



PSI POLICY ON LABOUR MIGRATION, DEVELOPMENT AND QUALITY PUBLIC SERVICES

Migration and Development:

1. Migration is a natural phenomenon. Migration is a natural survival feature of humankind. Migration has made positive contributions to development, but has also brought negative consequences.
2. Development is the improvement of the quality of life. It is multi-dimensional, taking into account the economic, cultural and social aspects of development. We aim to see development that respects the right of people to determine for themselves. Development should be people-centred, rights-based, gender-sensitive and sustainable. It fully respects the right to self-determination and sovereignty of countries. It is very important to view the historical context of development and to recognize that we have differences in levels of development and therefore have a shared responsibility.
3. The absence of sustainable, economic, and social development contributes to migration. Migration as a consequence thereof contributes to underdevelopment (such as brain drain, poverty, deterioration of public services).
4. Migration is inherently linked to and symptomatic of the developmental crisis that we face today. As long as asymmetries in development and imbalanced relations between developed and developing countries remain unaddressed, forced economic migration will continue and will remain as a challenge.
5. The human and social dimensions of migration are as integral as the economic aspect. Unfortunately, the current discourse on migration and development fails to recognise this.
6. We are deeply concerned at the current discourse which is heavily focused on the economics of remittances and undermines the social and human rights impact.

Quality Public Services (QPS)

7. While recognizing the benefits of remittances in reducing poverty through increased income, improved housing, education and health care (at the household level), we are deeply disturbed at the use of migration as a substitute to sustainable investment in public services and improvement of the domestic economy.
8. We are questioning the use of migration as a strategy for development. We believe it is inherently flawed, problematic and unsustainable.
9. We are deeply disturbed that richer countries, rather than investing in quality public services and a sustainable workforce, are resorting to short-term solutions such as 'poaching' the much needed skills of developing countries.

10. Absence of available and adequately funded quality public services and the employment opportunities they create is a strong push factor that drives people to migrate in search of decent work and decent life elsewhere.
11. In promoting QPS, we promote the rights of all workers, including migrant workers, and access to social justice, equality and equity.
12. QPS are the foundation of decent work and a key to decent life and to integrated and sustainable development in the place where people live. QPS is vital in giving people a real choice and the option to stay.

Globalization, Unemployment and the Economic Crisis

13. Globalization, as driven by a capitalist, neo-liberal economic paradigm of the 'free-market' has changed the nature of migration and has made it the only option.
14. A 'market-driven globalization' that aggressively pushed for lowering of labour standards and privatization of public services has resulted to the the collapse of the public sector, the breakdown of public services, and the underdevelopment and impoverishment of people.
15. The failure of this model has led us to this financial and economic crisis that we suffer today.
16. The ILO has warned that if the crisis continues to deepen, it can lead to the unemployment of up to 212 million people.
17. Currently, millions of people are losing their jobs and among them, migrant workers are the first to be laid-off and sent home.
18. As a consequence, remittances to developing countries are on the decline and this has serious impacts on the survival of poor families that are dependent on remittances as their main source of income. This is a glaring evidence of the flaw of an economic model of 'migration for development.'
19. The crisis will have a harsher impact on women workers, young workers and migrant workers as they tend to be employed in vulnerable, short-term or precarious employment.
20. The consequences of the crisis will heighten the risk of trafficking, racism, xenophobia and scapegoating of migrants.

Decent Work

21. As defined by the ILO: decent work means providing "opportunities for all men and women of working age to obtain decent and productive work in conditions of freedom, equity, security and human dignity."
22. QPS is the foundation to decent work and decent life.
23. Decent work is founded on four pillars which take due account of the gender dimension: productive and freely chosen employment, rights at work including the ILO core labour standards, social protection and social dialogue.
24. Only when decent work is available in the place where people live can migration become an option and not a dire necessity.

Skilled Migration: Developmental and Human Rights Impact

25. The migration of skilled workers reflects the global inequity in the investment and distribution of scarce human resources.
26. In dealing with workforce shortages, the primary objective should be on retention strategies, such as improvements in compensation, working conditions, health systems delivery and increased opportunities for education and employment.
27. International recruitment can only be undertaken where real shortages exist and with the full application of ethical recruitment principles that protect the rights of migrant workers, mitigate the social impact of migration, promote shared responsibility between origin and destination countries, ensure fairness and transparency and provide the mandate for the regulation and monitoring of the practices of private recruitment agencies.
28. As with economic, financial and trade relations, the kind of labour migration schemes that exist today are designed to benefit only the North, at the expense of the South.
29. A case in point are bilateral labour agreements (BLA) and economic partnership agreements (EPA) that are on an increasing trend. Such agreements are problematic in nature as they do not only perpetuate the imbalance relationship between the rich and poor countries in negotiation, but also their lack of transparency and the negative consequences they bring on to the lives of workers, families and communities.
30. More recently, there is increased attention towards South-South migration, as more and more workers are moving across borders within the same region. The potential benefits of South-south migration are increasingly being recognized, therefore more emphasis is now drawn towards regional integration processes.
31. Developing countries see regional integration as a policy tool for development of their economies and peoples. The challenge of integration, however, requires regional efforts to be undertaken within the constraints of national policies. Regional integration policies must recognise that successful integration can only be achieved by ensuring equal access to quality public services, a strong gender and rights-based perspective and the establishment of transparent and democratic process involving the participation of citizens, trade unions and all sectors of society.
32. We are deeply alarmed and concerned at the increasing proliferation of temporary/circular labor migration programmes as they have already proven and continue to prove to be detrimental to the rights of workers, their families and communities.
33. Temporary/circular migration programmes, as they exist today, are designed to exacerbate the brain drain in developing countries and strips workers of their human and trade union rights. Temporary migrant workers are often excluded from the full protection of labour laws, access to social security, support services for integration in host societies and the right to family reunification and citizenship.
34. If the international community is truly committed to the sustainable and equitable development of all countries in the world, particularly the developing and least developed countries, then temporary/circular migration is not the solution.

