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# Migration: “brain drain” and unequal development

**Does migration contribute to development? Host countries benefit from their labour and social security contributions. Further more home countries receive financial remittances from migrants.**

**And yet, migrants – especially skilled migrants – represent a loss to the home country. The ‘brain drain’ is already leading to labour shortages in several sectors (including health and education). Moreover, financial remittances are not always used wisely in the home country.**

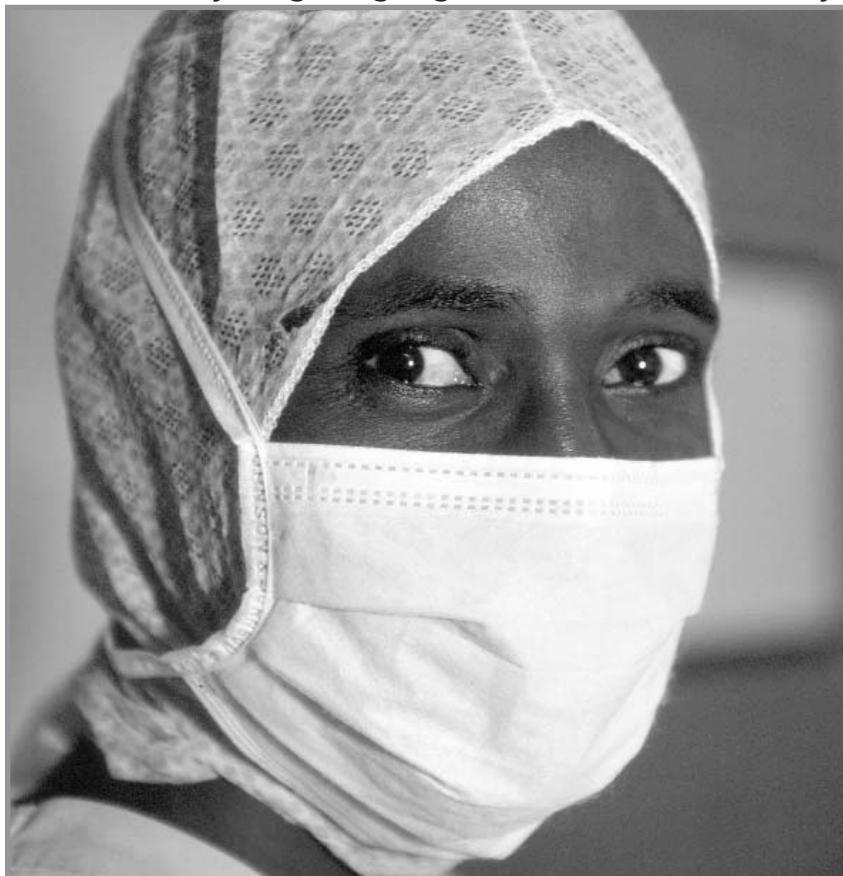
**This is why the unions say that migration can never replace sound macro-economic development policies, and why they are in favour of fully integrating migrants into their host country.**

**F**aced with a chronic lack of labour in certain sectors of the economy, often due to an ageing population, Western countries have re-opened their borders to certain workers – generally those who are skilled or highly skilled.

For instance, thousands of IT experts from India and nurses from the Philippines and South Africa have left their countries to find jobs in Europe, especially Germany and the United Kingdom.

These migratory flows are often presented as a benefit to everybody: the host countries, because they have access to the labour they need to develop their economies and maintain their prosperity; the home countries, which sometimes go as far as encouraging migration so that they will subsequently benefit from foreign currency sent home by migrant workers; the workers themselves, who gain experience and earn higher wages abroad than at home; and their families, who receive a portion of these wages.

A World Bank study (1) has shown that funds sent by migrants are the second largest source of external financing for developing countries after foreign direct investment, but ahead of development aid (with USD 80 billion offi-



(Photo: ILO)

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cially remitted, up 30% from 1997's figure). In Asia, the total amount of funds remitted exceeded the volume of foreign direct investment for the first time in 2002. According to the International Organisation for Migration, if unofficial remittances are factored in, then the total amount of funds remitted would be in the region of USD 200 billion.

It is also true – in contrary to traditional xenophobic arguments put forward by xenophobes – that the host countries benefit greatly from migrant workers, who often contribute more than they cost. For instance, several studies have shown that a household of foreigners in Switzerland makes an annual net contribution of 3,900 Swiss francs (USD 2,600) to the social welfare fund. In the United States, immigrant workers contribute in taxes more than 18 times what they receive in welfare benefits. And all this even though it is the migrant workers' home countries which bear the full cost of their initial training.

#### BRAIN DRAIN

"But the situation is far from perfect. The home countries fall victim to a "brain drain" and workers' qualifications are not always recognised in the host countries", says Elsa Ramos, Director of Equality and Youth at the ICFTU.

According to a recent ILO study (see boxed text below) (2), the emigration of medical personnel – especially nurses – poses a potential threat to health care

systems in developing countries, which are suffering from a labour shortage that has reached critical levels in some countries coping with the HIV/AIDS pandemic.

### **In the United States, immigrant workers contribute in taxes more than 18 times what they receive in welfare benefits.**

In Europe, several studies have emphasised that fears of a massive influx of low-skilled workers from the new EU Member States were unfounded and that there was more of a risk of a brain drain from those countries. The European Commission widely advertised a study carried out by the Dublin Foundation with a view to countering the intention of several EU countries to restrict the influx of workers from Eastern Europe or limit their access to welfare benefits.

#### REMITTANCES NOT INVESTED

Money sent home does not offset the loss. Instead, it is used mainly to dress up the balance of payments figures. Of course, remitted funds allow many families to live better in the short term, but such funds are not really invested in long-term development initiatives. Only a low percentage of remittances go into savings, or towards education or 'productive' investments (3).

