

## A Thematic Meeting on Migration in the Post-2015 UN Development Agenda

Thursday, 5 February 2015  
La Salle V, R3 Level, ILO Building, Geneva

### Summary Report<sup>1</sup>

1. Co-convened by the governments of Bangladesh and Germany, the first GFMD 2014-2015 Thematic Meeting on “Migration in the Post-2015 UN Development Agenda” was held on 5 February in Geneva, attended by 154 participants representing 85 UN Member States<sup>2</sup> and 23 GFMD Observers. The meeting started with a scene-setting session, followed by two focused sessions on “Promoting Decent Work” and “Facilitating Well-Managed Migration” and a special session on “GMG Perspective and Future work on Migration in Post-2015 Development Agenda”

#### Scene-Setting Session:

2. The scene-setting session was led by Ambassador Mehmet Samsar, Director General for Consular Affairs, Turkish MFA, who represented the Turkish GFMD Chair, together with representatives of co-convening governments, Germany (Dr. Goetz Schmidt-Breme, Director for Legal and Consular Issues of the German Federal Foreign Office) and Bangladesh (Mr. Riaz Hamidullah, MFA Director General). Mr. Gregory Maniatis, Senior Adviser of the UNSG Special Representative for International Migration and Mr. John Bingham, Policy Director of the International Catholic Migration Commission (ICMC) shared their perspectives on the issue.
3. In his welcome remarks, Ambassador Samsar stressed that the GFMD has fostered a consensus<sup>3</sup> among states that migrants and migration deserves a place in the Post-2015 development agenda that reflects its vital importance in realizing human rights and enabling progress toward greater equality and prosperity for all. He explained the objectives of the first thematic meeting, which were to take the discussion beyond the abstract and consider what including migration in the post-2015 development agenda would mean in practice, to review the progress that has been made on including migration-related goals, targets and indicators in the agenda, to showcase some national policies and programs<sup>4</sup> that are already in place, and to explore a possible role for the GFMD in the thematic review and follow up of the post-2015 development agenda. He underlined the fact that the governments that participate in the GFMD are the same governments that are the primary negotiators of the final expression of the post-2015 development agenda. In this context, he enjoined all participants to coordinate closely with their colleagues in New York who are negotiating on the Sustainable Development Goals (SDGs), in order to ensure that the GFMD recommendations are duly considered.

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<sup>1</sup> See <http://www.gfmd.org/docs/turkey-2014-2015> for the agenda, background paper, discussion notes, PowerPoint presentations and other contributions to this first GFMD thematic meeting.

<sup>2</sup> 23 capital-based experts from developing countries received financial assistance from the GFMD Chair. They attended also the 3<sup>rd</sup> Friends of the Forum meeting, as well as the first Government RT Preparatory meetings held on February 4 and 6, respectively.

<sup>3</sup> Two fundamental strands of the consensus were emphasized at the 7<sup>th</sup> GFMD Summit meeting in Stockholm: a) the protection of the fundamental human rights of migrants regardless of their migration status, and b) migration as an enabler of equitable and sustainable development.

<sup>4</sup> See Annex I for the list of national policies, programs and other initiatives on promoting decent work and facilitating well-managed migration, which were compiled during this first GFMD thematic meeting.

4. **Mr. Hamidullah** highlighted the challenging work that has been done to date by the international community to get migration interwoven into the proposed targets of the SDGs. He urged participants to follow the discussions in New York and defend the migration targets that currently appear in the Open Working Group (OWG)'s report, and to hammer out indicators that are relevant to migration targets and that bring out the migration-relevant aspects of other goals and targets, especially those on health, education, poverty reduction, gender equality, economic growth and equality. He emphasized the importance of coming out with a strong political declaration on migration in the post-2015 development agenda.
5. For Germany, **Dr. Schmidt-Bremme** explained that the post-2015 development agenda for sustainable development is a very high priority because the German government considers migrants as important agents of development and partners in development cooperation, as seen in the Germany's case, referring to the contributions of the Turkish community. He articulated that development-sensitive and migrant-centered policies should be in place to reduce the risks and costs associated with migration and to ensure that migration can benefit the migrants themselves and their countries of origin and destination. He encouraged participants to maintain the transformative character and vision of the goals proposed by the OWG and to work together towards an ambitious post-2015 agenda that will help the world to develop sustainably and foster a life without poverty and with human dignity.
6. **Mr. Gregory Maniatis**, Special Advisor of the UN Secretary General's Special Representative for International Migration, saw the potential role of the GFMD in showcasing government practices in the areas covered by migration targets, including monitoring efforts of the Global Migration Group (GMG). He further believed that the GFMD could respond to the Secretary General's suggestion for state-led, evidence-based processes, including thematic reviews, and to monitor the progress of the Post-2015 agenda. He echoed earlier call of Amb. Samsar to actively reach out to the negotiating colleagues in New York and share with them the knowledge about migration and development, to help solidify their support for migration's robust inclusion in the Post-2015 agenda.
7. Speaking on behalf of the civil society, **Mr. John Bingham**, Policy Director of the International Catholic Migration (ICMC), drew attention to the Stockholm Agenda<sup>5</sup> which indicates a unified, logical and achievable "people-centered, rights-based" set of targets and goals elaborated by the civil society. He expressed civil society's objective to be involved in establishing the indicators and in measuring target implementation given their work on the ground.
8. Nine governments offered their comments during the ensuing open discussion. There was general appreciation for the Open Working Group's report and the inclusion of migration-related targets therein. Delegates acknowledged that this has been an important achievement for the GFMD and other related initiatives, but that the GFMD participating states must do more to ensure that the migration-related references, direct or indirect, remain in the final SDGs. In this regard, delegates underlined the importance of being strategic and urged the GFMD to take advantage of all possible platforms, including the Post-2015 Framework for Disaster Risk Reduction (Sendai, March 2015), the third International Conference on Financing for Development (Addis Ababa, 13-16 July 2015) for Financing for Development, but most importantly, during the upcoming inter-governmental negotiations on the SDG targets in New York.
9. Some specific suggestions were made as possible elements to be pursued during the inter-governmental negotiations. One was to get a strong political declaration for the inclusion of migration in the post-2015 UN development agenda. Another was to highlight the consensus around migration as an enabler for development. A third suggestion was to keep a balanced approach that would justly take into account the interests of countries of origin, transit, and destination and of migrants themselves.

