

GLOBAL UNIONS¹ STATEMENT TO THE 2ND GLOBAL FORUM ON MIGRATION
AND DEVELOPMENT
MANILA, PHILIPPINES, 27-30 OCTOBER, 2008

*Constructing an architecture of protection of human and trade union
rights, for migrant workers and their families*

INTRODUCTION

1. Migration for employment is increasingly becoming a marked feature of the global economy. Governments are seeking to shape the process and address the attendant issues through a newly evolving entity, the Global Forum on Migration and Development, the GFMD. Given our core mission to uphold the interests and defend the rights of all workers, including migrant workers, trade unions have been actively involved in this intergovernmental process on migration from its inception in the United Nations High Level Dialogue of 2006, and in the follow-up mechanism, the 1st GFMD which was held in Brussels in 2007. It is critically important for the international trade union movement to continue and intensify its engagement with the 2nd GFMD (Manila in October 2008) and its outcomes. This is essential, not only because of the centrality of the issues to the trade union movement, but also because the government leaders of the process have so far not created satisfactory modalities for the full and effective participation of trade unions as well as migrant and other civil society organizations that work directly with migrants. This is a challenge that needs to be addressed head-on going forward.

2. As stated in our critique of the 1st GFMD, trade unions believe that significant shifts need to be made in the current focus of the GFMD debates, if migration policies are to be sustainable. Notably, the linkages between economic development and migration need to be fully analyzed, and the root causes of migration under unfavourable conditions need to be addressed. In addition, a narrow focus on temporary and circular migration to fill labour market shortages in receiving countries must be replaced by a comprehensive approach which places migrant workers and their well-being at the center of the policy paradigm, guarantees their fundamental human and trade union rights, and accords them voice and representation through trade unions. Of equal importance must be the establishment of consultative mechanisms to allow for representation and voice of trade unions in the global intergovernmental discussions on migration and development.

THE POLITICAL ECONOMY CONTEXT

3. The increasing incidence of migration for employment is integrally linked to globalization and the global integration of financial markets, as well as markets for the manufacture and supply of goods and services. The economic actors shaping this

¹ The Global Unions group is made up of the International Trade Union Confederation (ITUC), which has 168 million members in 155 countries; the Global Union Federations (GUFs), which represent their respective sectors at the international trade union level; and the Trade Union Advisory Committee (TUAC) to the OECD.

integration have pushed successfully for a neo-liberal model involving the deregulation of markets including labour markets, heightened trade liberalization, privatization of social services and public utilities, and the lowering of labour standards. These policies have had the net effect of weakening labour markets as well as depressing economic growth, wages and conditions of work, and fuelling unemployment, in many developing countries. Within this global, free market environment, labour, like capital is a factor of production to be managed flexibly with the minimum of regulation, and with the aim of profit maximization for the owners of capital.

4. These trends are changing the nature of labour markets and the world of work in profound ways. In this regard, two related phenomena are the migration of work as with the outsourcing of work to various geographical locations in global product and supply chains, and the migration of workers through pull factors, or in response to labour market demand in specific geographical locations and sectors where labour is in short supply. Coupled with these trends are the push factors from sending, typically developing countries, where increasing unemployment, underemployment and poverty are among the negative impacts of globalization.

5. Trade unions are contending that a starting point for sustainable migration policies is an analysis of these root causes of migration that lie in unfair globalization and its negative impacts on workers. To address root causes, economic, trade and financial policies must incorporate a social dimension, with a strong focus on decent work policies and the provision of quality public services in sending, transition, and receiving countries, as a foundation for decent livelihoods for all. This is the most effective way to stem the tide of “migration by dire necessity”, and minimize the risks of exploitation of migrants in vulnerable situations.

6. With sustainable policies in place, migration then becomes a free choice of individuals, and the task of policy makers is to establish a human and trade union rights framework to underpin migration for employment, with a view to guaranteeing that workers who choose to migrate are able to fully exercise their fundamental rights.

The Scale of Migration Flows

7. Two parallel and convergent trends are affecting the scale of migration flows:
- significant push factors from sending countries experiencing weak economic growth, unemployment and serious decent work deficits in face of unfair trade and financial market liberalization;
 - complementary pull factors from receiving countries desirous of attracting workers to fill labour market shortages.

It is not surprising, then, that migration flows are large and on the increase.

8. According to UN Population Division estimates, international migrants numbered 191m (almost 3 % of global population) in 2005. Almost half of these migrants are women. Major countries from which migrants originate include Mexico, India, China, Bangladesh, Turkey, Philippines, Sri Lanka, and Pakistan.² The top three migrant sending countries are China with a diaspora estimated at 35 million, India with a diaspora

² World Bank, Remittance Trends, March 2008

estimated at some 20 million, and the Philippines with some 7 million overseas Filipinos. The top ten migrant destinations are the United States, Russia, Germany, Ukraine, France, Saudi Arabia, Canada, India, United Kingdom, and Spain. Major migration corridors include Mexico-United States, Bangladesh-India, Turkey-Germany, India-United Arab Emirates, Philippines-United States.³

9. South/South migration flows are becoming as significant as traditional South/North flows. Table 1 shows several countries of the global South among the top 20 countries with the highest numbers of international migrants in 2005.

TABLE 1

Twenty Countries or Areas with the Highest Number of International Migrants, 2005

Rank	Country or Area	Number of Migrants (millions)	As Percentage of total
1	United States of America	38.4	20.2
2	Russia Federation	12.1	6.4
3	Germany	10.1	5.3
4	Ukraine	6.8	3.6
5	France	6.5	3.4
6	Saudi Arabia	6.4	3.3
7	Canada	6.1	3.2
8	India	5.7	3.0
9	United Kingdom	5.4	2.8
10	Spain	4.8	2.5
11	Australia	4.1	2.2
12	Pakistan	3.3	1.7
13	United Arab Emirates	3.2	1.7
14	Hong Kong, SAR China	3.0	1.6
15	Israel	2.7	1.4
16	Italy	2.5	1.3
17	Kazakhstan	2.5	1.3
18	Cote d'Ivoire	2.4	1.2
19	Jordan	2.2	1.2
20	Japan	2.0	1.1

Source: UN Migrant Stock Documentation, 2005

10. More important in terms of implications for migration and social policy is a look at countries with a high share of migrants to total population. The Gulf States figure prominently in this group. As a share of population, top immigration countries include Qatar (78.3%), United Arab Emirates (71.4%), Kuwait (62.1%), Singapore (42.6%), Bahrain (40.7%), Israel (39.6%), Jordan (39.0%), Brunei Darussalam (33.2%), Saudi Arabia (25.9%), and Oman (24.4%).⁴

ADDRESSING THE CHALLENGES OF LABOUR MIGRATION

³ World Bank, Remittance Trends, March 2008

⁴ World Bank, Remittance Trends, March 2008

11. The policy dialogues of the 1st GFMD failed to place due emphasis on the many downside risks of labour migration which need to be addressed. Policy planners need to reckon with the fact that migrants oftentimes face a number of challenges throughout the various phases of the process, from their departure from the country of origin to their settling in and working in the host country. Often, they pay exorbitant fees to recruiting agencies for services, including paper work for residency status, employment contract, air ticket etc. In worst case scenarios, the paper work is bogus, and migrants find themselves in irregular status at destination, subject to exploitation by opportunistic employers. They may fall prey to trafficking, or find themselves in conditions of servitude as domestic workers, with their passports confiscated, and deprived of freedom of movement. Young women are particularly vulnerable to falling prey to these exploitative situations.