Pure consumption can have perverse effects. In Yélimané, Mali, the remittance of funds has caused unexpected inflation, making the city one of the most expensive places to live in Mali. Its inhabitants are big spenders, live in opulent villas and are pushing prices up – so much so that although five new schools have been created, they have been deserted by the teachers.

Funds sent to home countries help reduce trade deficits and debt, but they also lead to the revaluation of local currency and make exports less attractive. Some countries have become 'import economies', dependent on remittances" (4). In addition, a 'brain drain' can also discourage foreign companies from investing in a country that has lost its skilled workers. The economies of countries which receive a lot of funds from their emigrants are no better off, as can be seen in the Philippines, Ecuador and Yemen.

In this connection, the ILO encourages voluntary forms of savings and productive investments while at the same time warning countries which impose conditions on remittances and recommending improved intermediary financial services.

#### UNDERPAID

In the host countries, migrants can face problems of having their qualifications recognised, leading to them being given jobs which are underpaid for someone of their skills. This is a 'brain waste'. All the benefit is gained by the employers, who have high-level labour

#### **Emigration of health workers is threatening development**

According to a study by the ILO (1), the emigration of medical and nursing staff represents a potential threat to the health services in developing countries

The United Kingdom has long been one of the main host countries for doctors and nursing staff. In 2002, over half of the UK's registered doctors had been trained in other countries and two-thirds were from countries outside the European Economic Area. Between January and March 2003, almost 13,000 nurses trained abroad were registered out of a total of just over

18,000 in the whole country. The Philippines, which has some 7 million of its nationals working or living abroad, is the country exporting the largest number of qualified nurses. Of the 7,000 nurses registered there each year, 70% leave their country in search of a better life or to help their families by sending money home. But at the same time there are about 30,000 vacant posts in the Philippines. In rural areas it is now hard to recruit nurses since most are obsessed with finding a job in the West.

In some African countries emigration is similarly causing a staffing shortage: in Ghana, 42.6% of doctors' posts and 25.5% of nursing

posts were unfilled in 1999. In South Africa, many doctors have been recruited by Canada and since 1991 the number of nurses leaving the country has risen eightfold; half have gone to the United Kingdom. As a result, South Africa has become a huge source of medical staff, whilst 80% of doctors in its rural areas are foreigners.

"And all this is despite the fact that the continent is being devastated by HIV/AIDS, which is increasing the workload and sapping the morale of those remaining", laments the study's author, Stephen Bach.

1 ILO working document by Stephen Bach entitled "International migration of health workers: Labour and Social issues", published in December 2003.

at all levels of their hierarchy.

In the health care sector, qualified nurses are sometimes hired as nursing auxiliaries or are forced to work for conditions which are less favourable than those enjoyed by staff hired locally.

#### SOCIAL COST

Emigration has a social cost in the home countries that should not be underestimated. How many families in the Philippines have been broken up by the mother or father leaving to go work in the West? Who is interested in the rising materialism of the relatives left behind in the home country when they receive money sent home by the migrant? The consequences are all the

more serious when the women emigrate. For instance, in Sri Lanka, more than 500,000 women work abroad, mainly in the Gulf countries. It is often their children who leave school early or who fall victim to all kinds of abuses.

The unions are therefore of the opinion that government intervention is needed to regulate recruitment (see the paper on the inquiry and the PSI guide, page 4), help businesses adapt to the loss of skilled staff and invest more in education (see page 7). They also stress the need for cooperation between home countries and host countries and warn against the lack of protection for temporary migrants (see the article on trade-fashion 4). International trade

union cooperation is encouraged, just like the trade union passport system (see page 6). ●

ANNE RENAUT

(1) Global Development Finance 2003, World Bank

(2) ILO working paper entitled "International migration of health workers: Labour and social issues", published in December 2003 by Stephen Bach.

3 See Labour Education No. 129: <http://www.ilo.org/public/english/dialogue/actrav/publ/129/index.htm>: "Migrations, remittances and development" and "Migrants – worth more than development aid?".

4 "import-based, remittance-dependent economies"

## PSI says emigration is threatening the health services of Southern countries

**Warning of the negative consequences for countries losing their health workers to emigration, Public Services International (PSI) is asking the destination countries to use 'ethical' procedures to recruit such workers. The PSI action includes studies, a guide for workers and a women's campaign.**

Faced with ageing populations and/or a shortage of staff in the health sectors, many countries are now employing migrant workers. Over the last four years the UK, Canada and the United States have recruited many foreign nurses. Almost half of newly recruited nurses in the UK in 2001-2002 came from foreign countries, such as the Philippines, India or South Africa. The UK's National Health Service estimates a shortage of 20,000 nurses in 2004.

**"Migration must not become an alternative to adequate funding of public health services, training of staff and decent work in the sending countries", concludes PSI**

"The very low wages and appalling working conditions in the health sector are fuelling the migration of health workers from developing and transition countries, and the situation is reaching crisis proportions in many countries", explains Hans Engelberts, General Secretary of Public Services International.

At Nairobi public maternity hospital



(Photo: ILO)

in Kenya, staffing shortages are so critical that on average, nurses often care for 60 to 90 patients during shifts lasting ten hours. In one ward, housed in an extremely dilapidated and over-crowded building, two nurses interviewed earlier this year were struggling to care for 91 infants born prematurely or with complications. The nurses on

duty were clearly exhausted. Despite the intense workload, and low and irregular pay, these nurses had chosen not to migrate to better jobs overseas.

