Globalization, Migration and Human Rights

Central Challenges for the 21st Century

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Globalization, Migration and Human Rights; these are three, I dare say, "the three" central challenges shaping, or reshaping, the world on the eve of the 21st century. These three issues are important because these issues have, in isolation or in conjunction, become the axes of conflict in the economic, social and political realms. I would like to indicate a number of current issues using these three central challenges as recurrent and often interconnected themes in international politics. I begin by offering, perhaps, a provocative assessment of the several key features of globalization, which directly affects migration.

Globalization

Globalization has become the catchword in the international sphere, meaning many things to many people around the world. I have encountered at least four main aspects often identified with the term globalization.

First, globalization is considered a process, which facilitates or is associated with expansion of trade, extension of communications links, military conquests, empire building, and colonization since the very dawn of history. *Second,* globalization is an inevitable consequence of technological advances in human development. It is now not only possible but also rather commonplace, at least for some, to travel from any one part of the globe to any other part in a matter of hours and to communicate, send information and data, talk to each other directly across wide distances. *Third,* Globalization is a universal aspiration, the incipient drives for which is present in many religious faiths. It is notably so in Christianity, which makes the concepts of universal truth, universal relevance, and certainly, the universal commonality of all humanity beings over and above geographic, cultural and national boundaries the central tenets of its theological discourse.

Fourth, Globalization has become some sort of an ideological doctrine. In the words of Professor Colin Leys, (Queens University, Kingston, Canada) it is a utopian "idea of a world-wide market in which the people of the world relate to each other directly as individuals; 'globalization' is the process of trying to reach this ideal"[1]. This process and ideal is frequently expressed in almost religious terms, as the only way forward for the world.

The rhetoric promoting globalization proclaims that this process will maintain economic growth, and therefore, standards of living in the developed and industrialized countries. It is also asserted that this process will assure the eventual improvement of conditions in the rest of the world.

To sum it up, "Globalization" has become the catchword to describe the trends and initiative restructuring national and international economic life. These initiatives seek global integration of economic activity including production, marketing and consumption of goods and services. A major component of globalization is the elimination of restrictions on the free movement across the borders of capital, goods, resources, technology, and services, *but not of labour*.

This type of globalization, we are experiencing now, certainly means more than mere free movement of capital, goods and technology across borders. Many of the measures associated with globalization imply a broader freedom for generation of the capital. It seems to endorse liberation of capital from social responsibility. Several key features accompanying globalization include:

- the reduction of taxes on movement or transfer of capital;
- absence of taxes on movements or transfer of capital;
- freedom of export of capital 'en masse' even in crisis situations, without any regard to the destabilizing and destructive effects such mass withdrawals can have on entire nations and peoples.
- the reduction or elimination of regulations, not only on the international movement of capital, but on the generation of capital. "Deregulation" efforts seen in many countries tend to be particularly focussed on reducing wage and labour standards, and workplace health and safety standards and inspections.
- explicit limitations on environmental protection standards in regional free trade accords.

Consequences of Globalization

The reality emerging over the last several years appears to depart from the promises held out for this current model of globalization. An increasing number of people around the world, expecting the process of globalization to deliver, is now struggling to come to terms with growing unemployment or underemployment, stagnation or decrease in earnings for those employed, disappearing job security, increasing poverty, reductions in access to health care, education public transportation and housing, elimination of public benefits or "safety nets" for those without access to employment; in short, increasing marginalization and exclusion.

The result so far in most countries has not been social or economic reconstruction based on individual initiatives in the marketplace. Rather than promoting individualism, it has led to resurgence of collective identities. Thus we see the rising incidence of ethnic-based regrouping and emergence of fundamentalism, as people find themselves compelled to rely on traditional social bonds, simply to survive. In some cases, these adjustments have led to economic and social catastrophes; catastrophes fuelled by three decades of militarization of countries by the cold-war superpowers.

Debt and Structural Adjustment

In the 1950s and 1960s, newly emerging states in Africa and countries in other regions experienced improvements in production and in earnings from export of commodities and resources. Significant increases in collective health, education, transportation and nutrition resulted, aided in part by government spending and subsidies.

