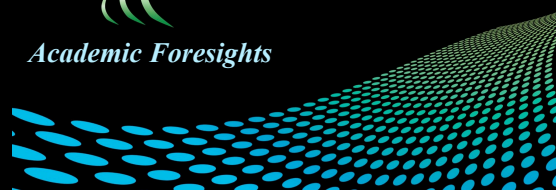


Hélène Pellerin



International Labour Migration Regulation



How do you analyze the present situation of the international labour migration regulation?

Three remarks can be made. First despite the growing importance of economic migration in the overall flows of people, there is no international regulation of migration, if by this we mean a single organization or a homogenous set of rules. The creation of several global initiatives since the years 2000, such as the UN High-Level Dialogue on International Migration, the establishment of a Global Migration Group, and the renewed interest of the World Bank for migrant remittances, suggests however a strong willingness to bring more cooperation and convergence in this domain.

Second, the regulation of international labour migration takes a variety of forms, with objectives and means not always compatible with one another. Bilateral agreements govern the movement and work contracts of temporary workers for the purpose of regulating supply and demand in labour markets. Migration and mobility partnerships seek to regulate flows of regular and irregular migrants in a framework of bilateral economic cooperation. The General Agreement on Trade in Services Mode 4 regulates the movement of service suppliers according to trade rules. There are also more private-led regulations such as intra-company transfers, which regulate the mobility of workers as corporate deployment decisions ; private employment agencies which often recruit foreign workers ; and universities, also involved in recruitment practices through the admission of foreign students with work visas.

Thirdly, economic migrants experience a broad variety of work activities and status. The reference to economic migration, as opposed to labour migration, suggests that beyond salaried workers involved in established labour markets, there are non established work such as self-employment, traineeship and informal sector work, particularly in a context of deindustrialization, high unemployment rates and economic crisis. This situation tends to generate more precariousness for labour migration, particularly for unskilled labour. More people have a temporary status, even though the work they do is permanent, and many practices are not regulated by labour laws.

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In your opinion, how will the situation likely evolve over the next five years?

The demand for temporary foreign labour should remain high, despite the economic crisis, due to demographic imbalances between OECD and less developed countries, and to new growth poles in Asia or in specific sectors and industries in other emerging and established economies.

Greater convergence is expected in states' effort to regulate economic migration as many are now competing to attract highly skilled labour on the one hand, and more collaboration with sending countries to curb irregular flows of migrants on the other. In addition, the mobility of highly skilled workers will be facilitated by states commitments to Mode 4 of GATS, and by the relaxing of rules regulating professions in sectors such as health and engineering.

It is very likely that the gap between the situation of highly skilled and low or unskilled labour migrants will increase, as the possibilities for movement of the highly skilled migrants will be greater, in comparison with that of low skilled migrants.

Finally, states will increasingly seek to harness the social and human capital of migration stocks. The diaspora option should become a strategy adopted, by sending states in poor regions of the world, and perhaps by receiving states too, as an instrument to attract remittances and/or human capital from expatriates.

What are the structural long-term perspectives?

While labour migration constituted a minor factor in the internationalization of production in the past, economic migration in all its complexity will likely become a central element of globalization in the future. With their multiple forms of work and their trade and investment practices, economic migrants will generate a new political economy of the transnational. Economic migrants and diasporas should transform labour market structures, and they should influence supply chain organizations in some key industries. These changes should operate via the creation of new territories of circulation, based notably on kinship.

But far from being an idyllic globalization from below, these transformations risk producing new forms of exploitation, as these territories of circulation will be juxtaposed to existing structures of inequalities between classes, races, gender, and developed and underdeveloped regions. Moreover, new hierarchies risk emerging between organized and nonorganized migrants, the first ones using their agencies to conditions the rules of entry and exit in these territories of circulation.

Hélène Pellerin is Associate Professor at the School of Political Studies, University of Ottawa. Her research interests include the regulation of labour migration, the political economy of mobility and the dynamics of diasporas. Her recent publications are in *Revue Européenne des Migrations internationales* 2011; *Recherches internationales* (2010); and *Nouveaux Cahiers du Socialisme* (2010). She also published *Governing International Labour Migration* (with C. Gabriel, Routledge 2008).

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