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<sup>5</sup> See <http://gfmddcivilsociety.org/stockholm-agenda-and-post-2015-sustainable-development-goals/> for the Stockholm Agenda.

## **SESSION 1: Promoting Decent Work – sharing government initiatives and exploring possible GFMD role in the thematic follow up and review of the Post-2015 agenda**

10. **Mr. Hamidullah**, representing co-convenor Bangladesh, moderated the first session which featured successive presentations from the **ILO (Ms. Michelle Leighton**, Chief of Labour Migration Branch), **Thailand (Mr. Natapanu Nopakun**, Minister Counsellor, Permanent Mission of Thailand to the United Nations and Other Organizations in Geneva) and Italy (**Ms. Rosanna Margiotta**, Chief of Unit, Ministry of Labour and Social Policy).
11. In opening the session, Mr. Hamidullah stated that it would be important to take into account the nature of indicators and the need for a political declaration. Indicators should be broken down from the targets, and it should be measurable and evidence-based. Some of the indicators will be global while the rest are expected to be national or regional. He further explained that under goal 8.8, two elements must be considered – i.e., the protection of labour rights and the promotion of safe and secure working environment for migrant workers. The challenge is how to we break these targets down while taking into account national and regional specificities. It is also crucial to look at the inclusion of migrant workers’ families, vulnerable labour sectors such as women migrants and low-skilled migrants, disaggregation between financial and non-financial costs, and collaboration or partnerships in these respects.
12. In her presentation, **Ms. Leighton** articulated that the search for decent work is a core driver of international migration and that jobs provide a positive and direct link to development. However, high economic and social costs of labour migration are impediments to sustainable development. To reduce labour migration costs, she highlighted three areas that need to be addressed, namely, the exploitation of migrants, the lack of linking employment and labour migration policies, and restrictions on mobility. Addressing these challenges will protect migrants’ human rights and enhance their development impact, which could result in improved economic activity also for host and home countries. She also emphasized that reducing recruitment costs has much bigger impact in term of earnings and savings for the migrants and their families, compared to reducing remittance transaction costs.
13. In light of the OWG document’s inclusion of target 8.8 on “*protecting labour rights and promoting safe and secure working environments of all workers, including migrant workers, particularly women migrants, and those in precarious employment,*” the ILO has proposed a set of tentative indicators on a) international labour standards; b) employment, wages and working conditions; c) social security coverage; d) skills and qualifications recognition; e) recruitment costs; and f) social dialogue, coupled with concrete suggestions on how to measure them and which data sources to use.
14. **Mr. Nopakun** shared some of Thailand’s national initiatives in promoting “decent work” of low-skilled, irregular migrant workers coming from neighboring countries, particularly those working in the fishing industry and agricultural sector. Ministerial regulations and Codes of conduct are in place to promote the protection of migrant workers. He stressed that protection begins at the recruitment stage; thus, the Thai law requires all domestic agencies wanting to recruit migrant workers to be registered and duly-authorized, to provide securities for aggrieved migrant workers and to submit to routine inspections by competent authorities. This regulated recruitment system results in lower recruitment costs for migrant workers and minimizes labour rights violations. He enunciated the importance of working closely with the private sector, international organizations and non-government organizations to ensure the implementation of government policies on promoting decent working conditions for migrant workers in various industries. In his view, indicators on promoting decent work should be migrant-smart, based as much as possible on disaggregated data. Aside from safety, higher savings, upward mobility, education level, social security, and inclusiveness of labour policies to cover migrants as well, he suggested social dialogue as another important indicator.

15. **Ms. Margiotta's** presentation focused on migrant domestic workers. Italy was the first destination country to ratify the ILO Convention 189. The Italian Civil Code of 1942 covers the domestic work, but other instruments followed to improve government regulation which provides for the same rights as a normal work contract, including social protection and social dialogue. 4.92 Million people or 8.1% of the total population of Italy are foreigners coming from 196 countries. 49.3% of these were female migrants. In 2013 alone, almost 1 Million were domestic migrant workers, more than half coming from non-EU countries. Collective contracts are common, whereby there are different levels of skills associated with domestic work. Italy passed a law legalizing migrant workers in 2012, which led to the regularization of 82% migrant workers. This meant that migrant workers now enjoy equal benefits and protection as national workers do. This regularization helped contribute to the stability of the domestic workers, many of whom managed to stay in Italy despite the economic crisis. Through family reunification, the relatives of domestic workers are able to access the labour market. To protect further the rights of domestic workers, Ms. Margiotta suggested to strengthen labour inspection mechanisms of domestic work.
16. During the open discussion, the moderator invited participants to address the guiding questions in the Agenda and share their national experiences. Many delegates took the floor and suggested several possible indicators for decent work, which included human-centered approach, sustainable return, decent jobs for all segments of society, recognition of qualifications, portability of earned benefits, family reunification, and consideration of children and other relatives left behind. Some asked specific questions such as the policy for naturalization and how to shift administrative costs associated with recruitment from the migrants to the employers. In summing up the session, Mr. Hamidullah took note that speakers and interveners shared both quantitative and qualitative elements for possible indicators on promoting decent work for migrants.

