





POSITION PAPER OF TRADE UNIONS on the impact of social dialogue on the optimization of labor migration in Moldova, Belarus and Ukraine

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International migration, in the modern world, has become an increasingly common phenomenon. However, within the frame of the discussions on migration issues, both at the national and international levels, opinions, concerns and wishes of the social partners are not taken into account to the proper degree. In this regard, more attention in recent years has been paid to social dialogue as an instrument for achieving social progress and optimal solutions in the field of labor market policies.

This document was developed on the basis of the Analytical Report "The Impact of Social Dialogue on the Optimization of Labor Migration in Moldova, Belarus and Ukraine" developed by the Center for Social and Economic Research CASE Belarus (Poland), the Labor Institute of the Confederation of Trade Unions of the Republic of Moldova, experts of the Belorussian Congress of Democratic Trade Unions and the Construction and Building Materials Industry Workers' Union of Ukraine with the support of the EU.

The above-mentioned trade union organizations are pleased to note that, compared to the situation that existed in the early 2000s, progress in the field of social dialogue in Moldova and Ukraine is obvious. At the same time, the state of the democratic trade union movement in Belarus causes concern. A successful social dialogue is possible when independent, well-developed trade union organizations activate without encountering obstacles. Otherwise, the social dialogue cannot be will be a fake one. Since the activities of independent trade union organizations in Belarus are greatly complicated by discriminatory practices, the quality and essence of social dialogue is being weakened in Belarus.

Representatives of trade union organizations advocate for their more active involvement, as social partners, in all three main areas that determine migration policy, namely:

- Developing measures to protect migrant workers against exploitation and providing the necessary support;
- Optimization of organized labor migration, development of new labor markets and the increase of remittances through legal channels, as well as mitigating the negative consequences of the emigration of highly skilled manpower;
- Institutional regulation of labor migration, through cooperation and partnership between state bodies, local government bodies, social partners, civil society organizations, business community in addressing labor migration problems;

Trade union representatives of all three countries believe that it would be appropriate to involve trade union organizations in orientation measures for labor migrants to a larger scale. At the initial stage, this would have made possible to provide labor migrants with protection instruments and guide them how to deal with various standard migrant situations.

The role of trade unions in developing, advising, conducting educational and training programs for labor migrants should be increased. In particular, Ukrainian trade union organizations consider it expedient to create additional information points in the main host countries of the EU to familiarize migrant workers with working conditions abroad, with information

about employers and administrative procedures. In this process, the competencies of the trade unions should be sufficiently utilized.

Belarus, Moldova and Ukraine should continue to work on the establishment of an adequate institutional structure and interdepartmental coordination in accordance with the best international practices. At the same time, it is important to note that the effective management of migration requires not only proper cooperation and coordination of almost the whole ministerial cabinet, but also cooperation of state bodies with trade unions and employers within the framework of social dialogue. Trade union organizations urge national governments and international partners to involve trade unions more in decision-making processes in the field of labor migration and hope that the signing of the Association Agreements between the EU and Moldova, the EU and Ukraine will contribute to further reform of state structures in this area and more active development social dialogue in the countries concerned.

Acknowledging the importance of ensuring by the states the minimum standards of protection for all migrant workers, regardless of their status, countries should continue to sign and ratify the yet non adopted key UN and ILO conventions, as well as additional ILO conventions on labor migration. While each of the three countries has undertaken efforts to fulfill the key UN conventions on labor migrants, one of the ILO core labor migration conventions (the Convention on Migrations in Migration and on Equal Opportunities and Treatment for Migrant Workers) was ratified by none of the countries, while the Convention on migrant workers has been ratified only by Moldova.

Of particular concern is the fact that Belarus remains the only European country that has not signed the European Convention for the Protection of Human Rights and Fundamental Freedoms and is not a member of the Council of Europe. Moreover, Belarus has not signed either the European Social Charter and its Additional Protocol, nor the Revised European Social Charter nor the European Convention on the Legal Status of Labor Migrants.

Noting a number of achievements in the field of social dialogue development, especially in Moldova and Ukraine, countries should continue to improve both national legislation and existing procedures and practices in order to ensure an even greater use of tripartism in order to comply with democratic norms and achieve socio-economic progress.

To reduce the impact of main factors influencing the labor emigration from the three countries, i.e. higher salaries and, in general, higher living standards in the host countries, the social partners in Moldova, Belarus and Ukraine should coordinate their interests to ensure the functionality of national labor markets and a decent level of salarization.

It is advisable for trade unions of Moldova, Belarus and Ukraine to develop communication networks, involving unions of host countries and social partners to represent the rights and interests of labor migrants in the countries of destination. Thus, the trade unions will be able to increase their influence on the regulation of labor migration in the interests of all parties.