



Trade Union
Advisory Committee
to the OECD
*Commission
syndicale consultative
auprès de l'OCDE*

OECD Ministerial Meeting on Migration and Integration

Trade Union Statement

Paris, 14 January 2020

The TUAC welcomes the opportunity to participate in the OECD Ministerial Meeting on Migration and Integration in Paris on 17 January 2020.

The history of the labour movement is closely intertwined with that of migration and of migrant workers' rights. As the International Trade Union Confederation states "Worldwide, over 200 million people are working outside their country of birth or citizenship. Together with their families, migrant workers make up the large majority of all international migrants. Therefore, migration is first and foremost a labour issue".ⁱ Many trade unions within the OECD are actively working to provide direct assistance to migrants and hence support better integration policies.ⁱⁱ

At the OECD Ministerial Meeting, member countries will discuss how migration and integration policies are made future ready. The integration of migrants is paramount. The OECD policy response should address the protection and respect of human rights of migrants. They should address the social and labour market needs of migrants. They should also address structural changes and megatrends such as demographic changes, climate change, technological developments, geopolitical instabilities and uncertainties.

And yet, within the OECD arena, migration policy and the integration of migrants have become a major policy challenge. Recurring economic and geopolitical shocks, as well as megatrends like climate change, continued geopolitical instability in the countries of origin, rising inequalities, social deprivation and ageing societies in the countries of destination have in recent years have combined to generate increased social and political tensions in many OECD countries. A situation that is exacerbated by disinformation, xenophobic and hateful rhetoric.

Urgent need for comprehensive and balanced policies

In 2018, OECD countries received about 5.3 million new permanent migrants and 1.09 million asylum applications. Combined with the 4.9 million temporary workers that entered OECD countries in 2017, fears of the possible impact of immigration on national workers in terms of employment, wages and working conditions can partially explain the increasing concerns regarding unmanaged migration and integration.

As highlighted in the recent OECD International Migration Outlook 2019 migrants' unemployment rate average across OECD countries, decreased from 2017 to 2018 with

two thirds of immigrants employed. However, the report also stresses that access to employment remained difficult for specific immigrant groups, especially the youth and the low-educated. Higher employment rates are, however, as mentioned in the report, often associated with higher in-work poverty and the proportion of immigrant workers living below the poverty threshold has increased in many EU countries.ⁱⁱⁱ Furthermore, the report notes that immigrant women remain systematically disadvantaged in the labour market compared to their native peers and migrant men.

Geopolitical instability, divisions and lack of economic development are rightly considered amongst the root causes of migration. Furthermore, the current level of instability and international divisions are also affecting the very ability of governments to respond to the challenges related to migration. OECD countries should cooperate to more effectively deal with causes of forced migration. Under circumstances where the alternative to migration is death, violence, suppression, or extreme poverty, those problems should also be addressed. One fundamental right should be the right to stay at home. However, conflicts, climate change and other causes will not be resolved at national level alone.

New technologies and the digital transformation create new opportunities for migrants and countries of destination alike. However, these opportunities are also associated with significant risks amongst others, severe outflow of highly skilled workers from countries of origin and further advancement of precarious or non-standard forms of work in countries of destination.

The lack of effective international co-operation manifests itself in various ways, inter alia: low-ambition development cooperation programmes, not successfully addressing climate change and the lack of a basic universal floor of labour rights in trade and investment protecting workers – including migrant workers. As such, the lack of co-operation does not only drive migration it is also hindering the successful implementation of migration and integration policies.

The lack of international cooperation and protection of migrants' rights based on international standards also has bearing on workers and social cohesion in countries of destination. The consequences of failed migration and integration policies may be shifted onto workers and working families in countries of destination, particularly if they lead to lowering of standards. ILO Conventions have long existed on migrant workers as well as UN Conventions. However, the rate of ratification in countries of destination is shockingly poor.

The agreement of UN Global Compacts, one on migration^{iv} and the other on refugees^v, was a significant step forward. The Global Compacts provide a framework for policy, governance and cooperation and should be brought to life by governments at all levels.

Recommendations on future policies

The TUAC calls on the OECD and member countries to seize the opportunity of the Ministerial to move forward with the urgent task of ensuring comprehensive and balanced policies towards migration and integration with a strong focus on labour market policies.

