

# **Indigenous and Tribal Peoples and Migration**

## **Notes by the International Labour Office**

Migration for work is a subject of historic interest to the ILO, and it is governed by a number of international labour standards. In addition, the situation of indigenous and tribal peoples is covered by ILO standards, which are the only ones in force in international law. The subject of this meeting is therefore of significant interest to the ILO.

The ILO is not submitting a detailed paper on the subject. Nevertheless, there is a significant amount of experience with both indigenous and tribal peoples and migration in the ILO, which allows an examination of some considerations at this first discussion of the issue among UN-system organizations, representatives of indigenous peoples, the Permanent Forum on Indigenous Issues, and the IOM.

Appended to this paper (appendix I) is a brief collection of extracts from papers, statements and reports that serve to illustrate some of the points that should be discussed.

### **International Standards**

The proposed agenda does not take account of the international standards on the various aspects of the subject. Please see appendix II.

The ILO is responsible for the only international standards in force generally on indigenous and tribal peoples, though of course all human rights standards are applicable to these peoples as to all others.

In so far as migration by indigenous peoples involves work – which in most cases it will – the list of standards here emphasizes that these peoples are more vulnerable than other parts of the population to abuse and exploitation. This listing is in itself an indication of many of the forms of abuse to which they are subject. They are particularly vulnerable to human rights abuses such as denial of freedom of association and the right to bargain collectively, and to the imposition of discrimination, child labour and forced labour.

They often need special protection in normal work-related areas, such as safety and health, payment of wages and labour inspection. As participants in the informal economy, many of them are not covered in practice by labour law and labour administration.

### **Some basic considerations**

Indigenous and tribal communities are subject to the same pressures that make other parts of national populations migrate, but in many cases are even more vulnerable to these pressures.

In addition, they are uniquely vulnerable to their territories being invaded and being forced from their homes. Finally, development projects often take place at their expense, again forcing them to move away – or destroying their homes and communities without their having anywhere to go.

It is important to distinguish among the various kinds of population movement, categories which do not necessarily correspond exactly to those outlined in the agenda.

*Voluntary migration for employment.* To address migration issues, it is necessary to examine the causes. In many cases, of course, it is for the reasons anyone else migrates: to get opportunities not available at home, to make a better living for oneself, to send money home from the work.

In all too many cases, “voluntary” is a misleading term.

In many cases, especially for indigenous and tribal peoples, an additional cause is that the territories they inhabit can no longer support them – the size of the area has been reduced over the years, they have been pushed to less valuable lands, and their means of survival have been taken from them. This is often the result of either displacement, or invasion for development purposes – and sometimes as a result of population pressure, with other desperately poor people coming to what seem to be less-populated areas.

Indigenous and tribal peoples are most often poor and unskilled, and when they migrate for employment it is usually to work at the low end of the employment scale. They often go to urban areas, constituting large underclasses. They are particularly subject to exploitation and poverty, often because they are not equipped with the skills that will allow them to function in the dominant society.

However, the evidence shows that while in many cases urban transplantation is destructive of indigenous culture, in other circumstances their cultures may be preserved and even reinforced as they gather in particular parts of cities, and additional income allows them to form new cultural patterns that reinforce cultural cohesion. Remittances from urban-dwelling indigenous and tribal peoples may also allow those who remain at the places of origin to have the money to reinforce their cultures.

*Short-term migration:* Seasonal migration for agricultural employment is fairly frequent among some indigenous peoples. There are both positive and negative sides to this, depending on the circumstances. Apart from earning income not otherwise available to them, they may also acquire skills and resources that allow them to support their own traditional economies with income – but they are also subject to exploitation.

There are a number of situations in which indigenous peoples are recruited in abusive conditions for work away from their home communities. In some places, such recruiters are called “gatos” when they are recruiting for work in agriculture, though they may go by other names – in others, they recruit young women (and occasionally young men, or children of both sexes) for sex work in urban areas. Again, they often

do so by deceit over what the conditions of work or the job itself will be, so that those recruited fall into some of the classic trafficking profiles. Indigenous peoples are particularly subject to such abuse.

