



GLOBAL UNIONS STRATEGY MEETING ON MIGRATION

(Brussels, 24-25 September 2012)

“Building Alternatives”

Conclusions and plan for action

The Global Unions’ strategy meeting on migration agrees the following conclusions and key actions to be implemented at international, regional and national levels.

I - Realising the rights of migrant workers

The meeting acknowledged that despite the existence of strong international norms governing the human rights of migrant workers, these norms remain by and large under-utilised by trade unions in defending and securing the rights of migrant workers. The meeting further acknowledged that the key international instruments - UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO Conventions 143 and 97 (the Conventions) - remain poorly ratified by States, further limiting the effective use of these instruments.

The meeting therefore agreed to:

- Intensify national campaigning efforts for the ratification of ILO Conventions, including C87 and 98 on freedom of association and collective bargaining, focusing those efforts on countries which appear to offer the best prospects for ratification of the Conventions and origin and destination countries of strategic importance (e.g. the EU, the Gulf...) Example of campaign activities include advocacy meetings with government officials and political parties, solidarity messages between countries of origin and destination, awareness raising actions, petitions, engagement with local government etc.
- Actively support the global campaign for the ratification of the UN Convention and liaise with the December 18 Campaign which coordinates civil society’s efforts toward ratification (<http://www.december18.net>)

- Coordinate efforts at national, regional and global level to:
 - Raise awareness of the Conventions among trade unions and migrant workers' organisations
 - Raise awareness amongst migrant workers of their labour rights and build their capacity to claim those rights
 - Combat racism and xenophobia and build unity among trade union members
- Share experiences, coordinate and intensify organising and advocacy efforts to realise:
 - freedom of association of migrant workers
 - equal treatment between local and migrant workers, both in law and practice including the right to equal wages and working conditions
 - the right to access civil justice, including adequate grievance mechanisms
- Make better and more strategic use of the UN and ILO supervisory mechanisms in order to denounce, redress and prevent violations of the rights of migrant workers, particularly with reference to ILO C. No 87, No 98, No 97 and No 143; and make use of these Conventions in national litigation strategies.
- Strategically identify governments and companies which deny/abuse migrant workers' rights and develop legal and other strategies to expose those abuses, including "name and shame" campaigns.
- Engage in a more systematic way with the UN Committee on the rights of all migrant workers.
- Support the ITUC/BWI "Qatar, do the right thing" campaign

The meeting reaffirmed that all migration policies, programmes and agreements must be firmly underpinned by the ILO Decent Work Agenda, that migration should be taken up more prominently in Decent Work Country Programmes and that the ILO should play a coordinating role in promoting the rights-based approach in bilateral and regional migration agreements.

The meeting agreed to put its recommendations to the ILO Workers' Group for the November 2012 Governing Body discussion on migration after consultation with affiliates.

The meeting recognised that migrant workers' organisations are important partners for trade unions and that it is beneficial to all workers for both movements to work together. Should the ILO decide to set up a global tripartite Forum on labour migration, the participation of migrant workers' organisations should be considered.

II - Challenging the current governance of international migration

The meeting expressed deep concern about the prevailing cost-benefit approach that treats migrant workers as a commodity, rather than human beings with inalienable rights, as exemplified by the growing number of trade and services agreements covering migration and circular migration programmes violating workers' rights. Concerns were expressed about the increased use of terms like "circular migration" or other specious language that mask poor national development and decent work policies and enable flawed migration programmes to persist. This also leads to the creation of different migration schemes that fragment workers' rights and protection according to economic interests.

The meeting agreed that civil society efforts and strategies should focus on the September 2013 UN High Level Dialogue and, in particular, on bringing migration policies and programmes back within the established UN normative framework through:

- Mobilising at least 40 Global Unions' affiliates and relevant civil society organisations to build momentum towards the High Level Dialogue around unions' key demands as set out in the attached statement. Progressive governments should be targeted as a priority.
- Actively promoting the mandate, role, and rights-based approach of the ILO as the only UN organisation with competence on labour migration
- Actively promote and strengthen inclusive social dialogue at all levels to discuss and define labour migration policy
- Working with civil society partners in lobbying governments, especially friendly governments, to accept that all debates, policy, programmes and agreements on migration should be firmly rooted in the UN normative framework
- Demanding that governments include trade unions and civil society partners in their delegations to the High Level Dialogue
- Joining actions with civil society organisations to expose and denounce the democratic and accountability deficits of the Global Forum on Migration and Development (GFMD)

III – Organising migrant workers in the trade union movement

As part of the overall objective of unions' growth, the meeting adopted a global minimum target of organising 20,000 migrant workers, to which national centres and unions are invited to add their own organising targets for 2013, through:

- Engaging in strategic geographic interventions in migration hot spots (e.g. within Africa and the Middle East) where significant labour mobilisation is taking place in a volatile political context

- Working with migrant workers' organisations in defining key issues around which to organise
- Documenting and advancing supportive initiatives between unions in countries of origin and destination, while strengthening collaboration between migrants' rights organisations and trade unions.
- Increasing staffing, financial resources and programmes to organise migrant workers and taking the necessary actions to ensure that trade union's structures, agendas and policies are inclusive of migrant workers
- Make trade union's structures and organising strategies more responsive to changing labour relations, legal frameworks and economic conditions. In particular, unions should examine their structures to determine if they respond to the needs of a growing part of the labour force engaged in precarious work and having no or limited bargaining rights and in which migrants are overrepresented
- Developing and diversifying organising strategies and methods. Examples include providing legal assistance, facilitating access to public services and social provisions, partnerships with municipal or local authorities, and union support to community groups. Bilateral agreements between unions in countries of origin and destination can also facilitate workers' organisation. Affiliation of membership-based migrant organisations and direct affiliation of migrant workers to national centres are other examples of successful organising strategies.
- Reaffirming unions' engagement to defend the rights of all migrant workers, regardless of status, and increase unions' opposition and mobilisation against national policies and programmes that violate migrant workers' rights.
- Regularly sharing successful trade union actions and strategies for organising migrant workers.

IV - Exposing the role of recruitment agencies

The meeting recognised that the involvement of private recruitment agencies in migration, which often takes place within a regulatory vacuum, lead to severe abuses of the rights of migrant workers and add to the precariousness of work situations.

The meeting discussed the framework of the Dhaka Principles.

The meeting agreed to:

- Develop and adopt a joint call for the regulation of recruitment agencies based on international labour and other human rights standards

- Call on recruitment agencies to respect human rights
- Strategically identify abusive recruitment agencies as the basis for a “name and shame” campaign and create a platform to share workers’ experiences with recruitment agencies
- Support national campaign actions on ethical recruitment, on direct hiring and against fees to be paid by workers to recruitment agents.
- Actively promote the voluntary WHO code of practice on ethical recruitment in the health sector