12. Language barriers often heighten the vulnerability of the migrant's situation, and the risk of exploitation. Oftentimes, workers are given contracts in a foreign language, making it impossible for them to understand its provisions in terms of remuneration and conditions of work, or even if such provisions are stipulated at all. Given low wages, they may remain in debt to the recruiter for a long period of time, and find it very difficult to fulfil the objective for which they migrated, namely to send remittances back home. According to the migration literature, high-risk corridors characterized by these scenarios include South and South East Asia to other countries of the region as well as to the Gulf States. High-risk passages for desperate migrants (economic and political refugees), include life-threatening treks across the Sahara Desert or in boats across the South Pacific Ocean and Indian Ocean, or the Caribbean Sea.

13. In many countries migrants work under the most hazardous and unhealthy conditions, are concentrated in the lowest positions and unskilled occupations, corresponding oftentimes to those jobs that host country residents refuse to do. As such, they face higher risk of exposure to accidents and injuries, often in the absence of proper job training, protective working gear and accident or injury compensation schemes. These decent work deficits are endured by both documented and undocumented migrant workers, as well as by women migrant workers who face special challenges, particularly when they get absorbed into the informalized sectors such as domestic work, or the entertainment industry.

14. Oftentimes too, migrants are not welcomed by local populations, and become the targets of racism and xenophobia. In many countries, migration is treated primarily as a security issue falling under the jurisdiction of the Ministry of the Interior or the Department of Homeland Security. This leads to the adoption of tough, inhumane measures in the treatment of migrants, and to the criminalization of those in irregular status, through summary round-ups, harassment, detentions, beatings and deportation. Such approaches serve to increase the atmosphere of tension and xenophobia.

15. The situation in South Korea illustrates well the plight of migrant workers, denied their fundamental trade union rights. There they face a repressive system, and are sometimes subject to summary arrest and deportation. The leadership of the Migrant s Trade Workers' Union, the MTU is particularly targeted in this regard, and this is a clear attempt by the S Korean authorities to undermine the right of the MTU to exist as a union. The authorities have failed to recognize the MTU as a union, on the grounds that a

majority of its membership are undocumented migrants. This is in contravention of the S Korean Constitution and Trade Union Law. It is worth noting that in an effort to seek redress, the MTU has filed a complaint on the matter with the ILO Committee on Freedom of Association.

Trade Unions and the Challenge of Labour Migration

16. Paralleling analyses on global migration trends undertaken by the ITUC, the Global Union Federations (GUFs) have been focusing on developments in their respective sectors, and devising appropriate policy responses and programmes. One area of concern has been restrictions on the right of migrant workers to join trade unions, a right that is guaranteed by the ILO Declaration on Fundamental Principles and Rights at Work with which all ILO member States have the obligation to comply, and by the ILO Migrant Workers' Conventions 97 and 143. Trade unions insist that union membership is a fundamental right which must be upheld by governments and employers. It offers the best guarantee to migrant workers against exploitation in the form of low wages and poor conditions of work.

The Construction and Woodworking Industries

17. The construction and woodworking industries of the emerging and expanding market economies of SE Asia and the Middle East attract a large number of migrant workers. For example, there are over 2 million construction workers from South Asia in the Gulf region. BWI (Building and Woodworkers International) whose affiliates organize in these sectors has expressed concerns about the situation of migrant workers in these regions. Many of the Gulf States have not ratified the ILO core Conventions on freedom of association and the right to bargain collectively, and they deny workers their right to join unions and bargain for decent conditions of work. The United Arab Emirates presents a flagrant case of violations in this regard.

18. One of the major obstacles to organizing migrant workers is the existence of clauses in employment contracts that prohibit migrant workers from joining trade unions. This is the case in Malaysia, for example, even though this contravenes provisions in the Industrial Relations Act and the Trade Union Act of Malaysia, which allow migrant workers to join trade unions. BWI affiliates have been faced with situations where their successful organizing drives among migrant workers are thwarted by employers utilizing this infamous clause to fire and deport the workers concerned.

The Health and Education Sectors

19. The health sector in many developing countries has been the subject of aggressive recruitment drives from a number of industrialized countries. Public Services International (PSI) has been focusing on migration trends in this sector which, in addition to the push factors mentioned earlier, is experiencing intense pull factors. PSI has also documented the fact that World Bank-led structural adjustment policies involving privatization and cuts in public expenditure, have contributed to the deterioration of health sectors in many developing countries. Health facilities are terribly under-resourced, lacking in necessary personnel, medical equipment and medication supplies. All of these factors, coupled with tremendous work overloads and low pay which is

sometimes even deferred, result in low morale among health sector workers in many developing countries, particularly in sub-Saharan Africa.

20. The push factors motivating health sector workers to migrate in search of better pay and more rewarding work environments are therefore intense. Reportedly, as many as 50% of nurses trained in the Caribbean work elsewhere. With fragile health systems further weakened by the exodus of personnel, many of these countries will be unable to achieve the Millennium Development Goals (MDGs) of significantly reducing maternal and child mortality rates and combating HIV/AIDS by the target date of 2015.

21. Similar negative impacts of structural adjustment policies in the education sector, coupled with pull factors and brain drain, have also contributed to the dim prospects for achieving the MDGs related to education. Many developing countries have lost a substantial number of teachers, some of them highly skilled, to developed countries. This has undermined the capacity of education systems in the developing countries to deliver quality education. As developing countries lose their teachers, they lose a significant part of their educated citizens, and their own teacher shortages become even more severe. In industrialized countries, there is approximately one teacher for every 25 students, but in developing countries there is sometimes only one teacher for every 75 students or more.

22. Teachers drain is a particular problem in some Caribbean countries, including Guyana and Jamaica. The Jamaica Teachers Association (JTA) estimates that 300 teachers leave the country each year, and the recruited teachers are in fields where Jamaica has a shortage: maths and science. In 2000, the United Kingdom recruited approximately 10,000 teachers from overseas. Most were men with expertise in math and science, and 10 or more years' experience. Many came from industrialized countries better able to cope with the loss of well-trained and experienced teachers, (Australia, New Zealand, Canada); but many others came from developing countries (South Africa, Jamaica) less well equipped to adjust to the loss of these teachers. (Study cited by Edwards and Spreen).