Whether or not migration was initially voluntary, lack of skills and familiarity with their rights can lead to situations in which they become virtual slaves or at least are subject to very severe exploitation. The ILO is familiar with situations in which indigenous peoples are confined to what can only be called labour camps, prohibited by physical force from leaving their employment. They may never receive their wages, or on the contrary be harassed towards the end of their contract periods so severely that they will flee and never receive the wages owing to them. They may also be overcharged for transportation and daily subsistence, resulting in their making no money at the end of their contracted service. Working conditions in such camps are often brutal.

Like all migration, it is better if migration of indigenous and tribal peoples is carried out under controlled conditions. One recent example is an agreement between Guatemala and Mexico to protect indigenous migrant workers in southern Mexico. By means of orders, protective measures and registration, the Guatemalan Government reports that its Ministry of Labour's Department of Labour Migration is taking steps to ensure that the provisions of Convention No. 169 are applied to seasonal and indigenous workers in southern Mexico who face problems of irregular recruitment. The special protective measures taken in the area of recruitment and conditions of employment include: (1) identification of recruiters: up-to-date lists are kept and submitted to authorities involved, such as Guatemalan migration delegations and Guatemalan consulates at the border before being submitted to the Guatemala-Mexico bilateral meeting of the Ad Hoc Group on Guatemalan migrant workers; (2) dialogue with Mexican employers: a meeting was held with members of the Regional Agricultural Union of Tacaná Coffee Producers, at which Mexican employers stated their wish to recruit directly in Guatemala and the Ministry of Labour stated that these workers must be registered at local border offices. Another meeting was planned in July 2005, to include mango, banana and other producers as well as coffee growers; and (3) improved regularization: three different forms were introduced for workers, women and young migrants, and children accompanying their parents.

Internal migration is covered by ILO standards generally, though often indigenous and tribal peoples are not covered by national legislation, either in law or in practice. Their work is often concentrated in domestic work and agriculture, both often excluded from the coverage of national legislation. Or if these sectors are covered, national inspection and enforcement agencies have trouble extending effective protection to them. For this reason, Article 20 of convention No. 169 requires special measures to be taken to ensure that indigenous workers receive the same protection that other workers get.

*Displacement.* When indigenous peoples are displaced from their own territories, this is very different from migration for employment – in such cases they are more refugees than migrants. International standards require different responses by governments depending on the causes of the displacement.

If they are displaced because of *natural disasters*, it is often in a situation where governments are unable to respond quickly to their crisis, and in which they are often given less assistance than other parts of the population. This need not be because of deliberate discrimination – it can also be because they are often invisible to official instances in the country (see earlier discussions of lack of statistical information). Such displacement will happen without prior warning, and is likely to deprive communities of access to their means of production for long periods – possibly forever.

Indigenous peoples are often displaced, wholly or partially, because of war and other conflicts. Their territories may be invaded by warring factions, and they may even be forcibly recruited to fight on whichever side is present. In such cases, they are more likely to leave their territories over a period of time, often resulting in severe damage to their cultures.

When these people are displaced by development, a very different situation arises, one which merits much closer attention by governments under both national and international law. In situations such as the massive Sardar Sarovar Dam and Power Project in India, the Government may be unwilling to compensate tribal peoples for the lands they are losing to rising water, or may even not be able to resettle very large numbers in comparable situations. In many cases such development is financed by international development partners, who would have the possibility of imposing a resettlement conditionality, after consultations of the kind required in ILO C169.

In some cases these peoples are forced to leave the territories they occupy because of deterioration of the environment, for instance because water is diverted, game driven away, or the land polluted by such activities as gold mining. There is sometimes a collapse of the possibility for traditional economic activities. This may also occur if they have been pushed to less attractive areas by increasing settlement of other populations in their areas. Examples may be found in which population pressure is so high that a more-or-less uncontrolled flow of outside migrants intrudes on indigenous lands – such as in Brazil in recent years.

