9th Regional Conference on Migration

Migration for “Development” and its Feminization Process
13-17 September
Seoul Korea
A Report on the 9th Regional Conference on Migration

Migration for “Development” and its Feminization Process

Prepared by:
Migrant Forum in Asia
9th Regional Conference on Migration

Migration for “Development” and its Feminization Process

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The Regional Conference on Migration (RCM) is by far the biggest regular regional non-government forum on Asian migration issues, trends, analysis, updates, responses and strategies. It is one of the most authoritative and representative gathering of migrants, advocates, support groups, non-government organizations, academe and experts on Asian migration.

Recognizing the worsening situation of migrant workers despite international standards and framework settings developed in the recent years, the Migrant Forum in Asia dedicated the 9th RCM in developing a critique and analysis of the impact of the intensifying globalization to all migrant workers, in particular to women migrant workers, which comprise a large percentage of the total migrant population.

This report is a reflection of the challenges, strategies and responses of the network to the emerging issues brought about by neo-liberal globalization. The same analysis guided the MFA network in formulating its Plan of Action for the next two years.

The 9th RCM also commemorates the 10 years of hard work and continuous struggle of MFA to protect and promote the rights and well-being of all migrant workers.
Introduction

Looking Back and Moving Forward

The 9th Regional Conference on Migration (RCM) was organized by the Migrant Forum in Asia (MFA) from 13—17 September 2004 in Seoul, Korea. It was co-organized by the Joint Committee for Migrant Workers in Korea (JCMK), a network of migrant support NGOs, organizations and trade unions of migrant workers in Korea. JCMK is also a member of MFA.

The 9th RCM marked the 10th anniversary of the founding of MFA. Mr. Rex Varona, Executive Director of the Asian Migrant Centre (AMC), recalled that the 9th RCM was not the first RCM to be held in Korea. The 3rd RCM, with the theme “Migrant Workers Challenging Global Structures”, was also held in Korea August 1996 and was a historic event because it was the time when MFA was shifting leadership. The organization had just formalized its structure as a membership-based network, and the 3rd RCM in Korea served as the venue to plan the transition process.

At the 3rd RCM in Korea, conditions were quite simple and resources limited. Participants had to share financial and logistical resources and worked hand in hand for the preparations. This process can be associated with how MFA grew to be the biggest migrant network in Asia — members sharing their limited resources for a greater cause.

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The following are the RCMs held to date:

(1) Living and Working Together with Migrant Workers in Asia, May 1994, Hsinchu, Taiwan;
(2) Asian Women Prepare for Beijing 1995, January 1995, Bangkok, Thailand;

(3) Migrant Workers Challenging Global Structures, August 1996, Seoul, Korea;

(4) Regional Lobbying and Documentation Training on Migrants’ Human Rights, February 1998, Tao Fong Shan, Hong Kong;

(5) Rights and Roots Campaign and Migrant Reintegration (Migrant Savings for Alternative Investments), December 1998, Quezon City, Philippines;


(7) Developing National & Regional Advocacy Agendas on Migrants’ Human Rights, June 2001, Jakarta, Indonesia, and;

(8) The Impact of Migration on Migrant Workers’ Health and Well-Being, October 9-13, 2002, Dhaka, Bangladesh

The 9th RCM marked the 10th anniversary of MFA as a network. It was a time for the network to look back and review fundamental issues and perspectives, revisit positions and basic analysis on Asian labour migration. This Mr. Varona Emphasized would help MFA strengthen its foundation, move forward, deepen consensus, advance the migration discourse, develop common positions and move forward while respecting each members’ contextual and conceptual differences.

The overall framework of the 9th RCM focused on the protection of the rights and dignity of migrant workers while at the same time, it also looked into the following principal and emerging issues in the migration process:

- Gender and feminization
- Remittances and development
- Trafficking
- National security vis-à-vis human security
- Health
- Informalization of labour
The 9th Regional Conference on Migration (RCM)

The theme of the 9th RCM was *Migration for “Development” and its Feminization Process*. It aimed to make a critical and expert analysis on the current conditions of migrant workers with regard to the intensifying phenomenon of globalization, develop the critique on “migration for development” and expose the feminization process therein. The theme was intended to problematize the current / general understanding of ‘migration for development’ and to highlight the many issues that surface in the phenomenon given the fact that a large number of temporary labour migrants are currently women.