## **SESSION 2: Facilitating Well-Managed Migration - sharing government initiatives and exploring possible GFMD role in the thematic follow up and review of the Post-2015 agenda**

17. The second session was moderated by **Dr. Schmidt-Bremme**. Joining him at the panel were **Ms. Jill Helke**, Director of the International Cooperation and Partnership Division at **IOM**, **Mr. Ahmed Skim**, Director for Migration Affairs, Ministry in charge with Moroccans Residing Abroad and Migration Affairs and **Ms. Kate O'Malley**, Minister Counsellor for Immigration Affairs at the Permanent Mission of Australia to the UN.
18. **Dr. Schmidt-Bremme** began by giving an account of Germany's recent efforts towards promoting a coherent German policy and messaging in migration and refugee policy. An inter-ministerial working group was set up, comprised of the Ministries of Interior, Foreign Affairs, and Economic Development and Cooperation, with a two-pronged task: a) internally, to ensure a more coherent, unified migration policy and close cooperation and collaboration of the different ministers involved, and b) to serve as an example for European partners and other EU countries. The working group focuses its work on five themes, namely, dialogue with partner countries, protection of refugees and migrants, fight against irregular migration, promotion of legal migration including new avenues, and migration and development. This new initiative has already enhanced inter-ministerial dialogue and cooperation. At the international level, Germany's migration policies are embedded in the framework of the European Union, particularly the Global Approach to Migration and Mobility (GAMM). Germany has signed mobility partnership agreements with a number of countries, including Moldova, Georgia, Armenia and Morocco. Tunisia and Jordan, with the aim to strengthen legal migration, reduce irregular migration, protect refugees and promote development through migration.

19. According to **Ms. Helke**, human mobility is an essential driver of, and factor in sustainable development. Realizing this potential will require tools and indicators to measure progress in achieving the SDG goals they set out for programming and resource allocation. One particular challenge is how to measure targets that do not have any obvious, clear, quantifiable, and smart indicators, such as Goal 10.7 which covers both migration and mobility –i.e., all types of movements, in, out, through countries, and whether permanent, temporary or circular.
20. The IOM has prepared a discussion paper with a proposed set of indicators for facilitating well-managed migration. There is no single document that defines migration governance in a concise and comprehensive way; thus, indicators should be used for countries with diverse circumstances, interests and perspectives. In this context, IOM has been working on a migration governance framework which presents a coherent, comprehensive and balanced set of principles or objectives upon which a well-run migration system should be built. IOM sees this governance framework to include the elements of human rights, human mobility, socio-economic outcomes, mitigating risks and partnerships. As an indicator for well-managed migration, IOM proposes a composite index on human mobility governance, similar to several other cases of monitoring complex issues such as disaster risk reduction, multi-dimensional poverty, early child development and ocean health.
21. Morocco recently adopted a new policy and national strategy for migration and asylum, the key elements of which were presented by **Mr. Skim**. This new policy considers migration as an opportunity rather than a social, economic or political threat. With regional and international dimensions, this migration policy focuses on burden-sharing between countries of origin, destination and transit, promotes partnership with countries in the south, and highlights the responsibilities and duties that migrants have themselves. It also puts a strong emphasis on human rights, migrants' integration and access to healthcare, education, housing, employment, and basic social services. The implementation of this new policy has resulted in the regularization of migrants and strengthening of the government's regulatory framework. Bills have been passed on the protection of people who fear persecution because of their race and ethnicity, anti-human trafficking, regulating the entry and residence of people in Morocco, and integration of migrants to enable them to have the same economic, social, cultural and legal rights as Moroccan nationals.
22. **Ms. O'Malley** made a presentation on how Australia optimizes migration outcomes for the benefit of both countries of origin and destination, as well as the migrants. Australia's immigration system places an increasing emphasis on employer-sponsored, demand-driven migration developed through broad consultations on programmes with a range of varied stakeholders. The comprehensive system includes many interesting initiatives, including labour market assessment, industry consultations, two-step survey of migrants in Australia (CSAM), Seasonal Workers' Programme for non-skilled labour migrants, skills assessment and accreditation by professional organizations and comparison websites on remittance costs. To prevent exploitation and safeguard migrants' rights, a strong legislative framework is in place that puts emphasis on employer's responsibilities. Australia's migration assistance industry is regulated to ensure professionalism and accountability. Through all these efforts, Australia demonstrates its commitment to the principle and practice of safe, regular and responsible migration.
23. During the open discussion, countries of origin and destination expressed their respective priorities in terms of facilitating well-managed migration. For intervening destination countries, their priority is to remain open for legal migration and to put in place policies that facilitate legal migration in a way that promotes its development effects while preventing migrants' exploitation. On the other hand, origin countries would like to have better-facilitated migration, equal treatment of migrant workers as nationals of destination countries, and prevention of brain drain / selective skills-hiring by destination countries.
24. Many destination countries shared about their programs and policies on promoting a well-managed migration. These include naturalization programs, increasing legal avenues of migration, particularly for

short-term movements and circular migration, visa liberalization to facilitate labour migration, use of information technology to assist and protect migrants, codes of conduct for certain sectors (e.g., health workers, agriculture, construction), issuance of labour patents, and promotion and recognition of migrants' skills and qualifications. The need to provide adequate resources to ensure implementation of these various programmes was underlined.

