

ITUC ECONOMIC BRIEFING



Ensuring Migrants' Access to Social Protection



ITUC CSI IGB

International Trade Union Confederation

Foreword by Sharan Burrow

Social protection is an internationally recognised human right, as well as an investment in robust and inclusive economies. It is a foundation of resilience for people weathering shocks, as it prevents and reduces poverty and inequality and empowers people to adjust to changes and disruptions in the economy and in the labour market. It enhances employment and productivity and is a powerful driver for economic growth. However despite decades of government commitments to extend social protection, including through the UN 2030 Agenda, less than half of the world's population have access to any form of social protection, and less than two thirds have access to comprehensive protection in line with international labour standards.

Migrants are disproportionately excluded from access to social protection, and at the same time more likely to be concentrated in low paid, precarious and informal work, leaving them especially exposed to poverty, social exclusion and social insecurity. The COVID-19 pandemic has brutally exposed the fault lines between those who have access to social protection and those who do not, as hundreds of millions of workers have lost their jobs and livelihoods, and migrants have been disproportionately excluded from social support.

A new social contract is urgently needed to avoid a fragile and unequal recovery fuelled by austerity policies and marked by precarious work, high unemployment, and economic uncertainty. Ensuring universal social protection that is available to all workers without discrimination – including migrants – must be at the foundation of this contract - together with measures to create quality jobs, support access to fundamental rights, ensure equality and support the inclusion of all people.

Key terms and definitions*

Migrants: An umbrella term referring to any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status, whether the movement is voluntary or involuntary, what the causes for the movement are, or what the length of the stay is. This paper focusses on migrants who have moved across international borders (i.e., international migrants).

Refugees: Persons who, due to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside their country of nationality and who are under UNHCR protection.

Asylum-seekers: persons seeking refugee status, however not yet legally recognized as refugees.

Migrant workers: defined as persons who are not nationals and are engaged in waged activities in destination countries or actively searching for employment.**

Internally displaced persons: persons who were forcibly displaced within their country of origin.

Climate migrants: forcibly displaced persons due to sudden changes in environment caused by climate change.

Immigrants: From the perspective of the country of arrival, people who move into a country other than that of his or her nationality or usual residence.

Emigrants: From the perspective of the country of departure, people who move from their country of nationality or usual residence to another country,

*Adapted from the International Organization for Migration (IOM). For more key terms, click [here](#).

**Definition adopted from article 11 of ILO [Convention 93](#), and article 2 of [1990 Convention](#).

Introduction

Freedom of movement and access to social protection are both internationally recognised human rights, as enshrined in the Universal Declaration of Human Rights¹ among other international instruments. The world has witnessed an increase in migration in recent years, as in 2019 the migrant population worldwide - including migrant workers, asylum seekers, refugees and irregular/undeclared migrants - reached an estimated 272 million in comparison to 153 million in 1990². Overall, migrants are estimated to account for around 3,5% of the global population.

However, **migrants' access to social protection remains alarmingly low in most countries, exacerbating migrant workers' risk of falling into poverty and hindering their ability to ensure an adequate standard of living for themselves and their families.** The 2021 Recurrent Discussion on Social Security at the International Labour Conference highlighted that migrants are disproportionately affected by lack of coverage in social protection and inadequate levels of protection³. The World Bank has estimated that only 23% of migrants have access to social protection benefits in destination and origin countries through portability and bilateral agreements, 55% have access to social protection in destination countries but lost entitlements in origin countries, and 22% are excluded from all social protection arrangements in both destination and origin countries⁴.

Migrants are also often substantially underrepresented in the labour market and concentrated in precarious, low-paid work. In many countries, migrants are substantially at greater risk of unemployment than nationals – for instance in Sweden, where migrants' unemployment rate is 16% compared to 3.6% for non-migrants⁵. Due to migrants facing problems in accessing steady employment

opportunities, they often resort to being employed in non-standard forms of work or in informal work. Not being covered by social protection moreover puts them under the pressure of finding a job as soon as they can to send remittances back home and/or cover the living costs that are usually significantly higher than their origin countries, which results in accepting low quality employment that does not suit their profile and qualifications⁶. Migrants also tend to be overrepresented in sectors that are characterised by instability of employment such as; domestic work, hospitality services, construction, and agriculture. For example, in 2015, migrants constituted 17% of all domestic workers, which does not correspond to 3.3% of the global population being migrants in the same year⁷.

