



ITUC Policy Brief: a new social contract for migrant workers

Contents

<hr/>	
FOREWORD	3
<hr/>	
BACKGROUND: STATISTICS AND TRENDS	3
<hr/>	
THE CURRENT SOCIAL CONTRACT IS FAILING MIGRANT WORKERS	4
<hr/>	
A NEW SOCIAL CONTRACT FOR MIGRANT WORKERS	6
CLIMATE-FRIENDLY JOBS WITH JUST TRANSITION	6
RIGHTS FOR ALL WORKERS	7
MINIMUM LIVING WAGES FOR ALL WORKERS AND WAGE JUSTICE	8
UNIVERSAL SOCIAL PROTECTION	9
EQUALITY	9
INCLUSION	10
<hr/>	
UNION DEMANDS FROM GOVERNMENTS	10

Foreword

The world is facing a convergence of multiple crises that are having a devastating impact on people and the planet, exacerbating existing inequalities within and among countries. The effects of the Covid-19 pandemic are still with us, conflicts and violence are on the rise, the negative impact of climate change is accelerating, and democracies and the rule of law are increasingly under attack. This scenario makes decent work an illusion for many workers, including migrant workers.

Decent work deficits, xenophobia, racism and discrimination, conflicts, insufficient mitigation and adaptation to climate change – including inadequate responses to natural disasters – mean many people have no choice but to

accept substandard employment or undignified working conditions.

The current migration governance frameworks do not offer a solution to these challenges, and often end up creating an exploitable subgroup of workers.

A New Social Contract is more urgent than ever to create more inclusive societies and economies, where migrants and their families can work and live with dignity.

Workers call for a rights-based governance of migration that is designed, implemented and monitored through social dialogue and with international labour standards – such as freedom of association and collective bargaining rights – at the forefront.

Background: Statistics and Trends

At the end of 2020, the total number of international migrants was estimated to be 281m.¹ In 2021, the UN Refugee Agency (UNHCR) recorded 27.1m refugees and 4.6m asylum seekers.² This does not include the millions displaced due to the adverse impacts of climate change. Some 83 per cent of refugees are hosted in low and middle-income countries with 72 per cent living in a country neighbouring their country of origin.

According to the International Labour Organisation (ILO), there were 272m international migrants worldwide in 2019, 169m of whom were migrant workers.³ Women constitute 41.5 per cent of migrant workers globally; but their share in certain regions is much lower, reducing to 17.5 per cent in Arab states.⁴ Factors contributing to a lower number of women among migrant workers include gender discrimination (in origin and destination countries) and difficulties in finding care support for family members in order to go out and work in a foreign country.

¹ McAuliffe, M. and A. Triandafyllidou (eds.), *World Migration Report 2022*. International Organization for Migration (IOM), Geneva, 2021.

² UNHCR, *Global Trends: Forced Displacement in 2021, 2022*.

³ ILO, *Global Estimates on International Migrant Workers – Results and Methodology*, 3rd edition, 2021

⁴ ILO, *Global Estimates on International Migrant Workers – Results and Methodology*, 3rd edition, 2021

The majority of migrant workers are in the services sector, with 79.9 per cent of women working in the sector compared with 56.4 per cent of men. While the majority of international migrant workers are in high-income countries, this is a global phenomenon impacting all countries regardless of their income level. More than 60 per cent of migrant workers live in northern, southern and western Europe; north America and Arab states.⁵ However, many countries are both destination and origin countries simultaneously.

Many migrants move within their own region. For example, most international migrants from west and central Africa move within the subregion for economic reasons, while intraregional migration has grown in east and southern Africa over the years, potentially due to the integration efforts such as the East African Common Market Protocol or the Southern African Development Community. In Asia, intraregional migration is estimated to have increased from 35m in 1990 to 69m in 2020. In South America, about 80 per cent of migrants are moving to other countries within the region.⁶

The Current Social Contract is Failing Migrant Workers

Migrant workers contribute to the economies of both their destination country as well as to their country of origin through remittances. In December 2022, for example, the International Monetary Fund published research estimating that “with the right support and integration policies, migration from Venezuela has the potential to increase real GDP in Peru, Colombia, Ecuador and Chile by 2.5 to 4.5 percentage points relative to a no-migration baseline by 2030.”⁷ In Africa, an ILO/OECD study showed migrants’ positive impact on economic growth, employment rate of native-born workers and public finance.⁸

For example, in Cote d’Ivoire, immigrants’ contribution to GDP represents up to 19 per cent⁹ while in Ghana, migrants’ contribution to “the government’s fiscal balance exceeds the contribution of native-born population (on a per-capita basis).”¹⁰