#### "WE ARE VOLUNTEERS"

As one nurse explained: "Yes, we are

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basically volunteers. But if we didn't stay, then who would take care of these mothers and babies? The other nurses have gone - to Southern Africa, Botswana, Zimbabwe and Namibia. That's how they started the exodus. I understand they have been going to the States from Southern Africa and to Britain because of the better terms and conditions of service there. The nurses here are paid very low salaries, very low. You get just 5,000 Kenya shillings a month (70 US dollars), but you cannot survive on that amount!"

Under-funding of health services, in both the North and South, inadequate or irregular wages, especially in Southern countries, bad working conditions (work overload owing to staff shortages and poor protection against violence and contagious diseases), an increase in private recruitment agencies and ineffective health sector reforms are the sorry findings of a PSI study conducted amongst 15 affiliates due to be published in June 2004 (see boxed article).

#### ADEQUATE FUNDING

The host countries receive the labour of these migrant workers without even having to train them, whilst the countries of origin are losing nurses and doctors they badly need, not least in order

to tackle the HIV/AIDS pandemic. On arrival these workers are misled over their working conditions and exploited by private recruitment agencies. Women are particularly vulnerable in such circumstances and occasionally have their papers confiscated or even suffer sexual assault.

"Migration must not become an alternative to adequate funding of public health services, training of staff and decent work in the sending countries", concludes PSI, which has made a whole series of recommendations on how to fight the "brain drain".

On 8 March 2004 – International Women's Day – PSI issued proposals which call on governments, trade unions and employers in the sector to "improve wages and working conditions for nurses and other health care workers, adopt ethical recruitment guidelines for both public and private recruitment agencies, provide compensation to government health services in sending countries, increase the participation of workers and trade unions in health sector planning and reform, and to respect the rights of workers to join and become active members of trade unions".

#### GUIDE FOR MIGRANT WORKERS

PSI has also published a guide for

workers and their representatives, on migration in the health sector (1). In it, PSI lists the potential benefits and risks facing migrants, warning against the unscrupulous practices of recruitment agencies, and provides a list of vital questions that those wishing to emigrate should ask themselves.

**T**he host countries receive the labour of these migrant workers without even having to train them, whilst the countries of origin are losing nurses and doctors they badly need, not least in order to tackle the HIV/AIDS pandemic.

The PSI guide also refers to a UK guide on the subject and a Code of Conduct for Commonwealth countries that promotes ethical recruitment. The guide also makes suggestions to trade unionists in the destination and 'sending' countries, citing examples of best trade union practice (like the British TUC, which is campaigning on the terms of recruitment of migrant workers, or the Filipino trade unions, that are focusing on preparations for emigration).●

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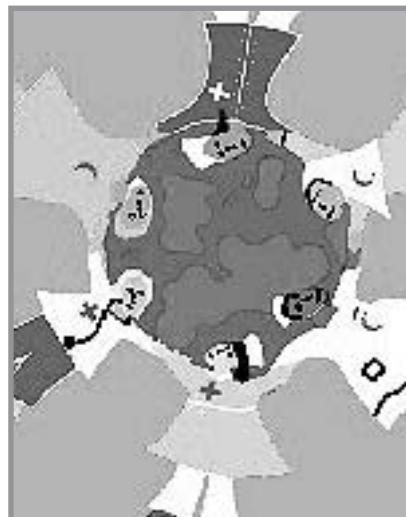
1 An Introductory Guide to International Migration in the Health Sector for Workers and Trade Unionists, PSI 2003, published in English, Spanish, Polish and Sinhalese:

<http://www.world-psi.org/psi.nsf/Publications/99E3D2C9C1D77C9DC1256DE4003614E5?OpenDocument>

#### PSI Study

PSI conducted a study together with 15 of its affiliates on the migration of health sector personnel, following up its campaign on "women and international migration in the health sector", launched in May 2003. The countries and regions involved included Poland, the Netherlands, Scotland, Wales, Ireland, Canada, Chile, Ecuador, Barbados, Surinam, the Fiji Islands, Sri Lanka, the Philippines, Ghana and Kenya. In conjunction with this study, the health sector branch of the Polish trade union NSZZ Solidarnosc organised a conference on migration in December 2003. Most of the participants wanted trade unions to adopt a clear stance on the issue and share information about recruitment and employment agencies working as interme-

diaries between the countries of origin and the host countries. Solidarnosc raised the idea that potential emigrants should be provided with standard employment contracts so they could properly assess the job on offer. In Ecuador, the confederation SUTE is calling for wage increases in order to "motivate workers to continue to work in their own countries, to stay with their families and continue to protect the health of the people of Ecuador", as explained by one of the union's leaders Galo Yupangui. In Kenya, trade unions have recommended applying pressure on the government to increase the health budget, promote the establishment of collective bargaining committees in all health centres and pursue negotiations on increasing wages and bonuses.



# Mauritian nursing sector reaches crisis point

## Mauritius: brain drain hits the nursing sector as the island struggles to cope with the ageing of its population

**“T**he working conditions are very hard. Taking care of the sick and the aged is a very demanding profession. Yet the salary we receive in return is far from motivating,” explains Zhye Cassan Kurreeman, President of the largest Mauritian nursing union, affiliated to the MLC, the Mauritian Labour Congress, an affiliate of the ICFTU.

Set up five years ago, this nursing union, which also operates as a professional association, represents 2,500 of the 3,200 nurses working in Mauritius. Women represent only 65% of the total nursing staff, a relatively low proportion in relation to most other countries where women form an overwhelming majority of the nursing profession. “This atypical situation can be explained by cultural factors: some hospital wards are single sex, out of respect for the patients’ religious convictions and the different cultural values. That is why the proportion of male nurses is relatively high,” explains Zhye Cassan Kurreeman.