Then came the collapse of commodity prices. After declining in the 1970s, the prices fell by half for 33 primary products (in a group index) from 1980 to 1991-92. The result was a decline in per-capita income and the eradication of trade surpluses. Rapid increases in foreign debt followed as countries borrowed heavily in an attempt to maintain standards, or to militarize in the face of rising discontent. Rising debt and skyrocketing national budget deficits produced fiscal crises in many countries. The response from international lending institutions was to design and implement "structural adjustment programmes" to force governments to "adjust" to the consequences of prices changes in the emerging global market.

Today, many governments face a situation where over half of their country's export earnings must go to pay the servicing of debt while the principal remains unpaid. So governments borrow more money to pay debt and try to implement the conditions imposed by lenders. Typically, the International Monetary Fund requires the imposition of structural adjustment policies that include devaluation of national currency (making imports more expensive), reduction of public sector spending, stimulus to exports, and easing of restrictions on foreign investments. Cutting public spending means cutting back jobs and services— services, often intended for the poorer sections of the society. Reducing or eliminating subsidies on food or transport similarly affects the poor more than the rich.

Structural adjustment measures, applied in countries both in the North and the South, have reduced or eliminated health, education, and social services. In more developed and industrialized societies, the experience of reduced government expenditures is of staged reductions in expectations. In this process, people are provoked to fight each other over the incidence of these income losses: citizens against foreigners, the young against old, the employed versus the marginalized, public versus private, immigrants versus minorities, etc. As the process continues, bonds tying the different sectors of society together are weakened. At each level of cuts, there is less to defend. It is a slow breakdown of society, in bits and pieces.

The breakdown of society is happening much more quickly, even catastrophically, in the marginalized countries. More people are being driven beyond marginalization to exclusion. They are neither allowed to have any meaningful participation in the economic field nor entitled to the social benefits that accrues from any such economic change. Rather, they are relegated to an existence of absolute misery and privation, even as the global capacity to produce the goods continues to grow.

With inflation driving up the price of food, rise in the rate of unemployment and progressive cuts in governmental expenditure in the social sector, more and more people have no option but to leave their communities of origin in search of work and food. These economic factors clearly have a "push" impact which fuels migration.

Legacy of Colonialism

The breakdown of societies under pressures of globalization is compounded by the legacy of colonialism, especially in Africa. As Professor Susan Power Braton (Messiah College, Pennsylvania) describes:

"In Africa, the best land was taken by European interlopers, a pattern still found in many countries where the middle and upper classes, either white or black, retain control of a large portion of the most fertile properties. Industries in the colonies were discouraged by tariffs and in some cases by open political (and military) interference, while production of raw materials for export by white planters was encouraged. The conversion from relatively stable indigenous village economies that also supported local manufacture of goods such as cloth and iron products to plantations that shipped chocolate and bananas back to England and France left the African farmer landless and lost in an economic system that paid low wages, provided few personal benefits, encouraged purchase of manufactured goods from abroad, and extracted more taxes every time Europeans chose to argue among themselves by going to war. In addition, nomads were moved from their original territories, either because the pastoralists were considered a threat to complete government control of the region where European settlers wanted their lands, or (*because*) the colonial governments wished to create game preserves for European hunters. The so-called civilization process actually discouraged skills and trades that have been fostered by indigenous agriculture and cottage industry, disrupted local food production, and left most of the native residents of the colonies an illiterate lower class."[3]

"Jobless Growth" and the "Race to the Bottom"

Technological change driven by globalization is reorganizing work world-wide while at same time rendering a considerable part of human labour redundant.

The development of new technologies in the last two decades has accelerated increases in human productivity – the amount produced by human labour. Through automation and use of robotics, less and less human labour is needed for the production of more and more industrial goods. Similarly, more and more services, such as data processing, can be provided using fewer people through computerization.

Similarly, technological advances in many fields, from transportation to electronic data transmission, make it easier to produce goods and services anywhere in the world for consumption anywhere else.

Two principal results of these technological developments have been what is now called "jobless growth" and the "race to the bottom:" the relocation of many production and service activities to where labour costs are cheaper or cheapest and where standards are lowest.

Both the quantity and quality of jobs are declining today, relative to the numbers and qualification of people entering and remaining in the job markets in countries worldwide.