23. Ironically, outcomes sometimes fall short of expectations for the highly skilled migrants from the health, education and other sectors, particularly if they venture forth without having firm arrangements in place as regards work contracts. Oftentimes, they find themselves in precarious, exploitative work situations, where their certification is not recognized. This "brain waste" syndrome with its attendant violation of rights means that the benefits of migration either for the migrant or for the family back home are quite limited. Cases of migrant teachers whose human and trade union rights have been violated are becoming more and more common in many destination countries.

24. The situation of accompanying children of migrants must also be addressed. Migrant children's right to education is endangered when access to quality education cannot be guaranteed. The interruption or non-completion of school attendance and the lack of recognition of certificates are serious reasons for the drop-out or exclusion of migrant and refugee children. Minors should have access to education which is the most important tool for integration. Migrant children enrich the class environment, and diversity can lead to wider circles of friendship and exchange.

Migration and Gender Dimensions

25. A large number of the migrants in the health and education sectors are women, and as such, the gender biases characteristic of labour markets may affect them even more acutely as migrant workers. They are more likely to be discriminated against in terms of pay, conditions of work, and lack of recognition of certification and skills. Younger women often find themselves at risk of exploitation and gender-based violence, especially when, with limited job opportunities or in coercive situations, they turn to the entertainment sector, or to domestic work. They also comprise the vast majority of trafficked victims.

26. Domestic women workers are particularly vulnerable. Working in the privacy of homes, they oftentimes virtually face a situation of solitary confinement, are victims of harassment and gender-based violence, receive low pay, have little freedom of movement or recourse in order to redress their situation. This is exacerbated by the fact that oftentimes their passports are confiscated, leaving them in a situation of servitude, with no freedom of movement. The SE Asia – Middle East passage has been described in the literature as a high-risk corridor due to the highly exploitative work situations faced by domestic women migrant workers going to that region.

GATS MODE IV AND LABOUR MIGRATION AGREEMENTS

27. The GATS Mode IV of the WTO on the movement of natural persons puts the WTO in the forefront of shaping migration policy. From the perspective of its architects, Mode IV provides a mechanism which allows nations to fill labour market shortages by temporarily allowing the legal entry of skilled migrant workers. Mode IV links labour migration firmly to economic globalization with all its downside risks of labour market deregulation and social dumping. The underlying spirit of Mode IV negotiations characterizes labour as a tradeable commodity. Commitments made by countries under Mode IV are less about labour standards and regulation, and more about tailoring commitments to meet labour demand in host countries.

28. Trade unions have expressed concern that the GATS Mode IV will result in a global guest worker programme which could deplete the scarce human resources so vital to the development of developing countries, while failing to ensure equality of treatment with nationals of host countries, in terms of wages, conditions of work, and social protections. Typically, migrant workers in temporary contracts are not allowed the option of family reunification, training opportunities, immigration rights, incentives to integration, and basic social rights. Of equal cause for concern is the fact that the principles underlying the GATS Mode IV have largely been the inspiration behind labour migration approaches in a host of bilateral agreements and in Economic Partnership Agreements (EPAs).

29. Trade unions have expressed concerns about the labour migration implications of the new EPAs being entered into by ACP countries (Africa, Caribbean, Pacific) with the European Union. The partners to these agreements are under pressure to harmonize all provisions with WTO guidelines, including those of the GATS Mode IV which, as

indicated above, are highly unsatisfactory as a policy and normative framework for labour migration.

30. Bilateral agreements provide a mechanism for sending and receiving countries to manage migration flows. Through a handful of agreements, memoranda of understanding (MOU's), social security agreements (SSA's), and most notably, bilateral labour agreements (BLA's), countries seek to regulate the level and type of migration that will be allowed. An interesting example is the JPEPA—Japan-Philippines Economic Partnership Agreement—which explicitly includes in its negotiation the Japanese “import” of Filipino caregivers and nurses. While the motivations for sending and receiving countries may differ slightly, they are, by and large, narrowly focused on economic gain, and do not incorporate clauses to guarantee the protection of rights and ensure the well-being of migrants.

Labour Migration Agreements and Development

31. Multilateral and Bilateral Labour Agreements raise the issue of how sending and receiving countries are approaching their commitments to achieving the Internationally Agreed Development Goals (IADGs), including the Millennium Development Goals (MDGs), and whether they are adequately addressing the root causes of migration in failed development policies and decent work deficits in sending developing countries. Trade unions have expressed concerns about the fact that some developing countries are pro-actively seeking to export their labour because they view the attendant remittance generation as a development strategy. Receiving countries of migrants are complicit in this approach, as it sub serves their needs for filling labour market shortages. Trade unions maintain that while remittances are beneficial to the family recipients concerned, they cannot be viewed as integral to sustainable development. Remittance policies should therefore not be adopted as part of national development strategies.

TOWARDS AN ARCHITECTURE OF PROTECTION OF HUMAN AND TRADE UNION RIGHTS TO UNDERPIN ALL MIGRATION POLICIES⁵

32. The foregoing analysis has shown that the various actors shaping global migration policies, whether multilateral institutions, governments of receiving and sending countries or private sector entities are all seeking their own vested interests, with little attention paid to the interests and welfare of migrant workers. This self-serving approach will not lead to sustainable migration policies. Trade unions are calling for a framework of labour laws and policies that ensure migrant workers benefit from equal treatment and opportunities in respect of wages, working conditions, membership in trade unions, the benefits of collective agreements, social security and other national benefits. The crux of all policies on migration should centre on workers' rights and human rights. The rights-based approach should also encompass the rights of irregular (undocumented) migrant workers, as they are prone to the most exploitation and discrimination due to their status.

⁵ Background research for this section of the Statement was provided by Meik Fischer-Phifer, ITUC Intern, May 2008, Law Dipl. Jurist, University of Bremen, Germany

33. It should be recognized that migrant workers make tremendous contributions to their host societies, in the social, political, and economic fields. They contribute to the enrichment of cultural diversity and to the improvement of dialogue and understanding among cultures. It has been estimated that migrant workers spend 87% of their income in host countries. They are tax payers, and contribute to social security schemes. Yet, they are oftentimes not accorded equality of treatment with nationals in respect of human and trade union rights.

34. What is needed is an architecture of protection of human and trade union rights, constructed around global migration policy, and providing a foundation and a framework for policies, programmes, agreements and institutional arrangements at global, regional, and national levels. This must be a comprehensive, rights-based gender-sensitive regulatory framework. It should encompass the principles of the Declaration of Philadelphia, the UN Covenants on Human Rights, the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, as well as the ILO Conventions on Migrant workers, and on Equal Treatment in Social Security. It should thus cover the human, economic, civic and employment rights of migrants.

