

GFMD Thematic Workshop on GFMD's contribution to the GCM

GCM Cluster 6: Irregular Migration and Regular Pathways, Including Decent Work, Labour Mobility, Development and Recognition of Skills and Qualification and Other Relevant Measures

6 September 2017, 14:00-16:00
Vienna – Hotel Savoyen – Olympia Mancini 1A

1. The Working Session on Irregular Migration and Regular Pathways was chaired by **Ambassador Michel Lastschenko**, Ambassador and Special Envoy for Migration and Asylum of Belgium. **Ambassador Eduard Gnesa** of Switzerland delivered the overview on the GCM which was excerpted from the draft GFMD Contribution report. Meanwhile, **Ms. Michelle Leighton**, Chief of the Labour Migration Branch of the International Labour Organization served as the Rapporteur of the working session and synthesized the key outcomes and recommendations that emerged from the discussions.
2. Ambassador Lastschenko recounted how since the 2006 High Level Dialogue on International Migration and Development and the subsequent first GFMD Summit in Belgium in 2007, the GFMD has enabled a shift of paradigm by promoting regular migration as an opportunity rather than as an impediment to development. Advancing regular migration, he said, will not solve all the problems that have been raised in GFMD meetings. Nonetheless, fostering and implementing legal pathways is a good way to begin a response.

Overview on the GFMD Report's Chapter on GCM Cluster 6

3. Ambassador Gnesa, as the GCM Rapporteur, presented the GFMD recommendations on irregular migration:
 - a) *Labor mobility/circular migration as a possible alternative to irregular migration;*
 - b) *Ethical recruitment of labor migrants;*
 - c) *Skills recognition and development;*
 - d) *Non-exploitative financing for migration*
4. Under each of the policy areas above, there are political/general recommendations and practical/actionable recommendations,¹ which Ambassador Gnesa elucidated, to wit:
 - a) Circular and temporary regular migration schemes could help curb irregular migration. To support these alternative legal pathways, there must be improved gender-sensitive data collection and analysis.
 - b) Countries of destination need to establish legislative frameworks that include strong labour rights in order to prevent labour migrant abuses. There is also a need to develop codes of ethical recruitment, particularly in the health sector, as well as dissemination of lessons learned from these existing codes of conduct.

¹ For a complete list of the political/general recommendations and practical/actionable recommendations of the GFMD on this cluster, please click this link: https://gfmd.org/files/documents/cluster_6_excerpt_gfmd_report_to_gcm.pdf

- c) To promote skills recognition and development, cooperation mechanisms on better job matching and skills recognition must be advanced between countries of origin and destination. The evaluation of the qualifications of asylum seekers vis-à-vis the host countries' labor market needs at an early stage of the integration process is recommended.
 - d) Advancing non-exploitative financing for migration requires gender-responsive legal, social and financial protection measures for migrants at bilateral and multilateral levels. Governments also need to engage the private-sector employers and recruiters and ensure that employers, instead of migrants, pay the recruitment cost.
5. The Chair opened the floor and invited all participants to respond to the three guiding questions. Below is a summary of the main takeaways from the discussions.

Question 1: How can the GCM facilitate sustainable implementation of commitments in international standards and frameworks related to the topics covered by this thematic cluster?

- Information sharing at the regional level and cooperation between states on joint alliances and standards, according to participants, would promote similar and consistent guidelines on decent work and labor mobility. Some of these are already being addressed in the Abu Dhabi Dialogue, but the GCM is also a crucial process that can set the movement towards clearer and more comprehensive guidelines.
- Participants also affirmed the importance of closely engaging with other sectors that have a stake in labor mobility and development. Local actors, for instance, are crucial to initiate local development programs for the integration of home-coming migrants. The private sector, civil society, and trade unions also play a huge role in this context considering their specific and diverse mandates in catering to the needs of migrant workers.

Question 2: How can the GCM further advance relevant recommendations and good practices shared within the GFMD and affirmed in several UN documents?

- Participants urged the countries of destination (CoDs) and origin (CoO) to closely cooperate in order to alleviate the situation of irregular migrant workers. CoDs and CoOs need to align their needs in order for the CoDs to absorb skilled foreign workers. Cooperation between countries is likewise needed to foster recognition of skills through mutual recognition agreements—be it in bilateral, regional or multilateral agreements. The use of already existing initiatives like the International Recruitment Integrity System (IRIS) of IOM and Fair Recruitment Guidelines of ILO can advance fair recruitment practices and standards.
- The GCM should also facilitate an exchange of information and complement the already existing international processes and initiatives. For instance, in the context of SDG 3.c on house workers, WHO talks about migrants in health community while the GFMD talks about migrants in migration community. Yet, both tackle the same issue of mobility of house workers. The GCM should advance a shared understanding and vision for regular pathways and labor mobility.

Question 3: Which current challenges, if any, are not yet sufficiently covered by existing international standards and frameworks and therefore require specific emphasis by the GCM?

- There is little investment in data collection and lack of statistical standards in labor migration. Moreover, participants underlined that most countries lack the capacity to conduct labor market needs assessments and forecasting in the next 25 years, making skills-matching a difficult enterprise.
 - Participants pointed out that in many countries, the treatment and rights accorded to workers regardless of their legal status are uniform. However, irregular migrants are hesitant to claim their rights as they would make themselves 'identifiable' to authorities.
 - There is no consensus on what constitutes a good practice given the varying social and economic contexts of countries. What is applicable to a specific country might not be applicable to others.
6. At the end of the session, the thematic expert rapporteur summed up the highlights of the discussions. The following table outlines the main points of convergence, practical recommendations and remaining challenges or issues for further discussion.

Points of Convergence	Practical Recommendations	Challenges / Issues for further discussion
<ul style="list-style-type: none"> • progress in adopting international frameworks as NY Declaration and 2030 Agenda • GFMD as a facilitator of cross-sectoral debates on migration 	<ul style="list-style-type: none"> • info sharing at the regional level • joint alliances and standards between states • capacity-building of COOs for mutual skills recognition 	<ul style="list-style-type: none"> • conception on circular migration • consensus on good practices • forecasting of labor market needs