From 1975 to 1990, world economic production went up by 56 percent, but world employment rose only by 28 percent. By 2000, world production is projected to have more than doubled since 1975, but employment is expected to rise by less than 50 percent. In Mexico, one million new jobs will have to be created every year to match the rate at which young people are entering the work force; in Egypt, half a million jobs will be needed annually.[4]

These results have profound impacts. They increase the pressures on people forcing them to migrate by eliminating the possibilities of earning a living –even surviving- in their places of origin. On the other side of the spectrum, they are faced with hostility born out of a sense of rejection of refugees and migrants in the countries of destination, which also face similar problems of growing unemployment and underemployment.

As a Colombian former judge exiled in Rome described one aspect, when westerners come to our countries to work, they are called "expatriate experts". When we come to their countries with our diplomas we become "migrant workers."[5]

Free Trade

The conclusion of the so-called Uruguay Round of negotiations for the General Accord on Tariffs and Trade (GATT) and the establishment of the World Trade Organization (WTO) set in place a broad new regime of "free trade." Agriculture is one of the sectors most affected by such trade. Many millions of people continue to remain on the land and make their living from small-scale, labour-intensive farming throughout the developing world. Agriculture remains the chief economic sector in most developing countries, often providing employment for half or more of the work force, 72% in Africa.[6]

However, small-scale farmers and agricultural workers in the South cannot compete on the "even playing field" set by the global market with huge, industrial-scale agricultural business enterprises in the United States, Canada and other developed countries, whose large scale and economic efficiency were developed with the aid of governmental subsidies. Trade liberalization under GATT is sending farmers and farm workers throughout the South the same way that the family farmers of the industrialized countries have gone: out of business, displaced from the land as migrants, and ending up seeking survival in urban centres.

"Farmers' group in the Philippines estimate that about 15,000 rice farmers will be put out of business annually…This pattern can then be anticipated for the rest of the agricultural commodities whose quantitative restrictions (on imports) have been lifted."[7] Philippine analyst, Tess Oliveros goes on to highlight that, "based on the experience in Philippines, when farming families are disenfranchised from their lands, women end up competing with men for jobs in plantations and factories characterized by discrimination and stereotyping. Many also end up as domestic helpers in the Middle East and in the different parts of Europe, where again, the risks of exploitation and oppression are great."[8]

Similar projections have been made in Thailand, Peru, Zimbabwe, Mexico and elsewhere. In at least some areas, employment losses in local manufacturing industries are also significant.

Liberalized trade conditions leading to increased volume of trade are already having negative environmental consequences by encouraging, on the one hand, increasing depletion of resources, such as by accelerating deforestation through logging for timber export and depletion of coastal seafood fisheries to supply foreign market demand. On the other hand, the poor are often dispossessed of access to land, fisheries, forests and other resources utilized to produce for export. As a result, they are forced into smaller and more fragile ecological niches. With scarce resources,

they are forced to over-use just to survive. When these over-used places give out altogether, the affected people must move elsewhere to survive.

Investment

Foreign Direct Investment (FDI) is also posed as a key input for creating conditions for people to retain minimum conditions of dignity and material security. However, as UNHCR points out in the 1995 *State of the World's Refugees,* "Investment decisions are made on the basis of potential returns, and foreign capital is normally directed to countries where the economic prospects are the brightest, rather than those affected by chronic instability and the highest levels of unemployment and emigration." As an International Labour Office study pointed out, "moreover, FDI is fully in the hands of the private sector. Governments cannot always regulate it, nor can they provide the incentives to steer the money to Bangladesh instead of to Korea."[9]

In fact, according to UN Development Programme figures, 83% of international investment by transnational companies goes to the industrialized countries. And only 0.2% (two tenths of one percent) goes to the poorest countries, which also has access to a mere 2% of available credit.

The burden on women

There is a close connection between globalization and the burden on women. The pressures on women as household care givers increase because the public service system fails to meet their needs for social services. There access to health and education service diminishes just at the time they need it most. Urban women spend more time working and looking for affordable food and household needs. Rural women spend more time fetching water and fuel.