The Covid-19 pandemic has also shown the important role migrant workers play in our economies and societies as they carry out essential jobs on the frontline. Rather than acknowledge the societal benefits of migration, however, many governments still frame migration as a threat on the grounds of security concerns, coupled with xenophobic arguments on migrant workers “stealing jobs” or being

⁵ ILO, *Global Estimates on International Migrant Workers – Results and Methodology*, 3rd edition, 2021

⁶ McAuliffe, M. and A. Triandafyllidou (eds.) 2021 *World Migration Report 2022* IOM

⁷ IMF, *Regional spillovers from the Venezuelan crisis: migration flows and their impact on Latin America and the Caribbean*, prepared by Jorge Alvarez, Marco Arena, Alain Brousseau, Hamid Faruquee, Emilio Fernandez-Corugedo, Jaime Guajardo, Gerardo Peraza, and Juan Yépez Albornoz, 2022. Reference from <https://www.imf.org/en/News/Articles/2022/12/06/cf-venezuelas-migrants-bring-economic-opportunity-to-latin-america>

⁸ OECD/ILO, ILO, Geneva/OECD Publishing, Paris, *How Immigrants Contribute to Developing Countries’ Economies*, 2018.

⁹ OECD/ILO, ILO, Geneva/OECD Publishing, Paris, *Comment les immigrés contribuent à l’économie de la Côte d’Ivoire*, 2018.

¹⁰ OECD/ILO, OECD Publishing, Paris, *How Immigrants Contribute to Ghana’s Economy*, 2018.

a drain on the taxpayer. In many cases over the past decades of neo-liberal policy making, such a narrative has provided a useful tool for governments to use migrants as a scapegoat for their own policy failings. Such an approach only pushes migrants to more risky routes and renders them vulnerable to serious rights violations and exploitation.

Migrants are “more likely to be concentrated in low-paid, precarious, informal work and excluded from social protection”,¹¹ which exposes them to “poverty, social exclusion and social insecurity.”¹² Women migrant workers, who are overrepresented in the informal economy, are even more exposed to vulnerable conditions.¹³ While migrant workers overall earn about 12.6 per cent less than nationals in high-income countries, migrant care workers – the majority of whom are women – earn about 19.6 per cent less than non-migrant care workers.¹⁴

Migrant workers are more than three times more likely to be in forced labour than non-migrant workers, whether because of irregular or poorly governed migration, or unfair and unethical recruitment practices.¹⁵ While it is estimated that 4.1 of every thousand non-migrant workers are in forced labour in the private economy, this rises to 14 of every thousand among migrant workers.¹⁶

Migrant workers are also more exposed to unsafe and unhealthy working conditions compared to their non-migrant counterparts. According to an analysis of ILO statistics, “the incidence rate of fatal occupational injuries was higher for migrant workers than for non-

migrant workers” in 73 per cent of the countries where such data on work-related fatalities was available.¹⁷

Despite the rights violations and exploitation, migrant workers have little to no access to justice. Many find it impossible to complain about their working conditions or demand just wages, rest periods, sick leave, holiday and measures for health and safety at work, because they fear retaliation from employers, which may lead to immigration detention and deportation. As a result, many see no alternative but to endure conditions that fall far below those required by national laws, through collective bargaining or by international labour standards, and find themselves trapped in exploitative conditions, violence and harassment.¹⁸

In the absence of national laws and regulations that protect migrant workers’ rights and without effective enforcement, where such laws exist, current migration governance frameworks that lack coherence with labour, development and just transition policies create an unprotected, easily abused and exploited workforce. This fuels poverty, exclusion and exploitation, and lowers standards for all workers.

Trade unions call for a New Social Contract globally, which aims at putting “the economy in the service of humankind and save people and the planet from the threat of destruction”.¹⁹ This includes all migrant workers everywhere regardless of their status or employment relations.

¹¹ ITUC, News: [International Migrants Day: migrants, refugees, and asylum-seekers are welcome](#), 2022.

¹² ITUC, [Economic Briefing: Ensuring Migrants’ Access to Social Protection](#), 2021.

¹³ See, for example, UN Women, [Women Migrant Workers’ Human Rights](#), 2015.

¹⁴ ILO, [The migrant pay gap: Understanding wage differences between migrants and nationals](#), 2020.

¹⁵ ILO, Walk Free and IOM, Geneva, [Global Estimates of Modern Slavery: Forced Labour and Forced Marriage](#), 2022.

¹⁶ Ibid, [Global Estimates of Modern Slavery](#), 2022.

¹⁷ ILO, [Covid-19 and the New Meaning of Safety and Health at Work](#), 2020.

¹⁸ See, for example, PICUM, [A Worker is a Worker: How to Ensure that Undocumented Migrant Workers have Access to Justice](#), 2020.

¹⁹ ITUC, [A New Social Contract: Congress Statement](#), 2022.