

Global Unions Statement for the 2016 Global Forum on Migration and Development

Introduction

The 2016 Global Forum on Migration and Development is happening at a time when the world is in crisis. The almost unprecedented large movements of people fleeing war, persecution, terrorism, poverty, destitution, climate change and extreme weather events is taking place in the context of the most dramatic rise in inequalities within and between countries that we have seen since World War II. The rich are getting much richer and the poor and being made poorer and poorer. As more and more people feel disenfranchised and abandoned by the 'political class', we are seeing the relentless spread of nationalism, populism, racism, xenophobia, misogyny and homophobia. Migrants are again becoming the scapegoats for our societies' problems. Migrants are being painted as "the other"; "the enemy". The sight of barbed wire fences and the threats of building walls to keep migrants out have almost been normalised.

This year's GFMD follows the adoption of the UN sustainable development goals (SDGs) in September 2015. The SDGs present a real opportunity for the world to change course towards better and fairer democratic and peaceful societies, where populations have access to decent work opportunities, to quality public education, health care and social services, to gender sensitive social protection systems that cover our lifecycle; and where workers get a just share of the fruits from their labour. This GFMD should contribute, as much as possible, to achieving those goals.

The SDGs call on governments to implement planned and well-governed migration policies, eradicate human trafficking, respect the labour rights of migrant workers and reduce the transaction costs of migrant remittances. All the other SDGs also apply to migrants. If we are to move forward, governments, individually and collectively, must demonstrate clear political will, commitments and responsibility for a just migration and for migrants.

Large numbers of migrants are, in fact, forcibly displaced persons even if they may not meet the criteria for asylum. They may, for example, be forced to leave their homelands by conflict, by intolerance or bigotry, by extreme poverty, by insecurity, or by climate events.

This GFMD also follows the UN high-level meeting on to address large movements of refugees and migrants on 19 September in New York and precedes development of the Global Compacts. Those discussions are based on substantive and serious issues that Governments agreed to consider in New York. They offer the best opportunities for many years to address the need for global governance of migration.

The important contributions that migrants make to our societies socially, culturally and economically, is well-supported by anecdotal, empirical and statistical data. It must be part of the GFMD's mission to raise up these contributions.

Global Governance

Migration, through its very nature, has always been an international issue. However, governments have resisted putting into place functioning, coherent structures and binding rules for the global governance of migration, insisting that national sovereignty requires national governance of migration. Even the 1951 Convention for Refugees, widely ratified and providing for protection of rights and fair treatment, is not being fully respected in the current climate. In other words, at a time when more binding commitments should be developed and implemented, those that already exist are being taken less seriously.

Although there are different legal regimes that apply for the protection of refugees and migrants, the lived reality of migrants and refugees are often very similar. Both have to make an enormous adjustment and often face politically driven hostility rather than open arms in their new home-lands. Attempts to draw strict divisions between asylum seekers and refugees and migrants does not reflect this reality and plays directly into the hands of those who want to further divide our societies by portraying refugees as "deserving" assistance and "economic" migrants as those who need to be 'kept out'.

Tens of millions of displaced persons have lost an important right; the right to stay home; the right not to migrate. The causes are many. They include war, terrorism, dictatorship, persecution, discrimination and bigotry, poverty, drought, famine, and climate change. Governments, individually and collectively, have failed to accept that voluntary migration is part of human nature and have failed to deal with the root causes of involuntary migration. The most effective way to stop successive waves of people fleeing for their lives is not by making it difficult to leave or to survive. It is, rather, to eliminate the causes of their flight.

While noting that the International Organisation for Migration (IOM) has become a non-normative UN-related agency, the many challenges that confront us can only be adequately met if the global governance of migration remains within the framework of human rights norms, UN standards and instruments, including international labour standards.

In this context, the vital role of the International Labour Organization (ILO), founded on a mandate of social, justice, peace and democracy, is ever more important. The ILO has important standards related to labour migration and a robust system to supervise those instruments. It is also the institutional protector of other workers' rights that also apply to migrant workers, such as trade union rights (including freedom of association and collective bargaining), forced (including trafficking) and child labour, occupational health and safety protection, social security and many others. The recent ILO tripartite agreements on access to labour markets for refugees and other displaced persons, and on fair recruitment are important contributions to the framework for a fair global governance of migration.

The Office of the High Commissioner for Human Rights (OHCHR) and the United Nations High Commissioner for Refugees (UNHCR) are clearly also key agencies, whose vast knowledge, experience and status as custodians of important Treaties upholding and protecting the human rights of migrants and refugees must place them right at the centre of a global architecture for the governance of migration. These agencies also have a long history of consultation and collaboration

with civil society organisations, which has strongly benefited systems designed to bring assistance and protection to migrants and refugees.

