

Third Joint Statement of a Group of Like-Minded States on Decent Work and Labour Migration
5th Round of Intergovernmental Negotiations of the
Global Compact for Safe, Orderly and Regular Migration

Thank you, Mr. Co-Facilitators,

I have the honour to speak on behalf of [Argentina, Bangladesh, Brazil, Chile, Colombia, Dominican Republic, Ecuador, El Salvador, Fiji, Guatemala, Indonesia, Jamaica, Mexico, Nepal, Paraguay, Pakistan, Peru, Philippines, Sri Lanka, Switzerland, Uruguay, Vietnam, and my own country, Costa Rica].

At the outset, we would like to take this opportunity to convey to you, Mr. Co-Facilitators, and your team, our appreciation for the great work that you have done in preparing the current Draft Rev 2 of the text. Our group of like-minded states value that the specific elements on labour migration and decent work that we reiterated in two joint statements and the alignment that it generated from our friends in the Africa Group, India, and others in their national capacity were reflected in the revised draft of the text. We are pleased that many of our points have indeed been taken into consideration. We regret however that Rev2 does not visibly recognize the importance of labour migration in its Objectives.

After having reviewed the current draft of the text, we have a few additional points that we consider important to be integrated. They are as follows:

- Preamble: We appreciate that references to relevant international standards including the ILO conventions related to migrant's rights and those related to the protection of migrant workers have been incorporated as a footnote. Once again, to be consistent with all aspects of the discussions here, we also suggest to include here a reference to 'ILO Fundamental Conventions and Rights at Work' and the 'Domestic Workers Convention (No. 189)'.
- Objective 1: When addressing the need to harmonize methodologies, it would be important to acknowledge that this effort should take into consideration the already existing international standards such as the ones adopted by the International Conference of Labour Statisticians (ICLS). The ICLS will meet in October this year to define the statistical concepts of international migrant workers, for-work international migrants and return migrants for reference purposes for the implementation of the GCM. The reference to the ICLS can be made in Paragraph 16(a).
- Objective 2: It is important to recognise the role of the trade unions along with the private sector in the context of "promoting vocational training and skills development programmes and productive employment creation in line with labour market needs" as in paragraph 17(h).
- Objective 5: the Group welcomes references to the promotion of decent work have been added in relevant objectives and actionable commitments. In this regard, we had pointed out in our last joint statement that Objective 5 is quite important in this respect with a large focus on labour migration governance and is closely linked to other objectives.

- Objective 6:
 - We are concerned that the language in paragraph 21(d) which previously stated “prohibits recruiters from charging fees” has now been changed to “prohibit recruiters from charging disproportionate or hidden fees”. This is very concerning and goes against international standards of a no-fee policy for recruitment of migrant workers. We would therefore suggest to revert to the original language. Further we would suggest an amendment to the language by changing “in order to avoid debt bondage” to read as “where it leads to among others, debt bondage”.
 - We are glad to see the reference on partnerships with relevant stakeholders. Paragraph 21(e) specifies employers and trade unions and we also would like to see reflected the important role that migrant workers organizations and civil society should play, in accordance with the social dialogue.
 - We are concerned on the formulation of paragraph 21(f), as it has dropped the reference that was made in Rev1 regarding ‘holding employers, recruiters, their subcontractors and suppliers accountable when they are involved in human and labour rights violations’. We would, therefore, request to retain the language from the Rev1 in the first part of the sentence.
 - We appreciate that the references to access to labour justice and grievance and dispute mechanisms has been incorporated in paragraph 21(k). It is, however, important to note that this access should remain expeditious and affordable and distinct from immigration control mechanisms.
- Objective 18: Global Skills Partnerships amongst countries is important to “strengthen training capacities of national authorities and relevant stakeholders and foster skills development of workers”. However, as witnessed through existing best practices, these partnerships can be achieved only with the support of both private sector and the trade unions and can be included in paragraph 33(e).
- Objective 23: We consider the new objective to “strengthen international cooperation and global partnerships for safe, orderly and regular migration” an important objective. However, this cannot be achieved without social dialogue and through a multi-stakeholder partnership-oriented approach. We therefore suggest the inclusion of a new paragraph 38(f) that will include social dialogue and the role of civil society and other relevant stakeholders.
- Finally, we would welcome a specific reference to the ILO as one of the key entities within the United Nations system of relevance for the implementation and follow-up and review of the Global Compact, recognizing that it brings not only technical expertise and experience but also clear mandates and relevant normative frameworks (Switzerland).

We will also share this with your team in writing. Thank you, Mr. Co-Facilitators.