35. **The elements of this Architecture** should, therefore, include:

- The UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- The ILO Conventions on Migrant Workers, C97 and C143;
- The ILO Declaration on Fundamental Principles and Rights At Work and its follow up;
- The ILO Multilateral Framework on Labour Migration;
- The Convention on the Elimination of All Forms of Discrimination Against Women, (CEDAW);
- The Convention on the Elimination of All Forms of Racial Discrimination (CERD);
- The Convention on the Rights of the Child) (CRC);
- The Durban Declaration and Programme of Action of the 2001 UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

Additional Elements for the Architecture of Protection for Migrant Workers

36. To address the question of unscrupulous recruitment agencies, an ethical Code of practice for these entities should be agreed and enforced by governments of origin and destination countries, in the context of Agreements underpinned by the Architecture of Protection for Migrant workers. Appropriate government institutions such as labour inspectorates should be resourced and charged with ensuring compliance with these principles. In drawing up such a Code, consideration should be given to incorporating the provisions on licensing of recruitment agencies, in line with ILO Convention 181 on Private Employment agencies. Provision should be made for sanctions and penalties for unethical and abusive practices.

37. The Commonwealth Code of practice for the International recruitment of Health Workers could also be used as a guideline for the setting up of such a Code, in particular, its emphasis on transparency, fairness, and mutual benefits for origin and destination countries. Beneficial outcomes for the migrants themselves should also be an integral part of the provisions of such a Code. Another important model is the proposed World Health Organization (WHO) Code of Practice for the Ethical Recruitment of Health Workers, especially given its global character. Support for the development of this Code is currently gaining momentum from various stakeholders worldwide, including trade unions.

38. Sustainable migration policies should address issues of the health and well-being of migrant workers, including health and safety in the workplace, and protection from hazardous workplace conditions. ILO Convention 155 on Workplace Safety and Health provides the normative standards for addressing workplace health and safety standards for migrant workers.

39. The ILO Multilateral Framework on Labour Migration provides a comprehensive set of principles, norms and best practices in labour migration, and, most importantly, addresses the issue of decent work as a foundation of decent life for all workers and their families, in both origin and destination countries. It should be used as a basis for formulating policies and applying best practice in the field of labour migration.

40. All of the elements outlined above should be used in the construction of the Architecture of Protection for Migrant workers. Discussions on how to do this, and how to incorporate its provisions in national-level legislation and policies, as well as bilateral and multilateral agreements on labour migration should be at the heart of the GFMD policy debates going forward.

41. As a start, trade unions present at the 2nd GFMD in Manila call on governments to ratify and fully implement the key relevant Conventions for the guarantee and protection of the rights of migrant workers and members of their families: 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. They should further create and strengthen institutional frameworks to do so. Then, in a focused way, they should build up this Architecture of Protection to inform all migration policies. (Appendix I shows the current status of ratifications of core migration Conventions).

Key Provisions in the Architecture of Protection for Migrant Workers

42. The ensuing section of this Statement highlights some key provisions in the relevant Conventions that should be systematically enforced with a view to protecting migrant workers from the abuses and violation of rights discussed in paragraphs 11 - 26:

- a). In keeping with the principles enshrined in the Declaration of Philadelphia, labour should not be treated as a tradeable commodity as in the GATS Mode IV and other multilateral and bilateral trade and labour agreements. Rather, the welfare and rights of migrant workers should be fully guaranteed, through application of the Architecture of Protection for Migrant Workers.

The Declaration of Philadelphia (1944) which provides the foundational principles of the International Labour Organization, states:

- Labour is not a commodity.
- Freedom of expression and of association are essential to sustained progress.
- Poverty anywhere constitutes a danger to prosperity everywhere.
- All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.

b) The right of migrant workers to join trade unions and benefit from collective bargaining contracts is stipulated in Article 6.1 of ILO Convention 97.

c) The right of migrant workers to equal treatment with nationals with respect to hours of work, overtime arrangements, pay, social security benefits, minimum age of employment, apprenticeship with training and women's work, is guaranteed by Convention 97.

d) The right to freedom of movement is enshrined in Art 8 of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Stripping migrant workers of their passports and travel documents, a common practice affecting domestic migrant workers in some regions, is a violation of this right.

e) The issue of family separation should be addressed through application of Art. 13 of ILO Convention 143, and Art. 44 II of the UN International Convention on the Protection of the Rights of All Migrants and Members of their Families, which require the parties to the Conventions to take all necessary measures to facilitate the reunification of the families of migrant workers legally residing in their territory.

f) The issue of social dumping or the "race to the bottom" whereby the lowering of wages and working conditions among migrant workers, depresses conditions and weakens labour standards generally, calls for urgent redress. ILO Conventions 118 on Equality of Treatment in Social Security (between nationals and migrants) and 157 on Maintenance of Social Security Rights must be ratified and applied systematically by receiving countries. The equal treatment principle must also be applied with respect to all aspects of core labour standards enshrined in The ILO Declaration on Fundamental Principles and Rights At Work.

g) In keeping with commitments made under CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), and ILO Conventions 100 and 111, governments must address all issues related to gender-based discrimination and exploitation of migrant women workers.

h) Governments must implement policies and programmes to prevent and combat racism and xenophobia, in keeping with the commitments made in the Declaration

and Programme of Action of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

ENSURING COHERENCE AND CONSISTENCY OF MIGRATION AND DEVELOPMENT POLICIES

43. The foregoing analyses point to the fact that the relationship between migration and development should not be narrowly defined in terms of remittances as a strategy for development. Rather, the root causes of failed development must be addressed, and every effort made to ensure that migration policies are consistent with the Internationally Agreed Development Goals (IADGs) including the Millennium Development Goals (MDGs)⁶ to which governments have committed. This also means that Agreements on Migration must be comprehensive, and must incorporate, in addition to the Architecture for the Protection of Migrant Workers, the principles underpinning the IADGs and the MDGs. This implies the setting up of a Co-Development Framework for such Agreements, founded on migration and development goals that are consistent with each other, and with the human and trade union rights provisions enshrined in the Architecture for the Protection of Migrant Workers.

44. **The Co-Development Framework** should include the following goals:

- Recognizing that the decent work deficit in developing countries and the failure of the global economy to create jobs where people live, are critical push factors in the “migration by necessity” syndrome, emphasize support policies to strengthen labour markets and create decent work that provides a living wage for people in their home communities;
- Incorporate the ILO’s Decent Work Agenda into employment policies in origin, transit and destination countries of migrants. In particular, incorporate this Agenda into the Development Frameworks at national level in origin developing countries;
- In keeping with a development approach to migration policy, avoid treating remittances as an external development financing mechanism on par with Official Development Assistance (ODA) and Foreign Direct Investment (FDI). Rather, support the incorporation of schemes into development frameworks, for reinvestment of remittances and other Diaspora resources into local remittance beneficiary communities, while leveraging ODA resources to complement such schemes.
- At the level of host Co-Development partners, ensure that ODA commitments are met, and timetables respected for reaching the UN target of 0.7% of GNP to ODA.
- Prioritize the provision of adequately funded quality public services, particularly in education and health, and social protections, to achieve the objectives of ensuring decent work and decent life, of stemming the brain drain, and achieving the MDGs and other internationally agreed development goals.
- In addressing migration in the context of sound development and decent work policies, establish mechanisms to ensure that legal channels for migration are part of that process.

