



Recommendations from the regional consultations on labour mobility, rights and recruitment

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Action theme 1: Migrant labour and mobility

Recommendations on Labor Mobility, rights and recruitment

Good morning your Excellencies, colleagues in advocacy!

I have been tasked to share briefly today the recommendations on the theme labor mobility, rights and recruitment that converged out of the 7 regional consultations conducted in relation to the 2013 High Level Dialogue on Migration and Development.

My name is Ellene Sana, I am the executive director of an NGO --the Center for Migrant Advocacy in the Philippines--that works for the promotion of the rights and welfare of Filipino migrants and their families, principally through policy advocacy and facilitating assistance to distressed Filipino migrants.

As you may know, more than a million Filipinos leave the country every year to various destinations abroad for work purposes. And this phenomenon of labor migration is not unique in the Philippines as increasingly, around the globe, people move across international boundaries to seek jobs that they perceive are scarce in their own countries. Conversely, there is a corresponding pull from countries of destinations as they find themselves wanting of foreign workers purportedly to fill in job vacancies and worker shortages.

This sounds balance --there is push and there is pull and workers are able to find jobs where these are available --across international borders. And then we realise that all is not well with workers --the migrant workers --who move across borders.

Across the globe, many low-waged migrant workers are subject to abject violations of their labor rights on a daily basis, due in large part to their status as "non-citizens" and in resultant gaps in labor rights protection. There is an urgent need therefore for States and other stakeholders to address the gaps and deficits in the exercise of labor and human rights by migrant workers and members of their families.

And we would like to start off with a reiteration of our call to member States of the UN --who are all origin and destination countries, in more ways than one -- please, let us all join hands in campaigning for global ratification of the core human rights and labor rights conventions, including the latest on decent work for domestic workers, that is ILO Convention 189, with guarantees that these international

commitments are translated into national legislations and policies that will uphold dignity and afford protection to all workers, including migrant workers.

These laws and policies should ensure decent living and working conditions for migrants and their families including but not limited to equal pay, health benefits, social security that may be enjoyed beyond their migration tenure, integration and options for citizenship in destination countries, effective return and reintegration in origin countries for those who will return, ensuring access to justice and legal redress, both in origin and destination countries. As workers, they should be allowed to join trade unions and associations of workers, and not be subjected to forced labor or slavery-like conditions, to any form of binding arrangements or tied-visas, to unequal treatment and discrimination on the basis of their "otherness".

Of course, it is imperative that even prior to their departure, migrants are well informed of their rights and entitlements in the origin and destination countries and even in transit countries. Countries of origin have pre-departure information programs, but do make these really effective in "terms of being country-specific, skills-or job specific, gender-sensitive and one that touches as well on the migrants' legal rights including migration costs and information on proper migration processes. We all stand to benefit if these information campaigns are done on a regular basis not only prior to departure but also in the countries of destination.

Finally, one or two recommendations in regard to regulation of the private recruitment agencies.

As labor migration continues unabated, it has become a multi-billion dollar industry and has invited a lot of interest for private sector participation including from unscrupulous entities and elements that prey on migrants who are desperate to find jobs abroad. In this situation of vulnerability, it is best that States put in place effective mechanisms to regulate the participation of private recruiters in terms of licensing, recruiting, collection of fees, monitoring of its activities, reporting, and imposition of sanctions and penalties. We also urge inter-state cooperation in this regard.

While private sector participation could not be helped somehow, we will continue to encourage government-to-government arrangements instead for the recruitment and deployment of migrant workers. But these bilateral or multilateral arrangements should put premium to rights of workers and must be aligned with international standards.

Another recommendation is for member States to ratify ILO C181 or the Private Employment Agencies Convention. Is it not but a step forward to ratify this convention if we have a significant participation of the private recruitment agencies? By ratification, the States .give due recognition to the private sector participation. AND quite importantly, taking them to task as well of their obligations and responsibilities to the migrants they recruit. Along this line, we also urge Your Excellencies to develop ethical codes of conduct for recruitment, in partnership with non-state actors including migrants, trade unions, civil society organizations and the private sector and to mobilise the same to ensure that ethical recruitment practices are implemented effectively.

Your Excellencies, fellow advocates, as we gather here today in this august hall of the UN, let us remind ourselves that our greatest and basic convergence of all - is that commitment to uphold the dignity and rights of all human beings. Thank you.##