

Partnerships and Action for Decent Migrant Labour Recruitment and Employment

Session focused on International conventions, bilateral agreements, multi-stakeholder initiatives, and rights-based models to deal with the abuses in international labor migration and to improve decent work both at home and abroad.

Moderator -- Summary: gave us a sense of the scope of labor migration globally with a focus on Turkey, an area of profound mobility at this moment in time.

Int'l migration is increasingly tied to global economy. 3% of world's population is living in country where not born, 57 M increase since 2007. South Asia is half this difference. Seeking employment and better livelihood. Not just a South-North phenomenon, but South-South and North-South. More than 6 M Turkish people living abroad. At the end of the migration wave starting in the 60s. This is an era of profound mobility. Recruitment is the point of entry in migration process for many people and the most vulnerable. How to recruit? See civil society's 5-year, 8-point plan.

Ambassador Yabez – summary: provided us with examples of the Philippines' efforts through signing the convention on the protection of migrant workers and members of their families; bilateral agreements with destination countries, and regional mechanisms.

Condolences to those who died in Ankara and the Turkish people. On behalf of Philippine government thanks for the invitation. ILO member state, tripartite process, consulting with private sector and others regarding overseas employment of Filipinos. Engaging in Partnerships is part of plan 2011-2016, multi-stakeholder process. Ratified the Convention for the protection of Migrant Workers and their Families, bilateral agreements with Saudi Arabia and others, seeking with Lebanon, Kuwait, Bahrain, and others. Commitment from countries of origin and destination. UN HLD, took an active role. Abu Dhabi dialogue, Colombo process. Seeking ethical recruitment through national, Binational, or Regional mechanism.

Question: Example of national or bilateral agreement that have been effective? Yabes: Philippines has consistently led efforts to improve work for migrant workers, particularly domestic workers. Led efforts on ILO Convention 181, signing second after Uruguay. Entered into force after 1 year. Recognized domestic workers with full rights. Also other policies. Strict review of contracts by Philippine office is not occurring, attempt to exclude employers. Strengthening skills for domestic workers at all stages of their migration cycle. Adopting anti-trafficking and anti-illegal recruitment campaigns to promote rights. Promotion and protection of the rights and welfare of migrant workers. We cannot require a foreign employer to treat workers fairly if we don't do it ourselves.

Lars Westbratt, Minister of Justice in Sweden. 60 M people displaced according to UNHCR. Sweden expecting a double in number of asylees this year as compared to last year. All must take responsibility. Despite the refugee crisis, we have to think of big picture, that Labor migration is fundamentally positive, good for all parties. Individuals move for work, remittances and future investment to countries of origin, to destination countries labor. Important driver of development. Must never lead to exploitation or abuse. Must look locally and international, using multi-stakeholder approach. Allow all to come, regardless of skill level. Allows employers to recruit from global. Appointed a committee of labor migration to review abuses. Two initiatives: (1) using IOM IRIS system for international recruitment, (2) a dialogue between gov and trade. All relevant stakeholders must play their part locally and globally.

Question: What can govts do to promote ethical recruitment practices, and how that can lead to decent work. Westbratt: Two initiatives of the gov: (1) one aims for govts to cooperate to meet challenges of global working life. Encouraging cooperation between social partners creates shared prosperity. This is a complement to ILO and GFMD when it comes to decent work agenda. (2) Fair working conditions for all of Europe. Want to ensure that foreign EU workers are treated equally.

Ryszard Cholewinsky, ILO, previously at IOM – Recruitment issues are at the heart of the ILO's work for some time. Abusive practices are a reflection that labor is a commodity, particularly in high volume corridors, like South Asia and the Middle East. ILO's early convention on the abolition of forced labour – contract substitution, charging of fees, etc are at high risk of forced labour as well as trafficking. Last year, ILO adopted a protocol to the forced labor convention discussing that recruitment issues are an issue. June 2014 announcement addresses recruitment –towards a fairer labor migration and governance. Welcome this discussion in inclusion of Sustainable Development Agenda and in the 2013 UN HLD. Will discuss ILO Fair Recruitment Initiative later.

With IUE, ITUC, and CIAT, ILO launched Fair Recruitment Initiative.

Question: What's the vision, and what are the synergies, and how can GFMD improve these efforts? Cholewinsky: Fair Recruitment Initiative is part of the ILO agenda. ILO is cooperating with UN, civil societies, governments, and private. Aims to provide research in action. Need a better understanding of what is going on and practices and impact of regulatory practices dealing with recruitment. Published a number of reports on regulatory approaches as well as in the context of supply chains. Also looking at enforcement across migration corridors. Working on building good practices across corridors in line with int'l standards. Also building the business case for recruitment. Ideals: No fees model and other practices such as assisting business in performing due diligence across supply chains, empowering workers themselves and helping them access justice. Also important to take stock of the initiatives out there, and this space is a good place to do that to avoid duplications.