25. It was highlighted during the discussion that the challenges vary across countries due to different migratory flows. Thus, the targets and indicators should address these specificities. Some delegates reiterated the importance of tapping into the know-how, skills and resources of the private sector, especially in regard to credential assessments. There was also an exchange of views on the meaning of “responsible” in the wording of Goal 10.7. One view held was that it meant responsibility-sharing or burden-sharing; another “gain-sharing” and preventing any form of exploitation. In this regard, it was also emphasized that migration is not just about development, but also about meeting human needs.

### **SPECIAL SESSION: Global Migration Group Perspective and future work on Post-2015 UN Development Agenda**

26. **Ms. Esen Altuğ**, Deputy DG for Migration, Visa and Asylum of the Turkish MFA chaired the Special Session. Other members of the panel were **Mr. Dilip Ratha**, representing the Global Migration Group (GMG)<sup>6</sup> Chair World Bank and also the Global Knowledge Partnership on Migration and Development (KNOMAD) and **Mr. Bela Hovy**, Head of Migration Section, Population Division of the UNDESA. Ms. Altuğ was enthused about the many different initiatives shared by governments with regard to promoting decent work and facilitating well-managed migration. She asked Mr. Ratha and Mr. Hovy to address specific questions<sup>7</sup>.
27. According to **Mr. Ratha**, the World Bank objectives for its GMG chairmanship will be two-fold: (a) to continue deepening the linkages between migration and development, using as basis the multi-annual work plan (MAWP) of the GMG; and (b) to strengthen team work among the 18 GMG agencies. Aside from strengthening partnerships with relevant entities and processes, particularly the GFMD, the GMG is considering enhancing its collaboration with the G-20. He highlighted the importance of elaborating sound indicators to measure progress towards migration-related targets. To this end, several possible migration-specific goals for the post-2015 agenda indicators have been proposed by the GMG through its thematic working groups or individual agencies.
28. Mr. Ratha expressed the GMG's appreciation of the progress made towards the inclusion of migration in the post-2015 development agenda. It was greatly encouraged by the inclusion of targets related to migrants and migration in proposed SDGs 3 (health), 4 (education) 5 on (gender equality), 8 (decent work), 10 (reducing inequality), 16 (peaceful and inclusive societies) and 17 (means of implementation and global partnership) in the final outcome document of the OWG. It was equally pleased with the inclusion of refugees and displaced persons in the United Nations Secretary-General's Synthesis Report. Going forward, the GMG would like to draw specific attention to the importance of: i) retaining the proposed migration-related targets with people-centered, inclusive, human rights-based and gender-sensitive approaches to sustainable development; ii) including prevention of causes leading to displacement (natural and man-made), and ensuring durable solutions for refugees and displaced persons; and iii) considering migration as part of the means of implementation and the global partnership for sustainable development.

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<sup>6</sup> The GMG is an inter-agency group bringing together 18 agencies to promote the wider application of all relevant institutional, international and regional instruments and norms relating to migration and to encourage the adoption of a more coherent, comprehensive and coordinated approaches to the issue of international migration. See <http://www.globalmigrationgroup.org/> for more information.

<sup>7</sup> See <http://www.gfmd.org/docs/turkey-2014-2015> for the PowerPoint Guiding Questions.

29. In his presentation, **Mr. Hovy** indicated the importance of indicators and data collection. He urged countries to consult experts and review existing handbooks, technical manuals, and normative guidelines – many of which were prepared by GMG agencies – which could be useful in developing indicators and clarifying definitions. He advised policy makers to participate in standards-setting meetings to inform the statistical community about the things to be measured, taking into account variances of administrative data across countries. According to him, there are existing national statistical programs and strategies at bilateral, regional and global levels, but many of these are about the classical development targets of poverty, health and education. There is lack of awareness of the contribution of migration to global sustainable development. To address this, Mr. Hovy encouraged the participants to take advantage of the annual meeting of the Global statistical community in New York to draw attention to the importance of including migration in national statistical programs. Another proposal he made was for the GFMD to hold a Thematic Meeting on data and indicators. He also remarked that there are a lot of available data that are collected through censuses, household surveys and administrative data which could be used as a baseline at no cost; however, funds for improving existing and producing new data will be needed. So far, there is no estimate of how much it would cost to establish and monitor indicators in the post-2015 development agenda. Nonetheless, he urged that countries should start collecting, publishing, and disseminating the available data and trust that the system will improve. To strengthen data collection system, he suggested that countries should first conduct a needs assessment, then tap available technical expertise in international organizations and work with the donors to fund their programs.
30. Mr. Hovy also presented an illustrative list of indicators prepared by the GMG Working Group on Data and Research: % remittances spent on transfer costs; number of trafficked persons; recruitment costs borne by employee; % refugees and IDPs who have found a durable solution; human mobility Index (policy, portability, skills, access to services, fatalities); and disaggregation (in terms of a) targets relevant for access of international migrants to services (health, education, work, etc.) and b) "migratory status" or nativity status (native-born/foreign-born): citizenship status (citizen, foreigner, stateless), and legal status (regular/irregular).
31. During the brief discussion that followed, one delegate opined that the whole process of migration is full of asymmetry. Regulations on anti-money laundering constrain remittance sending systems, which then results in lack of competition and high remittance costs. In response, Mr. Ratha suggested 2 solutions – to do away with exclusive partnership between public financial networks and large money transfer companies. Another possible solution is to exempt small remittances (e.g., below USD 1,000) from money laundering scrutiny. He also explained the value of diaspora bonds, and proposed to undertake a value chain analysis to see cost implications and how policy and regulations interact at each stage of the migration process.
32. For his part, Mr. Bela recalled the challenge posed by the General Assembly to look into ways and means to increase productive uses of remittances which are private funds, such as through financial inclusion. He also explained that the mutual recognition of skills should work both ways – recognition of migrant's qualifications in the destination country and skills acquired by the migrants when he returns home. He acknowledged that brain-drain could happen in particular sectors, but this could be addressed by strengthening national work forces in affected areas and also through international cooperation.
33. Another delegate lamented that host countries have lots of information about migrants but they do not systematically share with countries of origin. He wished for a proper cooperation between countries of origin and destination. He also stressed the need to ratify the UN Convention on the Protection of Migrant Workers.
34. Meanwhile, the OECD drew attention to an ongoing KNOMAD project of defining a dashboard of indicators in order to measure policy coherence. So far, nine countries have volunteered to take part in it. Mr. Ratha also mentioned the different initiatives of the KNOMAD, such as a value chain analysis for reducing recruitment costs to be led by the OECD. On reducing migration costs and recruitment costs,

