

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

Introduction

The 2016 Global Forum on Migration and Development (GFMD) follows the adoption of the UN sustainable development goals in September 2015, and should contribute, as much as possible, to achieving those goals.

The SDGs call on governments to implement planned and well-managed 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 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 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.

Global Governance

Migration, by its very nature, has always been an international issue. However, governments have failed to put into place functioning, coherent structures and binding rules for migration. Even the 1951 Convention for Refugees, widely ratified and providing for protection for rights and fair treatment far beyond instruments covering migrants, 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 levels of legal protection of refugees and migrants, they have many things in common. Both have to make an enormous adjustment and often face hostility rather than open arms in their new homelands.

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, extreme poverty, drought, famine, and climate change.

Governments, individually and collectively, 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 for them 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 UN-related agency, we stress the importance of ensuring that the global governance of migration remains within the framework of human rights norms, UN standards and instruments.

In this context, the vital role of the ILO needs to be recognised. The ILO needs to play an important part in the governance of migration. The ILO has important standards related to labour migration and a good system to supervise those instruments. It has long experience with migration issues. It is also the institutional protector of other workers' rights that also apply to migrant workers, including trade union rights, forced (including trafficking) and child labour, occupational health and safety protection, social security and many others. It is also the only UN agency that includes workers and employers' organisations. That makes it a more faithful reflection of the world of work than other purely inter-governmental agencies.

Human Rights

There are socio-economic reasons and justifications for migration, both in home and host countries. But, the labour of a human being 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 employment 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 and, 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 also 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.

Acceptance, fear, and hostility

Migrants are often vulnerable. 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 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 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 adaptation of migrants. They need to have, from their arrival, good 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 the adaptation of migrants. All of this work requires resources and effective, quality public services.

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 Compact on refugees. Governments should take the lead, but in a manner that welcomes and incorporates the 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 not only on their economic roles. In other words, the GFMD should be, for migrant workers and society, part of the solution.