⁶ 2000: the UN Millennium Declaration
The 2005 UN Summit Outcome Document

Institutional Arrangements and Partnerships

45. To achieve coherence between migration and development policies at national level, institutional arrangements should be set up to engage all relevant ministries (economic planning and population, cooperation for development, interior, labour) on migration and development policies. At international level, similar arrangements should be set up to strengthen coordination among agencies and entities with an economic, development, social, labour, and human rights mandate (ECOSOC, ILO, OHCHR, HCR, UNDP, UNIFEM, UNFPA, Human Rights Council, World Bank, IOM) to enhance policy coherence on issues related to global migration policy and development, and in support of corresponding national-level policy agendas, including decent work and achievement of the MDGs.

46. Pre and post-impact assessments should be used to monitor progress in achieving migration and development goals agreed among partners to Migration agreements. At both global and national levels, consultative arrangements should be agreed to involve the private sector, trade unions, organizations of migrants and other civil society actors in discussions to enhance policy coherence around a comprehensive set of normative values and goals. The ILO's Tripartite model for consultations offers an appropriate and workable institutional framework for developing partnership agreements at a bilateral or regional level as well as for national level consultation with the social partners (governments, employers' organizations and trade unions), on issues related to migrant workers.

47. The formulation of sustainable migration policies requires partnerships at several levels: global, regional, national, cross-sectoral; and among several groups of actors: governments, local authorities, private sector entities, national and sectoral trade unions, NGOs, as well as migrant and Diaspora associations. It is important that trade unions dialogue and collaborate with civil society groups, as they have played a critical role in promoting the rights of migrant workers. It is only through cooperation that a strong movement for migrant workers' rights can be developed.

BEST PRACTICE IN UNION TO UNION PARTNERSHIPS, AND TRADE UNION POLICY RESPONSES

48. One model of partnerships that offers great potential for upholding migrant workers' rights is union to union partnerships, involving trade unions from origin and destination countries.

BWI Partnerships

49. Building Workers International (BWI) has established such partnerships in the construction and wood working sectors. For example, BWI facilitated the signing of a Memorandum of Understanding (MoU) Regarding Migrant Workers, between the Timber Employees Union of Peninsular Malaysia (TEUPM)---the destination country trade union---and the Central Union of Painters, Plumber, Elector, Construction Workers (CUPPEC) of Nepal---the origin country trade union. The objective of the MoU is to

organize the more than 70,000 Nepali migrant workers in the Malaysian timber industry. The two unions agreed to work jointly in strategizing, developing, and implementing an organizing program. In addition, the two unions will advocate for pro-migrant worker policies in both Malaysia and Nepal. As a result of the MoU, a project organizer trained by CUPPEC was placed in TEUPM with the specific mandate of working with the TEUPM leadership in developing and implementing an aggressive organizing campaign, focused on Nepalese migrant workers in the wood working industries in Malaysia.

50. BWI has also signed an MoU with the General Federation of Bahrain Trade Unions (GFBTU) regarding Trade Union Development and the Protection of Migrant Workers' Rights in Bahrain. To date there is no national sectoral union in the construction industry, but within the GFBTU there are seven enterprise construction unions with a combined membership of over 1,500 members. The focus of the MoU is to build a nation-wide construction union. Since the majority of the workers in the construction industry in Bahrain are migrant workers, specifically from South and Southeast Asia, as is the case in countries throughout the Gulf region, the development of the new construction union will also include an organizing program focused on migrant workers.

51. In addition, two of the seven enterprise unions in Bahrain have already implemented an organizing program that also targets migrant workers. Most notably, the Haji Hassan Group Enterprise Union has seen its membership increase by at least 50% after the union had successfully campaigned for better working and living conditions for the more than 1,200 migrant workers mainly from the Kerala region of India, working and living at the company's facilities. This commitment is the result of activities BWI conducted in Bahrain for the past two years, focusing on recruiting and organizing and advocating for the rights of migrant workers in the construction industry. BWI is currently working with the GFBTU with a view to placing a project organizer in Bahrain in order to step up these organizing activities.

Partnerships in the Public Services

52. Public Services International (PSI) has established bilateral partnerships between member unions in origin and destination countries, with the aim of defending better pay and working conditions for migrant health care workers. PSI runs a programme on women and international migration in the health sector in 18 origin and destination countries around the world, namely: Ghana, Kenya, South Africa, Sri Lanka, Philippines, Fiji, Tonga, New Zealand, Japan, South Korea, USA, Canada, Ecuador, Chile, Barbados, Trinidad and Tobago, UK and the Netherlands. Public sector trade unions organize and defend health workers' right to better pay and improved working conditions as the best retention strategy, particularly in developing countries where health workers are most needed.

53. Trade unions also provide information to potential migrant health workers through "pre-decision kits" in order to ensure that accurate information is available to the workers even before they decide to migrate. Unions in both origin and destination countries form bilateral partnerships in order to organize migrant health workers, as well as provide information and other support services such as counseling and representation in cases of violations of migrant workers' rights. In the UK, for example, UNISON has

established the Overseas Nurses Networks (ONN), which is a social contact point and support system for health workers and their families migrating into the UK. PSI is vigorously campaigning globally for the adoption of a WHO Code of Practice for the Ethical Recruitment of Health Workers, which calls for joint responsibility in sustaining the health workforce in developing countries, protection of the rights of migrant health workers and regulating the operations of recruitment agencies. More information can be found at www.world-psi.org/migration.

UNISON is the largest trade union in the UK. Its membership includes all non-medical health staff from nurses and occupational therapists to catering staff managers and health care assistants. TEHY is the trade union which represents almost all professional health staff in Finland. In view of the movement of health care workers within the EU, a pilot agreement was signed between UNISON and TEHY, to ensure portability of union membership and continuity of union membership for the purpose of calculating union-based worker benefits. The agreement also seeks to harmonize professional practices in the health care sector:

- Where a transfer of membership takes place, continuous membership of TEHY will be regarded as equivalent to continuous membership of UNISON for the purposes of calculating entitlements to the Union's benefits and services.
- Similarly, continuous membership of UNISON will be recognized by TEHY as being equivalent to continuous membership of TEHY for these purposes.
- UNISON and TEHY will develop shared policies on areas of mutual concern. These will include models of health care delivery, methods of finance, the role of the private sector, training and staff development and equal opportunities and for access by patients and users.

ITUC Partnerships

54. As a starting point for best practice, the ITUC has set up an Interdepartmental Working Group on Migration. It serves as a focal point at global level, allowing affiliates the opportunity to harmonize policies 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 and the elimination of all forms of discrimination against migrants and their families. Under the auspices of the Working Group, partnership agreements on migrant workers have been signed between CTRN/Costa Rica and CST/CUS/CUSa/Nicaragua, CGTM/Mauritania and CNTS/Senegal and MTUC/Malaysia and SPSI/Indonesia. These have been accompanied by the establishment of migrant centres in Costa Rica, Mauritania and Malaysia by CTRN, CGTM and MTUC respectively.