And in some cases the government decides that their use of land is unproductive, and attempts to convert them forcibly from traditional cultivation to more “modern” methods. In the process, they are confined to shrinking areas and traditional activities have to be abandoned. Bangladesh is a prime example of this at present, and the United States was in the past.

*Remedies provided in Convention No. 169.* Article 16 of Convention No. 169 makes provision for the situations in which displacement may take place, and provides for remedies in case it does. See attached.

## Indigenous Peoples and Migration

*The idea that indigenous peoples belong to rural and peasant environments whilst the city is a cosmopolitan space that assimilates and eliminates cultural difference is false and contributes to the exclusions and negation of indigenous urban citizenship. Furthermore, this recalls the dispossession of Mexico's cities from the hands of indigenous Mexicans upon colonization.*

‘Asamblea de Migrantes indígenas de la Ciudad de México’

### *The IADB recognizes the prominence of indigenous migration in its strategic framework for indigenous development<sup>1</sup>:*

Most countries have witnessed a rapid migration of indigenous peoples to urban centers as a result of the dispossession and colonization, or fragmentation, of their ancestral lands. For example, 40% of Ecuador's indigenous population is urban; while in Chile it is at least 50%.<sup>2</sup> Most urban indigenous people maintain strong economic, social, and cultural ties with their communities of origin. In some cases cultural traditions and social networks are strengthened in urban centers, for example in barrios in cities such as Santiago, El Alto, Mexico City, Quito, and others. Links between urban indigenous peoples and their communities of origin can revitalize rural indigenous economies.

### *Major shifts in migration flows amongst indigenous people: Guatemala, Finland and Bolivia*

#### Guatemala<sup>3</sup>

For more than a century temporary migration for agricultural work has been a fundamental element of the economic system. However migration patterns have changed radically since the 1980s. Traditionally migration was characterised by two regions of attraction; the southern coastal regions due to the expansion of export agriculture at the end of the C19 and towards the capital from the 1950s, following industrialization and the expansion of the 3<sup>rd</sup> sector. Up until the 1970s there was a certain stability in internal migration patterns. This balance has been disrupted since the 80s, subsistence agriculture in regions of traditional out-migration has become increasingly unviable without economic alternatives in these regions or within Guatemala.

New patterns have thus arisen:

- Migration due to armed conflict, internal displacement and the emergence of Guatemalan refugees in other countries.

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<sup>1</sup> IADB, Strategy for Indigenous Development, 2006:9

<sup>2</sup> See MIDEPLAN, Programa Orígenes, Antecedentes de las Políticas Indígenas en Chile [Program on the Origins and Background of Indigenous Policies in Chile], Santiago, 2003.

<sup>3</sup> Dinamicas de poblacion, patron de asentimiento y sostenibilidad : el caso de Guatemala. G Gellert 2003. See [www.ccp.ucr.ac.cr/noticias/conferencia/pdf/gellert](http://www.ccp.ucr.ac.cr/noticias/conferencia/pdf/gellert).

- Permanent internal migration due to disappropriation of lands (largely due to the expansion of the agricultural frontier) and mostly toward the northern periphery of the country.
- Labour migration to the USA and to plantations in southern Mexico.

*A nother source elaborates on the characteristics of this movement<sup>4</sup>:*

The formation of migrant communities in the United States sustains the steady northern flow of migrants, such that one out of every ten Guatemalan citizens currently lives in the United States concentrated in various communities in Florida, Texas, Rhode Island, and California. These communities provide a new arena for social awareness, support, and cultural continuity on both sides of the border. For example, hometown associations organize to celebrate their natal communities' saints' festivals in Guatemala as well as the United States, offer legal assistance to newcomers, and try to maintain Maya traditions. These organizations also provide local community development in their hometowns in Guatemala, by sending ambulances and constructing potable water systems, community centers, health clinics, and churches. Unpredictable effects of migration include the revitalization of traditional Mayan dress from the influx of dollars, which allow Maya women to afford more and elaborate traditional clothing.

