

## Concept Note

### **Better protected migrant workers and better governed labour migration**

Date: 5th June 2015 (High-level event during the International Labour Conference of the ILO)

Time: 13:00 – 14:30

Venue: Palais des Nations, Room XVI

The events unfolding in Syria, Yemen and other countries, and the repeated tragedies in the Mediterranean and Andaman Seas and elsewhere, call urgent attention to the humanitarian, social and economic needs of migrants and refugees. Extreme poverty, high-levels of unemployment, deadly conflicts, and environmental degradation drive migrants in search of decent work and better livelihoods and challenge us to respond to the root causes of the problems.

The phenomena of trafficking and smuggling currently in global media headlines are also the direct outcomes of unbalanced, unregulated and unequal development. They reflect a system of migration governance that remains fragmented and creates gaps in the monitoring and oversight of recruitment processes. Often prevented from collectively organizing to protect and claim their rights, migrant workers are inherently at a disadvantage.

Recent events require the international community to invest in the creation of more and better jobs in countries of origin –ensuring migration is a choice rather than an obligation- and in addressing the shared burden of assisting the growing mixed migration and refugee flows. They also present an opportunity to the ILO and its constituents to reposition the decent work agenda squarely in the crisis context, emphasizing the acute need for employment generation, the creation of social protection floors, and mechanisms by which migrants can work in jobs that match their skills level.

These issues are at the heart of on-going discussions related to the post-2015 development agenda, which has the primary objective of eradicating poverty that arises from unsustainable and unequal development. The proposed Goal 8 of the Sustainable Development Goals (SDGs) specifically focuses on productive employment and decent work (including for migrant workers). The SDGs, once adopted, will help all UN Member States, industrialized and developing, in framing their agendas and shaping their policies over the next 15 years.

Greater consideration is also needed to ensure safer and regular channels of migration as well as to facilitate migrants' integration in destination countries. Attention should also be paid to reducing the high costs of labour migration, including recruitment fees, which leave migrants and their families seriously indebted. Closer cooperation among origin and destination countries can help to assure stronger governance and oversight mechanisms are put in place. Such cooperation can also yield more productive jobs and better skills matching for migrant workers, while also assuring equality in wages and working conditions.

This year marks two important anniversaries of international standards on migration: the 40th anniversary of the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) as well as the 25th anniversary of the 1990 United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW).<sup>1</sup> The Multilateral Framework on Labour Migration (2006) will also commemorate its anniversary next year and it can be considered as a critical ILO instrument/tool to act efficiently on this field. Together with ILO's standards on fundamental principles and rights at work, and the core UN human rights instruments, these form a coherent legal architecture that can serve as a foundation for the protection of migrant workers, equality of treatment and social cohesion.

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<sup>1</sup> Other important ILO standards relating to migration include the Migration for Employment Convention (Revised), 1949 (No. 97), as well as the recently adopted Domestic Workers Convention, 2011 (No. 189) and the new ILO Protocol to the Forced Labour Convention, which contain specific norms related to the protection of migrant workers. The Protocol creates new legally binding provisions to protect migrant workers from abusive and fraudulent recruitment practices.

Yet, major challenges will remain to ensure that these standards are applied in practice, be it in low, middle or high income countries. This panel discussion can serve as an incubator of innovative, forward-thinking ideas aimed at preventing future tragedies in the Mediterranean, Andaman Seas and elsewhere. Specifically, the panel will: 1) discuss actions to support the creation of more and better jobs in countries of origin, ensure application of relevant ILO and other standards in host, transit and origin countries; 2) identify means of opening legal channels for fair, regular and safe migration; and 3) reflect on existing mechanisms by which to facilitate intra- and inter-regional labour mobility to enable the optimization of the development benefits of migration.

This panel discussion will be “Davos-style”, with questions asked to guest panelists (no formal speeches/remarks will be solicited from them in advance). The aim of such an interactive format is to ensure a meaningful dialogue about the issues related to the protection of migrant workers. Social partners will be invited to take on the role of commentators, reflecting on statements made by guest panelists during the course of the panel discussion. The entire session will be moderated by either a seasoned diplomat experienced in reporting on migrant workers’ rights issues.

Guest panelists:

- Mr Guy Ryder, ILO Director-General
- Ms Cecilia Rebono, Ambassador, Permanent Mission of the Philippines to the United Nations
- Mr Jean-Marie Ehouzou, Ambassador, Permanent Delegation of the African Union to the United Nations
- Mr Peter Sørensen, Ambassador, European Union Delegation to the United Nations
- Mr Volker Türk, UNHCR's Assistant High Commissioner for Protection

Commentators:

- Ms Ronnie Goldberg, Employer Governing Body Member and Employer Vice-President of the 2015 International Labour Conference, Senior Council, U.S. Council for International Business
- Ms Catelene Passchier, Worker Governing Body Member and Worker Vice-Chairperson of the Committee for the Recurrent Discussion on Social Protection (Labour Protection), Vice-President, Dutch Trade Union Confederation (FNV)

Moderator:

- Ms Sandra Polaski, ILO Deputy Director-General for Policy