55. The CTRN and its Migrant Centre have undertaken advocacy work with a range of relevant government authorities, the International Organisation for Migration and the Embassy of Nicaragua. It has started working with the organising secretaries of sectoral unions and with Nicaraguan migrants working in the domestic, agricultural and construction sectors in several districts. Contacts have also been taken up with migrant workers' associations. In October 2007, the Migrant Center had an audience with the Costa Rican Congress to present amendments to the Labour Code to improve the legal situation of migrant workers. Posters, newsletters and leaflets have been circulated widely, to inform the

migrant workers, and training seminars have been organised for CTRN officials as well as for migrant workers. One of the organizers of the migrant workers was arrested earlier this year and trade union international solidarity messages to the Costa Rican authorities succeeded in stopping his deportation until the case is heard. The case is still pending and he has been released on bail.

The Partnership Agreement between CTRN Costa Rica, and CST /CUS/CUSa Nicaragua

The parties to the Agreement have committed to:

- The strengthening of trade union cooperation between the trade union centres
- Engaging in dialogue with the governments and employers with a view to upholding good conditions of work, defending migrant workers' rights, ensuring observance of ILO Conventions 97 and 143, and promotion of the ILO Multilateral Framework on Labour Migration.
- Awareness raising with a view to combating racism
- Focusing on the specific issues related to migrant women workers

56. CGTM has associated UTM and CLTM, the other ITUC affiliates in Mauritania in its work on migrant workers. The Centre Coordinator visited Senegal and had meetings with the trade union national centres (CNTS, CNTS-FC, UDTS and UNSAS). Information/sensitization sessions have been organised for CGTM officials in the capital as well as in the provinces and meetings have been organised with the migrant workers and their associations. The CGTM has also had meetings with the regional authorities as well as the Directorate of Employment and Vocational Training. The government is currently studying the institution of a national coordinating body which would include several Ministries, trade unions and NGOs to manage all issues related to migrant workers. An information leaflet on the migrant centre has been published and disseminated to migrant workers through the Senegalese and Malian associations. The CGTM also animated an FM radio call-in programme on issues related to migrant workers. The work goes on in spite of the recent coup in Mauritania.

The Partnership Agreement between CGTM Mauritania and CNTS Senegal

The parties to the Agreement have committed to:

- Regular exchange of relevant information between the two trade union centres.
- Protecting the human and trade union rights of migrant workers
- Assisting migrant workers in organizing into unions
- Providing services to migrant workers and their families
- Undertaking awareness campaigns to combat racism and xenophobia
- Paying special attention to the gender dimensions of migration
- Working towards the establishment of tripartite consultations and social dialogue with a view to addressing issues related to migration.

The Partnership Agreement between LO Sweden and LBAS Latvia

The parties to the Agreement have committed to:

- Working collaboratively for the upward harmonization of labour standards and to combat social dumping, whereby employers seek to undercut wages and labour standards by offering sub-standard employment contracts to migrant workers;
- Exchanging labour market information and adopting a pro-active approach to problem-solving, when industrial relations issues arise with respect to migrant workers;
- Encouraging trade union cooperation and solidarity;
- Encouraging their respective affiliates to strengthen cooperation at sectoral and branch levels
- Engaging in seminars, bi-lateral talks and consultations on topical issues of mutual interest related to migration policies and practice.

57. There are hundreds of thousands of Indonesian and Bangladeshi migrant workers in Malaysia. By and large, they remain outside the trade union movement. They are exploited by the recruiting agents, and employers. They lack voice at the workplace, and are forced to endure poor working and living conditions. Cross-border migration is likely to continue increasing for the foreseeable future. The Partnership Agreements between the MTUC and SPSI (Indonesia), and ITUC-BC (Bangladesh) constitute an important part of the bilateral cooperation arrangements in the South East Asia region.

The Partnership Agreement between MTUC Malaysia and SPSI Indonesia

The parties to the Agreement have committed to:

- Working towards harmonization of standards
- Building awareness about the positive contribution of migrants to both home and host countries
- Through continuous bilateral relations, promoting common interests to ensure a strong and stable trade union movement
- Regular exchange of labour market information
- Improving consultations with and participation of the social partners at all levels

(Similar Partnership Agreement between MTUC Malaysia and ITUC-BC Bangladesh)

In the context of an apprenticeship programme in Denmark for Ukrainians in the agriculture field, a Partnership Agreement was signed between the United Federation of Danish Workers (3F), and the Agricultural Workers' Union of Ukraine (AWUU):

- Joint members have the right to assistance from 3F in all conditions referring to the period of training. In particular conditions that refer to wages, working hours, working environment and assistance concerning the contents of work and tasks.
- Joint members have the right to enter the same collective insurance scheme as Danish apprentices.
- AWUU and 3F keep each other informed of any situation considered to have important implications for the content of the agreement, especially with a view to assessing the extent of illegal activities, recruitment agencies with poor business ethics, frivolous lenders etc.
- AWUU and 3F oblige each other to meet frequently and at least once every second year to evaluate the efforts and the effects of the agreement.

Policy Responses and Partnerships in the Education Sector

58. Education International (EI) is the global union federation that represents teachers and education workers worldwide. The education of migrant children is a high priority item in the work of EI affiliates. EI has pointed out that increasing mobility of people means that the world is coming into each of our communities. The children of migrant families must have full rights to quality education, and education must take into account more than ever the diversity of communities. Public schools open to all in democratic societies must rise to that challenge. But to do so, there are huge issues of resources – both financial and human – to be addressed, and governments are generally failing to keep up with the needs. There are major implications for pre-service and in-service teacher education, and for the recruitment of new teachers.

59. Education International (EI) has taken steps to address these and other migration challenges, culminating in the adoption of a Congress Resolution on International Migration in Berlin in 2007. EI has successfully advocated for the OECD to launch a major new project on migration. That project is now underway, and involves all OECD Directorates.

Partnership in the Education Sector: Commonwealth Teacher Recruitment Protocol

The Commonwealth Teachers' Group (CTG), comprising of EI member organizations in the Commonwealth, has made a good deal of progress, through the adoption the Commonwealth Teacher Recruitment Protocol, which was adopted by the Commonwealth Ministers of Education in Lincolnshire, United Kingdom on September 2004. The Protocol seeks to protect the integrity of local education systems, while at the same time stressing the need to respect the right of individual teachers to migrate. The Protocol has been supported by the ILO. A letter of agreement on the Protocol was formally signed on 6 October 2006 by representatives of the ILO and Commonwealth Secretariat. The two parties committed themselves to support and initiate appropriate policies for teacher recruitment, professional development and retention.

The Commonwealth Teachers Recruitment Protocol:

* supports the need to respect teachers' rights and responsibilities as set out in the ILO/UNESCO Recommendation of 1966:

* contributes to the achievement of Education for All, half of all children out of school worldwide are from the Commonwealth countries.

60. EI also plans its own studies on different aspects of migration, including South-North and South-South migration, as well as the consequences for education of growing numbers of refugees. A preliminary study on access to quality education for migrant and refugee children in OECD countries has been undertaken by EI, which will be expanded on in 2008/9.

