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The Global Forum on Migration and Development: Critical Overview through a Case-study of the Phillipines

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Abstract:

This article provides a general overview of the GFMD based on the author's participation in the Civil Society Days of the GFMD's Manila meeting as well as on her going research on the global governance of migration. In particular, the article focuses on the Philippine government's migration program as it has been hailed as the "model" to be emulated by different government participants of the GFMD.

The Global Forum on Migration and Development (GFMD) was proposed during the United Nations' High-Level Dialogue on International Migration and Development in September 2006. According to the U.N. President's notes on the High-Level Dialogue, "[t]here was widespread support for incorporating international migration issues in national development plans, including poverty reduction strategies."¹ Though the GFMD grew out of the High Level Dialogue, it is not a decision-making body. It does, however, aim at helping countries "to share information on ideas, good practices and policies regarding migration and development." In July 2007, government officials representing migrant-receiving and migrant-sending countries from around the world met in Belgium for the very first meeting of GFMD. It is alternately hosted by labor-receiving and labor-sending countries, hence, the second meeting of the GFMD was held in the Philippines whose approach to migration and its link with the idea of migration and development is the focus of this report.

¹ See <http://www.un.org/esa/population/migration/hld/index.html>.

What follows, first, is a general overview of the GFMD based on my participation in the Civil Society Days of the GFMD's Manila meeting as well as my on-going research on the global governance of migration. The rest of this article focuses specifically on the Philippine government's migration program as it is the program that is often hailed as the "model" to be emulated by different government participants of the GFMD as well as by some key civil society actors involved in the GFMD's Civil Society Days.

The GFMD: An Overview

The central issue discussed and promoted in the GFMD is temporary labor migration programs or TLMPs. This is notable because while many developing countries have long promoted the export of labor as a source of foreign exchange through migrants' remittances, what the GFMD signals is a growing interest on the part of international organizations like the United Nations to actively advance the notion of migration as a developmental policy amongst developing states and to facilitate the adoption of TLMPs by these states. Indeed, TLMPs are being touted by states involved in the GFMD process as promoting a "win-win-win-win" situation because they supposedly "optimize benefits for migrant workers, employers, source countries and destination countries."² Migrant workers, it is believed, benefit by being able to secure employment, albeit overseas. Employers benefit by having a ready source of workers. Source countries benefit from the foreign exchange earnings generated through migrants' remittances. Destination countries benefit by not having to integrate new permanent residents.

Notably, the GFMD was held in the Philippines because it has long been held up as a "model" of "migration management" by international organizations as its TLMP ostensibly rests on a so-called rights-based framework. That is, the Philippine government has introduced migration policies that ostensibly ensure that its overseas citizens' rights are protected. For instance, papers generated for discussion amongst participating governments laud that the Philippines are displaying "good practices" that promote migrants' protection:

The Philippine "life-cycle" approach to fostering and supporting the Overseas Filipino Worker programme is useful model for "protection beginning at home," which is then reinforced through negotiated, rights-oriented partnerships with both host countries and other non-governmental stakeholders.³

² Government of Bangladesh and Government of Canada. 2008. "Fostering More Opportunities for Regular Migration." Manila, Philippines: Global Forum on Migration and Development, 2008.

³ Government of Philippines and Government of United Arab Emirate. 2008. "Protecting the Rights of Migrants—A Shared Responsibility." Manila, Philippines: Global Forum on Migration and Development, 2008.

The programs the Philippines has instituted include pre-departure education seminars that are supposed to provide prospective migrants with a better understanding of the kinds of rights that are (or are not) guaranteed by labor-receiving countries. Additionally, the Philippine government attempts to work with labor-receiving governments to craft both formal and informal agreements meant to ensure that Philippine migrants' working and living conditions conform to the Philippines' labor standards.

Significantly, the parallel civil society meetings preceding the government meetings echoed the same kind of sentiment expressed by government officials. Papers circulated in these meetings cited specific Philippine programs as examples of "effective promotion" of migrants' rights. For instance, one paper described how the Philippine embassy and consular offices cover the costs in Philippine migrants' lawsuits against their employers for discriminatory or abusive treatment.

