

Progressive Alliance

Decent Work Worldwide Seminar

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Good morning and *Magandang Umaga!*

It is an honour for the Building and Woodworkers' International or BWI, to address this very important gathering of political parties, trade unions, progressive institutions, and other social movements to discuss decent work and migration.

BWI is a global union federation covering building-construction, building materials, and wood and forestry sectors.

We represent 12-million members in almost 130 countries and they are organised under 326 national trade unions – and some of them are members of your political parties.

Construction workers are the poster people of what is wrong with labour migration. Therefore BWI operates in 3 tracks to achieve our strategic objectives: ORGANISING, to build our constituency and organisational power; NEGOTIATING, to make binding agreements to enhance the terms and conditions of workers and their families; and INFLUENCING, to make changes in policies and legislations at the global, regional and national levels.

Global trade union concern on migrant labour is a fairly new development. For many years, unions do not consider them as part of “labour market” and thus, of the trade union movement, and that they actually steal jobs from their members. Migrant issues were framed as a concern of NGOs, Churches and other social-charity associations.

But in 2004, the International Labour Organisation took migration as the topic of its annual conference. Unionists started to see the importance of integrating guest workers into the protective structure of the trade union in the context that labour mobility is reconfiguring of the labour market.

Now BWI is ready to create a strategic, structured and robust cooperation with you as the challenges of decent work worldwide requires the marshalling of many forces based on values of progressive politics, on universality of human rights, and the need for consistent actions.

A World of Decent Work Deficits

Lampedusa. Placement Fees. Debt Trap. Mafia. Trafficking. Sochi 2014 Winter Olympics. Modern Slavery. Qatar World Cup 2022. Forced Labour. Social Dumping. Freedom to Conduct Business. Labour Camps.

These are the words that conjure a phenomenon of exploitation - a world of decent work deficits that confronts us globally.

We have seen the statistics in your input paper. I am not going to throw more statistics to visualise the problems of labour migration but would rather approach it in two ways:

1) Through a short video clip to capsulize the plight of construction workers in many countries; and

2) Through 2 cases in point that shows the scandalous nature of workers exploitation.

Video Clip: <http://www.youtube.com/watch?v=sOHq0MIN3PY>

That video is coming from ILO - a multilateral organisation composed of government, employers and workers that operate on consensus. We admire this unblinking look on how decent work is an elusive dream for millions of workers.

Cases in Point

Case in Point 1: Almost 50 workers came this rich country as they were lured by an attractive job offer only to be forced to sign a new contract for much lower wages that was insufficient to repay the debt they had taken to come to land of promise. When they protested to the employer they and their families back home were threatened.

Which receiving country is this?

Case in Point 2: Workers from this country use 7-Ds to describe the problems of labour migration:

- > Dirty
- > Difficult
- > Dangerous
- > Detention
- > Deportation
- > Depression
- > Death

Who are these workers and what are they building?

There are thousands of other horror stories and the imperative for international and national actions cannot be overemphasized.

I would like to proceed by combining possible targets and agendas for us.

Targets and Agendas for Partnership

1. Global Migration Governance – Actually a Market Place?

We have to look closely at the global migration governance with critical lens. It should bring us to the issues and interventions at the global, transnational and national levels.

The Global Forum on Migration and Development or GFMD was held in Stockholm this year. This platform convenes governments and on a few hours let the civil society engage them. But this has generally evolved into a marketplace of commercial transactions about a commodity called labour. Bilateral agreements are negotiated in side meetings and at the same time lip service on stronger actions on exploitation remain.

The competition for labour markets has unfortunately created a “race to the bottom” at the expense the workers. Bilateral Labour Agreements (BLAs) should be our target of scrutiny. Nepali and Indian construction workers in Qatar have complained to us that Filipinos get better deal due to the our BLA but the consequence can go another way – that is to cheapen the price of labour to gain market access.

A few days ago, we noted a mind shift in the South Asia Association Regional Cooperation (SAARC). As they prepare to meet in Kathmandu, they have hinted that the might as well negotiate with Gulf countries as a regional bloc rather than out bid each other.

On the other hand, trade agreements and regional economic integration continue create legitimacy for abuse. This is the reason why we have joined a common platform of trade unions called ASETUC in the ASEAN Region to pressure governments in creating a Common Market cognizant of labour rights.

We have to take governments – both transnational like EU and associations like ASEAN and SAARC - into account for letting exploitation occur in their territory, as the inter-regional and intra-regional movement of workers should be governed by non-discrimination, fairness, and decent work.

Globally, we should make stronger lobby for migration to be a crucial item in the post-2015 Development Agenda.

We should also call for the leadership of ILO on migration issues because it operates with international instruments like conventions and possess the technical expertise that assist governments, employers and workers in creating a governance system based on Rights rather than economic advantages.

Regulation and protection has also to face the “nexus of labour mobility and criminality”. UN reported last year that trafficking and forced labour affects 2.4 million people at any given time and has become a \$32-billion business annually.

Organized crime has entered the fabric of industrial relations. This should be an important element of our national advocacies and policy prescriptions.

2. Targeting Economic Actors and Profiteers

Migrant workers are exploited even before they leave their countries. Private recruitment agencies have been charging them with astronomical placement fees and exorbitant plane fares that some workers have to work for years just to repay their loans.

Strict regulation, criminal persecution, encouragements of codes of conduct and promotion of ethical recruitment are some agendas we have to push forward.