KNOMAD is working with ILO. On migrant rights, KNOMAD is working with the civil society and with OHCHR to develop some indicators on migration and cities. On remittance cost, KNOMAD is working with the Global Remittance Working Group and the G20. A final initiative is the "Voices of the Migrants Campaign."

35. **Ms. Kathleen Newland**, Director of the Migrants, Migration, and Development Program, Migration Policy Institute (MPI) gave her excellent account of the highlights of the proceedings, also mentioning that, since the beginning of this process, significant progress has been achieved and it has been acknowledged that these goals are for all and no one is left behind. It was then followed by closing remarks from Ms. Altuğ.
36. **Ms. Altuğ** thanked the co-conveners, Bangladesh and Germany, and all the speakers for ensuring an extremely informative meeting. The Turkish Chair also expressed appreciation for the support of the Office of the SRSG for drafting the background paper, as well as the International Labour Organization and the International Organization for Migration for preparing the discussion briefs. The Chair also recognized the contribution of capital-based experts and policymakers who shared about their national experiences, challenges and perspectives on the place of migration in the Post-2015 development agenda. She invited those who we are unable to intervene for lack of material time to submit to the Support Unit any written contributions for posting on the web portal.
37. **Ms. Altuğ** reminded the participants that the governments that participated during this thematic meeting were the same governments that will determine the final shape of the post-2015 development agenda. In this regard, she urged them to take what they gained from the meeting back to their capitals and colleagues in other departments of governments, to try to ensure a final push for SDGs that include migration as a development factor and migrants as human beings who have rights that must be respected. She added that the inclusion of migrants and migration in the post-2015 development agenda will help to determine whether the post 2015 agenda works “for all”, and whether international action on development in the next 15 years will “leave no one behind.”
38. According to **Ms. Altuğ**, the GFMD will continue to be a platform for discussion of ideas and sharing of experiences, and possibly for the promotion of coalitions of interest around the migration aspects of the UN development agenda. In the lead up to the 8<sup>th</sup> GFMD summit in Istanbul in October, when the content of the post-2015 agenda will be known, states will need to start thinking how to implement the commitments they have made under the SDGs. Thus, the Turkish Chair, working closely with the SRSG, the GMG and the GFMD Troika, will push forward the discussions on migration in the post-2015 development era. Going forward, the Turkish Chair will draw inspiration from the ambitious agenda of the civil society and work with the private sector, which is another vital partner in realizing migration’s developmental potentials.
39. The first GFMD 2014-2015 thematic meeting was closed at 17h30.

Prepared by the GFMD Support Unit.



**A Thematic Meeting on  
Migration in the Post-2015 UN Development Agenda**

**ANNEX 1<sup>1</sup>**

**Session 1: Promoting Decent Work – sharing government initiatives and exploring possible  
GFMD role in the thematic follow up and review of the Post-2015 agenda**

**Thailand**

The Thai government works partnership with the private sector, international organizations, non-government organizations to promote better working conditions in various industries that employ migrant workers, such as in fisheries, shrimp and seafood processing and the agriculture sectors.

Thailand is the 3<sup>rd</sup> largest exporter of seafood products, with 2 million people employed in fishing-related enterprises and supporting industries. Amendments to previous legislations were done in December 2014 to address shortcomings and significantly improve the protection of labourers, including migrant workers at sea, such as by placing their wages under the labour protection law, providing for a %age share based on the value of the catch, and allowing them rest periods for at least 10 hours of each working day. A code of conduct was drafted by the National Fisheries Association of Thailand.

Thailand encourages partnership with the private sector to enhance the working conditions of the workers. The Ministry of Labour in Thailand enjoins enterprises to adopt Thai labour standards (TLS 8001-2010) which fully comply with both domestic and international labour standards. To be awarded this standard, the business operators are audited by a third party, in order to ensure that employers fully respect the rights of migrant workers. The Labour Protection Act opens the possibility of claiming wages and benefits on behalf of migrant workers. In the agricultural sector, enhanced protection for workers is realized through improved laws which have raised the minimum wage for workers and entitle both Thai and migrant workers to specific leave and other benefits.