The Philippine "Model" Revisited

In my forthcoming book from the University of Minnesota Press, *Migrants for Export: How the Philippine State Brokers Workers for the World*, I critique the notion that the Philippines' TLMP is a "model" of a "rights-based" program. In my research, I have found that TLMPs like the Philippines' generally offer not a "win-win-win-win" situation, but indeed a "lose-lose" situation for migrants and their families while elites in labor-sending states, employers, and host countries benefit.

TLMPs, I argue, are neoliberal strategies adopted by labor-sending states, in cooperation with labor-receiving states. The Philippine government has cut back on much-needed social services and favors the casualization⁴ and flexibilization of workers domestically as demanded by multilateral organizations (i.e. the World Bank and IMF) that enforce the neoliberal "Washington Consensus".⁵ To address conditions of underemployment and unemployment, the Philippine government has sought to encourage its citizens to earn

⁴ Casualisation is a process by which employment shifts from a preponderance of full-time and permanent or contract positions to higher levels of casual positions. It can negatively affect job security. Casualisation may be linked to under-employment. From <http://soer.justice.tas.gov.au/2003/indicator/81/index.php>.

⁵ The "Washington Consensus" involves privatization, deregulation, and liberalization amongst other sets of economic reforms imposed by institutions like the World Bank or the International Monetary Fund. These economic reforms are aimed at limiting the regulatory role of governments, particularly in developing countries and promoting free trade. The idea is that economic development in developing countries can best be achieved through unhampered flows of foreign investment from transnational corporations and other sorts of firms. These economic reforms require developing countries' governments, among other things, to introduce policies that limit the strength of labor unions or to weaken environmental policies as unions and environmental regulations are believed drive away potential investors. The economic reforms associated with the "Washington Consensus" are also referred to as "neoliberal restructuring."

their livelihoods overseas. As “labor brokerage” states, governments like the Philippines enact migration policies that actually facilitate out-migration. For example, the Philippine government actually bargains with labor-receiving states to ensure transfers of workers from the Philippines to hundreds of countries around the world. Indeed, the Philippine government has even oriented its technical and vocational training programs to gear them towards the labor demands of migrant-receiving countries. Migrant-receiving countries and employers operating in those countries benefit from these arrangements by having ready access to skilled, cheap labor. Meanwhile, the Philippine government benefits from the millions of dollars of remittances generated by its overseas citizens.

In my research, I find that the informal and formal agreements forged by the Philippines with labor-receiving countries are less about the protection of migrants’ rights, as GFMD stakeholders seem to believe, but rather are more concerned with ensuring that transfers of labor occur from the Philippines to other countries in a continuous and trouble-free basis. Workers, meanwhile, are forced to shoulder the burdens of neoliberal restructuring⁶ as they are forced to pay for once-subsidized or even free social services because the state focuses its resources on the repayment of public debts. Indeed, not only do migrants’ “pay” for public debt through fee-based social services, but through their remittances. The foreign exchange generated by overseas migrants’ overseas earnings is a boon to the debt-ridden Philippine state.

As I argue in my forthcoming book⁷:

It is within the context of the tremendous uncertainty that the government’s relentless pursuit of neoliberal restructuring has produced that the Philippine state promotes overseas employment amongst its citizens. Employment abroad allows Philippine citizens to earn incomes far greater than would be possible in the Philippines (in part because the peso is so devalued) and therefore sustain their families’ well-being, at least in the immediate future. Indeed, there is something quintessentially neoliberal about labor brokerage as a technology of government. It requires the responsabilization of Philippine citizens who are to directly bear the costs of neoliberal restructuring as their remittances go to debt servicing. Moreover, as the Philippine state withdraws social supports and thereby passes on the costs of education, health care and other expenses to its citizens, brokering labor absolves the state from having to provide services directly to its citizens. Ordinary people are forced to bear sole responsibility for the costs associated with newly privatized public services with the wages they earn abroad.

⁶ See footnote 5.

⁷ Rodriguez Robyn M. forthcoming. *Migrants for Export: How the Philippine State Brokers Workers to the World*, University of Minnesota Press: Minneapolis.