Migrants' labour market disadvantage and lower access to social protection leads them to be at greater risk of social exclusion and poverty than nationals. In Europe, migrant households are twice as likely to be part of the poorest 10% of the population, while in United States more than 33% of migrants are poor⁸. Three out of four migrants are within the working age and unemployment within the migrant populations remains at 8.6%⁹, which is significantly higher than the world's unemployment rate of 5%¹⁰. Moreover, migrants often lack access to basic public services. For example, according to the World Health Organisation (WHO), migrants and refugees in Europe are at higher risk of contracting a disease due to the lack of access to public health care¹¹.

1 UN (1948) [Universal Declaration of Human Rights](#) – see in particular Articles 13 and 23

2 UN DESA (2019) [International Migrant Stock](#)

3 ILO (2021) [Conclusions of the 2021 International Labour Conference Recurrent Discussion on Social Security](#)

4 World Bank (2009) [Definitions, Good Practices, and Global Estimates on the Status of Social Protection for International Migrants](#).

5 ILO. (2019). [Are migrants also successful in the labour market?](#)

6 ILO (2016) [Non-standard employment around the world](#).

7. ILO (2015) [Migrant Domestic Workers Across the World: global and regional estimates](#)

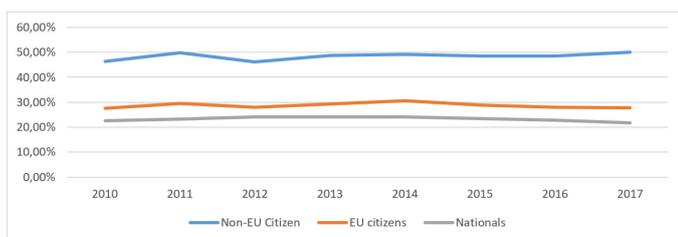
8 OECD (2015) [Income of Immigrant Households](#)

9 IOM (2019) [Migration Data Portal](#)

10 World Bank: [DataBank](#)

11 WHO (2018) [Report on the health of refugees and migrants in the WHO European Region](#).

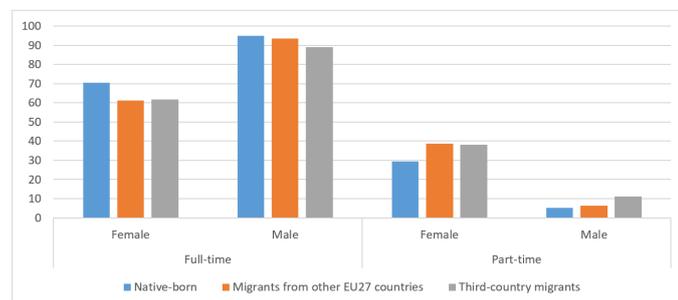
Chart: Population aged 20-64 at risk of poverty or social exclusion in EU-28, 2010-2017



Source: Eurostat (2019) [Migrant integration statistics](#)

The social and economic disadvantages that migrants face are not homogeneous, given different legal status afforded to different categories of migrants – e.g., refugees, migrant workers and/or undocumented migrants. Undocumented migrants are especially vulnerable to workplace exploitation, as they are often limited to accepting informal work arrangement with long hours, poor working conditions, and wages often below the minimum wage, and tend to be legally ineligible in receiving social protection benefits and services in destination countries¹². **Moreover, intersectionality between gender, race, religion, and migration status exposes different groups to different sets of risks.** Female migrants in particular often face compounded disadvantage in terms of access to the labour market, concentration in precarious forms of work, and lack of access to social security. Female migrants in the European Union for instance are far more likely not to work than female nationals or male migrants, and when they work they are far less likely to work full-time.

