

Recommendations from the trade union organizations members of the RSMMS concerning the future European Pact on Migration and Asylum

The 30 trade union organizations members of the RSMMS are convinced that the migration issue cannot be dealt with in a responsible and sustainable manner without the trans-regional intervention of the relevant stakeholders.

Migration poses the challenge for institutional and civil society actors to develop new *modus operandi* which cannot be confined to the borders of their country, especially since the challenges faced by migrants in the destination countries come from the recruitment process of the country of departure. Transnational cooperation between stakeholders in the countries of departure, transit and settlement appears more and more as an essential lever for devising durable solutions for guaranteeing rights.

On the basis of the pilot experience that we have been carrying out for six years between trade unions in Europe, North Africa and West Africa, we address to the European Commission and to the Members of the European Parliament the following recommendations based on solidarity, responsibility and full respect for Human Rights, hoping that they will be heard and taken into consideration in the final document of the new European Pact for Asylum and Migration.

1) Free movement of persons:

The current Schengen visa code is extremely complex and only allows short stays, without harmonizing entry into EU countries for the purpose of residence and/or work.

Reducing the risk of irregular border crossings and the prospect of strengthening the mechanisms for safe and legal migration requires a review of the current system. We recommend finally abandoning any form of outsourcing and subcontracting of visa management to private agencies, a cumbersome system, that obeys productivity imperatives to the detriment of human rights principles, which has produced perverse effects, discrimination and a lack of transparency in decisions.

We insist on the need to simplify the current visa procedures and call for an assessment to be made of the possibility of setting up a system for the management and provision of visas by digital means.

In addition, in accordance with the resolution of the European Parliament of 11 December 2018, we recommend to introduce and harmonize the legal mechanism of visas on humanitarian grounds to allow regular entry into the territories of EU countries with a view to obtain international protection.

2) Income and labour market policies:

We insist that the European Pact offers a framework based on social dialogue to support the establishment of legal and safe channels for work-related migration, by further supporting the coordination of social partners and particularly of workers' unions in the countries of origin and destination, with a view to the implementation of fair recruitment and skills development policies.

We draw the attention to the multiplication of governance problems due to the lack of coherence between national migration policies and employment policies, putting migrant and national workers in competition and fueling conflicts and rivalries. The European Union must clearly

support and encourage the entry to Europe of migrants who apply for a working visa, in a system of legality and guarantees, of a reasonable duration (6 months renewable) and the possibility of moving within the community space, with similar programs of support for job searching, integration in the host community, as well as financial instruments and development cooperation programs for return and reintegration in the countries of origin.

We also ask that the work of the European Commission towards an initiative on minimum wages in the EU countries include the specific issue of migrant workers, whatever their status.

3) Policy of regularization of migrants:

Unprincipled employers submit many undocumented workers to forced labor, violence and social exclusion. We call on states to end the criminalization of irregular entry and staying to enable this invisible and vulnerable population to access inclusive mechanisms in the host countries and thus provide more effective guidelines for the application of labor legislation and the fight against the informal economy.

Undocumented workers constitute a precarious and low-cost workforce for important sectors of the economy in EU countries. The profitability of these sectors depends directly on their exploitation. New regulations in these sectors should include mechanisms for integration and administrative regularization that guarantee the fundamental rights of workers.

We also insist on the obligation to diversify the channels of regularization. In this perspective, we recommend that the channels of legal migration which are multiplying to meet the labor needs of European countries constitute at the same time a framework for the regularization of undocumented workers already present in the requesting countries. Skills-building, upgrading or retraining programs intended for potential immigrants to Europe should therefore be accessible and offered to undocumented workers already present in the territory.

4) Policy of externalization of borders and inter-state cooperation:

The policies of "rejection and repression" of migrants have provoked a solely security treatment of migration resulting in "no reception" policies in all countries of the EU neighborhood countries. The consequences are disastrous: proliferation of criminal organizations, numerous deaths on migratory routes, corruption, imprisonment, criminalization of migrants and solidarity with this mood or as a pretext for the fight against terrorism, and banalization of xenophobia and racism. We recommend that the new Pact include the need to provide responses to development issues and the causes of migration as a strategic objective for the regulation of migration.

We ask the Commission and MEPs that the new Pact also provide for transparency mechanisms concerning readmission agreements signed between countries of the South and European countries. These agreements, which sometimes take the form of spoken notes, are generally not officially published, secretly concluded, and of a vague legal nature, making any democratic control impossible.

We recommend that it be clearly stipulated in the Pact that the establishment of asylum laws in the countries of the South cannot and will not be able to constitute a European strategy in the externalization of asylum under the pretense of social and democratic progress in the countries of the South.