In partnership with the ILO Triangle Project, the Thai government strengthens migrant workers' recruitment and takes into consideration gender-specific concerns. The government recognizes the need to establish safe and cheaper remittance channels and improve social services to all the children and family of migrants. It also provides support networks such as hotlines for assistance, with interpretation services in the languages of migrant workers.

**Italy**

Italy was the first destination country to ratify the ILO Convention 189. The Italian Civil Code of 1942 covers the domestic work, but other instruments followed to improve government regulation which provides for the same rights as a normal work contract, including social protection and social dialogue. 4.92 Million people or 8.1% of the total population of Italy are foreigners coming from 196 countries. 49.3% of these were female migrants. In 2013 alone, almost 1 Million were domestic migrant workers, more than half coming from non-EU countries. Collective contracts are common, whereby there are different levels of skills associated with domestic work. Italy passed a law legalizing migrant workers in 2012, which led to the regularization of 82% migrant workers. This meant that migrant workers now enjoy equal benefits and protection as national workers do. This regularization helped contribute to the stability of the domestic workers, many of whom managed to stay in Italy despite the economic crisis. Through family reunification, the relatives of domestic workers are able to access the labour market. To protect further the rights of domestic workers, Ms. Margiotta suggested to strengthen labour inspection mechanisms of domestic work.

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<sup>1</sup> This Annex provides an overview of the national policies, programs, and other initiatives that governments have shared during the first GFMD Thematic Meeting on "Migration in the Post-2015 UN Development Agenda" held on 5 February 2015, which focused on two migration-related targets, namely: a) promoting decent work for migrants and b) facilitating well-managed migration.

## **Algeria**

Algeria has legal instruments that provide equal treatment to nationals and regular migrant workers in terms of their rights which include, inter alia, the right of association, protection, and health care. Algeria ratified 59 Conventions, 53 of which are in force.

## **Turkey**

Turkey has adopted a human-centered approach by prioritizing the eradication of poverty, sustainability, education, health, economic development, employment and good governance. The Turkish development plan includes targets for qualified foreign proficiencies and decent job opportunities. An effective registration system for migrants is also in place to curb irregular migration.

## **Moldova**

The key priorities for Moldova are to promote decent work, to strengthen capacity to regulate labour migration and to promote sustainable return of migrants. Aside from ratifying bilateral and international instruments, Moldova put in place a mechanism for the implementation at the national level. Moldova has negotiated several social security arrangements, some of which include protection mechanisms for children left behind. Moldova is also advocating the recognition of diplomas. To reduce recruitment costs, Moldova signed bilateral agreements on facilitating the mobility of frontline sectors like health professionals, including visa-free arrangements, in cooperation with private employment agencies. Moldova also signed cooperation agreements with trade unions to enhance social protection of its migrant workers and to promote dialogue with key stakeholders.

## **Ecuador**

On the basis of non-discrimination and universal citizenship, Ecuador's policies include mechanisms for protecting not only Ecuadorians abroad but also foreign nationals in the country. The right of every person to migrate is set down in the Constitution. The government has bilateral and multilateral agreements to regularize and recognize migrant workers, to promote labour rights of Ecuadorians abroad and to prevent human trafficking and exploitation of workers. As a MERCOSUR member state, Ecuador has signed and ratified all the instruments for the protection and promotion of human rights and all the fundamental rights of migrant workers, including their social, economic and cultural rights. The "dignified return" program guarantees the right to decent work of Ecuadorians returning from abroad and access to support services. Ecuador has also signed transnational agreements on social security and mutual recognition of degrees and academic titles with a number of destination countries.

## **Cameroon**

Cameroon's priority for migration is the protection of all workers' rights. The government does not distinguish between non-nationals and nationals in terms of rights and duties. Cameroon has signed bilateral agreements with some countries on social rights, but would like to see more efforts on promoting portability of social benefits and socially acquired rights for returning migrants. Cameroon would also like to see the mutual recognition of qualifications to be observed in many destination countries.

## **Kenya<sup>2</sup>**

A source, transit and destination country for migrants, the Kenya Government is committed to ensuring protection of migrant workers. The Employment Act of 2007 (section 5) requires the Government to promote, guarantee equality of opportunity and protect the rights of migrants and their families. A Task Force was

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<sup>2</sup> Kenya did not manage to take the floor for lack of material time. The inputs included in this Annex were submitted by Kenya after the meeting to through the GFMD Support Unit. See GFMD

established to look into matters relating to the management and administration of foreign employment and labour migration.

For Kenya, the indicators for promoting decent work for migrants should include: (i) legal, policy and administrative frameworks; (ii) institutional frameworks for the protection of migrants; and (iii) reported cases of violation of rights of migrants.

To upgrade labour standards for migrants, the Kenya Government has undertaken various initiatives, including by ensuring that the protection of migrant workers is well-entrenched in its Constitution and Employment Act (2007); reviewing current labour-related laws and regulations, negotiating bilateral and multilateral agreements on protecting migrants' rights, planning to send labour attaches to key destination countries for Kenya workers, conducting pre-departure training for workers recruited to work abroad in conjunction with the IOM and the Youth Fund, adopting a diaspora policy that ensures effective integration upon return, and developing a national labour migration policy that will address issues of protection of the rights of migrant workers to ensure non-discrimination and fair labour practices.