Chart: Percentage of full-time vs part-time workforce based on migration status and gender in EU-27



Source: ILO (2016) [Non-standard employment around the world. Note: \(age group 15–59\)](#)

Increased globalisation, conflict, demographic change and climate change – and the resulting migration due to these trends - all raise concerns about how to address migrants’ vulnerability to human rights violations, often exacerbated by discriminatory laws and entrenched xenophobic attitudes. Climate change is expected to have a sizeable impact on migration, as **climate migrants are estimated to reach 200 million by 2050**¹³. However, **climate migrants are not legally recognised as refugees**, as under international law a refugee is a person “*who cannot return due to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion*”¹⁴. In addition, climate migration can result in internal displacement that might not be recognised on the international level but puts internally displaced persons at risk of discrimination and exploitation. As of 2019, 70.8 million people were forced to migrate, out of which approximately 41.3 million were internally displaced, however the international dialogue remains primarily focused on international displacement¹⁵.

12 PICUM (2005) [Ten ways to protect undocumented migrant workers](#)

13 IOM (2008) [Migration and climate change](#)

14 UNHCR (2016) [The New York Declaration](#)

15 UNHCR (2019) [Figures at a Glance](#)

The reasons behind low social protection coverage for migrants...

A number of different factors contribute to migrants' low access to social protection, ranging from legal exclusions to accessing social protection benefits, insufficient build-up of social security contributions within destination countries, lack of possibilities to preserve or transfer social security contributions built up within origin countries, practical barriers that impede their effective access to benefits, and migrants' labour market exclusion.

Legal exclusions often exist for migrants to access social protection benefits within destination countries. A mapping of 120 countries by the ILO on migrants' access to social protection highlighted that 37 countries do not have legal provisions ensuring equal treatment for migrants in accessing public health, and 40 countries do not have legal provisions ensuring equal treatment in regards to social security¹⁶. The eligibility criteria within a number of social protection schemes can explicitly or implicitly exclude migrants - for instance through requirements around being a national or having a long period of residency.

Even when migrants legally have rights to social protection in a destination country, a number of practical barriers can also effectively reduce their access. Applying for social protection benefits can often be a complex process that includes preparing documents and ensuring eligibility. Migrants can end up being excluded due to language and lack of knowledge on how to navigate the application process.

In addition, in some countries acquiring residency permits or citizenship are conditional to whether or not migrants have received social protection benefits, and family reunification policies in some countries are also conditional on demonstrating financial autonomy¹⁷. Linking migration policies

to benefit receipt can thus strongly disincentivise migrants from applying for benefits for which they may be eligible. For example, in Denmark for migrants to acquire citizenship, they should have received less than six months of benefits during the last five years of their residence¹⁸. Belgium has used the receipt of social assistance benefits as a justification for withdrawing residency permits to migrants¹⁹. Furthermore, there is a growing trend among states to limit undocumented migrants' access to health care services to control migration by linking health care with migration policies²⁰.

Moreover, in countries where contributory schemes are predominant, workers tend to be entitled to benefits only after lengthy periods of contribution, which start when migrants arrive at destination countries. As a result, **migrants often face effective exclusion due to a very short period of contributions.** In addition, **migration often results in loss of entitlements and benefits in origin countries,** when it is not possible for migrants to preserve the contributions that they have built up and access benefits from abroad, nor transfer their contributions to their destination country. Moreover, very few origin countries also allow emigrants to continue making contributions once leaving the country. Out of 120 countries mapped by ILO, only 17 provided for social security contribution arrangements for nationals working abroad²¹.

A number of factors play a role in migrants' lack of access to labour market opportunities. Language is often one of the main barriers migrants face during their job search and job application. Migrants often face discrimination and exclusion in finding a job. **There is also often a lack of recognition of the set of skills, qualification, and education** they acquired in their countries of origin. On average globally, 17% of migrants are in low-skilled occupations, in comparison

16 ILO (2017) [Migrant access to social protection under Bilateral Labour Agreements](#).

17 Mantu and [Minderhoud](#) (2019) Exploring the Links between Residence and Social Rights for Economically Inactive EU Citizens

18 EUDO Citizenship Observatory (2015) [Report on citizenship law: Denmark](#).

19 Lafleur and Mescoli (2018) [Creating Undocumented EU Migrants through Welfare: A Conceptualization of Undeserving and Precarious Citizenship](#)

20 PICUM. [Access to health care for undocumented migrant women in Europe](#).

21 Ibid. 19.

to 12% for non-migrants²². Moreover, refugees are legally denied access to formal employment in some countries as almost half of the 145 signatory states to UNHCR's 1951 convention have reservations on refugees and asylum-seekers access to the labour market²³.

