

ILO Tripartite Technical Meeting on Labour Migration
High Level Panel, 6 November 2013

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Chair, Council of Global Unions

Thank you Mr. Chair, in giving me the opportunity to address this important and timely meeting. Guy Ryder Director General of the ILO, Ambassador William Lacy Swing Director General of IOM, Ambassador Åkerman-Börje, Chair of the GFMD, Ms Pansieri Deputy High Commissioner for Human Rights, and Ms Yost, employers' representative, it's my honour to join you in this panel.

The recent human catastrophe in Lampedusa can leave nobody unmoved. Unfortunately, it is only one dramatic example of what is happening in all regions of the world. Those watery graves are the culmination of degradation and misery.

The ILO, the Global Migration Group and the international institutions need to address not only the danger of future human tsunamis, but also the conditions that force people to become uprooted and often abandon their families. It is only through development, including respect of rights, decent work and quality public services; all of which give people hope for the future, that one can establish the right not to migrate.

The ILO's Declaration of Philadelphia states that "labour is not a commodity", however, migrants, even in international discussions and negotiations, are often considered as commodities rather than as human beings with all the rights that inherently belong to them.

Migration in much of the world is bound to grow. Only through rigorous protection and respect for the human rights of migrants, including international labour standards can migration contribute to decent work for migrants. "Just-in-time" migrants steered by human traffic cops in and out of countries, including the so-called circular migration, is a recipe for blocking the effective exercise of rights, limiting social protection and expanding precarious work for migrants, but also for other workers.

Of course, there are well-known examples like Qatar and elsewhere in the Gulf, but also in many other countries, where laws do not protect trade union or other rights leading to arbitrary treatment, oppression, and human trafficking. Those problems need to be urgently addressed. But, even where good laws are on the books, precarious work and unclear or complicated employment relationships often effectively deny those rights. Part of the struggle for rights for migrants is related to larger fight for equal treatment.

Labour recruiters, brokers, contractors are responsible for a wide range of human rights violations. Various self-regulation schemes have not worked and will not be likely to have much effect in the often murky world of migrant worker merchandising. Binding legal frameworks are necessary, which require good governance and transparency and a much larger role for public authorities and agencies. Governments must not sub-contract their responsibilities to ensure that human rights are protected to private firms.

The trade union movement supports the UN Secretary-General's eight points at the conclusion of the High Level Dialogue and is pleased that the ILO is moving into a more-important place in the constellation of relevant international organisations.

In 1921, the first Director of the ILO, Albert Thomas, described tripartism with these words; "there must be an organisation of all the forces interested – Governments, employers and employees. Failure to include any of these elements is sufficient to make any organisation ineffective." The ILO's tripartite structures and mechanisms, rather than informal networks, continue to be the most transparent, accountable, participative, effective and substantive for future dialogue and cooperation on migration.

The service of the ILO as Chair of the Global Migration Group in 2014 is an opportunity to push for the rights-based approach to labour migration; implementation of ILO standards and the Multilateral Framework on Labour Migration; ratification of Conventions on Migrant Workers and the Convention on Domestic Workers; the meaningful participation of the trade unions and civil society; but also the larger social policy and rights framework of international labour standards which have addressed rights of all workers as well as special needs of workers in sectors. Many of these sectors, for example, agriculture, domestic workers, seafarers, construction, mines, and fishing are highly relevant for migrant workers.

The ILO can also help to ensure that key problems for migrant workers are included in the post-2015 UN development agenda process.

There are specific opportunities and many problems related to occupations. For example, there are often opportunities for high-skilled workers, in-demand in many countries, but their skills are often badly needed at home as well; creating a development problem. The ILO should also play a leading role in this area.

Finally, there is another serious problem faced by migrant workers that I want to put on the table. It is a powerful, but sometimes hidden factor - racism and xenophobia. One of the reasons that human rights are not exercised, including the rights to organize and bargain, is fear. Migrant workers are often in social and economic situations that breed fear, but, in addition, they are often victims of stereotypes or even hatred. We do not suggest that the ILO with its social dialogue tripartism traditions will end this problem. But, we should consider the contributions that respect for rights, greater security for workers and practical solutions to concrete problems can build a broader culture of respect and dialogue in our societies and deepen and strengthen economic equality and democracy.