Data gathered from research in Asia, Africa, the Caribbean, the Middle East and Latin America on the impact of structural adjustments programmes on women indicate that

- increasing number of women look for income generating work outside the home to compensate for their husbands' loss of job, less steady income and/or sharp fall in family purchasing power;
- more women than men may become unemployed;
- working conditions for women deteriorate;
- wage differentials between men and women grow;
- women's unpaid work volume grows as 'structural adjustments cut-backs' in social services and brings higher prices for basic necessities, unemployment and job insecurity;
- progress in girl's education slows down as women's unpaid work becomes heavier as mothers ask them to assist in the home;
- food consumption diminishes as a result of rising food prices and changing agriculture policies;
- girls' health and mortality rates worsen as a result of the above.[10]

Globalization of culture and powerlessness

Globalization is especially manifested and exemplified in the "rise of the new global culture" which has penetrated societies across the world swiftly and without public discussion or evaluation. The rich fabric and styles of local dress are replaced by global jeans. The small pockets, where such styles survive go on to become quaint tourist attractions. Traditional foods with all their cultural and symbolic meanings compete with MacDonalds hamburgers and Kentucky Fried Chicken. Legends and myths and story telling are stamped out by global television, which often overwhelms traditional values. The assumption that people choose this global culture because it is superior to local existing cultures, is at best naïve and at worst racist.

One of the most disturbing aspects of the globalization process- in its essence the emancipation of capital from social control- is that the very capacity for collective political response is disappears in a strange manner.

Political action at the international level is much easier for highly organized and powerful transnational business enterprises to accomplish than for popular, community based social movements. Even for most of the government in the developing and underdeveloped world, influencing international institutions and policies is becoming extremely complex and difficult. Furthermore, governments are perceived as being weaker in the face of deregulated capital movements and the power of giant enterprises. Indeed, governments are exploiting these perceptions to limit their accountability to their citizens, aggravating people's perception of powerlessness to effect change or defend their interests.

Migration

Globalization of the market economy has not only accelerated the international movement of capital, goods, technology and services. It is also accelerating the movement of people.

Seven defining Trends

Migration has been a permanent and often a positive feature of human history. However, several profoundly disturbing trends have emerged in the recent times to indicate that the displacement of people has become a dramatic (possibly negative) sign of our troubled times.

Increasingly severe breakdowns of economic, political and social and environmental situation are making it more difficult for people to survive and remain in their traditional communities and countries.

Apart from the factors mentioned earlier, armed conflict has increased substantially since the end of the cold war. However, most wars today are fought within states rather than between them. In particular, political and military forces are using ethnicity and religion to promote narrow projects of ethnic or religious nationalism that divide, even destroy, pluralistic societies, and displace people. By one recent count, there were 130 active armed conflicts around the world. [11]

Development of communications and transportation technology has facilitated travel, particularly for people seeking safe haven from intolerable conditions. It has also made many aware of the options and conditions prevailing elsewhere. As a direct consequence, we are witnessing increased human displacement within and between all regions of the globe, now accelerated by the current "global economic crisis."

Today, over 125 million people live, temporarily or permanently, outside their country of origin, according to United Nations figures; that is, one in every 50 human beings. Hundreds of millions more have migrated or been displaced within their countries of origin.

Some 14 million of those outside countries of origin are recognized as refugees under the mandate of the UN High Commissioner for Refugees, UNHCR. At the same time, recent estimates by the International Labour Office calculate 70 to 85 million international migrants, some 20 million in Africa alone.[12]

Most refugee and migration movements are taking place within and among the countries of the South, those with the least resources to receive and assist large numbers of newcomers.

There is a frightening rise in racist and xenophobic hostility against refugees, migrants and foreigners in general. This hostility, often expressed in outright violence, is now widespread in countries in all regions of the globe.

Migrants- and migration- are becoming stigmatized as a major threat to the host societies all over the world. Migrants themselves are becoming increasingly associated with crimes and other ills in host societies. Nowhere is this more apparent than in their now widespread designation as "illegals" (instead of undocumented or irregular migrants).

Governments worldwide, led by those of industrialized countries, are imposing restrictive immigration controls and draconian "deterrence measures" against the movement of people. In national and international fora, the dominant considerations regarding displacement of people have deteriorated from assistance and hospitality to rejection and hostility.

All in all, the causes, characteristics and consequences of international migration have evolved substantially over the last two decades. However, conventional wisdom, characterizations, and organized responses have not.

