



Global Compact for Safe, Orderly and Regular Migration
Fourth Informal Thematic Session: “Contributions of migrants and diaspora to all dimensions of sustainable development, including remittances and portability of earned benefits”

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On behalf of Solidarity Center and Women in Global Migration Network (WIMN)

This statement is on behalf of the Solidarity Center, an international labor rights NGO and part of the global labor movement that works directly with migrant workers in over 20 countries, as well as the Women in Global Migration Network (WIMN), a network which convenes organizations and activists to expand rights-centered policies that prioritize the interests of diverse women and families affected by migration around the world.

As we have heard over the course of the Fourth Informal Thematic Session, the contributions of migrants to sustainable development are tremendous. We must be careful however not to simply accept the popular paradigm that labor migration is a solution to development in and of itself. Indeed there are significant benefits to labor migration, but there are also significant costs to people who migrate to work.

In order to maximize the benefits of labor migration for development and fully support the contributions of migrants to both origin and destination countries, migrant workers – regardless of status, type of visa, sector or gender - must be treated equal to all other workers. In other words, all workers should have the benefit of decent work and full protection of core international labor standards, as codified by International Labor Organization Conventions; and human rights as workers, as recognized in all other UN human rights instruments including the ICCPR where freedom of association for workers is also enshrined. Workers rights are human rights and these rights are universal. You don't leave them at the border.

Imagine if migrant workers could fully participate in the right to organize and collectively bargain. We have seen time and time again how collective bargaining agreements provide migrant workers with the ability to earn a decent wage, and they may even be used to lower the costs of recruitment and provide migrant workers with more safe and secure ways to remit their earnings back home. Collective bargaining agreements also help to protect women migrant workers from gender-based violence and other forms of discrimination in the workplace.

Around the world, labor movements represent migrant workers and are often led by immigrant workers themselves. The labor movement also has an important role to play in social dialogue and in the negotiation of bilateral and multilateral agreements that respect worker rights, which may assist in the portability of benefits.

In addition, we cannot promote the contributions of migrant workers as stakeholders in sustainable development without providing them with options for fair migration. This means zero recruitment costs; regular forms of migration that are less exploitative than temporary or circular migration programs – regular migration programs that include visa portability, the ability of migrant workers to easily change employers, family unification and pathways to long-term residency and citizenship. The Global Compact should not be used to strengthen migration management approaches that advance profits over rights, including the expansion of temporary work programs, which very often deny migrant workers their fundamental labor rights while also undermining workers’ rights in destination countries by creating a separate class of workers (migrants) with unequal rights. This may undermine the decent work agenda committed to in Agenda 2030. Governments should not be using state policy to enable employers to secure a temporary, low-wage workforce in place of permanent workers.

Finally, we must fully recognize the role and contributions of migrant women in sustainable development. As Special Representative Louise Arbour has noted “We need a new narrative that looks at women in migration as rights-holders, agents of development, and most importantly, leaders, that bring dynamism, motivation and cultural richness to societies...It’s now time to integrate a strong gender-equality perspective into migration governance.” This is laid out in the *Recommendations* that emerged from a UN Women expert group, including our network, with very specific proposals for the GC and we urge you to use that document in elaborating the Compact.

We must recognize women in migration are not “vulnerable”, in need of “rescue”, they are advocates for their rights and agents of change. Current migration policies *create* the contexts of exclusion, inequality and rights violations that put women at risk and in a situation of vulnerability. The migration discourse should not be about “protecting women” but about protecting *women’s rights*. Migration policy must recognize the rights and agency of women rather than reinforcing gendered power relations. Some countries ban women’s migration with the intention of protecting women from abuses in the destination country, even though these bans have proven to be counterproductive. Limits linked to age, parenthood, etc., drive women to migrate in irregular status, seeking more precarious transit and jobs in destination countries.

We question the framing of “*migrant women’s contribution to development*” which *instrumentalizes* women’s labor rather than affirming women’s rights and agency. This framing blatantly ignores the lack of worker rights and protections for migrant workers,

and the other economic, social and political costs for workers and their families. While labour migration *may* provide women workers with positive outcomes, discrimination, unequal working conditions, and abuse are rampant. Women migrants tend to be relegated to certain types of work and sectors that are under-regulated or informal, putting women outside the protection of labor law, with low wages, lack of opportunities for skills development, risk of exploitation, limited access to justice or the right to free association.

Therefore, the global compact on safe, orderly and regular migration must:

- Embed core labor and human rights standards with no roll back of existing norms and commitments.
- Guarantee autonomous and independent status for migrant women that promotes their integration.
- Prioritize ending all forms of discrimination against women in their multiple and intersecting identities.
- Guarantee women the right to autonomous movement and life choices independent of men. Guarantee women access to individual documentation, issued in their own names and the right to pass on their nationality to their children.
- Remove any gender-based barriers to the issuing of visitors' visas.
- Provide opportunities for undocumented migrant workers, including migrant women, to regularize their immigration status.
- Ensure that immigrant survivors of gender-based violence can claim autonomous legal status, for example, from an abusive spouse, and adequate safeguards.
- Allow for visa and documentation portability; and portability of skills and qualification for all migrant workers.
- De-link migrant workers' visas or employment from a particular employer;
- Allow workers full freedom of association rights and full coverage of labor law equal to nationals;
- Specifically address gender discrimination and job segregation.
- Assure that labor migration programs guarantee full labor rights and protections for migrants – if not, they are NOT a contribution to development.
- Where work is long-term, establish the right to permanent work and residence status.
- Make family [re]unification and access to citizenship must be central in global migration governance, including through regularization programs.
- Address disastrous trade and economic policies, a lack of decent work, climate change, and conflict that drive people from their homes as part of migration and development in Agenda 2030.

Thank you!