The National Employment Bill, 2014 which is before the National Assembly proposes the establishment of a National Employment Authority, a semi-autonomous body to be responsible for all employment issues and ensure effective management of foreign employment. The Government is in the process of establishing an integrated labour market information system to be managed by the proposed National Employment Authority for effective collection, analysis and dissemination of data including data on migrants. It has allocated money for the construction of an Employment Promotion Centre to promote employment and related services.

## **Session 2: Facilitating Well-Managed Migration - sharing government initiatives and exploring possible GFMD role in the thematic follow up and review of the Post-2015 agenda**

### **Germany**

Germany recorded a net migration of 465,000 in 2013, making it host to the second largest group of immigrants after the United States. More than 2/3 of the migrants come from within the European Union. In the face of rising immigration, Germany's Interior and Foreign Ministries agreed to set up an inter-ministerial working group at the level of State Secretaries to look into current policies in order to promote a more coherent migration policy and strategy, particularly amongst its national institutions dealing with migration and development.

The inter-ministerial group aims at improving a coherent German policy and messaging in migration and refugee policy as part of a European joint strategy. It has a two-pronged task. Internally, it should ensure a more coherent and unified migration policy and close cooperation and collaboration of the different ministers involved. At the same time, it intends to serve as a best practice example for European partner countries. The group set up thematic sub-groups, including a) Germany's role in the international community; b) protection of refugees and migrants; c) fight against irregular migration; d) promotion of legal migration including new avenues; and e) migration and development issues. Each sub-group is supposed to meet at a bi-monthly basis, gathering all relevant stakeholders. It is scheduled to present a preliminary report by end of summer 2015.

At the international level, Germany's migration policies are embedded in the framework of the European Union, particularly the Global Approach to Migration and Mobility (GAMM). Germany has signed mobility partnership agreements with a number of countries, including Moldova, Georgia, Armenia and Morocco. Tunisia and Jordan, with the aim to strengthen legal migration, reduce irregular migration, protect refugees and promote development through migration.

## Morocco

The new Moroccan policy on migration and refugees was established in late 2013 upon the order of the King of Morocco to the Royal Cabinet with the heads of government and concerned ministries to draft a global policy on migration within a national plan. This resulted in the creation of the Ministry for Migration Affairs. Over the year, Morocco drafted a national strategy on asylum and migration with all concerned stakeholders concerned, including trade unions, civil society, researchers, academics, private sector and a whole series of experts who were called upon by the Ministry of Foreign Affairs and the Ministry for Migration. An open dialogue was organized together with the Human Rights Council of Morocco, resulting in the assessment of hundreds of cases of women, minors, and asylum seekers. 84 offices for foreigners were opened with 3,000 staff working in these offices. Through a joint operation between the Ministry of Home Affairs and the Ministry for Migration, Morocco managed to distribute in December 2013 the first residence permits to asylum seekers and their families, followed by the regularization of irregular residents in January 2014.

In terms of regulatory framework, an inter-ministerial Commission on Human Rights governs the coordination system between the concerned ministries. By means of an integrated legislative approach, Morocco passed bills for asylum seekers, anti-human trafficking and immigration. The asylum seekers bill aims to ensure the protection of all people who are in fear of persecution because of their race and ethnicity. The second bill has the objective of criminalizing human trafficking and protecting its victims. The third bill on immigration aims to regulate the entry and residence of people in the Kingdom of Morocco. The old guidelines were improved in order to put more emphasis on respect, tolerance and human values, as well as the economic, social, cultural and legal rights which are applied to Moroccans and non-Moroccans alike. The bill also provides for migrants' integration by adapting public policies that promote equal opportunities for nationals and non-nationals, and encourage the former to be interested in the latter and the new cultures they bring.

The new Moroccan migration policy is based on humanitarian considerations and promotes integration and access to the healthcare system, education, housing, employment, and other services. It considers migration as an opportunity rather than a social, economic or political threat. It focuses on burden sharing between countries of origin, destination and transit, as well as the responsibilities and duties of migrants themselves. It has bilateral, regional and international governance dimensions. This Royal initiative was welcomed by the United Nations, international organizations, diplomatic missions in Morocco, and civil society organizations which support migrants and asylum seekers.

## Australia

Australia's immigration system has evolved to place increasing emphasis on employer-sponsored, demand-driven migration developed through broad consultations and programs with a range of varied stakeholders. A cornerstone of its migration program is labour market assessment (through the use of independent and duly-accredited bodies with specialized knowledge of particular occupations) and consultations with the industry and the wider public through blogs, discussion papers and surveys. These processes of consultation bring strong community support for migration which is important for building public confidence, which has fostered successful migration programs over the years.

Australia's approach to skilled migration is based on labour market realities – identifying where gaps exist and matching these through a strong system of skills and credentials recognition. Supportive measures are in place in order to optimize the success of the migrant in the labour market, such as regulating migration intermediaries, places of work, reducing remittance costs, and placing the emphasis of compliance on the employer, not on the migrants.

To measure how the migrants are faring in the process, Australia conducts a continuous survey of migrants (CSIM), with the purpose of examining the labour market integration of recently arrived migrants. The results of the survey are used to provide support for the size and composition of migration programs. Migrants taking part

are surveyed on two occasions to capture their labour market status. By interviewing the same respondents twice, labour market outcomes for migrants and reliable insights into the integration process can be measured.