“Three years of study are required and the average salary ranges from 8,699 to 9000 rupees (300 euros at the most). There is no extra pay for working on Sundays and we have much the same problem with night shifts... we just managed to secure a small bonus in January, but it is very meagre. Nor is there any financial compensation for working on public holidays.”

### BETTER WAGES

The work is not any easier in Europe, but the wages make all the difference as the pay is much higher than in Mauritius. In Europe, nurses can expect to earn from 60 to 100,000 rupees a month (2000 to 3000 euros). Even though the cost of living is much higher in Europe, saving money is not a problem whereas in Mauritius it is impossible.

“Mauritian nurses are much appreciated in Europe, particularly in Great Britain, thanks to their high level of qualification. The practical training given in Mauritius is quite advanced, particularly in the area of minor surgery.” Mauritians also have the advantage of speaking French and English - a great asset on the European labour market, which is faced with serious shortages of health care workers, particularly with



*Zhye Cassan Kurreeman: “We are soon going to be faced with the same problem as the European societies that poach our nursing staff to look after their elderly; only in Mauritius we’ll have no one left to deal with this task.” (Photo: Gamma)*

the massive ageing of its population. The demand for nurses is also on the rise in Australia and New Zealand.

Migrant workers are most often recruited through newspaper adverts, although recruitment agents are occasionally sent to the country of origin. “The British send recruitment agents who very discreetly make contact with the nurses and directly negotiate the contracts. Last week, 26 nurses were lured away by a single recruiter,” says Zhye Cassan Kurreeman.

Most expatriated nurses come back to Mauritius after a few years, to be reunited with their families but the proportion of those leaving forever is growing. The main motivation is their children’s education. “Some leave with their children, to have easier access to further education. Here in Mauritius, it’s very expensive to send our children to university. But in France it’s virtually free. In Great Britain, it works out three times less expensive than here.”

“Over the last three years at least 500 people have emigrated to Europe. Most of them were already highly experienced, making it an even greater loss for our forsaken hospitals. We are also faced with increasing numbers of young people who intend to leave for work abroad as soon as they have their diplomas.”

The Mauritian government, troubled by this brain drain in a sector where the needs are growing, has been campaigning the authorities in destination coun-

tries. As a result, it is becoming extremely difficult for Mauritians to secure employment in European public hospitals. But the demand remains very high in the private sector, be it in hospitals or homes for the elderly.

“We, as a union, are in a very tricky position. Because, on the one hand, the prospective migrants ask us to help them. They ask us to act as referees, to reassure their future employers of their skills, for example. We cannot stop them from leaving! And on the other hand, we press the government for improvements in the conditions for nursing staff, in an effort to keep our nurses in the country,” points out Zhye Cassan Kurreeman. In the future, it is the whole of Mauritian society that will suffer the effects of this massive flow of nursing staff abroad. “The Mauritian population is ageing. We are now living well into our seventies, and social shifts linked to development are leading to a nuclearisation of the family. At the Geetoe Hospital where I work, I see more and more elderly people who have been there for two months without having received a single visit from their families. Their relatives bring them to the hospital and give false addresses and telephone numbers. Homes for the elderly are also starting to fill up. We are soon going to be faced with the same problem as the European societies that poach our nursing staff to look after their elderly; only in Mauritius we’ll have no one left to deal with this task.” ●

**NATALIA DAVID**

# Trade union passport and hosting guide for mobile workers

**The trade unions have developed several forms of trade union cooperation to protect mobile workers. UNI-Europa (the international services federation) launched a union passport scheme in 2000, while Eurocadres has been offering a welcome guide for migrant workers since 1998.**

**T**he purpose of the UNI passport, first issued by Union Network International in 2000, is to help mobile workers to retain their union rights and obtain support as they travel from one country to another.

The UNI passport was initially aimed at Indian IT professionals who had set up forums for fellow professionals in their sector and apply for UNI membership. In the meantime, Indian IT workers have become sought-after by Western countries – including the United States and Germany – looking to fill rising numbers of vacancies.

The UNI passport (1) allows a worker who is already a member of a union in his/ her home country to be 'hosted' by a UNI member union in the destination country. To obtain the passport, the applicant must fill in a form (which can be downloaded from the above link) and send it to his/ her current union. Thereafter, the current union will then send the passport and a list of UNI regional offices so that the applicant can contact the appropriate union in the destination country.

**T**he passport and manual help "skilled emigrants so that they can find an equivalent job in the country from which they are emigrating".

With the passport, the worker has access to a list of contacts and local addresses, information on working conditions, the banking system, tax regulations, housing, the school system, health care services and pension, for example. The migrating worker can also benefit from advice on labour issues (e.g. an analysis of the employment contract, local labour legislation, and collective agreements currently in force), and from legal support in the event of a dispute with the employer. The passport gives the holder the opportunity to participate in local union activities (such as working groups in job-related issues or training courses).

UNI has also published a booklet of UNI 'guidelines' on working abroad. The guide is available on their website



*Crossing borders... migration has opened the door to closer international trade union cooperation. (Photo: Gamma)*

in several languages.

## PITFALLS TO AVOID

At European level, the union representatives from Eurocadres launched a manual in 1998 for full-time union officials eager to advise managerial staff who want to work in another member state or return to their country of origin.

A network of union mobility advisers (Mobil-Net) was initially set up to help those planning to work abroad. Reference documents on the destination countries can also be found on the Internet (2).

Periods spent working abroad can be enriching but they can also negatively impact one's career, and lead to declining working conditions and family conflicts, warns Eurocadres. In the long run, they can also create difficulties in terms of pension rights and entitlements to other social benefits. "Consequently, it is essential to learn what the pitfalls are and how to avoid them", stresses Eurocadres, which is associated

with the European Trade Union Confederation (ETUC). The manual offers solutions and provides links, names and addresses of specialist agencies that provide useful advice.

