

**Reporting Template 2018**  
**Working sessions of the GFMD Civil Society Days**

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| <b>Session theme:</b>                    | Actions to ensure Decent Work, Labour Rights and Fair Recruitment |
| <b>Related Common Space session (s):</b> | Ensuring decent work, labour rights and fair recruitment          |

**SECTION A: 4 December – Recommendations Day**  
*Priority messages and recommendations for States during Common Space*

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| 1. What are civil society’s key priorities and concerns related to this theme?   |
| <ol style="list-style-type: none"> <li>1. Guarantee core labour rights of all migrants workers, women and men, regardless of status, with special attention on freedom of association and collective bargaining, and ensure that these rights are respected at all stages of migration; and promote the principle of people-centred policies.</li> <li>2. Governments should support the ratification and implementation of these international labor conventions and align national regulations with these ILO conventions.</li> <li>3. Ensure effective redress mechanisms and access to justice for all migrant workers.</li> </ol>   |
| 2. What good practices or effective multi-stakeholder partnerships are OR have in the past OR could in the future respond to challenges related to this theme?   |
| <ul style="list-style-type: none"> <li>- Involvement of trade unions from countries of origin and destination in oversight bodies under Bilateral Labour Agreements</li> <li>- Participation of trade unions and CSO in government mandated pre-employment; pre-departure and post-arrival orientation seminar</li> <li>- Unions and CSO collaboration in facilitating cross border claims and ensuring access to justice of migrant workers</li> <li>- Involvement of trade unions, CSO and migrant workers in policies of economic and social integration</li> <li>- Through regional agreements uphold the principle of free movement of people, e.g. ECOWAS.</li> <li>- Inclusive tripartite social dialogue mechanism such as the Decent Work Advisory Committee, overseas-land-based tripartite consultative council that allots a seat for migrant</li> <li>- Regional coordination involving trade unions and CSO to address fraudulent practices in recruitment and abuses of migrant workers.</li> </ul> |
| 3. What policies and practices exist that are counter-productive to responding to challenges related to this theme, and can ways be identified to improve them?  |
| <ul style="list-style-type: none"> <li>- Reluctance of States to ratify ILO Core Conventions; non-implementation of Core Labour Standards</li> <li>- Reliance on voluntary audits instead of strengthening and using labour inspectorate</li> <li>- Incoherent policies that undermine the principle of non-collection of recruitment fees from migrant worker at the countries of origin and destination or both.</li> <li>- Restrictive employment contracts, e.g. Kafala, Employment Permit System, Disguised Internship Programme</li> <li>- Restriction on people’s movement, including employment ban</li> </ul>   |

- Unilateral recruitment measures, such as E-migrate, without consultations and coordination with intermediaries and governments of countries of destination.
- Honorary or symbolic consular service operated by private individuals without qualification and government oversight leading corruption and abuse of migrant workers.

4. What are the **three questions** on this theme we want to ask governments in Common Space?

1. Why are the conditions so difficult for migrant workers to join or form unions?
2. How would you involve Trade Unions and CSO in the implementation of the GCM?
3. How would you ensure coherence between GCM Objectives and Sustainable Development Goals?

**SECTION B: 6 December – Commitments Day**

*Civil society convergences, advocacy and action in and post Marrakesh Week, into the implementation phase of the Global Compact for Migration*

1. What was learned from the discussions with governments during Common Space that informs/influences civil society strategy around this theme?

- a. Governments' reluctance to take on more responsibilities
- b. Decreasing spaces for permanent migration – focus on return
- c. Governments not addressing irregular migration
- d. On regular migration, focusing on skilled migration, not those in low wage sectors ex. Domestic work
- e. Governments should not just pick whatever objectives they want, they have to commit to the objectives under the GCM
- f. Need to push governments to strengthen labor policies
- g. Migrant workers are seen as tools, and when they are no longer needed, they are sent back. We need to assert that migrants are human beings.
- h. Some governments will adopt the GCM but under certain conditions.
- i. It is positive that ILO is part of the UN Migration Network and the Executive Committee which reinforces labour rights perspective in migration.
- j. Many temporary migrant workers are victims of abuse, governments have not responded sufficiently.
- k. Focused on good practices, but not challenges.
- l. Some governments not following GCM processes, need to ensure governments implement their commitments.
- m. Governments should recognize the right of workers to freedom of association and collective bargaining.
- n. Narrow discussion on regular migration, without discussing other realities.

2. What existing civil society structures, networks and initiatives are already working on this theme?

- a. While GCM and other regional and international processes are not legally binding, this has not prevented civil society from participating in these processes.
- b. Such processes are not perfect, but we are engaging. Balancing such engagement with some of our principles can be challenging however.
- c. We need a common front – trade unions and civil society organizations have to work together. It is important to speak with one voice when engaging with governments.
- d. Engaging at the national level is important. We also need a regional structure in order to engage.

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| <ul style="list-style-type: none"> <li>e. How to strengthen ILC, existing mechanisms on industrial relations, need to make governments more accountable, ILO supervisory mechanisms</li> <li>f. Regional consultations are very useful, brings together civil society and trade unions together. Some countries have actively consulted their civil society and trade unions. We need to reach out to those governments that do not.</li> </ul>   |
| <p>3. How can we link with other movements to amplify our voice and impact – especially ones that are not in the room but that should be engaged going forward?</p>   |
| <ul style="list-style-type: none"> <li>a. Need to ensure consultations with unions, civil society, migrant communities. Building links with trade unions is important.</li> <li>b. We need to involve climate justice organizations</li> <li>c. Link with groups working on poverty reduction, sustainable development goals, climate change.</li> <li>d. Need real empowerment of migrants, not just cultural side</li> <li>e. Demand ratification of ILO Conventions</li> <li>f. Need to look at issues holistically</li> <li>g. Explore UN ESCAP platform – wholistic development</li> </ul>   |
| <p>4. What collective civil society action should be taken in 2019, during the first year of Global Compact implementation, and at which level?</p>   |
| <ul style="list-style-type: none"> <li>a. Should map out the policies and identify gaps at the national level</li> <li>b. Enhance pathways for regular migration</li> <li>c. Collective action at the national and regional levels</li> <li>d. No indicators within the GCM, generate data.</li> <li>e. Need to list rights, social protections.</li> <li>f. Need to link GCM to existing international treaties. Ratify and implement ILO Conventions.</li> <li>g. We need to continue to push our agenda.</li> <li>h. List of all good practices.</li> <li>i. Inclusion of grassroots organizations.</li> <li>j. The next few months are going to be critical. This is when the Work Plans for the Working groups will be developed. There is an opportunity to submit inputs to the Workplans. Civil society needs to get its act together and prepare for this. Submit concrete inputs which are results-based oriented.</li> <li>k. Participate in the promotion of the Global Compact.</li> </ul> |