5) Role of local communities and coordination with the EU:

We are convinced that local authorities can find concrete solutions to problems that often do not find answers at the national level. These actions consist of: facilitating the access of migrant and exiled populations to basic services (health, education, housing, etc.), reducing irregularities, developing alternatives to detention, promoting integration or even informing the public opinion. The Pact should clearly refer to these innovative experiences jointly promoted by local authorities and civil society.

We therefore recommend that the Pact support the advocacy of cities to strengthen their legal skills to carry out local policies for the real socio-economic inclusion of migrants and refugees in collective and host communities.

6) Elimination of all forms of detention of irregular migrants or asylum seekers:

We call for an end to all forms of detention of irregular migrants or asylum seekers which, as demonstrated, only cause suffering, corruption and further human rights violations. We recommend that the Pact stipulate the use of alternatives to detention as a priority.

7) Social protection and assistance to migrants:

As a part of the future European pact, we call for monitoring and compliance with labor standards, including adequate health and safety standards for all workers, whatever their status, their country of origin and the sector in which they operate.

We call for a special attention to the working conditions of seasonal workers. We call for the creation of mechanisms at EU level to monitor and guarantee working conditions, access to housing and health for migrant workers in accordance with legislation and collective labor agreements in force. Access to justice, particularly for migrants who are victims of human trafficking and forced labor, is a major challenge for an effective transposition of Directive 2004/81 / EC in the countries of the Union. The establishment of greater guarantees protecting victims who denounce these organizations and their intermediaries must be harmonized across all European countries.

We also recommend strongly encouraging the establishment of bilateral social security agreements with the countries of origin in order to guarantee the portability of the social rights of migrants.

8) Reform of the Dublin asylum regulations:

It is essential to immediately adopt a Common European Asylum System (CEAS), mandatory and effective and in accordance with international regulations. The reform proposal approved by the European Parliament in 2017 must be implemented, recognizing the possibility of choosing the place of asylum, promoting family reunification and taking into account an equal and united distribution of refugees between member countries.

The Trade union organizations members of RSMMS

18 September 2020

**List of the trade union organizations members of the
Sub-Saharan Mediterranean Migration Trade Union Network (RSMMS)**

(update 4 July 2019 – after the 5th General Assembly)

Country	Name	Acronym
General coordination of the RSMMS (& member)		
1. Tunisia	1. Union Générale Tunisienne du Travail	UGTT
Trade Union organizations members of RSMMS		
2. Algeria	2. Confédération Générale Autonome des Travailleurs en Algérie	CGATA
3. Belgium	3. Confédération des Syndicats Chrétiens	CSC
	4. Fédération Générale du Travail de Belgique	FGTB
4. Benin	5. Union Nationale des Syndicats des Travailleurs du Bénin	UNSTB
5. Burkina Faso	6. Union Syndicale des Travailleurs du Burkina	USTB
6. Ivory Coast	7. Union Générale des Travailleurs de Côte d'Ivoire	UGTCI
7. Spain	8. Confederación Sindical de Comisiones Obreras	CCOO
	9. Unión Sindical Obrera	USO
	10. Unión General de Trabajadores	UGT
8. France	11. Confédération Française Démocratique du Travail	CFDT
	12. Confédération Générale du Travail	CGT
9. Italy	13. Confederazione Generale Italiana del Lavoro	CGIL
	14. Unione Italiana del Lavoro	UIL
10. Mali	15. Confédération Syndicale des Travailleurs du Mali	CSTM
	16. Union Nationale des Travailleurs du Mali	UNTM
11. Morocco	17. Confédération Démocratique du Travail	CDT
	18. Union Marocaine du Travail	UMT
12. Mauritania	19. Confédération Générale des Travailleurs de Mauritanie	CGTM
	20. Union des Travailleurs de Mauritanie	UTM
13. Niger	21. Union des Syndicats des Travailleurs du Niger	USTN
	22. Confédération Nigérienne du Travail	CNT
	23. Confédération Démocratique des Travailleurs du Niger	CDTN
14. Portugal	24. Confederação Geral dos Trabalhadores Portugueses – Intersindical Nacional	CGTP-IN
15. Senegal	25. Confédération Nationale des Travailleurs du Sénégal	CNTS
	26. Confédération Nationale des Travailleurs du Sénégal - Forces du changement	CNTS-FC
	27. Confédération des Syndicats Autonomes	CSA
	28. Union Démocratique des Travailleurs du Sénégal	UDTS
	29. Union Nationale des Syndicats Autonomes du Sénégal	UNASAS
16. Togo	30. Confédération Syndicale des Travailleurs du Togo	CSTT

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