



## Center for Migrant Advocacy

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**International Migration Review Forum: Informal Interactive Multi-Stakeholder Hearing Monday, 16 May 2022, 10:00 - 18:00 (EST) ; Venue: Conference Room 4, UN, New York**

**Thematic discussion II: Commitments to advance the implementation of the GCM**

**Inputs from the Asia Pacific region to advance the implementation of the GCM.**

**Ellene A. Sana, Center for Migrant Advocacy Philippines**

Warm greetings of solidarity!

I am Ellene Sana, from Center for Migrant Advocacy Philippines, a member organization of Migrant Forum in Asia and the Migrant Women Forum—both are networks of migrants and grassroots organizations from the global south, and inspired by the People's Migration Challenge (PMC) and the Civil Society Action Committee (CSAC).

### **A. The Context**

Mass repatriation of migrant workers, that we did not see in previous global crises, took place in the time of the Covid-19 pandemic. Displaced, stranded, sick and abandoned, they started to head back home, most of them empty handed. They were victims of wage theft.

Responding to the challenge of wage theft, a Global Campaign for Justice for Wage Theft was launched in June 2020. It was spearheaded by Migrant Forum in Asia, the Cross Regional Center for Refugees and Migrants, Lawyers Beyond Borders, Solidarity Center, South Asia Regional Trade Union Council, and the Asean Services Employees Trade Union Council. It has gained wide support globally from various stakeholders including associations of employers.

The Campaign conducted vigorous documentation of wage theft cases of repatriated migrant workers in the time of the pandemic. Noteworthy that these were cases that even the States themselves had failed to document,

By end of December 2021, more than 5,000 wage theft cases were fully documented. Most of these were from the construction sector, domestic work, manufacturing, and hospitality. Conservative estimates of earned monetary benefits on wage theft cases was put at more than US\$20 M. Most victims of wage theft were low-waged workers who were already receiving way below the floor levels in terms of wages. *[Per latest study of the ILO on pay gap, On average, the migrant pay gap is 12.6% less than national workers and could go as high as 42.1% less and a staggering 71% less for the so-called low-skilled migrant workers!]*

Put it side by side with the 2021 global remittances of US\$751 B and we can see clearly the gross injustice to migrant workers!

## **B. Pledge of Commitment.**

It is in this situation, that we in civil society and trade unions pledge to continue doing the documentation of wage theft cases. This is our contribution to GCM Objective 1 –on data collection to develop evidence-based policies and direct interventions.

## **C. Recommendations to Member States and International Community**

1. To take the campaign to a just conclusion, we call out the member States and the international community to set up an International Claims Commission, administered jointly by the ILO and the IOM and with civil society taking part in it, that will address grievances, claims and labour disputes of worker victims of wage theft and to provide equitable remedies. At the national level, we call for reforms of the justice system to be more expedited, accessible, affordable, and efficient.
2. We also implore the UN Network and its member organizations --collectively and separately, to support the creation of a Compensation Fund for the ICC, under the auspices of the GCM Multi-Partner Trust Fund to answer for wage theft claims. Sub-commissions at regional and national levels may be set up to facilitate the process of disbursements.

The availability of a compensation fund will incentivize many more victims of wage theft to come forward. Justice for wage theft is one substantive way to move the GCM agenda forward.

## **D. Additional Recommendations to UN Network and member organizations**

Apart from the justice for wage theft issue, may we submit the following recommendations for effective implementation of the GCM:

1. For the UN Network and its members to welcome and support initiatives and efforts of civil society groups to self organize for the GCM processes. At the same time, we recommend that the UN Network be PRO ACTIVE in extending support to civil society participants in terms of securing visas and support for travel.
2. The Asia and the Pacific sub-regions deserve separate processes as their issues are diverse and distinct.. To tackle these in parallel processes will be more rationale and justifiable. They can regroup afterwards to remain consistent with the UN set up. We hope this proposal will be given serious consideration.
3. The GCM processes must be meaningful and outcome based. To this, we recommend that the Network and its member organizations sustain their work

with governments and relevant stakeholder on **the ground the whole year round and not only on agreed schedules.**

*We cannot expect significant changes in global migration governance if we will not change the ways we do things. We must challenge and push back to enable ALL stakeholders particularly migrant workers to fully and meaningfully participate in the process.*

Thank you.