Roundtable on theme 1, The Governance of Labour Migration in the Context of Changing Employment Landscapes

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Thematic Area 1: Human-centred approaches to addressing future of work challenges and opportunities for labour migration

Guiding questions:

a) What experiences or lessons can participants share on how they are improving their governance approaches and policies to be more human-centered and rights-based and what lessons can be exchanged on new strategies for monitoring and anticipating future changes and needs in labour migration, and a changing employment landscape?

   i) Governance of labor migration should be based on ensuring ==decent== work: (a) decent employment entails applying the principles of fair and ethical recruitment; but what is missing in most governance approaches is the full recognition of an important pillar of decent work: (b) rights at work, primarily FOA/CB enshrined in ILO Conventions 87 and 98. Migration policy reforms should include serious efforts towards the full recognition of migrant workers' right to establish or join a trade union of their choosing for collective bargaining at various levels. Full engagement of trade unions and civil society must be ensured to protect the rights of migrants. also a fundamental principle and right at work is non-discrimination transcending race, color, creed, age, as summarized in the tenet of equal pay for equal work; an end to slave-like conditions at work such as the Kafala System[1] and other tied visa arrangements. Thus we are glad that with many a series of dialogues, this system and similar arrangements are slowly being taken down in many Gulf states. We are hopeful that these reforms would bear much fruit; Thus, the decent work framework would protect migrants from the following problems the BWI and CSOs has listed: broken contracts and promises, Irregular and Insecure employment, wage delays, Reduced wages, Wage theft, unfair recruitment practices, No sick leave with pay, Gender discrimination, Xenophobia and other forms of discrimination, and problems worsened by the Covid 19 pandemic such as No social security, Job losses, dismissals, Exclusion from govt support measures, Price hikes leading to income losses, being Stranded & left by employers and Hunger, poverty, malnutrition.

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[1] The Kafala System has been effectively abolished in several countries, including Lebanon, as a result of COVID-19, where a release of workers from their previous employer is no longer required for them to sign new work contracts; this should be promoted.

ii) Rights-based bilateral/multilateral labor agreements should be established to create regular pathways to migration and protect workers' rights. The negotiations for which should involve trade unions and migrant workers themselves. These agreements should include provisions on (1) improved services for migrants, (2) ensure grievance mechanisms and access to justice, (3) and labor inspection, where the possibility of joint assessments that involve not only the labor ministry, but trade unions and employers maybe explored.

iii) Part of or independent of these Agreements, we could have Partnership-based Monitoring of Migrant workers' working conditions particular to labor standards, and occupational safety and health standards by Trade Unions, CSOs, Diaspora Groups with the support of government and other stakeholders.

iv) The Future of Work talks about Digitalization and Fourth Industrial Revolution. These advances in technology have made life easier and more comfortable for humans. However, some of these advances have been used or abused to displace migrant workers, with the creation of new machines. Lately, advances in technology have also been used and abused to muddle employer-employee relationships, outsource and push workers to non-standard forms of employment where there is less to little, to no protection at all. Just take a look at the gig economy, the uber phenomenon and other IT enhanced or app-based services that have robbed many workers of their entitlements to job security, adequate wages, social insurance and compensation for accidents. Thus, the future of work should also seriously look at how decent employment can be preserved, to include formalization of the informal economy, where many migrants can be found, as prescribed in ILO Recommendation 204 on transitioning from Informal to Formal Economy.

v) There are a few examples of migrant workers using technology to raise concerns and access help of trade unions such as online portals for inquiries on labor standards and facilitate grievance and access to justice. These should be further developed. Governments could also jump in. We have heard of successful Embassy-initiated livestreaming of discussions that guide migrants on how to avail of benefits and access help from government at the height of the pandemic. Accessible Hotlines are just as important, that have humans and not machines or Siri's kind answering calls.

vi) Then, there's the digital divide. Migrants and their families should be able to avail of affordable gadgets and devices, while the ICT infrastructure should be accessible to everyone and not just big business. Appropriate training on the use of technology is a need to be addressed, too.

b) What examples can participants share on successful approaches used at national or regional levels to promote migration as a choice, not a necessity, and which promote a holistic approach to labour migration governance such as a 'whole of government' and 'whole of society'?

1) Ensuring creation of decent work opportunities and sustainability and equity in human resources for all countries should be a priority. Thus, Socio-economic development plans of

countries should be anchored on Agenda 2030 or the Sustainable Development Goals, particularly Goal 8 that should be interrelated to other SDGs.

2) Countries of destination should conduct mapping of skills they need; in the same breadth, countries of origin should take stock as well of the skills acquired by their migrant workers, ensure transfer of technology and factor this in the development agenda of the communities and the country as a whole. The transfer of technology and skills in particular could be spelled out in Bilateral Labor Agreements.

c) What elements would be necessary to make approaches successful in promoting greater stakeholder engagement at national, bilateral or multilateral levels having migrants workers at the centre of their strategies?

    i. This is where the enabling pillar of decent work comes in: Social Dialogue and Tripartism ++. Acting as and treating each other as co-equals, Government, Employers and Workers with CSOs and migrants themselves, should sit together. This involves dialogue on cross cutting issues that could be led by young workers and young people. A tripartite structure needs to be established via legislation and policy with a clear mandate, budget, resources and manpower support. Regular quarterly or monthly meetings that have clear agenda should be held.