Migrants' labour market disadvantage can reinforce gaps in access to social protection. Migrants' overrepresentation in non-standard and precarious forms of employment can considerably compromise their access to social security benefits, given that non-standard workers tend to experience higher turnover, combined with the fact that employers often pay lower or no social security contributions²⁴. It is thus often more difficult for workers to accumulate sufficient social security contributions and/or to transfer entitlements accrued between changing jobs. Migrants' overrepresentation in informal work can also render them ineligible for most contributory social security schemes, despite being more financially vulnerable²⁵.

International Framework for Migrants' Rights

ILO Convention 97 on Migration for Employment (1949) introduces the principle of equal treatment between national and migrant workers and includes recruitment and working conditions for migrants.

ILO Convention 143 on Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (1975) sets out migrant workers' rights to equal opportunities in employment and social security, in addition to freedom of association and trade union rights.

UNHCR Convention on Refugees status (1951) defines the term "refugee" and ensures the legal protection of refugees by signatory states, in addition to right of association and equal treatment in access to labour market and social security.

UN Global Compact for Safe, Orderly, and Regular Migration (2018) provides legally non-binding guidelines. It includes strengthening data collection and analysis for migration, safeguarding decent work, and reducing migrants' vulnerability.

ILO Recommendation 202 on Social Protection Floors (2012) provides guidelines for extending social security to all members of society, irrespective of their contribution history. It sets out a number of basic social security guarantees for children, people of working age and the elderly, as well as universal access to essential services such as health. It complements ILO Convention 102 on social security, which sets out a framework for access to contributory benefits.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) sets out migrant worker and their families' rights to social security, health care, education, and freedom of association.

22 Ibid. 10.

23 Zetter, R., & Ruaudel, H. [Refugees' right to work and access to labour markets: constraints, challenges and ways forward.](#)

24 ILO Committee of Experts (2019) Report on the General Survey on Recommendation 202 on Social Protection Floors

25 Ibid

Existing International Framework

A number of international instruments strive to ensure the protection of migrants, both in and out of work. The UNHCR Convention on the Status of Refugees (1951) is a legally-binding agreement that defines the term “refugees”, ensures their legal protection and their access to labour market and social security. Furthermore, Article 27 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) sets forth equal treatment in access to social security services to migrant workers and their families as long as they meet the requirements, and if they are legally excluded due to nationality, governments should examine possibilities of reimbursing the migrant workers for their contributions. In addition, the UN Global Compact (2018) provides legally non-binding guidelines that are comprehensive and holistic in its approach – including strengthening data collection and analysis for migration, safeguarding decent work, and reducing migrants’ vulnerability.

Moreover, a number of international labour standards specifically set out migrants’ rights with regard to equal opportunity in employment and equal treatment in access to social protection systems. Convention 97 Article 6 mentions migrant workers’ right to freedom of association and collective bargaining, and ensures their access to social security benefits and family benefits²⁶. Articles in convention 143 call on member states to protect migrants from human trafficking and illegal employment²⁷. However, the number of ratifications of ILO Convention 97 and 143 is still relatively low. Only 50 countries have ratified Convention 97, while 25 countries have ratified Convention 143. It can also be noted that the ILO Committee of experts has confirmed that the instruments have the potential to contribute to effective governance of the considerable current migration challenges²⁸.

In addition to these specific instruments related to migration, ILO Recommendation 202 on Social Protection Floors (2012) provides guidelines for extending social security to all members of society, irrespective of their contribution history. It sets out a number of basic social security guarantees for children, people of working age and the elderly, as well as universal access to essential services such as health. Implementation of the provisions of the Recommendation is nevertheless uneven across countries²⁹.

