://www.mininterior.gov.ar/migraciones/inter\\_pdf/acuerdos/bolivia/conveniomiigracionargentinabolivia.pdf](http://www.mininterior.gov.ar/migraciones/inter_pdf/acuerdos/bolivia/conveniomiigracionargentinabolivia.pdf)

<sup>33</sup> See Notes 4 and 17.

<sup>34</sup> EU/Egypt Association Agreement. Signed June 25, 2001. [http://www.delegy.ec.europa.eu/en/eu\\_and\\_country/01.pdf](http://www.delegy.ec.europa.eu/en/eu_and_country/01.pdf).

<sup>35</sup> See Note 4.

<sup>36</sup> For information on the Guatemalan Migrant Workers Project, see International Organization for Migration - Guatemala, <http://www.oim.org.gt/Trab.%20Mig.%20Mexico%20Project%20English.pdf>. July 2002.

<sup>37</sup> Memorandum of Understanding between China and Australia. Signed September 5, 2007. See "Pact with China Excludes Dubious Visa Middleman." *The Age* (Melbourne, Australia): September 6, 2007.

<sup>38</sup> See Note 4.

<sup>39</sup> International Organization for Migration, Migration Management Services.

<sup>40</sup> Agreement between the Government of the Republic of Mauritius and the Government of the People's Republic of China on Bilateral Labour Service Cooperation. Signed January 24, 2005.

<sup>41</sup> See Note 24.

<sup>42</sup> Agreement Between the Government of the Democratic Socialist Republic of Sri Lanka and the Government of the State of Qatar Concerning the Regulation of Sri Lankan Manpower Employment in the State of Qatar. Signed January 9, 2008.

<sup>43</sup> See Note 43.

<sup>44</sup> See Note 27.

<sup>45</sup> Memoranda of Understanding. Sri Lanka - Jordan, Signed February 7, 2006. Sri Lanka - Libya, Signed March 18, 2008. Sri Lanka - Qatar, Signed January 9, 2008. Sri Lanka - United Arab Emirates, Signed May 25, 2007.

<sup>46</sup> See Note 5.

<sup>47</sup> See Note 11.

<sup>48</sup> Agreement between the Republic of Bulgaria and the Kingdom of Spain on Social Security. Signed May 13, 2002. *D'rzhaven Vestnik*, 2003-10-07, No. 88, pp. 54-61.



---

<sup>49</sup> See Note 5.

<sup>50</sup> See Note 4.

<sup>51</sup> See Note 5.

<sup>52</sup> See Note 11.

<sup>53</sup> International Organization for Migration, Migration Management Services. See also “Moldova, Italy sign labour migration agreement.” Chisinau via BBC Kiev Monitoring Unit, 28 November 2003.

<sup>54</sup> For more information on the 2003 Memorandum of Understanding between the Department of Labour and Employment of the Republic of the Philippines and the Department of Manpower and Transmigration of the Republic of Indonesia concerning Migrant Workers, see Stella P. Go, “Fighting for the Rights of Migrant Workers: The Case of the Philippines,” in *Migration for Employment: Bilateral Agreements at a Crossroads*. OECD, 2004. 187-202 at 189.

<sup>55</sup> International Organization for Migration, Migration Management Services.

<sup>56</sup> Seeking primary source.

<sup>57</sup> Seeking primary source.

<sup>58</sup> For more information about the program, which was initiated in 2002, see Victor Donaire, “The Banco Solidario Program to Support Ecuadorian Immigrants in Spain.” January 2005. <http://www.themfmi.org/attachments/Caso%20Banco%20Solidario%20Migrantes%20FINAL%20English.pdf>.

<sup>59</sup> See Note 7.

<sup>60</sup> Argentina - Bolivia, see Note 33. Argentina - Peru, Migration Agreement between the Republic of Argentina and the Republic of Peru. Signed May 7, 1999. [http://www.mininterior.gov.ar/migraciones/inter\\_pdf/acuerdos/peru/conveniomigracionargperu.pdf](http://www.mininterior.gov.ar/migraciones/inter_pdf/acuerdos/peru/conveniomigracionargperu.pdf).

<sup>61</sup> Additional Protocol to the Migration Agreement between the Republic of Argentina and the Republic of Bolivia. Signed January 14, 2002. [http://www.mininterior.gov.ar/migraciones/inter\\_pdf/acuerdos/bolivia/adicionalconvenioargentinabolivia.pdf](http://www.mininterior.gov.ar/migraciones/inter_pdf/acuerdos/bolivia/adicionalconvenioargentinabolivia.pdf).

<sup>62</sup> See Note 17.

<sup>63</sup> See Note 4.

<sup>64</sup> See Note 4.

<sup>65</sup> See Note 4.

<sup>66</sup> For more information, contact International Organization for Migration – Colombia. <http://www.oim.org.co> and <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=292>.

<sup>67</sup> See note 10.

<sup>68</sup> See Note 5.

<sup>69</sup> 99.8% of workers, or 4 out of 2255 returned from Canada in 2007. For more information, contact International Organization for Migration – Guatemala, <http://www.oim.org.gt>.

<sup>70</sup> See Note 4.

<sup>71</sup> See Note 4.

<sup>72</sup> For more information, contact International Organization for Migration – Colombia. <http://www.oim.org.co> and <http://www.oim.org.co/modulos/contenido/default.asp?idmodulo=292>.

<sup>73</sup> For more information on these agreements, see Stella P. Go, “Fighting for the Rights of Migrant Workers: The Case of the Philippines” in *Migration for Employment: Bilateral Agreements at a Crossroads*. OECD, 2004. 187-202 at 190, 199. The Philippines signed agreements with the following countries in these years: Austria, 1980, amended, 1982 and 2000, Convention between the Republic of the Philippines and the Republic of Austria in the Field of Social Security. Belgium, 2001, Convention on Social Security between the Republic of the Philippines and the Kingdom of Belgium. Canada, 1999, Agreement on Social Security between the Republic of the Philippines and Canada. France, 1990, Social Security Convention between the Philippines and France. Netherlands, 2001, Agreement between the Republic of the Philippines and the Kingdom of the Netherlands on the Export of Social Insurance Benefits. Spain, 1988,

---

Convention on Social Security between the Philippines and Spain. Switzerland, 2001, Agreement on Social Security between the Republic of the Philippines and the Swiss Confederation. United Kingdom, 1985, Convention on Social Security between the United Kingdom of Great Britain and Northern Ireland and the Philippines.

<sup>74</sup> Agreement on Social Security between the Kingdom of Belgium and the Republic of India. Signed in New Dehli on November 3, 2006.

<sup>75</sup> See Note 27.

<sup>76</sup> Social Security Agreement between the Kingdom of Spain and the Republic of Bulgaria. Signed May 13, 2002. Implemented July 18, 2003. [http://noticias.juridicas.com/base\\_datos/Laboral/ir241003-je.html](http://noticias.juridicas.com/base_datos/Laboral/ir241003-je.html)