The passport and manual help "skilled emigrants so that they can find an equivalent job in the country from which they are emigrating", says R. Minea, Vice President of CNSLR-Fratia (the Romanian trade union confederation), which relies on these tools to encourage the return of emigrants who have left en masse to work and study in the US or Canada. The Romanian confederation has also developed cooperative links with France's CGT at *Chantiers de l'Atlantique à Saint-Nazaire* in order to help Romanian workers there with wage issues.●

**ANNE RENAUT**

(1) [http://www.union-network.org/UNIsite/Groups/PMS/issues\\_pssport.htm](http://www.union-network.org/UNIsite/Groups/PMS/issues_pssport.htm)

(2) <http://www.eurocadres.org/mobilnet/francais/index.htm>

# Romania: a passport to protect migrants and encourage them to return home

**Trade union world speaks to R. Minea, Vice President of CNSLR-Fratia, the Romanian trade union confederation. A total of 10% adult Romanians work abroad and the country's trade unions are encouraging people to come home. They have developed a union passport that helps protect unionised workers who have emigrated.**

**E**migration from Romania has increased up since the 1990s. Of the 1.8 million Romanians were living abroad in 2003 (source: International Organisation for Migration (IOM)), 30% were doing so illegally. The main destinations for Romanians are Poland, Yugoslavia, Germany, Italy, Spain and Israel.

● Who emigrates from Romania?

*Young people who studied at university go abroad to Western countries – such as the US and Canada - to finish their studies, and then they end up living there. Other young people from the country go to Italy and Greece. Now the villages are empty; only the elderly are left.*

*This means that businesses do not have the young people they need to work and take over the jobs from those who have retired. This is a huge loss for the economy and for agriculture. The ones who stay behind are*

*men taking courses, but there is no guarantee that they will stay in the country for good.*

● What actions has your union confederation taken to curb the brain-drain?

*As part of our cooperation with Eurocadres, we have tried to set up protection facilities for these skilled emigrants so that they can find an equivalent skilled job in their home country. The UNI passport (UNI is the international services federation) allows Romanian unionists to join a corresponding union affiliated to UNI or Eurocadres. Under these conditions, migrants will return because we guarantee that when they come back they will be able to find a job. Young people have returned to Romania for this very reason.*

*For Romanian workers in general, we are in contact with France's CGT at Chantiers de l'Atlantique à Saint-Nazaire (in Western France). The French confederation has*

*helped Romanian workers in the shipyards, specifically in terms of protecting their wages.*

● Do you try to deter people who are leaving the country?

*In Romania, we are fighting to get the government to adopt measures to help prevent departures. After all, there should be no discrimination against those who remain.*

*The true unemployment rate in Romania is not the official rate because many unemployed workers are active in the informal economy. Retired individuals often work in the informal economy because their pension is not enough or because they have to pay for healthcare. Consequently, the unions have asked for measures to be taken in favour of retired persons and for pension levels to be recalculated so as to reduce the gaps.●*

BY ANNE RENAUT

## Education: the struggle to hold on to researchers in the South

**Faced with a “brain drain” to universities in developed countries, education unions advocate keeping researchers in their countries of origin by improving their terms and conditions.**

“**B**y failing to provide decent conditions for their lecturers, poor countries are effectively funding universities in the rich countries, since they are releasing staff virtually free of charge who are trained and often have considerable expertise and experience”, explains Ibra Diene, General Secretary of the Senegalese Union of Higher Education Teachers, SAES.

The issue of the “brain drain” was at the heart of discussions at the 4th International Conference of Education International (EI), which looked at higher education and research under the theme “Universities as key partners in

development”.

In the 1950s the term “brain drain” was applied to the exodus of British scientists to the USA and Canada. However, now it is being used to denote highly-educated academics -mostly from developing countries - who are going abroad for a certain length of time, and for expatriate students, who tend to stay on and work in their host countries after finishing their studies there.

“This is not about the departure of an excess number of top staff – it’s the departure of badly paid, badly treated staff, who are being attracted by rich countries, where they often enjoy better research facilities, scientific and intellectual stimulus, greater academic freedom and better career development”, as Ibra Diene explains.

According to Rachel Hendrickson of the US National Education Association (NEA), countries with this “pulling power” are managing not only to attract university staff but also other highly qualified professionals. China and India are supplying potentially

valuable workers by allowing their students to leave. “An OECD study shows that 79% of PhD students from India and 88% of those from China studying there in the USA in 1991 were still living there in 1995”, says Hendrickson.

The consequences are disastrous for developing countries: without their professors these countries’ universities have lost their lifeblood. And things have got even worse since famous higher education institutions in rich countries have started “putting out feelers” in developing countries and, inevitably, attracting local academics. The students are following in their footsteps and are prepared to pay high registration fees in order to get degrees from the more prestigious academic institutions.

