**Statement Delivered by Nepal on Behalf of a group of countries
 Third Round of Negotiations**

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

**6 April**

**(Labour Mobility Aspect of GCM)**

 ***As delivered***

1. Thank you, Mr. Co-facilitator!
2. On the issue of labour mobility, I have the honour to speak on behalf of Indonesia, the Philippines, Sri Lanka and my own country Nepal, four of the labour sending countries in Asia.
3. Our delegations see this process as an historic opportunity to jointly harness the benefits of migration and address the challenges. We also see this as an occasion to duly recognize and address the aspect of labour mobility in the compact and to recognize the contribution of contractual labour migration in the prosperity and development of the countries of origin as well as destination.
4. As many of the delegations have stated during the negotiations, the aspect of labour mobility and decent work should be duly emphasized in this compact. In this regard, we welcome the reflection of labour mobility and decent work issues in the draft, especially in objectives 5, 6, 7 and 18. However, we are concerned that the preambular part of the draft does not reflect the labour-mobility aspect.
5. As SG’s report ‘Making migration work for all” mentions in para 34 with regards to the need of strengthening legal pathways, on paragraph 20 (c) we would like to see the reference on strengthening existing options and pathways for regular migration, not just reviewing and revising them. Also, it is important to match the realities of labour-market needs as well as to promote regular contractual migration.
6. Let us look at the practice of tying work visas to a single employer or sponsor in order to prevent violations of human rights and promote greater opportunities for decent work.

Mr. Co-facilitators,

7. Migrants, regardless of their migration status, should be treated humanely and with full respect of their dignity. Especially in the paragraph 20 of the draft, the chapeau should include reference to the labour rights in addition to human rights protection.

8. In line with this, we propose Paragraph 21 (a) to encourage the signature, ratification, accession and implementation of all international relevant instruments related to international labor mobility as well as the protection of migrant workers.

9. Facilitating fair and ethical recruitment is one of the important priority areas for our delegations, as mentioned in paragraph 23 of SG’s report “Making migration work for all”. Where labour migration is poorly governed, migrants often struggle to find decent work and in jobs where skills of the workers do not match. Low-wage migrants often face dangerous working conditions, exploitative contracts and violations of their labour and other rights. To this end, we would like to see strong reference under objective 6, on the issue of fair and ethical recruitment.

10. Mechanisms should be developed specifically for working youth to prepare their entry into the labor migration cycle such as training, competencies and qualification considering that they comprise the bulk of the labor migrant population.

11. Strong labour inspections and access to the labour justice system should remain distinct from the immigration control mechanisms. Therefore, we strongly support the current iteration in paragraph 21 (j), and see the merit on establishing firewalls with labour inspections in cases of exploitation.

12. Also, migrant workers should have access to justice and dispute resolution mechanism, in expeditious and affordable manner, in the case of alleged abuses of their rights in the recruitment process and during employment. Employers in destination country should as well be held liable for labour law and human rights violation.

13. Similarly, the specific vulnerability of women migrant domestic workers should be duly recognized and addressed in accordance with the human-rights based, people-centered and gender-responsive principles of the Compact.

14. The final text of the draft should give due consideration to the specific rights and challenges of labour migrants, of all skill categories while being cognizant of the specific vulnerabilities faced by migrant workers of low-skill category. There should also be an emphasis on the need to equip migrants with life skills, such as communication and maturity to adopt to social, cultural expectations, and competencies before deployment.

15. We will propose additional specific languages on the labour mobility and decent work aspect of GCM, and engage constructively in the process ahead.

Thank you