The refugee/migrant dichotomy

A major dichotomy remains widespread between "refugees", and "migrants". Refugees are recognized as those fleeing political persecution and deserving of protection and assistance. On the other hand, for many, migrants remain a sort of fortune seeker leaving home out of choice to come elsewhere "to improve their economic situation", no matter what problems that causes for host societies.

But the distinction is neither so clear cut, nor so adequate in this age of globalization. Today, it is economic and social conditions sustaining life that are being so dramatically affected. And as I'll note below, there is a serious human rights contradiction in this dichotomy.

In the experience of many churches and NGO partners of the World Council of Churches (WCC), the old paradigms just didn't address reality. Out of a three-year worldwide process to re-examine the realities of migration, the WCC and member churches developed a new understanding, a new paradigm, and a corresponding programme of action.

Uprooted People

In a major policy statement adopted unanimously by its Central committee in 1995, the WCC redefined reality as follows.

"People leave their communities for many reasons and are called by different names —refugees, internally displaced persons, asylum seekers, economic migrants. As churches, we lift up all those who are compelled by severe political, economic and social conditions to leave their land and their culture— regardless of the label they are given by others. Uprooted people are those who flee because of persecution and war, those who are forcibly displaced because of environmental devastation, and those who are compelled to seek sustenance in a city or abroad because they cannot survive at home."[13]

This more comprehensive definition reflects the experience of many partners working with refugees and migrants in all parts of the world. Most of the people they deal with have manifestly been compelled to leave their homelands.

More than that, this term also, at least in English, quite dramatically illustrates the experience of the subjects themselves being uprooted. It conveys in some way the tremendous physical, emotional, psychological and spiritual disruption which accompanies the individuals subjected to displacement, that is, being torn away from the family, the community, the cultural, religious, social and physical environment in which every human individual's identity is deeply rooted.

The WCC framework on uprooted people acknowledges the need to uphold existing standards, particularly the UN Convention and Protocol on the status of Refugees. At the same time, it calls for a much wider understanding of forced migration in the age of globalization.

Human Rights

Last Thursday, December 10, we celebrated the 50th Anniversary of the Universal Declaration of Human Rights. The central notion of human rights is *"the implicit assertion that certain principles are true and valid for all people, in all societies, under all conditions of economic, political, ethnic and cultural life."* Human rights are *universal*—as they apply everywhere; *indivisible*—in the sense that political and civil rights cannot be separated from social and cultural rights; and inalienable—in the sense that they cannot be denied to any human being. This is the basis of the concept of "human rights for all" articulated in the Universal Declaration.

As the current global economic crisis intensifies, we may be at a crossroads in the future of human rights. Positions taken by some governments at the World Conference on Human Rights in Vienna in 1993 signalled a challenge to the several decades of progress in the expansion and extension of human rights in the sense that it is, as per the Universal Declaration's connotational perception, *universal, indivisible and inalienable.*

The extension of these universal human rights protection measures to vulnerable groups has been a long and difficult process. Two major convenants covering the broad definitions of political and civil rights, and economic, social and cultural rights were adopted in the mid-1960s. Together with the Universal Declaration, these are often referred to as the "International Bill of Human Rights", universally applicable to all human beings.

However, in practice, it became evident that the principles elaborated in the "Bill of Rights" instruments were not applied to a number of important groups. As a result, specific conventions explicitly extending these rights to victims of racial discrimination, women, children, and migrants were elaborated over the three decades from 1960 to 1990.

Crossroads for the future

We are now facing a key crossroads for the future of human rights. The conventions regarding women, children and victims of racism and discrimination have been widely ratified. However, resistance is growing with regard to recognition of rights of the major remaining vulnerable groups: migrants and indigenous peoples. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families is not yet in force, and ratifications are slow in coming. Progress is stalled on the process of elaborating an instrument recognizing rights, particularly collective rights, of the indigenous people.

Furthermore, new challenges are being raised over whether economic, social and cultural rights are indeed at the same level with and indivisible from civil and political rights. Again, migrant and uprooted people pose a problem in this field too.

As my earlier discussion on globalization implied, many people are displaced today due to violations of their economic, social and cultural rights, both individual and collective. However, current international law has tended to recognize only the victims of violations of certain political rights — the refugees —to be in need of protection and assistance. Contrary to the notion of indivisibility, those victims facing denial of economic, social and cultural rights, that often threatens their very survival, as communities as well as individuals, have no such recognition.