Though some argue that the Maya are losing their culture by adopting non-indigenous ways, others point out that the Maya are adaptive and resilient and have centuries of experience reworking Maya identities in light of dominating and intrusive cultures.

### **Finland<sup>5</sup>**

The rate of Saami moving away from their traditional lands has increased from 37 percent in 1992 to 54 percent (2004). The Saami Parliament has expressed concern that such migration will affect their cultural distinctiveness and seeks to reduce migration by improving the standard of living in traditional areas.

### **Bolivia- El Alto, an indigenous city<sup>6</sup>**

Situated at 4.000 m, just above La Paz, it is a city of rapid growth with approximately a million inhabitants, the majority of whom are rural Aymara - many ex-miners who lost their rural livelihoods as a result of neoliberal mine closures. El Alto may be the only totally indigenous city in Latin America, made up of 90% indigenous Aymara.

Since the city grew up largely ignored by the state, it did so according to an indigenous development model which influences for example the spatial arrangement of settlements. The predominantly ex mining population, coming from a great tradition of Bolivian unionism and communitarian organization, organized very rapidly with leadership structures such as general assemblies and spokespeople from each community.

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<sup>4</sup> Maya Migration North: Transnational Indigenous Identities, Debra Rodman Ruiz 2004 | Cultural Survival Voices | Volume 3.1

<sup>5</sup> 'Increase in migration threatens Saami culture' April 16, 2004, Weekly Indigenous News, Resource Centre for the Rights of Indigenous Peoples.

<sup>6</sup> Interview with *Luis Gómez, periodista mexicano*, <http://www.grain.org/biodiversidad>

Notwithstanding these organizational capacities, basic services are lacking in El Alto and its population demands state provision of education, sanitation and recognition of basic rights.

### *The Political Impact of Indigenous Migration*

El Alto is also famous as a site of political radicalism due to its important role as a focal point in the 2003 uprisings against private exploitation of Bolivia's energy resources. Since the election of Evo Morales, the city is likely to play an even more important role in national politics in the future.

*The statement on migrant workers submitted to HCHR by the International Indian Treaty Council emphasizes the political aspect of migrant flows.<sup>7</sup>*

“Bolivia and Ecuador are two examples that have demonstrated the capacity for a political response of Indigenous Peoples. Migrating patrons have in some form contributed to strengthen the appropriation processes of political spaces and in reshaping power structures. Thus in Peru, internal migrations have transformed the face of the country, changing the face of a rural country into an urban one, questioning at the same time the social strata coined by the Spaniards. Since there isn't an accelerated industrialization to absorb the migrating flow, indigenous peoples from Peru have managed to make use of the social network in reaction to the critical employment crisis existing in the misery belt of the cities”

*Mexico-USA<sup>8</sup> are linked by indigenous migrant flows that have a long political history.*

In the past few years (especially since 2001) migration across the Mexican-US border has become an increasingly thorny subject in US politics, impinging on not only issues around identity politics but also implicated in the politics of terrorism, the economy and civil rights. Legislation is now pending that would change again the status of economic migrants in the US – a development that is likely to be important for indigenous organizations as well as regional bi-national political relations.

Migration has had notable effects on the debate surrounding indigenous rights in Mexico. Indigenous migrants, far from becoming passive victims of the discriminatory and exploitative conditions they face on both sides of the Mexico-US border, have responded in a highly creative way, building cross-border political organizations that make collective action possible in both their communities of origin and those established along their migratory circuit. Due to the constant comings and goings of these workers and the ample flow of information, money, and services of all types that this implies, the indigenous migrant communities and their various sister communities in California have cemented a relationship so close that they form a single transnational community.