In Poland, representatives from NSZZ Solidarnosc, Leszek Koszalka and Janusz Sobieszczański reckon that three factors have helped improve the situation of academics in their country: the introduction of legislation strengthen-

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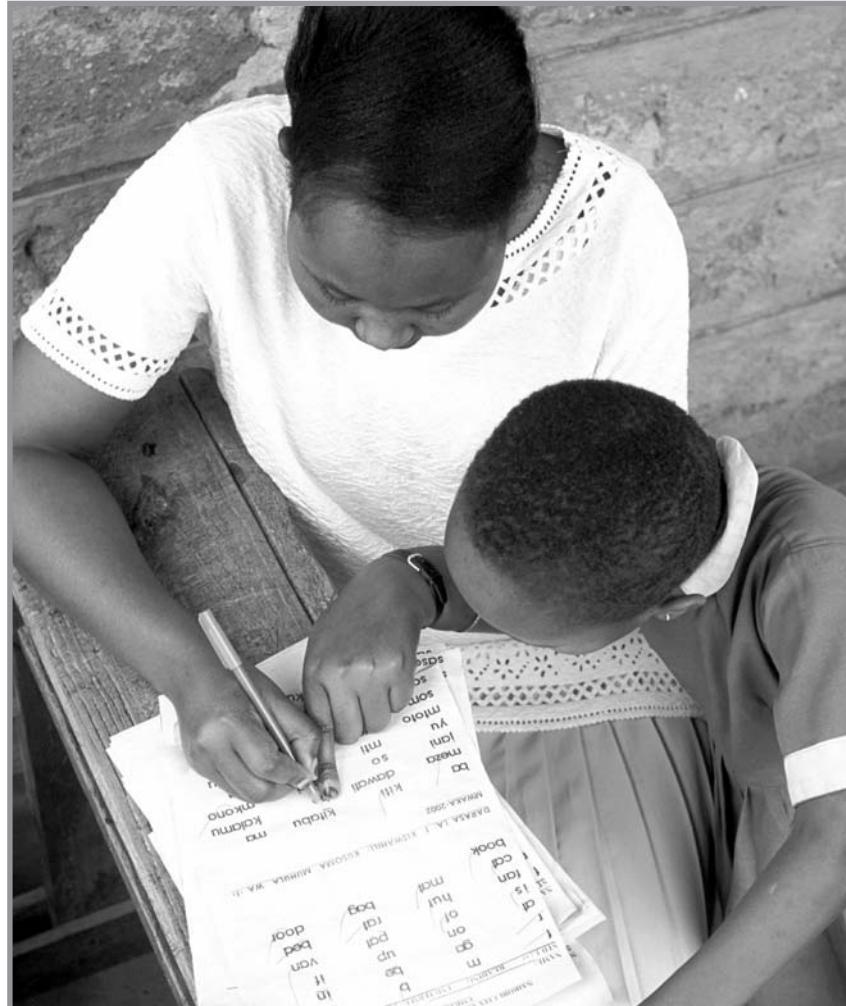
ing academic freedom, the possibility for academics to combine posts and significant increases in salaries (upgraded by 25% on average).

Increasing investment in higher education and improving incentives are part of the solution, according to these union representatives, who are calling for significant increases in pay as well as for better international cooperation between universities aimed at facilitating the transfer of skills and promoting mobility between national education institutions.

However this "brain drain" can also have a negative impact for researchers in the host countries, since it often results from the desire of certain employers to cut their costs by employing foreign research students at a lower cost than their counterparts in the host country. Hence, in the United States local university students only manage to fill 150,000 of the 200,000 new posts on offer every year.

To discourage this migration to the United States, the NEA has developed a policy aimed at protecting the terms and conditions of all those employed in education, both Americans and immigrants. An agreement is being drawn up which stipulates minimum criteria for recruiting foreigners to the US education system and ensures, amongst other things, that they are not recruited by external suppliers and enjoy the same terms and conditions as local staff.

The unions attending the conference concluded that whilst barriers should not be placed in the path of international teacher mobility, which is itself a key factor in promoting exchange of ideas and circulation of knowledge, it must be recognised that some countries' development is being thwarted by the merchandising of higher education and the proliferation of "offshore" institutions.



*To encourage students and academics to return to their countries of origin, salaries need to be raised and conditions need to be improved. (Photo: ILO)*

An international trade union approach is therefore needed in order to help trade unions in destination countries campaign to ensure that migrant workers are guaranteed good working conditions and are not exploited. The unions also need to ask their govern-

ments to sign agreements with the supplier countries whereby the latter encourage students and academics to return to their countries of origin, under favourable conditions.●

A.R. (WITH E.I)

## Migration and trade: a multilateral framework is needed for migrants

**The unions are particularly incensed by a discussion point on the agenda of the General Agreement on Trade in Services (GATS) regarding liberalisation of the temporary movement of workers supplying services. The problem is that nothing is in place to protect the workers concerned and there are already cases of abuse. The unions would prefer a multilateral framework governing migration that respects workers' rights.**

The issue irritating the unions is the infamous 'Mode 4' of the GATS, under discussion in the WTO, which facilitates the "temporary movement of natural persons supplying services". James Howard, Director of

Labour Standards at the ICFTU, complains that "Mode 4 pays no attention whatsoever to the rights and interests of the workers concerned".

The unions are warning in particular against its extension to cover less-skilled

workers or permanent employees. The primary aim of Mode 4 is, indeed, to increase the opportunities for service providers to relocate groups of workers throughout the world, wherever they themselves can make the largest profits.

"There are already many examples of abuse. For instance, groups of Asian workers are being exploited in Israel under conditions akin to forced labour. These workers do not know the local language or their potential rights in the host country and cannot return home without help from the service provider", explains James Howard.

Should Mode 4 be used in the GATS, the absolute minimum requirement would be for it to provide for respect of international labour standards. At the WTO Summit in Cancun the unions (ICFTU, GUFs and TUAC) had called for "respect of international labour standards and national labour legislation (by incorporating those standards) and respect for all parts of existing collective agreements covering all affected workers; protection of migrant workers against any form of discrimination and the transfer of their social security contributions to the social security and insurance system of the host country; and for the full involvement of the ILO in

all these arrangements".

However unions remain very cautious even under these terms "since Mode 4 provides unlimited power to suppliers to exploit the workers they use, whilst reducing the existing rights of workers in the host countries", adds Mr. Howard.