Multinational Companies have global supply chains and economic presence that many of them have used migrant labour. BWI has International Framework Agreements with 18 of them from our sectors. Recently I visited the Dutch Royal Bam project in Dubai, UAE to audit their commitment to our agreement and it has been generally satisfactory in terms of basic labour standards. Unfortunately our IFA is being implemented in a context where trade unions allowed in the country.

Your vigilance and even engagement with these companies from your countries can be a key element in preventing abuses.

Our biggest campaign now is also targeting a “non-profit organization” called FIFA (but expected to earn \$4-billion in the recent Brazil World Cup). Their last 3 football championships were showcases of decent work disasters and have actually resulted in the deaths of 31 workers. Now we are engaging them in Qatar where hundreds of South Asian workers have died due to bad working conditions – and they have not even finished 1 stadium.

Eight days ago, our United Kingdom affiliate UCATT campaigned during the Labour Party Conference that resulted in the passing of the motion on global human rights to put pressure on FIFA and Qatar.

We hope you can partner with us in our campaign for decent work in sporting events. Our *Red Card for FIFA* means that we should pressure our respective national football associations and the host countries to recognize and practice that “labour – those that build the stadiums of euphoria on the beautiful game - is part of the team”.

Raise the Red Card

3. Organizing and Integrating the Migrants

Many trade unions around the world have deep relations with progressive parties and have shared traditions and struggles. We all know the value of creating solidarity and structuring social protection. We also operate on building representativity as basis for social power.

Therefore, we have to ensure that the migrants themselves become members of our trade unions and in some cases even of our political parties. Labour laws have to facilitate integration and non-discrimination.

One particular example is our campaign for the Malaysian minimum wage law to be applicable to migrant workers as well.

Our German affiliate IGBAU has for many years made media campaigns against abusive sub-contractors and conduct workplace recruitment of Polish workers.

Our benchmark of equal pay for equal work does not differentiate by nationality. *It is decent work for everyone, everywhere.*

4. Towards a Society of Tolerance and Respect

Many migrant workers encounter marginalization, racism, and sustained exploitation while locals on the other succumbed to xenophobia and right-wing politics of fear. This is a dangerous combination that we have to confront as social and political actors.

The rise of anti-immigration parties in Europe has of course consequences on the rest of the world.

It is our common task to create societies of tolerance and respect. Education and massive awareness building is an imperative to reach this objective.

5. Beyond Developmental, the Rights Based Approach

Governments have been trumpeting labour migration as “enabler of development”. Some figures are indeed staggering - \$70-billion dollars for India last year and \$ 404-billion globally. Remittances have been central to this bravado that is actually window dressing the “race to the bottom” and “social dumping”.

For us in BWI and the rest of the global trade union movement, we have to reframe the discussions and push for “rights-based approach”. The traditional indicators of economic growth have hidden the social costs, the criminality, the widespread exploitation, and the governmental collusion in making business operate freely in utter disregard of human dignity.

“Social Europe” is becoming more a myth as policies, guidelines, directives, and even the European Court of Justice decisions (*like in Sweden’s Laval case which the ILO labeled as restrictive*) pushes back some rights that your parties have fought for. The Human Rights Watch reported that the EU delegation in 2011 ILO Conference tried to water down some

provisions of the Domestic Workers Convention and eventually UK abstained from voting on an international instrument that was even accepted by the Gulf countries.

Global South on the other is on the stampede for markets at the expense of its citizens. Migration due to compelling economic reasons has to be seen as a failure of economic system and state policies. This is a debate that has to be raised in our home countries as well as in relations to the institutions of neo-liberal globalization.

I made a little exercise to visualize the challenge of the rights-based approach. We might have different valuation of UN and ILO Conventions but for us in the trade unions, these texts and documents reflect the values of the family of nations and mirror the consensus and acceptance of States to enshrine freedom, equality, accountability, and the universality and indivisibility of human rights.

Of course the national application and enforcement of such principles are as important in the ratification of these conventions. I hope this table will not be seen as a critique but a inspiration of what else is to be done.

Countries	UN Migration Convention 1990	ILO Migration C97	ILO Migration C143	ILO Domestic Workers C189	BWI Affiliates
Total Ratification	47	49	23	14	
Denmark					6
France					4
Germany		X		X	2
Hungary					1
Netherlands		X			2
Norway		X	X		3
Sweden			X		6
United Kingdom		X			3
Israel		X			1
Iraq					0
Morocco	X				1
Swaziland					1
India					39
Indonesia	X				4
Malaysia					7
Myanmar					0
Mongolia					2
Nepal					2
Pakistan					3
Philippines	X	X	X	X	5
South Korea					1
Timor Leste	X				1
					0
Total in this Meeting	4	6	3	2	94
					29%
	No migrant-receiving state in Western Europe or North America has ratified the Convention. Other important countries, such as Australia, Arab states of the Persian Gulf, India and South Africa have not ratified the Convention.	11 from EU have ratified.	5 from EU have ratified.	All Persian Gulf states voted in support, while abstentions were cast by (amongst others) the United Kingdom. Only Germany and Italy ratified from EU.	

I would like to end by emphasizing that the solidarity of progressive politics and trade unionism could make “*Decent Work for Everyone, Everywhere*” a reality, as I believe that the essence of solidarity is “*An Injury to One is an Injury to All*”

Thank you, Maraming Salamat!

A Luta Continua!!