

Our recommendations for the Global Compact on Safe, Regular and Orderly would include, as a minimum to:

- Ensure that migration policies, are firmly based in international human rights, humanitarian and labour law, including (but not limited to) the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, The ILO Convention on Migration for Employment (numbers 97 and 143) and the 1951 Refugee Convention
- Ensure coherence between migration and labour law and policy at national, regional and global level.
- Promoting the role of the ILO as a leading agency on labour migration, including in its interaction with other regional or international bodies involved directly or indirectly in labour migration issues.
- Ensure consultation and encourage active participation of employers' and workers' organizations in planning, implementing and monitoring labour migration policies and measures; including measures aimed at the economic and social integration of refugees
- Effective resettlement and the right to work and equal treatment for refugees
- Strengthen international cooperation between labour law enforcement institutions in addition to migration and criminal law enforcement and establish firewalls between immigration control and access to public services and access to justice for migrants, particularly undocumented migrants, who are in the most vulnerable situation. Migrants should never be denied access to public services (also a public health issue) or to justice due to their immigration status
- Promote migration by choice by applying active labour market policies and programmes to build inclusive and resilient labour markets that provide decent work opportunities for local, migrant and refugee populations alike in countries of origin as well as destination.
- Ensure pathways to permanent migration for migrant workers at all skills levels. The recent policy adopted by New Zealand is one example (attached). Australia also offers the possibility of applying for a permanent visa after two years in a "Specified Regional Area" Several countries offer pathways to citizenship after a number of years of residency.
- Protect the right to freedom of association and the right to organise and bargain collectively in law and practice for all migrant workers, regardless of their status, including those in temporary, circular and seasonal schemes; as well as for refugees. For example the South Korean Supreme Court finally ruled, after a long struggle, that migrant workers, including undocumented migrant workers, have the right to form and join trade unions <https://www.equaltimes.org/the-fight-to-secure-migrant?lang=en>
- Ensure the application of the right to equal treatment and non-discrimination, including in respect of wages and other working conditions (such as working hours and occupational safety and health)

- Ensure access to social protection promoting portability of social protection
- Ensure protection from exploitation, violence and harassment regardless of residence status.
- Include a ban on recruitment fees and related costs and deductions from or withholding of wages
- Abolish tied employment/sponsorship requirements. State management of visas should be triggered with an offer/ contract of work. At the very minimum such visa types /work permits should be occupation or sector wide, increasing the migrant worker's ability to change employers, particularly in cases of exploitation and abuse
- Review necessity of certain restrictions on visa types, as violations may needlessly plunge migrants into irregularity (e.g. certain restrictions on work for student visas, restrictions on hours of work some visa types, etc.), and apply such restrictions on an evidence-based assessment of labour market/economic and social impacts
- Regulate the recruitment industry and ensure proper enforcement of those regulations
- Ensure/'test' labour market needs for migrant labour through social dialogue and tripartite structures. Often labour mobility/migration programmes, appear to spring up at the sole behest of employers and may tend to satisfy a desire for cheap labour rather than reflecting real shortages in labour supply. Equal treatment for migrant workers and equal pay for work of equal value are key conditions.
- Promote measures, including legislative measures and campaigns, that combat discrimination and xenophobia in the workplace and highlight the positive contributions of migrants, including refugees, with the active engagement of employers' and workers' organizations and of civil society
- Combat social exclusion through investment in quality education; skills, including skills upgrading, language and vocational training
- Promote regularisation programmes where they can be effective, as a means of tackling irregularity and curbing underground and informal labour markets. Examples include:
 - the regularisation of Haitian workers in Brazil, which followed a decision in 2012 to grant humanitarian visas to Haitians in order to create an easier and safer legal pathway for those fleeing the effects of the earthquake;
 - the Geneva city programme; and
 - the 'Declaración especial sobre la regularización migratoria como un mecanismo para lograr el ejercicio pleno de los derechos de las personas migrantes y sus familiares y el fortalecimiento de la integración regional', adopted at the II CELAC Summit, in January 2014.

These are too often seen as an unpalatable and politically inexpedient measure by governments.