In order to regulate the conditions governing migration trade unions would prefer a multilateral framework that respects workers' rights. Accordingly, they welcomed the recent proposals made by the ILO's World Commission on the social dimension of globalisation (1).

The ILO World Commission described as a "serious omission" the lack of a multilateral framework for international movement of persons, though such frameworks exist for movement of goods. This lack of a framework has led, in practice, to serious problems such as the "brain drain" and clandestine migration.

In order to reduce the problem of

emigration of skilled people from developing countries, the Commission proposes the following steps in particular:

- measures to facilitate the return, albeit on a temporary basis, of migrants (by granting them double citizenship, tax incentives and/or facilitating their readmission).
- coordination of recruitment policies between departure and host countries.
- encouraging transfers of funds by migrants to their home countries of origin (with reduced costs for such transactions, fiscal measures, the lifting of restrictions in host countries or the payment of part of these monies to a development fund).●

ANNE RENAUT

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1 See the final report of the ILO World Commission on the social dimension of globalisation: "A fair globalisation - creating opportunities for all", Geneva, February 2004 - pp 106 to 111

# Trade union support on arrival and departure

**International trade union solidarity is espoused by co-ordination on migrant workers issues. Trade unions in the Philippines, for example, assist migration candidates while unions in destination countries defend the rights of Filipino migrants. In the United Kingdom, the TUC provides very active support to migrant health workers.**

Trade unions in the Philippines, 10% of whose citizens live abroad, are very active in the support of migrants. The TUCP, for example, has set up a centre for migrant workers in Manila "with a view to connecting Filipino workers throughout the world", says TUCP Vice President Avelino Valerio. The centre also gives advice to migrants who return to the Philippines, helping them in areas such as the collection of back pay and the examination of employment contracts.

When travelling abroad, TUCP leaders contact migrant workers, helping them to derive greater benefit from the services offered by government agencies

such as the Overseas Workers' Welfare Administration.

## PREPARATORY SESSIONS

The Philippine public services trade union PS-Link has authorization from the government to participate in preparatory sessions for workers seeking to migrate. These sessions give trade unions an opportunity to inform workers of their labour rights and to put them in contact with their counterparts in the destination country.

Given the large numbers of Filipino health carers who migrate overseas, particularly to the United Kingdom, the British public service union UNISON has insisted that these sessions should clearly inform prospective migrants of the working conditions in the destination country, specifying the role of nurses and other staff, the differences between the work of nurses and other health care workers, the level of training required and so on. UNISON has also stressed that migration candidates should be given practical information (for example on how to make phone calls, open a bank account, find accommodation, join a trade union, find migrant support services, etc.) and information on cultural issues (contact details of cultural, religious or social cen-

tres, cultural differences, the degree of racism, xenophobia or sexism).

## TRAFFICKING OF WOMEN

The TUCP and Kaibigan, a NGO working with migrants, have participated in a number of programmes specifically targeting women migrants, who represent 50% of all Filipino migrants, working on initiatives such as the Disadvantaged Women Coalition Project and a project to combat the trafficking of women. "When organising seminars, we place particular emphasis on the rights of women, who are all too often the victims of social exclusion, discrimination and exploitation," underlines Kaibigan director, Noel Josue.

The TUCP and Kaibigan have been elected as members of the official Migrant Workers' Council of the National Anti-Poverty Commission, attached to the Office of the President of the Philippines. The two organisations also worked together with the government to promote the passing of the bill to give absentees the right to vote.

Local unions in many Asian countries of destination also provide support to Filipino migrant workers. In Japan, for example, Rengo, the largest trade

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union, is helping to fight against the exploitation of women in Japanese night clubs where many Filipino hostesses are employed. Trade unions in Hong Kong offer help to women migrant workers in distress. As for the Filipino sailors working abroad, the International Transport Federation (ITF) provides assistance to those experiencing work-related problems.

**ETHICAL RECRUITMENT**

In the United Kingdom, the Trade Union Congress has proposed that in workplaces where migrants are em-

ployed, trade union representatives should be given access to the employment agreements of migrant workers, to ensure that they cover issues including the company's recruitment plans, the ethical practices of recruitment agencies, the documents migrants may require on their arrival, the duration of the contract (whether it is temporary or permanent), equal conditions for migrant and resident workers, and any rights specific to migrants (right to return to their country of origin at regular intervals, housing allowances, etc.), and so on.

In an effort to encourage ethical recruitment, UNISON has published a "

Guide for Nurses from Overseas Working in the UK". The public sector union has asserted that "it is unethical that a developed country like the UK should be recruiting a high number of fully trained and qualified nurses from developing countries". UNISON has also suggested that the government favour applications from professionals who are currently out of work and encourage nurses to take up training. Finally, the union has called on the government to sanction employers who fail to respect current labour laws.●

ANNE RENAUT



Emigrant domestic workers protest against salary cuts in Hong Kong.  
(Photo: Gamma)

**Migrant domestics in Hong Kong: TUCP lodges complaint with ILO**

The Trade Union Congress of the Philippines (TUCP) lodged a complaint with the International Labour Organisation (ILO) against the government of Hong Kong following its decision to cut the wages of migrant domestic workers.

The TUCP sees the move as an act of discrimination against migrants, many of whom are Filipinos. "It is a pure and simple case of racial discrimination, which violates International Declarations on Human Rights," said TUCP General Secretary Ernesto F. Herrera.

The TUCP has, in fact, accused the Hong Kong authorities of violating Article 6 of ILO Convention 97 on Migration for Employment. The Convention seeks to prohibit the unequal treatment of migrant and national workers, particularly in areas such as pay, social security, social security contributions and access to justice.

The TUCP lodged the complaint on 5 March 2003, requesting the support of the Philippine government.