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<sup>7</sup> Submitted to the Commission on Human Rights, Fifty-ninth session, Item 14 (a) of the provisional agenda

<sup>8</sup> *ibid.*

Indigenous peoples are organizing themselves as political actors capable of making migration work positively for their communities, notably – but not solely – by creating transnational organizations, such as those of indigenous Oaxacans:

- Centro Binacional para el Desarrollo Indígena Oaxaqueño
- Frente Indígena Oaxaqueña Binacional (FIOB)
- Asociación Cívica Benito Juárez (CEDRI)
- Organización Regional de Oaxaca (ORO)

#### *Internal migration to Mexico City<sup>9</sup>*

The 'Asamblea de Migrantes indígenas de la Ciudad de México' (Assembly of Indigenous Migrants of Mexico City) has formed as a focal point for the recognition of the rights of the indigenous people of Mexico City. It seeks the strengthening of communitarian forms of living, intercultural coexistence and the recognition of rights. Its ideology is instructive of some indigenous responses to the 'problem' of urban migration:

Mexico city is one of the regions of Mexico with the highest cultural diversity with at least a million indigenous people coming from the 62 indigenous people of Mexico.

Many indigenous people arrive in the city in search of a new space in which to live a better life without losing their cultural essence and in arriving, despite lacking a territory, continue to reproduce their forms of communitarian living through their institutional, cultural and social forms, exercising a real autonomy.

Indigenous communities have contributed to the development of Mexico's capital city without gaining recognition; nor have their rights as indigenous communities been recognised.

#### *Forced Migration or displacement from indigenous territories:*

It is important to provide a counterbalance to these tales of creativity and political engagement since often migration emerges from displacement as a result of development projects on indigenous lands.

#### *Displacement of indigenous peoples in Cameroon as a result of forestry policy<sup>10</sup>*

In Cameroon, the zoning of the forest, the allocation of forest concessions and the creation of protected areas are done without consulting the Pygmy populations most affected by these development initiatives. Industrial forest exploitation destroys the means of existence of Pygmy populations while the creation of protected areas deprives them, without compensation, of their ancestral land from which they derive all the products and elements necessary for their subsistence. The forest management approach now being followed is a real threat to the very survival of the Pygmy peoples and their culture which is closely related to the forest.

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<sup>9</sup> See the organisation's website at <http://www.indigenasdf.org.mx>

<sup>10</sup> Indigenous peoples and poverty reduction strategies in Cameroon, by B Tchoumba, ILO, 2005:75

Similarly, migration into indigenous areas, by non-indigenous elements of the population is a phenomenon that is common throughout the world and often leads to the marginalization and impoverishment of indigenous people. They may be forced onto less viable lands or be exposed to exploitative labour relations.

*Coffee Production and colonization of indigenous lands in Vietnam<sup>11</sup>:*

When Vietnam opened up its economy to the world market, it built irrigation canals and provided subsidies for farmers to migrate to the Central Highlands and other upland areas in the 80s and 90s. The indigenous peoples of Vietnam were displaced from their lands due to the migration of tens of thousands lowlanders into their communities to engage in coffee production; making Vietnam the second largest coffee producer in the world. Large tracts of land, including well-preserved forests, in the territories of the indigenous peoples/ethnic minorities were converted to coffee plantations. Rich lowlanders based in Saigon now own most of these. Massive deforestation and environmental devastation resulted from this economic project.

*Controlling internal migration to protect indigenous people<sup>12</sup>:*

In Certain states in India, (especially in the north-east e.g. Mizoram), indigenous peoples' cultural integrity is protected by the application of certain restrictions for entry into the state for non-natives, unless they have the express consent of the state government. This system, of what might be regarded as an 'internal visa', is contained in the Inner Line Regulation, 1873, adopted during British rule (and still valid in many parts of north-east India), to control immigration into these areas and protect the social, cultural and economic integrity of the indigenous peoples. In the Indian-ruled Andaman Islands, where such safeguarding procedures have been overruled by state incentives to resettle people in 'sparsely populated' areas - areas inhabited by isolated indigenous peoples (the Jawara notably) have had disastrous consequences. Violent clashes leading to killings and the introduction of diseases are two of the most obvious impacts.

Safeguards against internal migration are clearly most important where indigenous people live in relative isolation from the national population. Thus in Brazil, where the majority of the world's isolated indigenous tribes live, permits must be acquired from FUNAI (in charge of Indian affairs in Brazil) to enter forestry reserves inhabited by indigenous peoples.