26 ILO (1949) [C097 - Migration for Employment Convention \(Revised\), 1949 \(No. 97\)](#)

27 ILO (1975) [C143 Migrant Workers \(Supplementary Provisions\) Convention](#)

28 ILO Committee of Experts General Survey (2016) [Promoting fair migration](#)

29 ILO Committee of Experts (2019) Report on the General Survey on Recommendation 202 on Social Protection

Benefits of extending social protection to migrants

Destination countries can particularly benefit from extending the contributory schemes to cover migrants, as their contributions can help in increasing the financing base for these schemes, as well as enlarge the pool of contributors and beneficiaries for greater collective risk-sharing. However, in order to do this, barriers to migrants' full participation in the labour market must be effectively addressed, as well as their access to social protection, in order to ensure their financial security. Furthermore, **demographic ageing and declining fertility are major phenomena in many countries across the world**, creating major pressure on the sustainability of public finances and the future adequacy of social protection systems. By extending contributory schemes to effectively cover migrants and ensuring their equal access to labour markets, migration can help to alleviate such pressures through compensating for such demographic decline and increasing the supply of available labour³⁰.

Having financial security can help migrants overcome some obstacles to accessing job opportunities, either by taking language classes, investing in certifications that are acknowledged in their destination countries, or investing in new sets of skills that can put them in a better position for finding better job opportunities. Empirical studies show that social protection can help people to access more and better job opportunities by freeing up time and allowing for a portion of savings to be invested in seeking better employment opportunities. Studies in South Africa showed that recipients of cash transfers are more likely to get employed than non-recipients³¹. Evidence in Europe also shows that unemployment benefits are important in allowing jobseekers time to find a job that is suited to their skill level³². If migrants have access to social protection in their destination countries, they will be better placed to search for jobs that better suit their set of qualifications and skills, which will lead to higher productivity, higher wages, higher tax revenue and greater development of the economy.

30 ITUC (2019) [Adequacy and sustainability of pension systems in the context of demographic ageing](#).

31 Australian Department of Foreign Affairs and Trade (2014) [Social protection and growth: Research synthesis](#).

32 European Commission (2013) Evidence on Demographic and Social Trend; Social Policies' Contribution to Employment, Inclusion and the Economy

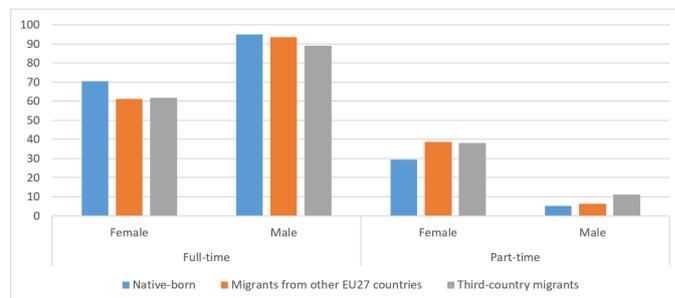
What can be done?

A number of solutions to extend social protection to migrants can be provided by destination countries, origin countries, and both countries together.

Governments should ratify international instruments that ensure the human and labour rights of migrants. The rights to freedom of association, collective bargaining and equal treatment for migrants set out in ILO conventions 87, 98, 97 and 143 provide an important framework for government action. In addition, the ILO provides legally non-binding guidelines that include the minimum standards governments should follow to ensure the equal treatment for forcibly displaced persons and refugees in accessing labour market opportunities³³.

Origin and destination countries can sign bilateral labour agreements and memoranda of understanding to ensure the protection of migrants, by ensuring the portability of social protection entitlements and protecting their rights in the labour market. In an ILO survey of 144 countries' bilateral labour agreements, 30% of the agreements had provisions on social security including health insurance, and 47% included provisions concerning the equal treatment of migrants. Trade unions should be involved from the start in the design and monitoring of bilateral agreements, and can request governments to adopt or amend agreements in order to include provisions on equal treatment in accessing labour market and social security, which can greatly help to protecting migrant workers' rights.

Chart: Provisions within the existing 144 existing bilateral agreements and memoranda of understanding



Source: ILO (2017) [Migrant access to social protection under Bilateral Labour Agreements \(based on 2015 data\)](#).