The government of Hong Kong had demanded a new levy on foreign workers and cut the wages of domestic helpers by 400 HKD (51 US dollars).

A.R.

### Three international conventions for migrants

Migrant workers receive specific protection from three international instruments: two ILO conventions (numbers 97 and 143) and one UN convention. There are also a whole range of ILO international standards covering all workers regardless of their nationality. What they have in common is that all have currently been ratified by very few states. The discussions at the International Labour Conference in June 2004 will focus on conventions 97 and 143. The Workers' Group is calling for an amendment to these conventions, above all to ensure that they are ratified and properly implemented.

**1/ ILO Convention 97 on migrant workers (revised) of 1949** stipulates that migrant workers legally residing in a country must receive equal treatment to that of the country's nationals. The convention primarily aims to eliminate any inequalities that might arise from government measures. It also advocates cooperation between the workers' country of origin and the destination country.

It regulates the terms under which workers' migration may take place and ensures they receive equal treatment in a number of areas. The provisions cover information that states should share concerning migration, the establishment of certain free services for migrant workers and measures to facilitate their departure, travel and reception, specific medical facilities, and the obligation to apply equal treatment to immigrants and national workers in a number of areas, irrespective of nationality, race, religion or sex. Ratifications (as of 1st May 2004): 42 countries.

### 2/ The Migrant Workers (Supplementary Provisions)

**Convention of 1975** goes beyond Convention 97 by ensuring not just equal treatment for migrant workers but also equal opportunities, and by extending these provisions to cover migrant workers residing in illegal circumstances and those who have suffered abuse. It makes provisions for the respect for the fundamental human rights of migrant workers, the combating of clandestine immigration and

sanctions against unscrupulous employers.

Ratifications (as of 1st May 2004): 18 countries.

### 3/ The United Nations Convention on protection of the rights of migrant workers and the members of their families (1990), which came into force on 1 July 2003

, after a total of 20 countries had ratified it, advocates the following: respect for fundamental human rights of all migrant workers (regardless of their legal status) and for the need to ensure they receive equal treatment to nationals in the destination country. In addition it provides for other rights pertaining only to those who are legal residents (such as freedom of movement and equal treatment concerning access to education and training facilities and social services). This convention also contains measures to combat illegal migration and sanctions against unscrupulous employers.

Ratifications (as of 1st May 2004): 25 countries.



# Fighting discrimination, promoting integration: trade union action plans

**In July 2001, the ICFTU adopted an action plan to "combat racism and xenophobia". Two years later, it welcomes the adoption of the UN Convention on the protection of all migrant workers.**

**"A** major breakthrough", were the words with which the ICFTU hailed the adoption of the United Nations Convention on the protection of all migrant workers and their families. However the ICFTU did not hide its concern that none of the principal immigrant "recipient" countries of North America and Europe have, so far, ratified the convention.

Along with ILO Conventions 97 and 143, this Convention on migrant workers is designed to protect migrants from exploitation and abuse, as well as to guarantee their rights to union representation, freedom of expression and political freedom.

## DISCRIMINATION

"Discrimination against migrants continues to be very difficult to root out," said ICFTU General Secretary Guy Ryder in April 2003, while insisting that migrants must be protected by international labour conventions (prohibition of forced labour and child labour; non-discrimination; freedom of association and collective bargaining and so on).

On the subject of illegal migrants, whose numbers are constantly on the rise, thus boosting the development of human trafficking, Ryder urged that they be "treated humanely", and called on trade unions to fight for their regularisation and against their expulsion.

In July 2001, the ICFTU adopted an action plan to "combat racism and xenophobia" (1), which **urges governments to:**

- ratify and implement the UN Convention on the Elimination of All Forms of Racial Discrimination (1965);
- ensure equality of treatment for peoples of colour, ethnic minorities,

indigenous peoples, migrants and refugees on matters regarding access to social services and provisions (health, housing, education, for example);

- grant political rights for migrants and refugees;

- provide free language training for migrants and refugees, with special emphasis on women, and provide a training allowance;

**Trade unions' commitments** in the area of migration include:

- urging government to legalise undocumented workers;

- waging a lobbying campaign to push for legislation to protect people working in the shadow economy;

- to work with migrant communities to provide support for and legal assistance to documented workers;

- to undertake special campaigns to organise migrant workers, especially undocumented workers;

- to play an active role in shaping immigration and migration policies to protect the interests of the workers and their families;

- to ensure that countries sending and receiving migrant labour work together to protect and defend the rights of migrant workers. ●

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(1) <http://www.icftu.org/displaydocument.asp?Index=991213176&Language=EN>

## How many migrant workers are there around the world?

Whilst condemning the lack of statistics on migrants, the United Nations estimates that there are some 175 million migrants (including refugees) worldwide, if one applies the definition of people living outside their country of origin.

Of those 175 million migrants, 86 million are workers (including 6 million refugees), i.e. economically active. When accounting for migrant workers and their families, the figure rises to 120 million, according to the ILO.

The main destination regions are Europe (France, Germany, Italy, the United Kingdom, etc.), with 33% of migrant workers, 29% of all migrants head to Asia (Australia), 24% to North

America (USA and Canada) and Africa welcomes 8% of migrants. Almost half the migrants around the world move from one developing country to another developing country. Currently some 35% of the 80 million migrant workers (i.e. 28 million) are living in a developing region. Around 15 to 20% of migrants are estimated to be undocumented.

An increasing number of women are emigrating, particularly women from developing countries. They make up almost half the total number of migrants (49%), and over 60% of emigrants from the Philippines or Indonesia. They are the most prone to different forms of abuse including human trafficking.

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*Publisher responsible at law: Guy Ryder,  
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