

4.2: Migrant workers and the global demand for precarious labour

Welcome to this week's session which is on migrant labour. We hope you enjoyed last week's topic on the global supply chains. The two are of course related. One of the features of globalisation, which is very simply defined as the increase in interrelatedness and integration of the world, is an increase in the movement of people internally but also across borders. This international or cross-border migration is often for work and other economic reasons.

In this session we're going to examine how migrant workers are structurally positioned for potential and actual exploitation through immigration policies and other mobility governance systems internally and internationally.

So first of all, who is a migrant worker? Article 2 of the United Nations Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, which was adopted in 1990, defines a migrant worker as a person who is to be engaged, disengaged or has been engaged in a remunerated activity in a state of which he or she is not a national. Note that the convention focuses on international migration. As some of you may be aware, a lot of migration also occurs internally, and the condition of internal migrants engaged in forced labour are not too dissimilar to those of international labour migrants. But for this afternoon's session we are going to focus on international labour migration.

Over 150 million people today are classified as migrant workers. Of this number, 83 million are men and 66 million are women. Two regions of the world, North America and Europe, benefit the most from migrant workers. Indeed, almost half of the approximately 150 million migrant workers in the world are based in these two places according to an ILO report in 2015. However, the highest proportion of migrant workers are located in the Arab states, notably within the Gulf Cooperation Council.

For many migrant workers, access to decent jobs and good conditions of employment in the destination country provides socio-economic security or a means of safeguarding their livelihoods and their families. It is also an opportunity to experience the world, to integrate into new communities, learn new skills, and access diverse opportunities.

Migrant labour also plays numerous important socio-economic and other functions in the countries of origin and destination. Migrant workers are crucial to many economic sectors in receiving countries or in receiving areas, including agriculture, technology, domestic work, construction catering, and hospitality, healthcare, and education. Many sectors in many parts of the world have come to rely strongly on migrant labour. Indeed, in countries with aging populations or labour and skills shortages, migrant workers – who tend to be relatively young and motivated – are the workforce meeting these shortages. Their remittances to their home or origin countries boost national economies, just as the



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positive skills values and knowledge they pick up abroad could also be brought to bear on the development and betterment of their own countries or local communities.

So migrant workers, we can all agree, provide very strong benefits to the global economy and to their home as well as to destination countries. Paradoxically, migrant labourers, whether they are internal or international, are not particularly valued or protected in the beneficiary communities. Historically various societies have had fears about outsiders, and a variety of measures have been employed to control their mobility and their labour. If we look at England as an example, the Poor Laws of 1601, the Law of Settlement in 1662, and the 1824 Vagrancy Act were all deployed to depict outsiders, the homeless, the poor, and other categories of people as threats to society who needed to be controlled or, even worse, punished. These same measures are still applied in diverse parts of the world to both internal and international migrant workers.

This historical anxiety is also presented today in government policy and public concerns about immigration, and rise in anti-immigrant sentiments in different parts of the world. Policy as well as public and popular discourses in different parts of the world today are laced with fears about immigrants who are supposedly stealing jobs from locals, who are supposedly undeservedly benefiting from state welfare payments, and who are undeservedly taking advantage of other opportunities. As a result, just as the poor laws and vagrancy laws were used to control transient workers, we have laws in different parts of the world to stop people from moving internally. Governments and state parties have also established diverse policies and governance systems to control the mobility and labour of migrants internationally.

These regimes together work to generate a large supply of cheap and vulnerable labour – people whose freedoms and rights as workers are usually more restricted than other national workers. A common example of these measures is sponsorship or tied-visa systems. The ability to move from one employer to another is generally considered to be a basic feature of free-wage labour, yet these systems effectively ensure that this fundamental freedom is denied to many migrant workers. This isn't always explicit. In the USA, for example, the H-1B temporary visa does not technically deny migrant workers the right to change employers. If a worker did so, however, they would have to restart their applications for a green card or a secure stay. This high cost ensures that workers only rarely leave their employers, even if they are being exploited or paid or treated worse than their colleagues.

The situation of migrant domestic workers deserves special mention in this discussion. It's an area of migrant labour where exploitation and abuse is most prevalent as an outcome of the sponsorship visa systems. Ample evidence from the UK, in Lebanon, in Qatar and elsewhere shows that domestic workers, who are typically women, routinely experience non-payment of wages, forced confinement, lack of holidays or time off, and verbal physical and psychological abuse. But because they often live in the same household as their employers, they are frequently afraid to speak out for fear of retaliation.

By far the biggest obstacle for migrant domestic workers and different categories of migrant labourers is that they are unable to make use of the protections that exist within immigration and labour regulations. With tied visas there's always a risk of retaliation when the migrant labourer complains of exploitation or abuse, and doing so could open them up to deportation or immigration proceedings. There's also the risk that their stay in the country becomes illegal, which would jeopardise their presence in the country where they work, their ability to cater for themselves, and their ability to send remittances to their families. All of this is premised on staying with that same employer, or where possible on

finding another employer. That's not easy to do, and so many end up in exploitative and abusive working conditions from which they cannot easily withdraw.

Immigration governance systems in general position undocumented migrants for conditions of labour exploitation and forced labour. Without the right documentation, these workers often operate in the informal or hidden economies where there may be abuses of various sorts. Undocumented migrants are even less likely to report abuses for fear of being treated as criminals or as people who have broken immigration laws instead of as people who have been exploited.

States create and enforce, or indeed do not enforce, the laws, structures and conditions under which workers of all sorts live and labour. Fears of outsiders internally and internationally, and an interest in creating a cheap and disposable pool of labour, have created a situation in which many countries today prioritise immigration controls over migrant workers' rights.

Next week Joel Quirk is going to explore some of the responses or solutions to these issues. I hope you've enjoyed the talk and I wish you all the best for the rest of the course.

This transcript was prepared for the online course [Forced and Precarious Labour in the Global Economy](#) by [Beyond Trafficking and Slavery](#) (openDemocracy). It has been lightly edited for clarity. This course was originally released on the edX.org platform in 2018, where it has now been archived. As of 2021 it is available on [opendemocracy.net](#).