Trade Union Policy Responses in the ASEAN Region – Union Network International (UNI)

61. Against the backdrop of ASEAN's plan for regional integration by 2015 and the ASEAN Economic Blueprint, outlining the free movements of goods, services and skilled labour, migration for employment is expected to increase rapidly in the coming decades, especially given the uneven levels of development within the ASEAN region. The

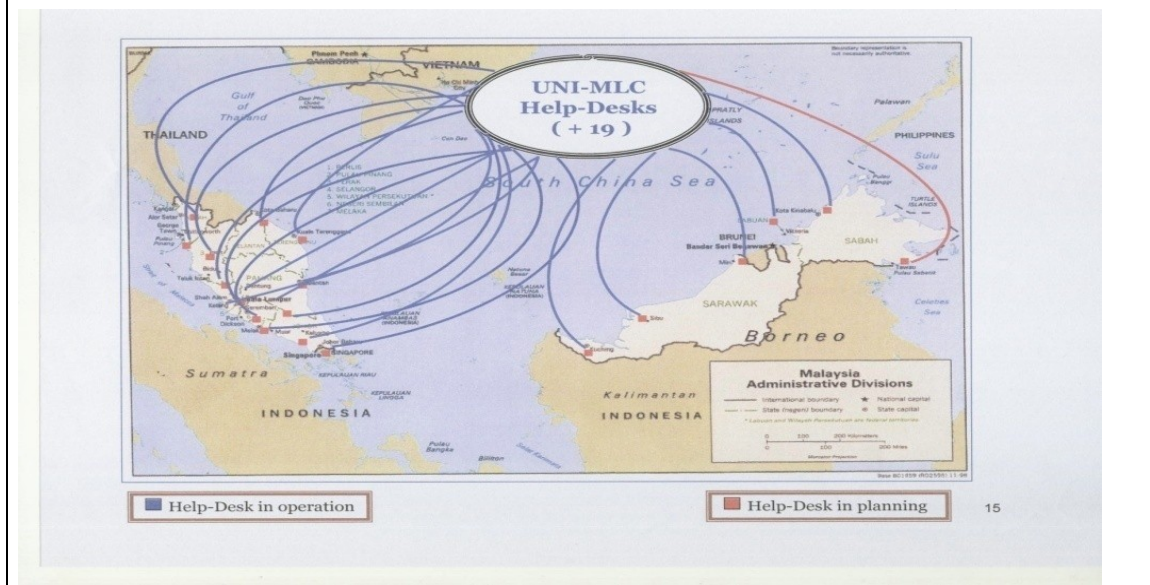
ASEAN Service Trade Union Council (ASETUC), a network of trade unions in ASEAN, was founded in March 2007, to enable ASEAN service sector unions to formulate and implement a consolidated union response to such rapid regional-integrated developments within ASEAN. UNI is the global union federation representing workers in skills and services, including the commercial, banking, finance, insurance and IT sectors. UNI-APRO is the Asia Pacific Regional Organization of UNI. UNI-APRO and ASETUC are constantly developing strong partnerships with NGOs to advocate for a social dimension and a human face to labour migration. In particular, UNI and ASETUC have been actively collaborating with the ASEAN Taskforce on Migrant Workers, to conduct activities in fulfilling the development of an “ASEAN Framework instrument on the protection and promotion of the rights of migrant workers”, in line with ASEAN’s Vientiane Action Programme 2004 (VAP).

62. Recognizing the growing need for services of many of its members who work abroad either long or short term, UNI has developed a special instrument, *the UNI Passport*, to help workers keep in touch with the network of UNI affiliates who can offer migrant workers help and advice wherever they are. Affiliates decide the level of support they will provide to migrant workers – who are union members in their home countries – and publicise the Passport Scheme on their own websites. The UNI Passport has indeed proved attractive to the growing number of IT professionals, many of whom anticipate working outside their home country for at least some part of their career.

63. Union Network International-Malaysian Liaison Council (UNI-MLC), the coordinating body for Union Network International (UNI) affiliates in Malaysia, has been operating a network of migrant help desks in over twenty areas in Malaysia, including all the states in Peninsular Malaysia, Sabah and Sarawak, providing assistance and working closely with migrant workers from Bangladesh, Myanmar, India, Indonesia, the Philippines, Nepal and Thailand. The UNI-MLC has evolved into a highly cohesive network, with clear direction and policy, which links closely with other UNI councils in countries of origin of migrant workers to provide assistance. UNI-MLC help desks also work across-border in both sending and receiving countries, for example by cooperating with Thai migrant workers’ associations in two locations; Sungai Kolok (across from Kelantan state) and across the border from Arau (Perlis State). UNI-MLC also has a written agreement with UNI Indonesia affiliate, ASPEK, to provide support to migrant workers and to represent its members in cases of labour exploitation and disputes.

64. Issues pursued by UNI-MLC have included: non-payment of wages, dangerous and dirty conditions of work, inhumane and excessive working hours through the use of forced overtime, abusive treatment and physical intimidation, unjustified terminations, seizure of passports and worker documents and failure to accord benefits provided for under the contract

Map of UNI-MLC Help Desks Locations



CONCLUSIONS - A TRADE UNION PLATFORM OF KEY RECOMMENDATIONS AND DEMANDS FOR THE GFMD 2008

65. For migration policies to be sustainable, there needs to be a significant shift away from the current narrow focus on temporary forms of migration to fill labour market shortages and further the economic gains to capital in the global economy. Trade unions have highlighted the all too frequent incidence of violation of the fundamental human and trade union rights of migrants, which is the result of this approach. What is needed is an approach which recognizes the positive contribution of migrants both to their host and home countries, and which places their welfare and rights at the centre of policies and agreements. To achieve this, the Global Unions are calling for the construction of **an architecture of protection of human and trade union rights, linked to development commitments**, to underpin all migration policies. This must be a comprehensive, rights-based, gender-sensitive regulatory framework, as outlined in the foregoing sections of this Statement. Its elements will be the key international Covenants, Conventions and internationally agreed development goals that are a part of the regulatory and social policy framework of the United Nations system.

66. The Global Unions call upon Member States to ratify the relevant key Conventions, to incorporate them into national-level legislative frameworks and labour agreements, and to fully implement them. Policy discussions on migration and development at national, regional and international levels should operate according to the principles of transparency and accountability. Consultative frameworks should be set up to allow for the genuine participation of trade unions and other civil society organizations. A significant shift from current practice within the GFMD must include

the institutionalizing of consultations with trade unions at the level of governmental and intergovernmental deliberations. Within the framework of the human rights/development architecture, bilateral and multilateral agreements must include concrete commitments and monitorable goals related to guaranteeing the well-being and protecting the rights of migrant workers and their families. These must include decent work objectives, and the provision of quality public services as a foundation of decent life for all.

