

Global Forum on Migration and Development (GFMD) Common Space

Breakout session 2

**Realising decent labour migration and decent employment - partnering with states, businesses, labour organisations, diaspora entrepreneurs and other civil society organisations**

Wednesday 14 May 2014

15h30 - 17h30

Venue: Nobelterrassen

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I think you want us all to be fairly brief and to the point and I am going to do my best to follow your instructions.

Let me start my brief intervention by telling you about a little experience I had a couple of weeks ago in a country in Southern Europe. Before a parliamentary committee on labour questions, I was sitting next to a Minister of Labour who was being harangued by Members of Parliament of different colours, one of whom said: "Look, you don't get it do you? There are 1.5 million unemployed people in our country and around 1.5 million migrants in our country. Is it too difficult for you?" And as she was saying that, I was translating that line of thought into the global projection. There are 202 million unemployed people around the world, and 232 million international migrants around the world. You can see that extremist voice coming out with that same line of thinking. I think the challenge before this Forum, and the challenge before everybody, all stakeholders, is to give the lie to that type of simplistic discourse. Now, we will not do it by simply arguing. We will do it by showing that there is, in fact, a different discourse around migration and it is not theoretical, it is practical. And, it requires us, I think, not simply to repeat the economic rationale of migration, which I think is apparent to us all.

I think we have to demonstrate better our capacity to manage migration in ways that are fair to all parties and which can disarm in very practical ways the types of xenophobic or extreme reactions we hear too frequently. What does that mean? Well, in my view, it means that the international community has to turn its mind to this task urgently and probably with more determination than was shown in the past. I think firstly, we do have to establish the rights-based focus to migration which is not simply, I believe, a point of principle but it is the common denominator for making migration fair to all, making it fair to the migrant workers themselves, countries of origin, and countries of destination.

The ILO thinks we have a major role to play in that rights-based approach. We have an armoury of conventions which are more frequently referred to than read nor understood. But they are there; there are two specific conventions on migration and there are also two other conventions I want to mention; one on private employment

agencies, and a new one on domestic workers. Now, those conventions are to date little ratified. It is one thing to have a very effective armoury of normative instruments. It is another thing to get them into play and to make them effective. I want to particularly underline the importance today of a new convention, the Domestic Workers' Convention, which can make an enormous difference. So let's put rights at the centre of the agenda.

I think the best way to disarm anti-migration sentiment in receiving countries is to ensure the basic principle of equal treatment. If you do ensure equal treatment, which is what ILO conventions talk about, you really do remove or at least palliate immensely the dangers of migrant workers being used in ways that are disadvantageous to receiving countries. The exploitation of migrant workers is a danger and it has to be actively combated. I think this also means, and it was alluded to in the meetings I have attended already during this Forum, that we do really have to look at recruitment processes.

The ILO's Private Employment Agencies Convention lays down the simple principle that fees should not be charged to workers. None of the fees charged by agencies should be applied to workers. And we know, we have heard, that in fact that is not the case. We have, frankly, an anarchic market in recruitment internationally. Some situations are absolutely intolerable. We are doing work in the Gulf to try to improve some of those more extreme situations. But I think that fair recruitment processes have to lie at the centre of any sensible approach in the future.

There is also, and this is rightfully important I think, the involvement of stakeholders. We heard and I can only agree with the importance of civil society participation in this Forum. If you accept the proposition which I will put to you that migration is above all about work, even if you leave the country for a reason other than the search of employment, at some point you generally end up looking for a job, you generally end up trying to integrate yourself into a labour market. If you take the view that migration is above all about work, the major participants in the world of work - which means employers' organizations, which means trade unions, unpacked by their representatives on this panel, and of course governments - they produce the right answers when they are given the chance. So I think treating migration through the perspective and with the instruments of social dialogue is extraordinarily helpful. We have seen examples of where that works extremely well.

Lastly, I think we have to try to make sure that we have a joined-up government approach to migration. So long as you have different ministries treating the same subject from different perspectives and with different objectives, you are going to have a problem. We run repeatedly into the problem of the role of labour inspection in relation to migrant workers. What is the role of a labour inspector when he rolls up at a workplace where irregular workers are employed? What is the job of that labour inspector? We have to make sure that roles are understood, but in the end that there is a joined-up government approach to these issues. The ILO is going to be stepping up its work on migration. We are going to have, I hope, an important

discussion at our conference in two weeks' time which will try to define for our organization what a fair migration agenda might look like from an ILO perspective. But I have no illusions about it and I will finish with this. We have to do our bit, we have to get our organization fit to the purpose in respect to fair migration but we have to interlock with other organizations that are working in the same field. The Global Migration Group which we chair this year is one such instrument, but I think we have to do better. There is a general imperative to up our collective game. So these are a few thoughts to get this ball rolling and thanks for your attention.