****

**PHILIPPINE STATEMENT**

**MR. REYNALDO A. CATAPANG**

**Assistant Secretary for Migrant Workers Affairs**

**Department of Foreign Affairs**

**2nd Round of Negotiations:** Comments on the Zero Draft Plus

**Global Compact for Safe, Orderly and Regular Migration**

Trusteeship Council Chamber, UN Headquarters, New York, 15 March 2018, 10 a.m.

**Thank you, Co-Facilitators.**

**The Philippines affirms the Joint Statement that we delivered earlier on behalf of a group of like-minded countries. We affirm, once again, our message that all migrants must be treated with dignity, regardless of their migration status.**

**We will submit our comprehensive comments on the zero draft plus, but would like to highlight the following. Please bear with us.**

* **On the Preamble, we wish to underscore the importance of GCM in the context of labor migration and labor mobility considering that about seven of the objectives specifically Objectives 2, 5, 6, 15 16, 18 and 22 specifically pertain to the same.**
* **On Unity of Purpose (Paragraph 12), the technical addition makes its appear that the Global Compact excludes irregular migration in its ambit. To better reflect our discussions here, it should read: “The Global Compact recognizes that migration works for all when it is safe, orderly and regular and takes place in a well-informed, planned and consensual manner.”**
* **On the Guiding Principle of Gender-responsive, we welcome the addition of language on mainstreaming a gender perspective, promoting gender equality and empowering all women and girls. We however look forward to some clear language on women as agents and not just as victims.**
* **On Objective 1 (Paragraph 16 a-g), we would like to include data on migrant workers and include reference to the International Conference of Labour Statisticians as a source of data on labor market integration, micro data files on social service coverage, wages, occupational safety and health and exercise of labor rights.**
* **On Objective 2(a), we support the inclusion of the Paris Agreement and the Sendai Framework.**
* **On the reference to National Human Rights Institutions throughout the text, beginning with Objective 2(d), we can support this but it should refer particularly to “those that are Paris Principle compliant.”**
* **On Objective 5, we propose to include in the title “labor mobility and decent work” since most of the provisions pertain to labor migration. Paragraph 20 must specify that the arrangements should be in compliance with international labor standards. For clarity it would be preferable to list rights which are most at risk such as equal treatment on wages, conditions of work , access to justice , labor rights, and security.**
* **In Paragraph 20(b) we emphasize that this is a shared responsibility and we should develop, enhance and harmonize mechanisms to facilitate labor mobility. These mechanisms should also take into account the consideration of source countries on brain drain, and not focus solely on the concern of receiving countries on local market needs.**
* **On Objective 6, we reiterate that decent work should be a separate objective because actors in pre-employment and employment stages vary, fair and ethical recruitment practice does not necessarily result in decent work and both have different challenges and occur at different cycles of migration.**
* **On Paragraph 21(h) of Objective 6, we have some reservations with the new language and propose that we revert to original language. The language as proposed in the zero draft plus that apparently shifts the burden to sending countries, which may not be practical since the issuance of visas is not within the control of the sending countries but of the host countries.**
* **On Objective 7, Paragraph 22(e), kindly clarify the rationale for adding the clause “and protect them from violence” and why this has been singled out.**
* **On Objective 9, Paragraph 24(e), we should also add that we will adopt – not just design, review or amend -- migration policies, to ensure that these are implemented.**
* **On Objective 10, Paragraph 25(d), the rationale for sharing information and intelligence and enhancing judicial cooperation should reflect actual practice. Hence we propose that this be revised to read: “in order to ensure accountability, case buildup and effective prosecution, increase conviction rates and end impunity.”**
* **On Objective 11, we do not support the technical revisions and are of the view that the full respect of human rights of all migrants, regardless of their migration status must take primary consideration over the rule of law.**
* **On Objective 13, we reiterate our submission that the primary commitment here should be to use migration detention only as a last resort, and not assume that it is a given.**
* **In this context, Paragraph 28(b) should “promote” alternatives to detention, not just “showcase” them.**
* **On Objective 14, we find that the technical revisions are unnecessary since consular protection can only be exercised by a country for its nationals abroad. It is not exercised by a state within its territory. Also, consular cooperation is exercised between states, not with other entities. In the enumerated actions, we** **propose that standardized procedures in assisting migrant workers in consular missions and state authorities be developed and observed.**
* **On Objective 15, Paragraph 30(d), these one-stop shops should not just offer information and facilitate access to services. They should also deliver these services.**
* **On Paragraph 30(e), it is beyond the mandate of the Global Compact to ask states to establish NHRIs.**
* **On Objective 16, Paragraph 31(c), these pre-departure and post-arrival programmes should be comprehensive, not just holistic.**
* **On Objective 18, we propose to encourage cooperation between host and origin countries on the skills assessment and certification respecting domestic workers and low skilled workers to lessen their vulnerabilities and prevent incidence of abuses.**
* **On Paragraph 33(b), we strongly support the retention of “harmonization”, together with compatibility, to underscore that the obligation on NQFs is on both sending and host countries.**
* **On Paragraph 18(g), we should both develop and make accessible skills development and matching programmes.**
* **On Objective 19(d), the Philippines is already practicing this and we support the reference to dedicated diaspora focal points, instead of “diaspora attaches.”**
* **On Objective 20, Paragraph 35(b), we wish to retain the original text.**
* **On Objective 21, we support the use of “principle of voluntary return” and suggest deletion of “forced deportation.”**
* **On Objective 22, migrants must be able to avail of the portability of earned benefits and social security entitlements wherever they are, as these are already earned and paid for. To reflect that, this should read: “to have access to social protection and profit from the portability of social security entitlements in countries of destination xxx”**
* **Paragraph 37(e) should enhance, not just maintain, non-discriminatory national social protection systems.**

**We thank you, Co-facilitators, for your patience.**

**In closing, allow me to express, on behalf of the Philippine Delegation, our strong support for your excellent work. We are heartened by your deep level of engagement and sincere efforts to reach a common understanding of what we – together as delegations and with stakeholders -- jointly aspire for and envision for this Global Compact.**

**Thank you.**