An equal and genuinely collaborative partnership between the IOM, the ONHCR, the UNHCR and the ILO, which recognises the added-value of the respective mandates of each organisation, can only strengthen the governance of migration to the benefit of all. The recent Memorandum of Understanding, signed on 1 July 2016, between the ILO and UNHCR could provide a template for the basis of such collaboration.

Human Rights

There are socio-economic reasons and justifications for migration, both in home and host countries. But, the labour of a human being is not a commodity and comes with human rights. Too often those rights are being violated throughout the migration process and workers are treated more like merchandise than human beings.

Many migrants enter into migration through predatory and unscrupulous recruitment agencies. That means deception as to the wages and conditions of their employment, “bait and switch” employment contracts, and exorbitant fees. A high percentage of their earnings go to paying off agencies rather than helping their families. Such agencies with their associated “loan sharks” are often a source of corruption. All recruitment agencies should be regulated and those that refuse to adhere to ethical recruitment practices should be banned. Under no circumstances, should individual migrants be charged recruitment fees. Important work is being done in this area in the ILO Fair Recruitment Initiative.

Migrants are often victims of violence, including in the form of attacks and rape. Women and children are, in particular, targets of violence as well as trafficking. Women are also often victims of abuse and discrimination in home and host countries and in transit.

Respect for migrants and refugees also means the possibility to help shape and participate in their own destinies and futures. That includes the right to organise and bargain collectively. Unfortunately, those rights are often restricted. Even when there are no outright bans on organising, those in temporary or circular migration often have contracts that, in effect, block the exercise of their rights.

Many migrants are concentrated in jobs where it is difficult for them to form organisations to defend their interests. This includes work without employment contracts, informal work and a legal employment relationship with private employment agencies rather than with the real employer. The concentration of migrants varies considerably by sector. Treatment and protections vary as well. Efforts to help migrant workers need to take sectoral issues fully into account. Women migrant workers are often segregated into the most vulnerable employment sectors and employment relationships, do not have access to important health and social services (including sexual and reproductive health services) and tend to have the poorest migration outcomes.

Acceptance, fear, and hostility

Migrants are often in vulnerable situations. They are uprooted and forced to adapt to sudden change. They are often afraid. But, that is often true of host populations as well. Many migrants in recent years

arrive in countries that have high unemployment and where severe austerity programmes have been imposed that affect access to and quality of public services.

There are understandable fears of 'social dumping', of lowering of wages and employment conditions, among host country workers. That is sometimes a problem precisely because migrant workers do not have the same rights and protections as others. In other words, the best way to avoid social dumping is to ensure equal treatment and the full respect of the rights of migrant workers.

Fear of migrants has been fanned and exploited using distortions and disinformation by populists. This has generated a wave of bigotry, nationalism, racism and xenophobia in many countries.

Both polls and election results show that the greatest anti-immigrant feeling is among those who have the least contact with migrants. In other words, much of it is a fear of the unknown. It takes strong and courageous political leadership to turn that tide and create an environment that enables the acceptance of migrants. Civil society, including trade unions, can also contribute to changing attitudes.

Public services

Public services are central to the sustainable integration of migrants and refugees into society. They need to have, from their arrival, quality health care, decent housing and sanitation and social security protections. They should be included in existing services as well as receiving assistance in areas of particular importance to their integration and empowerment. All of this work requires well-funded quality public services delivered by adequate and well-trained staff.

Education is a particularly vital public service connected with migration. Education can be the fast track to integration for refugee children. It can prepare them for their new homelands and help them adapt to local languages and customs. Education is also about building tolerance, critical thinking, and discussion. It is, therefore a powerful tool against all forms of bigotry and prejudice. We, therefore, call upon governments in transit and receiving countries to ensure that all migrant and refugee children, youth and adults have access to quality education. Teachers in destination countries should be trained and supported to meet the diverse needs of migrants and refugee children. Mechanisms to accredit and recognise the qualifications of migrant teachers should be put in place.

GFMD

This GFMD, if it is to make a difference, needs to contribute to the implementation of SDGs and the development of the Global Compacts on migration and refugees, on a basis that is founded in protecting and guaranteeing human rights and social protections. Governments, of course, need to take the lead, but in a manner that is accountable and welcomes and incorporates the experience, knowledge and views of civil society and the social partners. It needs to be fully transparent and much more focused than previous GFMDs on the human rights of migrants and cautions on the overemphasis on business and the economic gains of migration. The GFMD should be, for migrant workers and society, part of the solution.