Governments in destination countries can take measures to promote migrants' fair and equal access to the labour market. They can tackle discrimination in the labour market, for instance through regulating and enforcing anonymous job application practices to reduce bias against job applicants with migrant background. For example, to solve the issue of hiring bias, the German federal government's office against discrimination piloted anonymous hiring project in the city of Celle in 2010-2011, which resulted in more hiring for persons with migrant background³⁴. Ensuring recognition of migrants' skills and educational attainments, supporting access to language development classes, and positive action measures for migrants can moreover play a role in tackling migrants' barriers to quality employment.

Destination countries can moreover amend their social security laws in order to be more inclusive to migrants. For example, they can reduce the contribution conditions for short-term benefits, such as unemployment benefits and extend non-contributory schemes to support migrants. They can moreover revise and reform the eligibility criteria for social protection benefits to ensure the legal and effective inclusion of migrant families, for instance through reducing nationality and residence requirements and implementing equal treatment provisions for migrants in access to social security.

³³ ILO (2016) [Guiding principles on the access of refugees and other forcibly displaced persons to the labour market](#)

³⁴ [Overcoming hiring biases through anonymous job applications in Celle, Germany](#). From the ILO Good practices database on Labour migration policies and programmes (updated 2015).

Although access to justice is a human right, in practice migrants are still significantly excluded from justice. **Destination countries can ensure that migrants have an effective access to justice to enforce employment rights.** IOM highlighted in their information note on international migration law, that one of the important principles of an effective access to justice is outreaching to migrant communities by making information accessible in a language they understand³⁵.

In addition, origin countries can ensure that social security contributions are preserved even when nationals go abroad, which can help them in ensuring that they do not lose their entitlements in the origin country in the case that bilateral agreements are not in place through the preservation and protection of accrual rights for workers abroad, as well as ensure that benefits payable abroad for those who are eligible³⁶. Some countries even provide direct benefits and services to their citizens abroad. The Italian government, for instance, through its consular networks provides social security benefits to those who are eligible, including old-age, involuntary unemployment, injury, illness, and disability benefits³⁷. Mexico provides some basic healthcare services to its citizens abroad through its consular network in the United States, an initiative called Ventanillas de Salud³⁸.

Regional organisations can also develop multilateral agreements to ensure portability and preservation of contributions and benefits between different countries. The European Union has the most comprehensive regional set of regulations to ensure accessibility and portability of social security for EU citizens who move to another Member State within the European Union³⁹. Moreover, in May 2016, the Southern African Development Community (SADC) Ministers of Employment and Labour adopted the SADC framework on the Portability of Accrued Social Security Benefits within the Region, to support migrants moving within the SADC region to maintain their social security rights they have built up in their origin countries and access social security within destination countries⁴⁰.

In many countries, trade unions have been at the forefront of protecting migrants' rights in employment and social security. Unions have an important role in **encouraging governments to ratify and comply with international instruments that protect migrants' rights** and ensure their equal treatment in the labour market and in terms of access to social protection. Moreover, a number of unions have undertaken initiatives to **organise migrant workers to raise awareness of their rights in destination countries** and support improvements to their working conditions. Unions are often perceived by migrants as trusted actors for advice and support, as they are independent from the government. Some unions have even signed **bilateral agreements** or undertaken **joint initiatives** in order to effectively reach out to migrant workers across borders.

35 IOM (2019) [International migration law information note](#).

36 [ILO Social Security Agreements](#).

37 Caldarini (2020) [Diaspora Policies, Consular Services and Social Protection for Italian Citizens Abroad](#)

38 [Ventanillas de Salud](#) (2014).

39 *Ibid.* 31.

40 ILO World Social Protection Report 2017-2019

Selected good practices by trade unions

The European Trade Union Confederation's (ETUC) UnionMigrantNet is a contact point network established to ensure the inclusion and integration of migrants by protecting their individual and collective rights, in addition to encouraging migrants to become members of trade unions. For more information click [here](#).

The African Trade Union Migration Network (ATUMNET) is a migration network created by African trade unions in 52 out of 55 countries in Africa, encouraging cross border cooperation between unions and better migration governance within and between African countries. For more information click [here](#).

The Union of Construction Industry Workers of Porto Alegre (STICC POA) along with its members in Brazil are promoting migrants' rights through translating employment and bargaining agreements in Brazil, hiring a foreign employee in unions to support migrants, and pushing their affiliates to fight xenophobia and racism. For more information click [here](#).