Ambassador Francisco Carrion Mena – condolences to Turkish families. Come from Ecuador. International Committee on the Rights of Migrant workers and members of

their families, and thank you to the Turkish gov for being part of this three-party group. Grateful that this committee is here today. This is the central point for the human rights of migrant workers. Lamented that this conversation is not occurring in the UN context and that the name of this forum does not give weight to human rights in addition to migration and development.

Very few people know about this convention that reflects all the issues we are talking about here – all the answers can be found in the convention. This is its 25th anniversary. We are not only sending migrants, we are also transit countries and destination countries, as well as countries of return. The 48 member states that have signed it are giving life to the convention, but our work is limited because countries from the North have not signed. Countries like the US, Canada, the EU, Australia – these countries are here, present, but they don't form part of the convention that I have mentioned. The UN doesn't have to be invited here, it needs to be heading the process. This 25th anniversary is a sad one for these 48 countries. We will find the answer to this reality if we look to the convention.

Question: What are the priorities of the committee to workers? Carrion Mena: The committee needs to monitor the fulfillment of the convention, which covers many topics – modes of recruitment and work, women and children and others. The committee monitors the compliance will all these aspects in relation to the convention. There are reports about recommendations and compliance. Makes recommendations in all the fields, particularly relevant to this topic. The support of civil society is fundamental to get information about fulfillment of the convention. The committee is evaluating the – but which statistics are used. By definition, irregular migration is irregular, and we don't have good statistics to show that. We also have to articulate our work in relation to other conventions and rights. The rights of women are related to children rights. The convention on torture and disappearances is linked to migration. What we are looking for is to end the exploitation of workers in destination countries. We have to fight against unfair salaries and defend their right to humanization, to vote from abroad – there is a wide set of obligations. We also work hand in hand with the UN – ILO and IOM – which are very important to our work.

Annie Enriquez Geron, from Public Services International – Extend condolences to victims of the attack in Ankara. Hope is strengthens our collective resolve to work for freedom, decent work, social justice. Public Services International – 20 million workers delivering services. Represent more than 7 million in health and care sectors, which is seeing increasing migration. Migration should not and must not replace decent work in home countries. 10% of my country – 10 M – are migrant workers that are documented. We know the impact on services. We are concerned for the erosion of workers' rights. Noted that labor migration in her country has a woman's face. We have seen the jobs that are dangerous and demeaning. Priorities: human rights of migrants (non-discrimination, fighting racism and xenophobia), decent work, access and portability of social protection for migrant workers, reforming labor recruitment (workers should not pay to work). You get paid to work, not for work. We know we need to address the root cause of migration through dialogue with gov, private sector, and labor. Created a labor and employment plan. We believe that if we make work better in the Philippines, people won't want to leave. Needs-based and people-based budgeting in legislation. Got a gender and development budget, 5% of the federal budget, for achieving equality. Trade union active

in open government partnership, open data system, (no freedom of information). She also encouraged bilateral and multilateral agreements and partnerships based on transparency and accountability, active engagement of stakeholders.

Question: How can governments work more closely with to unions? Enriquez Geron: Government to government agreements regarding nurses; lessons: ethical recruitment is necessary to protect workers n recruitment and in their labor. Importance of decent work at home in order to promote decent work abroad.

Tatcee Macabuag, Migrant Forum in Asia – welfare of migrant workers.

Condolences to Turkish people. Described the important work MFA is doing as convenor of the open working group on labor migration and recruitment, which is a coming together of civil society and the private sector, seeking to reform the recruitment. Trainings on ethical recruitment, front-line serves, resources.

Ms. Macabuag also discussed the implementation of the Post-2015 development agenda – In consultations in Asia about the Post 2015 SDGs, a key recommendation is implementation of Section 8 – implementation, monitoring, reforms in existing laws and policies that enable rights violations of migrant workers, strengthen role of missions as frontline service providers, multistakeholder platform to address the post-2015 Development Agenda. In the next 6 months, we will be recommending commitment to indicators. Crucial targets and indicators should be met. Calling for strong monitoring mechanisms – gender sensitive laws – implementation of laws at the national level that provide protection for migrant workers. Ensuring that core labor standards from the ILO and the migrant workers convention are ratified and implemented and monitored at the national level. Redress mechanisms should be accessible for migrant worker. Elimination of visas that are tied to employers. GFMD can support these principles as a place where govs can meet with civil society to create indicators that are evaluated in the next 6 months through a multi-stakeholder committee.