But the dilemma is not limited to the lack of adoption or implementation of human rights standards for uprooted people. The dilemma is even sharper because of the refusal to acknowledge that such rights exist. One sharp manifestation of this is the now widespread categorization of persons as "illegal migrants". In a word, this categorization renders such human beings simply outside the applicability and protection of law, contrary to the *inalienability* of human rights protection.

The risk at this crossroads is indeed great. The designation of persons as "illegal" and therefore resultant denial of both legal recognition and protection of their basic rights is establishing legal

and juridical precedents in many countries and it is fast becoming an international convention. These precedents are very dangerous. If a major vulnerable group is defacto exempted from recognition of basic rights, it leaves open the door to measures further restricting or ignoring their rights. And once such a precedent is well established, it becomes much easier to expand and extend such exemptions to other vulnerable, "undesirable" or unpopular groups, further undermining the *universality* of human rights protection.

The Contradictions

To sum up the contradictions at this turn of century, I would highlight three tough questions:

How do we face the contention between ethics of the global market and ethics based on human rights and responsibilities?

What is to be done to sustain human rights and dignity when governments and the business sector reduce their responsibilities for the economic and social, as well as political well being of the people?

How can we act to ensure that the rights and dignity of all human beings—including those called "illegals"—are upheld?

Programme of Action

I have outlined a rather challenging picture at the doorway to the next century. In response, I would like to outline the WCC "Call to Action" on uprooted people as a proven framework to respond to the challenges of globalization, migration and human rights. In listening to the experience and offerings from our church and related NGO constituency around the world, we found that nearly all relevant actions could be described under three broad themes:

Working towards the upholding of life and dignity, which means actions and activities which aim at: protecting the lives, safety and basic well-being of people, defending legal and human rights, and promoting international standards.

Working for Justice and Peace is central to theme of addressing the causes of forced displacement and very essential for "righting the wrongs".

This involves studying and understanding the political, economic, social and environmental problems, which is necessary first step to determine effective responses. Under this framework, peacemaking, conflict resolution, and working for economic and social fullness of life emerge as titles for much of what needs to be done.

Creating a sense of community is the third programmatic theme. There are many tasks to accompany people in need, uprooted or otherwise, and to respond to material, social and spiritual needs. It is imperative to support the initiatives of the affected communities themselves. It is also necessary to explicitly respect and support the traditions, faith, and culture of others in the society, particularly those who may be different from the dominant culture. No community or organization

can be inclusive if the "other", the stranger the newcomer, is forced to adapt and conform to the dominant norms and identity.

If your WCC work in these issues has demonstrated one thing, it is that thinking globally and acting locally is no longer sufficient. To respond to our globalized world we must also act globally, in analysis, strategy and day to day action. Only through such global cooperation can we help cut the keys to a future that will sustain human life and dignity.

Global Campaign for Migrants Rights

I end by illustrating one particular new model of international civil society cooperation. In this intersection of globalization, migration and human rights, a number of organizations have recognized that progress on human rights will only be achieved by broad cooperation among different sectors. This is especially so in the defence of migrants' human rights.

Recognizing this, an alliance of major intergovernmental and international non-governmental organizations came together this year and launched the Global Campaign for entry into force of the 1990 International Convention on migrants rights. The Campaign Steering Committee now includes 14 leading international bodies in human rights, labour, migration and church humanitarian fields, such as the International Labour Organization, the Office of the UN High Commissioner for Human Rights, Human Rights Watch, the International Commission of Jurists, the Migrants Forum of Asia, and the International Catholic Migration Commission.

This campaign has already contributed to putting the issues of migrants rights back on the agenda of a number of inter-governmental bodies. And just last month, Bangladesh announced its accession to the 1990 Convention, the 10th State to do so, marking halfway to the twenty ratifications needed for entry into force.

Signs of Hope

Many other signs of hope have already emerged to give encouragement to our endeavour in this regard: church initiatives that risk civil disobedience to protect uprooted people, activities confronting racism and xenophobia, new connections and cooperation among diverse partners to address migration concerns, including by grass-roots groups working on issues such as environmental protection and community health.

These signs of hope allow me to suggest that the concerns and responses I have described might serve as indicators for the work of colleagues and institutions represented here.

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