The Arab Migrant Resource Center provides information and assistance, capacity building and services to support migrant workers in the region access decent work conditions, working hours, healthcare, justice, equal pay and gender equality. In partnership with unions in origin and destination countries, the MRC has a project to improve migrant workers' ability to organise and join trade unions. The work of the Centre builds on an agreement by the Arab Trade Union Confederation (ATUC) and the Association of Southeast Asian Nations TUC, which set out a framework for cooperation between these unions for the protection of migrant workers coming from Asia to the Arab region. For more information click [here](#).

CSC Belgium has a dedicated resource centre for migrants that provides them information on their rights and on Belgian labour law. For more information click [here](#).

German and Polish trade unions in Agriculture (IGBAU and ZZPR) cooperated in 2003 to issue a bilingual information booklet that highlights employers' obligations towards protecting workers' health and safety, legal provisions for paid leaves, and national social security system among other things to ensure that migrant agricultural workers fully understand their legal rights. For more information click [here](#).

The UK Trades Union Congress (TUC) and General Confederation of Portuguese Workers (UGT-P) signed a partnership protocol aiming at encouraging union membership of Portuguese migrant workers in the UK and to raise their awareness for their rights there. The partnership was later extended to include Portuguese speaking migrants from non-European countries. For more information click [here](#).

The Confederation of Indonesian Prosperity Trade Union (KSBSI) and the Trades Union Congress of Malaysia (MTUC) signed an MoU that entailed lobbying the governments of Indonesia and Malaysia to ensure the protection of migrants and their families' rights. For more information click [here](#).

The General Federation of Nepalese Trade Unions (GEFONT) has been reaching out to trade unions in destination countries to ensure the protection of Nepalese migrant workers. They have moreover signed agreements and MoUs with trade unions in Lebanon, Jordan, Kuwait, Bahrain, Hong Kong, and the Republic of Korea to enhance Nepalese workers' rights in these countries. For more information click [here](#).

The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) has been campaigning for comprehensive immigration and labour law reform to ensure decent work and rights for all workers, regardless of immigration status, and has developed a series of tools and resources to facilitate migrants' awareness of their rights. For more information click [here](#).

Domestic workers' organization and Trade Union Confederations in Paraguay and Argentina reached with the support of ILO a binational agreement that ensures the protection of Paraguayan domestic workers in Argentina. The agreement highlighted a 15-month plan that TUCA-CSAE and IDWF implemented, which included a communication strategy and an online network to promote domestic workers' rights. For more information click [here](#).

Union demands

The underlying causes for migrants' difficulties in accessing social protection vary, ranging from migrants' underrepresentation in the labour market and over-concentration in precarious work; legal restrictions for foreigners to access destination country social security programmes; stringent conditions in citizenship and nationality law preventing migrants from accessing benefits; loss of emigrants' entitlements in origin country programmes upon moving abroad; and practical barriers that impede migrants' effective access to destination country programmes. The solutions to these problems, therefore, are multifaceted. Having rights-centred migration policies is critical to addressing these challenges. In addition, there are a number of additional measures that both origin and destination country governments can take to improve the social and economic security of migrants. Unions stress the need for governments to:

- Ratify and implement the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990), ILO Conventions 97 and 143, and the UN Global Compact.
- Remove barriers to migrants' employment by implementing and enforcing equal treatment in job search and recruitment; providing for skills recognition; supporting language training and skills development.
- Remove barriers for migrants' access social security by ensuring equal treatment in social security between nationals and migrants.
- Eliminate legal provisions linking residency permits and citizenship to migrants' history of accessing social protection benefits.
- Ensure decent work for all, including by ensuring freedom of association and collective bargaining rights are protected. Ensure that equal access to social protection for all workers, irrespective of their type of employment contract.
- Implement ILO Recommendation 202 on Social Protection Floors to ensure extension of social protection security to all members of society, irrespective of contribution history.
- Ensure the preservation of accrued social security contributions, allow for the payment of social security benefits abroad, and take measures to allow the continued voluntary contribution of emigrants abroad.
- Conduct bilateral social security arrangements to facilitate the portability of contributions and entitlements, and work with regional bodies to allow for regional portability arrangements.

