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INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)

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Spotlight interview with Gemma Adaba (ITUC - United Nations Office)

"Governments seem to want to shirk their obligations towards migrant workers"

Brussels, 09 July 2007 (ITUC OnLine): The first edition of the annual Global Forum on Migration and Development (GFMD), a United Nations initiative to promote high level dialogue on the links between migration and development, is to take place in Brussels on 10 and 11 July. Unfortunately, despite the informal and voluntary nature of the Forum, it is strictly a government-only affair.

Trade unions and NGOs will, however, make their voice heard at the Civil Society Day to be held a day prior to the Forum, and will take this opportunity to remind world leaders of their primary duty to ensure the full protection of migrants' rights. Gemma Adaba, the ITUC representative to the United Nations and a member of the Civil Society Day steering committee, tells us more.

What are the stakes of the Global Forum on Migration and Development (GFMD) from a trade union viewpoint?

For the ITUC and the International trade union movement, the stakes in the Global Forum on Migration and Development (GFMD - Brussels, 10-11 July, 2007) are high. With globalization, labour migration is increasingly becoming an issue to be addressed by unions in both sending and receiving countries of migrants. It is estimated that there are 191 million migrants in the world today, and that 60% of these migrants live in high-income economies, meaning the industrialized countries as well as many of the Gulf states, and the Republic of Korea. The GFMD has been set up as an informal, non-binding dialogue among governments, to be held, probably annually, for the purpose of exchanging experiences and best practice on different aspects of migration policy. As trade unions, we are concerned that UN Member States failed to agree last September during the High-level Dialogue on Migration and Development to anchor this annual meeting within the UN, where a rights-based framework, including the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Conventions 97 and 143 on Migrant Workers, could have provided adequate guarantees on the protection of migrant workers' rights.

By taking the dialogue outside of the UN and by involving trade unions and specialized agencies such as the ILO only on an ad hoc and peripheral basis, governments seem to be avoiding the kind of framework that would keep them accountable to their human and labour rights obligations when it comes to migrant workers. Moreover, the GFMD agenda is strongly oriented towards filling labour market gaps in certain sectors in industrialized countries, primarily through temporary migration schemes. Not only does it fail to incorporate a human rights framework, it also fails to take account of the development needs of

sending countries in critical sectors such as education and health, where active recruitment is already having serious negative impacts, and compromising the achievement of the Millennium Development Goals (MDGs), particularly in sub-Saharan Africa.

So the stakes are high for trade unions. We are insisting that migrants' human and trade union rights should be fully protected. This means that governments of sending and receiving countries must incorporate a rights-based approach into migration policy both at national level and in the context of bilateral and regional agreements, as well as harmonize the rights-based approach at global level. Governments must further ensure that the attainment of the MDGs, including poverty eradication through quality public services and decent work, is not compromised by migration policy.

How and with what objectives are ITUC and its affiliates going to participate in the Civil Society Forum on Migration and Development (CSFMD)?

Firstly, the ITUC is represented on the Steering Committee of the Civil Society day of the GFMD. This event is hosted by the King Baudouin Foundation of Belgium, and scheduled to take place in Brussels on 9 July. Through its representation, the ITUC has sought to work with Steering Committee members from civil society to set an agenda that would incorporate a rights-based approach and a comprehensive notion of development into migration policy. This is of critical importance, since participants of the civil society day, including trade unions, will collectively adopt Conclusions for presentation to governments in an interactive session on the first morning of the GFMD, that is, on 10 July.

Secondly, the ITUC has cooperated with the Global Union Federations (GUFs) to bring together a sixteen-member trade union delegation that will participate actively in the eight thematic Round Tables of the civil society forum, bringing trade union concerns, perspectives and experiences to bear upon its themes, which will cover issues such as are: Highly skilled migration and Brain Drain; temporary labour migration; "circular" migration and development; increasing the development value of remittances; building diaspora organization; reasons for migration; global policy coherence and coordination; and strategies and partnerships to work on "migration and development" issues.

Trade unions will be coordinating their messages across these eight Round Tables, stressing the importance of a rights-based approach including the ILO Multilateral Framework on Labour Migration, respect for core labour standards, promotion of decent work and quality public services, full recognition of the special competencies of the ILO with respect to labour migration, and adoption of tripartite consultative mechanisms that ensure that trade unions, including migrant workers' representatives have a voice in shaping migration policy.

How is ITUC involved in efforts to improve the international legal framework for the protection of migrant workers?

Through the Workers' Group of the ILO Governing Body, and participation in the annual International Labour Conferences, the ITUC and its

predecessor organizations the ICFTU and WCL have been actively involved in shaping the normative framework on migration, including Conventions 97 and 143, and most recently the ILO Multilateral Framework on Labour Migration which was adopted in 2006. At the level of the UN, trade unions participated actively in the High-Level Dialogue of the General Assembly on Migration and Development in 2006, as well as in its preparatory event, the Interactive Hearings of the General Assembly with Civil Society. Trade unions continue to participate along with NGOs, in the coalition for the ratification of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

What is ITUC doing concretely to help unions from sending and receiving countries to better defend migrants' rights?

The ITUC has set up an Interdepartmental Working Group on Migration, anchored in its Equality Department. The Working Group is the focal point at global level, allowing affiliates the opportunity to harmonize policy and explore good practice in the field of migration. Its broad objectives include the mainstreaming of migrant worker issues into all trade union policies/ activities, as well as into tripartite consultations and collective bargaining negotiations. In this regard, an important focus is decent work, equal treatment, access to public services for migrants and their families, and the elimination of all forms of discrimination.

As a starting point for best practice, the ITUC has established three Partnership Agreements between affiliates in sending and receiving countries of migrants, as follows: Indonesia with Malaysia, Senegal with Mauritania, and Nicaragua with Costa Rica. MTUC, Malaysia has set up a Migrant Center, and other affiliates will be following suit, with the aim of supporting the integration of migrants in the workplace and in their communities. GUFs such as PSI and BWI have similar Partnership Agreements. Trade unions in EU countries and in North America have long-standing projects and trade union organizing drives, with the aim of ensuring the full integration of migrant workers and their families. Migrants in Hong Kong have set up their own union which is affiliated to the HKCTU.

The Trade Union Rights Department of the ITUC has established a project on human trafficking. The project is currently at its initial phase of information-gathering and mapping of at risk sectors, and assessment of the potential for trade union involvement in combating trafficking.

What place does the gender issue occupy in the struggle of the international trade union movement to defend migrants' rights?

Ensuring that gender dimensions are incorporated into migration policy and regulatory frameworks is a priority for trade unions. Women now make up almost half of all migrants, and are more numerous than male migrants in developed countries. Increasingly, they are traveling as migrant workers in their own right, independently of spouses or for family reunification reasons. Regardless of their status, their full human and trade union rights must be recognized and upheld. Younger women often find themselves at risk of exploitation and gender-based violence, especially in the entertainment sector, and as domestic workers. They also comprise the vast majority of trafficked victims. In advocacy work

and through partnership agreements, trade unions must insist that legislative frameworks make adequate provision for the protection of the rights of migrant women, and that enforcement mechanisms are in place to ensure compliance by recruiters and employers. Equally important is the recognition of women migrants as "economic and social change agents" (not just as victims), provided they are fully empowered and accorded space to genuinely participate in decision-making processes in trade unions, at the workplace, and in society.

Interview by Jacky Delorme

Founded on 1 November 2006, the ITUC represents 168 million workers in 153 countries and territories and has 304 national affiliates.

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