To prevent migrant workers' exploitation, Australia has a strong legislative framework in place and ongoing compliance mechanisms which put the emphasis on the employers' responsibilities. These safeguard migrant workers' rights so they can enjoy same conditions as local workers in the equivalent job and get paid at prevailing market rates.

Australia also has a seasonal workers' program -- a model of circular migration -- which is aimed to promote development outcomes for participating Pacific states, while supporting Australian employers to address seasonal labour shortages. Safeguards are in place to provide full protection for seasonal workers. Participation in the program has led to an average of 39% increase in per capita annual income of remittance-receiving families. To ensure the benefits of migration are maximized for migrants and their families, Australia advocates, including in the G20, to lower the cost of remittances. Since 2009, Australia has funded the "Send Money Pacific Scheme" and "Send Money Asia" -- websites that compare remittance costs from Australia to countries in the Pacific and Asia, respectively. The websites have contributed to reducing the average costs of sending money from Australia to these countries.

### **Mexico:**

In 2011, Mexico passed a law on migration which does not criminalize irregular migrants in the country. Many programs have been set up that engage the Mexican diaspora, particularly in the United States. In 2014, Mexico set up a new program on migration governance in order to promote a well-ordered and responsible migration. Mexico set down indicators, methods and targets and it looked at migratory flows to and from Mexico. Legal frameworks were established in order to promote regional developments from migration and the diaspora, while trying to ensure that migrants enjoy their full human rights. The program also helps migrants integrate better, both Mexicans living abroad and foreigners in Mexico, including having access to the criminal justice system. Some specific programs were later drawn up which address the needs of returning Mexicans in need of employment.

### **Ecuador:**

Ecuador has been working multilaterally and bilaterally to try and create cooperation mechanisms to facilitate migration movements based on the respect for human rights and the fundamental freedoms of people. It has signed agreements with partners in the South American region and with neighboring countries, including with Peru, Venezuela and Columbia. There is a specific agreement for residency permit in Mercosur which allows nationals from the countries in Mercosur such as Chile, Peru, Bolivia to be able to migrate, either temporarily or permanently, and to be more integrated regionally. While increasing cooperation between the states, this mechanism also means that all the members of Mercosur will be naturalized regardless of their migratory status.

The agreements that Ecuador has with Peru and Venezuela, for example, make it easier for citizens from all three countries to stay and work in neighboring countries.

### **Moldova**

Moldova has entered into visa-free agreements with the EU countries, Turkey, the Western Balkan states and a few Latin American countries. Learning from the experience of Australia, Moldova launched in August 2014 the e-visa system that gives access to citizens of other countries to travel easily to Moldova.

Moldova uses evidenced-based policy tools to manage their recruitment system. Moldova is currently looking at developing some code of conduct for recruitment in different sectors. With support from the EU, Moldova further developed its external migration profile, conducted different studies to help with forecasting and better understanding of labour market needs, and built a national agency for quality assurance.

Regarding the recognition of skills and qualifications, Moldova, in partnership with the Swedish National Employment Agency, is consolidating its own National Employment Agency with the use of the latest tools and information technology, such as e-job fairs. An internship portal has recently been launched which motivates young Moldovans to return back home even for short periods of time. Moldova is undergoing projects on supporting migrants' employment and skills recognition at the regional level.

## **Russia**

Russia is the second largest country in the world by the number of international migrants received. As per the data of the Central Bank of Russia and the World Bank, the Russian system of migrants' remittances is one of the cheapest and most accessible in the world with the cost of transfer only at about 2%. Migrants' remittances considerably influence the GDP of recipient countries and make their economies more flexible and resilient. They help overcome hunger and poverty while providing opportunities for education, healthcare and entrepreneurship.

On the other hand, migrants coming to work to Russia greatly contribute to the many spheres of its economy and positively influence its infrastructure. Russian migration legislation is constantly being improved on the principles of promotion and protection of human rights and freedoms of both Russians and foreign citizens residing in Russia. For example, one of the most important and recent novelties in the Russian migration legislation is the introduction of a new system of special documents that are named labour patents for foreigners coming to Russia in a visa-free regime. This new system is introduced from the 1st of January 2015. The patents to be purchased by migrants allow them to work legally in all kinds of commercial enterprises and also in private households. Thus, these arrangements will provide and promote legal migration, reduce illegal migrant flows and allow many migrants to come out of the text shadow.

## **Kenya**

The Kenya Government's priority is to ensure effective management of labour migration so that the rights of migrants are protected and the process contributes to the economic development agenda, especially through remittances. Indicators for facilitating well-managed migration should include a national policy, a legislation, as well as rules and regulations governing labour migration. Another metric is the percentage reduction in reported cases on violation of rights of migrant workers.

To facilitate legal channels of migration, Kenya passed the Citizenship and immigration Act, 2011, the Employment Act, 2007 and the Labour Institutions Act. Regulations governing private recruitment agencies require recruitment agencies to charge from their principals a service fee to cover services rendered in the recruitment, documentation and placement of workers so that the migrant workers are not burdened with this cost. In the case of foreign employment, the employer or the agent is responsible for meeting the cost of the Visa fees, airfare, surety bond and medical examination for the job seeker.

The National Social Security Fund Act, 2013 provides for portability of social security benefits through the emigration benefit and the Board of the NSSF works with the foreign social security schemes to ensure access to and portability of benefits under section 64. Kenya is still open to dialogue over the provision of the portability of benefits in the East African Region. The Government also encourages mutual recognition of academic and professional qualifications and skills by various countries especially through MOUs in respect of the various professional associations.