It cannot be denied that the Philippine government does, as GFMD stakeholders rightly note, have legislation that is supposed to protect migrant workers including the “Overseas Filipinos and Migrant Workers Act” passed in 1995. As I note in my book:

Since its inception, the Philippine state’s migration regime has included provisions that are supposed to protect migrants from exploitative working conditions as well as entitlements reserved only for overseas workers. These protections promise, for example, the Philippine state’s extraterritorial intervention in contractual disputes workers may have with their employers. They also include mandatory training programs for women seeking employment in what have been officially categorized by the government as “vulnerable” occupations (domestic work and “entertainment”). Indeed, migrants are also eligible for scholarship funds for their children as well as skills training and upgrading while they are abroad and when they return home. In fact, overseas employment is even cast as a “right” of Philippine citizen which the state pledges to ensure.

Yet, I also suggest,

Migrant citizenship is aimed at placating migrants’ fears about being vulnerable as foreign workers abroad. Indeed, it is a reactive measure by the state in response to Philippine citizens’ transnational protests against what they see as the unjust treatment of migrants at the hands of foreign employers and governments. The state pledges particular kinds of protections and entitlements to secure legitimacy for its migration program amongst its citizens - both those who leave as well as those who stay. By offering migrants what is essentially a portable set of “rights” the state can represent itself as a caring, and virtuous state committed to its citizens. Moreover, through migrant citizenship, the Philippine state can secure the legitimacy of labor brokering as a strategy on an international scale as rights regimes are an indicator of democratic governance, the hallmark of acceptance in the system of nation-states. For the most part, migrant citizenship comes with few guarantees, yet it becomes a key modality by which the Philippine state attempts to reshape its relations with citizens so as to normalize out-migration.

If the Philippine state has reconfigured citizenship, it has necessarily rearticulated ideas of nationalism and national belonging for the purposes of brokering labor. After all, in a society where people are forced to secure their livelihoods far from their families and country of birth, ideas of “home” and “the nation” are destabilized. With the increasing importance of overseas employment, the Philippine state has come to represent migrants as “new national heroes” whose duty is to actually work overseas to support their loved ones and the homeland through their remittance earnings. Rather than denigrating out-migration as a “brain drain” and therefore some kind of nationalist betrayal, or employing

punitive methods to force migrants to remit their earnings back to the Philippines, working abroad and remittance sending is recast as a nationalist act.

“Heroism,” however, comes with other responsibilities. While migrants are valorized as “heroes”, the state also expects them to be exemplary representatives of the nation abroad. Workers are expected to be law-abiding, diligent workers who return to the Philippines once their employment visas expire. When workers fail in their nationalist duties, the Philippine state deploys numerous mechanisms to discipline them transnationally. Here, migrant citizenship becomes a means by which the Philippines can, in fact, regulate migrants to obtain their remittances on one hand, and on the other, to intervene extraterritorially when migrants need to be brought under control as foreign states defer to the Philippine state as the appropriate custodian over unruly Philippine workers.

In my research, for instance, I witnessed how Philippine garment workers in Brunei who went on strike to protest unfair wages and terrible working conditions were compelled by Philippine embassy and consular officials to end their protest and to accept whatever terms of employment their employer offered. Rather than intervening to ensure that their citizens’ demands for decent terms of employment were met, as is mandated in the “Migrant Workers and Overseas Filipinos Act of 1995”, the Philippine state conceded to the interests of employer. Indeed, by conceding to the employer, the Philippine was able to smooth over diplomatic tensions with the Brunei government that arose with the strike and thereby ensure that one of its biggest markets for Philippine workers was secure.

GFMD: Global Forum on Modern Day Slavery?

While NGOs and government officials discussed the merits of “rights-based” TLMPs, self-organized, grassroots migrants’ organizations convened outside of the official GFMD meetings to critique what they called, the “Global Forum on Modern Day Slavery” at the International Assembly of Migrants and Refugees (IAMR).

Over a hundred delegates from around the world attended the IAMR. Amongst the key objectives of the IAMR was to allow migrants to “speak for themselves”. Testimonies featured prominently in the IAMR as migrants as well as their family members were encouraged to share their struggles. The centrality of testimonials to the IAMR stood in stark contrast to the activities of NGOs and other civil society actors in the GFMD’s official Civil Society Days where testimonials were explicitly prohibited in favor of

proposing “doable”⁸ policy recommendations that would be put forward to the representatives attending the government meetings of the GFMD.