67. Given the fact that the United Nations is the guarantor of the norms, standards and social policies underpinning this human rights/development architecture, the application of this framework should come under the auspices of the UN. The policy-making process on global migration and development is all about the provision of public goods in the guaranteeing of fundamental rights of migrant workers, as well as the right to development. It should not be privatized within a global forum operating outside of the UN framework. It should be part and parcel of the multilateral system with the UN at its core, and taking the lead in convening all the relevant actors for a policy dialogue, policy formulation and the setting up framework agreements on migration and development. In such a policy dialogue, the competencies of ECOSOC on development questions and of the ILO on labour standards and decent work should be fully recognized and utilized.

68. The tripartite consultative framework of the ILO involving governments, employers' representatives and trade unions should be fully utilized for framing migration policies at national, regional and global levels. In that regard, the ILO's core competence in the application of standards for the protection of the rights of migrant workers should be recognized and utilized. An important dimension of policy coherence must be the framing of migration policies around core labour standards, the migrant workers' Conventions (C97 and C143), and the attainment of decent work objectives in origin and destination countries. The consultative framework of ECOSOC on broad development questions linked to migration, will also allow for the full participation of trade unions and migrant associations. As a specialized agency of the UN, the ILO should also be involved at the level of ECOSOC, on migration and development policy questions. The Global Unions therefore call for the return of the global migration policy process to the United Nations as the best way of achieving policy coherence, and comprehensive, sustainable migration and development policies.

Appendix I

RATIFICATIONS
INTERNATIONAL INSTRUMENTS ON MIGRATION/MIGRANTS RIGHTS
As of 6 June 2007

ILO Migration for Employment Convention No. 97 of 1949.

ILO Migrant Workers (Supplementary Provisions) Convention No. 143 of 1975.

**1990 International Convention on the Protection of the Rights of All Migrant
Workers and Members of Their Families,**

STATUS:

ILO Convention 97: 46 ratifications

ILO Convention 143 22 ratifications

1990 International Convention: State Parties: 37; Non-ratified signatories: 14

54 States have ratified one or both of the ILO conventions.

78 States have ratified one or more of these three instruments.

State (in bold, has ratified one or more instruments)	Ratification ILO C-97	Ratification ILO C-143	Ratification or accession (a) 1990 Convention	Signature 1990 Convention
Albania	2 March 2005	12 Sept 2006	5 June 2007	
Algeria	19 Oct 1962		21 April 2005a	
Argentina			23 Feb 2007	10 Aug 2004
Armenia	27 Jan 2006	27 Jan 2006		
Azerbaijan			11 Jan 1999a	
Bahamas	25 May 1976			
Bangladesh				7 Oct 1998
Barbados	8 May 1967			
Belgium	27 July 1953			
Belize	15 Dec. 1983		14 Nov 2001a	
Benin		11 June 1980		15 Sept 2005
Bolivia			12 Oct 2000a	
Bosnia & Herzegovina	2 June 1993	2 June 1993	13 Dec 1996a	
Brazil	18 June 1965			
Burkina Faso	9 June 1961	9 Dec. 1977	26 Nov 2003	16 Nov 2001
Cambodia				27 Sept. 2004
Cameroon	3 Sept. 1962	4 July 1978		
Cape Verde			16 Sept 1997a	
Chile			21 March 2005	24 Sept 1993
Colombia			24 May 1995	
Comoros				22 Sept 2000
Cuba	29 April 1952			
Cyprus	23 Sept. 1960	28 June 1977		
Dominica	28 Feb. 1983			
Ecuador	5 April 1978		6 Feb 2002a	
El Salvador			14 March 2003	13 Sept. 2002
Egypt			19 Feb 1993a	
France	29 March 1954			
Gabon				15 Dec. 2004
Germany	22 June 1959			
Ghana			8 Sept 2000a	
Granada	9 July 1979			
Guatemala	13 Feb 1952		14 March 2003	7 Sept 2000
Guinea		5 June 1978	8 Sept 2000a	
Guinea-Bissau				12 Sept 2000
Guyana	8 June 1966			15 Sept 2005
Honduras			11 August 2005	
Hong Kong (ChinaSAR)*	22 Jan 1951*			
Indonesia				22 Sept 2004

Israel	30 Mar 1953			
Italy	22 Oct 1952	23 June 1981		
Jamaica	22 Dec 1962			
Kenya	30 Nov 1965	9 April 1979		
Kyrgyz Republic			29 Sept. 2003a	
Lesotho			16 Sept. 2005	24 Sept 2004
Liberia				22 Sept 2004
Libyan ArabJamahiriya			18 June 2004a	
The former Yugoslav Republic of Macedonia	17 Nov 1991	17 Nov 1991		
Madagascar	14 June 2001			
Malawi	22 Mar 1965			
Malaysia (Sabah)	3 March 1964			
Mali			6 June 2003a	
Mauritania			22 Jan. 2007a	
Mauritius	2 Dec 1969			
Mexico			8 Mar 1999	22 May 1991
Moldova	12 Dec 2005			
Montenegro				23 Oct 2006
Morocco			21 June 1993	15 Aug 1991
Netherlands	20 May 1952			
New Zealand	10 Nov 1950			
Nicaragua			26 Oct. 2005a	
Nigeria	17 Oct 1960			
Norway	17 Feb 1955	24 Jan 1979		
Paraguay				13 Sept 2000
Peru			14 Sept. 2005	22 Sept 2004
Philippines		14 Sept 2006	5 July 1995	15 Nov 1993
Portugal	12 Dec 1978	12 Dec 1978		
Saint Lucia	14 May 1980			
San Marino		23 May 1985		
Sao Tome & Principe				6 Sept 2000
Senegal			9 June 1999a	
Serbia	24 Nov 2000	24 Nov 2000		11 Nov 2004
Seychelles			15 Dec 1994a	
Sierra Leone				15 Sept 2000
Slovenia	29 May 1992	29 May 1992		
Spain	21 March 1967			
Sri Lanka			11 Mar 1996a	
Sweden		28 Dec 1982		
Syria			2 June 2005	
Tajikistan	10 April 2007	10 April 2007	8 Jan 2002	7 Sept 2000
Tanzania (Zanzibar)	22 June 1964			
Trinidad & Tobago	24 May 1963			
Timor Leste			30 January 2004a	
Togo		8 Nov 1983		15 Nov 2001
Turkey			27 Sept 2004	13 Jan 1999
Uganda		31 March 1978	14 Nov 1995a	
United Kingdom	22 Jan 1951			
Uruguay	18 March 1954		15 Feb 2001a	
Venezuela	9 June 1983	9 June 1963		
Zambia	2 Dec 1964			

* China notified 1 July 1997 regarding continued application of ILO Convention 97 in Hong Kong Special Administrative Region.

Signature is a preliminary step to ratification for International (UN) Conventions. Accession is an "all in one" adoption of the Convention equivalent to ratification, both signifying that the Convention standards are incorporated into national law and the country has become a Contracting or State Party to the Convention.

Texts & information on ILO Conventions at www.ilo.org/ilolex

Text & information on the 1990 Convention at www.unhchr.ch and/or www.december18.net

ILO/pat 6-06-07