

As an organization that has worked on migrant worker issues and labor organizing for the past two decades, the Solidarity Center's conception of labor rights and its relation to migration and governance is rooted in several demonstrable aspects of the spectrum of work across dozens of countries and sectors.

First, as other governments and organizations yesterday pointed out, governance needs to be about more than the nuts and bolts of managing borders and labor migration programs. As the UNHRC said, it is dangerous to think borders can be hermetically controlled, and borders are not exempt from human rights. It is not just products and services that operate in a globalized world. Workers as they cross borders either for work or returning home deserve full access to justice and rights. States need to develop systems for "portable justice" where workers have pathways for remedies and compensation for workplace and/or recruitment abuses, while they are in the destination country, and after they return home - even if the violation happened in the destination country.

Migration governance needs to have the social dialogue paradigm of social dialogue at its core - recognizing that workers, employers, and governments must have an equal voice in migration policy and governance. The ILO labor standards should be the framework for any governance regime and cooperation among and between states. And the ILO must be recognized as the lead agency on labor migration within the UN as its tripartite structure, rights-based framework, and grievance mechanisms can only enhance democratic and just governance in countries.

Governance thus means a holistic approach to labor migration that focuses on economic, social and political rights. This means that governments must move beyond an emphasis on temporary migration programs that restrict workers' ability to exercise their rights - from freedom of association and voting rights to family unification - to regular migration programs that allow for visa portability, the ability to change employers, exercising political and social rights, freedom of movement, family unity, and pathways to residency and citizenship in destination countries.

This is a matter not simply of justice and rights, it's another dimension of the globalization that sees trade law determine the rules for producing goods and services, and so binding law and practice should be an integral part of migrant workers' rights, including the foundation of Freedom of Association. Moreover, states must cooperate to develop safer migration processes that do not involve

labor recruiters/brokers and recruitment fees which themselves are both violations of rights and arguably a market distortion.

Good governance also means cooperating with states across borders to ensure that development is about more than just remittances. Working with donors and other states to create decent work in both origin and destination countries allow workers to maximize the benefits of migrating, while also having options to stay home so that migration is a choice and not an economic compulsion.

Good governance also must focus on the social costs of migration – effects on families of low wage migrant workers having no choice but temporary migration programs that put them in debt (through recruitment fees) and separate them from each other. Low wage migrant workers have a right to be with their families and raise their own children, too.