The call of the IAMR conveners however, was not for reforms of TLMPs but for their rescission. As expressed succinctly through the IAMR’s slogan: “Migrants say no to GFMD! No to forced migration, no to labor export. Create jobs at home. End poverty.” Notably, Professor Jorge Bustamante, a Sociology professor who also happens to serve as the United Nations’ special rapporteur on migrants’ rights, addressed the IAMR and expressed his critique, as a migration scholar, of the notion “migration for development” which is the concept that is at heart of TLMPs and ultimately the GFMD. He argued, similar to IAMR conveners, that “migration for development” is a wrong approach as it makes migrants’ responsible for national development while absolving developing states’ from their responsibilities to working toward development for their citizens at home. For the IAMR participants, development should not be addressed through migration policy but rather through initiatives that alleviate poverty and create decent employment at home.

Concluding Thoughts: The future of TLMPs

As the global financial crisis worsens, it continues to be unclear exactly what the impact on migration may be. However, if a demand for cheap, temporary workers persists in countries of destination and the need for foreign exchange carries on in sending countries, then it might be argued that TLMPs are a necessary institutional “fix” under conditions of neoliberal globalization. As I suggest in my forthcoming book,

While brokering labor serves the Philippine state’s neoliberal imperatives domestically, it also performs the function of regulating flows of workers globally. As neoliberal globalization engenders new kinds of racialized and gendered labor demands,⁹ the Philippine state’s system of labor brokerage enables the controlled flows of temporary workers across national borders mobilizing them out of the Philippines and then ensuring their return back home. I would suggest, indeed, that labor brokerage might be a necessary institutional form under conditions of neoliberal globalization.

⁸ Based on my observations of the Civil Society Days.

⁹ Labor demand in many contexts tends to be “racialized” and/or “gendered.” That is, employers often expect to hire only particular sorts of people for specific kinds of job categories. For instance, in many countries, nursing or care giving jobs are expected to be filled only by women as the work of care is often believed to be an attribute of women. Increasingly, in many countries, the work of nursing or care is expected to be performed by specific nationalities of women (like Filipinas) who are thought to possess a special or unique capacity for care work. “Racialized” and “gendered” ideas about work are produced by specific histories of racialization or particular gender regimes in a given country. Moreover, these ideas are constructed transnationally, in part, by the active role of labor brokerage states like the Philippines.

Neoliberal globalization is giving rise to the restructuring of labor markets and the reorganization of work and thereby creating structural demands for foreign migrant workers. Demands for foreign workers in the more economically privileged areas of the world-system and prevailing inequalities between those areas and the periphery create the macrostructural conditions for international migration. These labor demands, however, are mitigated by the resurgence of different varieties of xenophobia and nationalism which are partly, it can be argued, a response to the new kinds of insecurities citizens of different countries around the world experience as a consequence of neoliberalism. In the face of precarious employment and dwindling social supports, many people are compelled to safeguard whatever limited entitlements their citizenship may offer under neoliberalism and call for immigration restrictions.

Systems of labor brokerage, therefore offer a kind of institutional “fix” resolving global capital’s demand for labor and neoliberalizing labor-importing states’ demand for temporary migrants who will not make claims for membership and will return to their countries of origin once their jobs are done.

At present, plans for the next GFMD in Greece later this year are being made. It will become clearer then how TLMPs will figure in today’s crisis-ridden global economy. However, there are few indications that international migrations will come to a complete halt and it is well likely the TLMPs or what I call “labor brokerage” will continue to be a significant policy model for countries around the world. Already we see evidence of labor brokerage in countries like El Salvador, India, Ecuador, Bangladesh, Indonesia, Peru and others. Alongside these developments, however, are new forms of migrant transnationalism. Migrant workers are coming together in forums like the IAMR to counter the over-celebratory accounts of TLMPs as well as to develop alternative visions of development that do not force people to eke out a living far away from their family members and loved ones.

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