*Concluding remark*

Clearly there are diverse and completely distinct kinds of migration that affect indigenous and tribal peoples, and in which they engage. An indication of the heterogeneous ways that movements of people, indigenous and not, affect and interact with indigenous peoples lifeways, already implies that 'indigenous peoples and migration' is neither a unified nor an

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<sup>11</sup> From 'Indigenous peoples and the Millennium Development Goals' by Victoria Tauli-Corpuz. Paper submitted to the 4th Session of the UN Permanent Forum on Indigenous Issues, 2005.

<sup>12</sup> Traditional Customary Laws and Indigenous Peoples in Asia. By Raja Devasish Roy, 2005

isolable phenomenon but one in which very local conditions and the most global flows and forces interact to form all sorts of assemblages.

# **International Standards on Migration, Work and Indigenous and Tribal Peoples**

## **ILO Instruments**

### **I. Indigenous and Tribal Peoples generally**

The Indigenous and Tribal Peoples Convention, 1989 (No. 169)  
The Indigenous and Tribal Populations Convention, 1957 (No. 107)

### **II. Indigenous and tribal peoples as migrant workers**

Migration for Employment Convention (Revised), 1949 (No. 97)  
Migration for Employment Recommendation (Revised), 1949 (No. 86),  
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)  
Migrant Workers Recommendation, 1975 (No. 151)

Equality of Treatment (Social Security) Convention, 1962 (No. 118)  
Maintenance of Social Security Rights Convention, 1982 (No. 157)

### **III. Indigenous peoples as (especially vulnerable) workers**

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)  
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)  
Forced Labour Convention, 1930 (No. 29)  
Abolition of Forced Labour Convention, 1957 (No. 105)  
Minimum Age Convention, 1973 (No. 138)  
Worst Forms of Child Labour Convention, 1999 (No. 182)  
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)  
Equal Remuneration Convention, 1951 (No. 100)

Social Security (Minimum Standards) Convention, 1952 (No. 102)  
Safety and Health in Agriculture Convention, 2001 (No. 184)  
Private Employment Agencies Convention, 1997 (No. 181)  
Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)  
Protection of Wages Convention, 1949 (No. 95)  
Labour Inspection Convention, 1947 (No. 81)  
Labour Inspection (Agriculture) Convention, 1969 (No. 129)  
Plantations Convention, 1958 (No. 110)  
Minimum Wage Fixing Convention, 1970 (No. 131)  
Occupational Safety and Health Convention, 1981 (No. 155)

### **Adopted by other international organizations**

Draft UN Declaration on Indigenous Rights – not yet adopted

International Convention on the Protection of the Rights of All Migrant Workers and  
Members of Their Families

Operational directives or other guidelines adopted by the World Bank, International Finance  
Corporation, Asian Development Bank, Inter-American Development Bank

**Appendix III**  
**Extracts from Convention No. 169**

**Article 7**

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation implementation and evaluation of plans and programmes for national and regional development which may affect them directly.
2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall economic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.
3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.
4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

**Article 16**

1. Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
2. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
3. Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist.
4. When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples

concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees.

5. Persons thus relocated shall be fully compensated for any resulting loss or injury.

## **Article 20**

1. Governments shall, within the framework of national laws and regulations, and in co-operation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent that they are not effectively protected by laws applicable to workers in general.

2. Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards:

- (a) admission to employment, including skilled employment, as well as measures for promotion and advancement;

- (b) equal remuneration for work of equal value;

- (c) medical and social assistance, occupational safety and health all social security benefits and any other occupationally related benefits, and housing;

- (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organisations.

3. The measures taken shall include measures to ensure:

- (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labour legislation and of the means of redress available to them;

- (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;

- (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude;

- (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women and protection from sexual harassment.

4. Particular attention shall be paid to the establishment of adequate labour inspection services in areas where workers belonging to the peoples concerned undertake wage employment, in order to ensure compliance with the provisions of this Part of this Convention.