International cooperation

All OECD governments should ratify and implement international standards that protect migrant workers including ILO Conventions 97^{vi}, 143, 189 and 190. Furthermore, the TUAC calls on governments to effectively address climate change and implement the Paris Agreement and the Sustainable Development Goals of the UN 2030 Agenda as well as ensuring better protections through Just Transition frameworks towards environmentally sustainable economies and societies for all.^{vii} In this regard, the TUAC notes that there is an urgent need to strengthen development co-operation and to step up official development assistance. OECD member countries must work towards fulfilling the 0.7% global commitment for development assistance.

Human rights

All migrant workers have the right to be protected against any kind of discrimination, exploitation, or abuse. All human rights apply to migrants. Those rights should never vanish because of one's status including access to health, education and other social benefits. They should have the same rights of all other workers to form and join trade unions and bargain collectively. Human rights also include what has long been part of the law of the sea: the duty to rescue.

Fair labour market outcomes

Successful integration into labour markets is a condition for fostering positive impacts of migration and its public acceptance. There can be no two-tier labour market, whereby migrants are granted sub-par labour standards. Fair labour market outcomes, and equal pay for equal work principle must apply and benefit migrants.

Labour market opportunities and risks need to be managed and hence negotiated collectively between employers and trade unions, so as to ensure fair labour market outcomes *before* safety nets and redistributions kick in. That was also one of the objectives of the OECD Employment Ministerial of 2016^{viii} and should remain a guiding principle for the OECD in the future, including for the purpose of migrants' integration.

Coordinated collective bargaining systems and minimum wage floor

Co-ordinated collective bargaining systems work better for the integration of migrants than fully decentralised systems. Several OECD reports acknowledge that co-ordinated collective bargaining systems are "associated with higher employment, lower unemployment, a better integration of vulnerable groups [incl. migrants] and less wage inequality than fully decentralised systems".^{ix}

Minimum wages is another powerful tool for the integration of migrants not least because they provide gateways to protect workers from regulatory arbitrage resulting in non-standard forms of work. Floors should be fixed at high enough levels to provide decent living standards.

Particular attention should be paid to at-risk sectors and businesses for migrants, including recruitment and employment agencies where discriminatory treatment can effectively replace labour law protections or can leave migrant workers at the mercy of unscrupulous employers.

Social dialogue & awareness

Ensuring meaningful government consultations with representatives of civil-society institutions in addition to negotiations and social dialogue between employers and trade unions are crucial for successful economic and social integration of migrants.

More broadly all forms of exploitation should be eliminated as part of integration programmes and adequate budgets must be made available to make them work. This is not just a matter of spending, but also maintaining adequate and fair systems of taxation.

ⁱ <https://www.ituc-csi.org/migration>

ⁱⁱ Example in Europe: ETUC supported network www.unionmigrantnet.eu In Belgium the CSC https://www.lacsc.be/csc-namur-dinant/mouvement_actions-syndicales/les-migrants-csc In Italy the CGIL's www.flai.it/camapgne/sindacato-di-strade/ in the UK, the TUC

<https://www.tuc.org.uk/resource/migration-fight-against-exploitation-enote> see also

<https://www.etui.org/Topics/Health-Safety-working-conditions/HesaMag>

ⁱⁱⁱ OECD, 2019, International Migration Outlook: <https://www.oecd.org/migration/international-migration-outlook-1999124x.htm>.

^{iv} https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195

^v https://www.unhcr.org/gcr/GCR_English.pdf

^{vi} https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312242

^{vii} See the International Labour Organization's (ILO) Guidelines for a just transition towards environmentally sustainable economies and societies for all (ILO 2015)

^{viii} "Building More Resilient and Inclusive Labour Markets" OECD Labour and Employment Ministerial Meeting, Paris, 15 January 2016

<http://www.oecd.org/employment/ministerial/labour-ministerial-statement-2016.pdf>

^{ix} 2018 Employment Outlook https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2018_empl_outlook-2018-en, OECD (2019), Negotiating Our Way Up: Collective Bargaining in a Changing World of Work, OECD Publishing, Paris, <https://doi.org/10.1787/1fd2da34-en>. & Collective bargaining put under the OECD's magnifying glass – Release of the OECD report "Negotiating our way up", 18 November 2019 <https://tuac.org/news/collective-bargaining-put-under-the-oecds-magnifying-glass-release-of-the-oecd-report-negotiating-our-way-up/>