35. The challenge is clear: sustainable and equitable development can only be achieved, if all countries in the world could work towards correcting the existing imbalance in trade and economic relations, ensure sustainable financing of quality public services in eradicating poverty and promoting equality and support the self-determination and economic independence of developing countries.
36. Temporary/circular migration programmes in the public sector can only be sustainable and supported to the extent that they can genuinely promote the development of skills and human resources necessary to strengthen public service delivery in both origin and destination countries.
37. However, such programmes are prone to abuse by unscrupulous employers if they are undertaken in the absence of government regulation, application of human rights and labour standards, ethical recruitment guidelines, full transparency and involvement of trade unions in all stages of policy development, implementation and monitoring.
38. We caution against the danger of temporary circular migration becoming a permanent trend and an instrument to commodify workers.
39. PSI and its affiliates have a lot more work to do in strengthening our vigilance in protecting workers' human and trade union rights and defending quality public services. Trade unions must continue to engage at all levels, in cooperation with civil society organizations and various stakeholders, to ensure the gender and rights-based perspective in the development and implementation of migration, employment and development policies.

The Gender and Rights Based Perspective in Labour Migration

40. Recognising inequalities between women and men in the migration process provides the basis for establishing gender sensitive employment and migration policies. It is important to understand the vulnerabilities faced by women migrants. However, it is also equally important to recognise that women are powerful "economic and social change agents" if fully empowered and accorded space to genuinely participate in decision-making processes in society.
41. Promoting trade union rights for all migrant workers, particularly women, ensures protection of their rights as workers and allows them to pursue their aspirations and maximise their potential contribution to society.
42. A comprehensive gender and rights-based approach to international migration requires the full and effective implementation of a multilateral normative framework promoting the principles of human rights, non-discrimination and equal treatment as embodied in:
 - UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
 - UN Basic Human Rights Conventions: the International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Elimination of All Forms of Racial Discrimination, and Convention on the Rights of the Child;

- ILO Conventions on Migrant Workers, C97 and C143;
- ILO Declaration on Fundamental Principles and Rights At Work and its follow-up;
- ILO Multilateral Framework on the Rights-based Approach to Labour Migration;
- The Durban Declaration and Programme of Action of the 2001 UN World Conference Against Racism.

Migration, Development and Climate change

43. One serious and immediate impact of climate change is the displacement of human populations. Experts have predicted that in the coming years, as many as 200 million people could be displaced by harsh changes in climatic conditions such as monsoons, droughts, sea level rise and coastal flooding. These people could either be forced to move within country or could cross the border into another country, thereby effectively becoming migrants.
44. Observers have begun labelling these people as 'forced climate migrants' (IOM, 2008). Whatever they are called, these people are migrants and therefore need protection of their human rights.
45. The normative framework on migrants' human rights as elaborated in the UN and ILO Conventions provide full protection of the rights of migrants, including those displaced by climate change. In establishing measures to mitigate the impact of climate change, States must consider ensuring protection for these people. It is therefore urgent that they ratify the UN Migrant Workers Convention and ILO Migrant Workers Conventions C97 and C143.
46. Forced migration resulting from climate change can pose serious challenges to development brought about by increased pressure on urban infrastructure and services, undermining of economic growth, increased unemployment, intensification of conflict and creation of conditions leading to the deterioration of health, education and social well-being among the population (IOM, 2008). Often, it is women and children who are adversely affected.
47. The vulnerability of countries to climate change is also related to their capacity to adapt to its impact, or in other words, the capacity and readiness to 'weather the storm.' It will be the poorest countries that will have the greatest challenges in coping technologically with climate change and in accessing adequate resources to help reduce the need for people to move.
48. Adaptive capacity is highly dependent on available and quality public services, such as public education and disaster preparedness programmes, viable health emergency facilities and dependable public infrastructure like roads and bridges. Therefore, investing in quality public services and mobilizing support and assistance to developing countries are critical in mitigating the impact of climate change and promoting development.

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Endorsed by the PSI Executive Board, 2009.