

7th Global Forum on Migration and Development
14-16 May 2014, Stockholm
Common Space Session:

Realising decent labour migration and decent employment - partnering with states, businesses, labour organisations, diaspora entrepreneurs and other civil society organisations

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Human Rights and A New Agenda for Sustainable Pro-people Development in Building Partnerships for Decent Work and Social Protection for All Migrant Workers

Colleagues, Civil Society Partners, Your Excellencies, Ladies and Gentlemen,

The trade union movement welcomes the creation of this wider Common Space for dialogue between States and Civil Society. Building partnerships in tackling the challenges in the global governance of labour migration begins with a genuine and inclusive social dialogue.

We all recognise that international migration today is essentially about people leaving their homelands in search of work and a better life. Today, not only do we face an economic crisis, we have a global jobs crisis, characterised by deeply concerning high youth unemployment and an alarming rise in precarious work – in the form of part-time, contract, informal, irregular, temporary jobs. These are low-wage jobs with no security and without access to social benefits. A large proportion of precarious workers are migrant workers, women and young workers.

Austerity measures continue to grip jobs and public services in many countries. Among those millions who lost their jobs, a huge proportion of them are workers involved in the delivery of public services, many of them women. A new phenomenon of the “public sector working poor” is spreading across Europe. For instance, public service workers, doctors, nurses, and teachers in southern and eastern Europe are moving to the northern countries in search of jobs, any jobs. Such phenomenon resembles the pattern in the rest of the world. Deteriorating conditions are forcing nurses, health care workers and teachers to leave their jobs resulting to a drain of skills in poor countries where they are desperately needed. When asked, these workers tell us that they would rather stay in their home countries, if only they could find decent work.

As the crisis grows, attention is turned on migrants. Migrants are being used as scapegoats for the loss of jobs, decreasing public services and failure to provide adequate social protection. We are seeing tougher and more restrictive immigration policies, border reinforcement and migrant return programmes, all of which strengthens the hand of traffickers and smugglers. In the last five years, there were massive deportations of undocumented migrants and the passage of anti-migrant legislations ranging from tougher measures on identity documents, to denial of migrants from access to essential public services. Right wing groups are sowing fear of immigration and are scapegoating migrants as a strategy to win votes. Instead of initiating social policies and public services that promote inclusion, certain governments are focusing on security and have increased funding towards security programmes in the midst of austerity and unemployment.

However, all these can be changed. We need a paradigm shift, an alternative model and a holistic pro-people and sustainable agenda for development, rooted in the framework of human rights and supported by a strong multilateral governance system.

In this Common Space session today, we speak of “partnerships in realising decent labour migration and decent employment”. Public Services International (PSI) and the Global Unions that I represent, wish to highlight three main points as our contribution in this discussion.

Firstly, human rights are central in any discussion on labour migration. The ILO Conventions, specifically the ILO Conventions on Migrant Workers C97 and C143, and the UN Migrant Workers Convention provide the most comprehensive protection framework for migrant workers, promoting the principles of equality of treatment and non-discrimination. It is time that States take their responsibility and ratify and implement these conventions fully and effectively.

Trade unions, along with our civil society partners, are working vigorously to help realise these rights for migrant workers through ratification campaigns, monitoring and awareness-raising. We need to ensure that migrant workers, regardless of status, are informed and are able to claim their labour rights, in particular the rights to freedom of association, collective bargaining, equal treatment and social protection.

We have committed to organise migrant workers and intensify efforts to realise the rights to freedom of association, collective bargaining and equal treatment, both in law and practice. All migrant workers must have the right to equal wages and working conditions, to social security and to access to justice and adequate grievance mechanisms.

We need to fight for gender equality and empowerment of all women migrant workers. The ILO Domestic Workers Convention can only become a real victory if all States will ratify and implement it fully. CEDAW General Recommendation 26 provides clear guidance to State parties in origin, transit and destination countries on their responsibilities to respect, protect and fulfil the human rights of women migrant workers. We urge States to implement those recommendations.

Recruitment conditions are critical in ensuring sound migration and employment outcomes for migrant workers. We must expose the role of recruitment agencies and promote transparency, ethical recruitment, regulation and compliance of recruitment practices with international human rights and labour standards.

We call on States to make a commitment to end forced labour by adopting a new Protocol to ILO Forced Labour Convention C29 in the upcoming International Labour Conference in June.

Secondly, we need a new development agenda.

The post-2015 process is our opportunity to learn from the failures of the current economic model. We need a new development agenda for an inclusive and sustainable development that delivers equity, social inclusion, structural transformation and sustainable jobs.

Governments must embark on policies and cooperation measures that not only address the conditions with which migrant workers and their families migrate, but also the root causes of why people migrate. Policies towards sustainable human, social and economic development,

including respect of rights, access to decent work and quality public services are important in order to allow for the right of people “not to migrate”.

The debate on migration and development must focus on the creation of decent jobs in both countries of origin and destination. Migrant workers cannot be seen as the panacea to fill labour market shortages or respond to demographic changes.

Migrant remittances are neither an answer to development nor an appropriate policy for poverty reduction. It is primarily the responsibility of States to create decent work and provide quality public services in order to fight poverty and reduce inequality.

In view of the post-2015 Development Agenda, migration is a cross-cutting issue that should be integrated in three development goals that are critical for the trade union movement, which are (1) Full Employment and Decent Work for All (2) Universal Social Protection and (3) Gender Equality.

Last but not least, a strong multilateral governance framework is needed.

International migration is complex and needs to be dealt with in the context of a comprehensive multilateral governance framework. Institutional and policy coherence are necessary in order to address gaps and strengthen the application of norms and standards. At last year’s UN High Level Dialogue, States committed to work towards an effective and inclusive agenda on international migration that integrates development and respects human rights by improving the performance of existing institutions and frameworks, as well as partnering more effectively with all stakeholders involved in international migration and development at the regional and global levels. We hope that commitment remains firm.

The International Labour Organisation has the competence to deal with labour migration within the global governance of international migration, by virtue of its unique tripartite structure and standards-setting function.

In view of this, the outcome of the 2013 ILO Tripartite Technical Meeting on Labour Migration is an important step in the right direction. It provides guidance and strategies and an enhanced role for the social partners working along with governments and other stakeholders in addressing labour migration.

I thank you for your attention.