Migration for development is a multi-faceted issue with both macro and micro impacts affecting migrants, their families, employers, communities, governments and economies in sending and receiving countries. Migration has created tangible benefits in the form of income and job opportunities for millions of migrant workers, and remittances that sending countries use to support their economies. However, labour migration also comes with significant costs. The realities of migration include human rights violations, abuses, gender-based violence, health costs and psychosocial problems such as depression, discrimination and abuse. Migrants are extremely vulnerable to political and economic issues and shifts in policies.

Emerging trends such as informalization of labour, and national health policies have the potential to severely impact migrants as well. Responses and development planning targeted at balancing costs and benefits of migration to optimize benefits for all affected sectors are highly sought-after solutions.

In the 9th RCM, the conference participants were challenged to discuss and analyze existing responses along with new developments and come up with cutting edge responses.
**Objectives of the 9th RCM**

The conference objectives were:

1. To critically analyze the current conditions and needs of Asian migrant workers in Asia, particularly with regard to the intensifying phenomenon of globalization;

2. Raise awareness, share information and develop a critique on the current debate on “migration for development” and the feminization process within;

3. Identify the intersecting issues arising from the discourse on “migration for development” and its feminization process, including the “grey area” between migration and trafficking;

4. Develop a critical and rights-based understanding of the GATS Mode 4;

5. Examine how advocates can use core human rights and labour standards within the framework of international migration advocacy to respond to the current conditions and needs of Asian migrant workers;

6. Identify good practices in terms of response strategies developed by migrants, advocates and governments, especially those that resulted in broad-based, sustainable development for migrant workers; and,

7. Make recommendations on how these can be strengthened and promoted.

**The Organizers**

**Migrant Forum in Asia (MFA)**

Conceived in 1990, the Migrant Forum in Asia (MFA) is a regional network of non-government organizations (NGOs), associations and trade unions of migrant workers, and individual advocates in Asia who are committed to protect and promote the rights and welfare of migrant workers. As of 2003, MFA had over 260 member organizations in 11 countries in Asia.

The MFA network addresses migrants’ issues and is committed to:

- Continue to fight and address violations of migrants’ human rights;
- Intensify education and organize campaigns by migrants to challenge unjust development and globalization processes;
- Help develop alternative sustainable economic models, processes and practices for and by migrants;
- Broaden and strengthen alliances and solidarity among networks, organizations and groups working for migrants' issues, cutting across classes, sectors, gender and nationalities; and,
- Launch coordinated initiatives and actions (including lobbying, petition, mass actions in the national, regional and/or the international arena) to build and strengthen popular movements and political momentum to promote migrants' rights.

MFA acts as a facilitator, a regional communication and coordination point between member-organizations and advocates, forging concerted action to address discriminatory laws and policies, violence against women migrants, unjust living conditions, unemployment in the homeland and other issues affecting migrant workers.
Joint Committee for Migrant Workers in Korea (JCMK)

JCMK is a network organization of migrant support NGOs, organizations and trade unions of migrant workers in Korea. JCMK is a member of MFA and strives for the improvement of migrant workers' working conditions as well as the elevation of their economic, political, social and cultural status.

The Participants

The 9th RCM was attended by 160 participants from 20 Asian countries, namely Bangladesh, Burma, Cambodia, China, Hong Kong SAR, India, Indonesia, Japan, Laos, Malaysia, Myanmar, Nepal, Pakistan, Philippines, Singapore, Sri Lanka, Taiwan, Thailand, Vietnam and Korea, representing members of the MFA, grassroots migrant organizations, unions, labour groups, women's groups, development organizations, academe, NGOs, international support groups and advocates.

International organizations and academic institutions were also present coming from the Anti-Slavery International, Australian Council of Trade Unions, Commission of Filipino Migrant Workers, International Gender and Trade Network, Migrant Rights International, Seoul National University, University of Hyderabad in India, and United Nations Development Fund for Women East and Southeast Asia Regional Office.
Plenary One

Mobility and Gender Aspects—The Grey Area Between Migration and Trafficking

The first plenary was divided into three sub-themes. Ms. Carrie Sri Tharan, founding member of MFA, discussed the feminization of migration from a development perspective. Ms. Jean D'Cunha, from the United Nations Development Fund for Women, East and Southeast Asia Regional Office, focused on the feminization process within the migration phenomenon focusing on the issues, challenges and possible responses and strategies that can be worked on from a gender-sensitive rights-based perspective. Mr. Rex Varona of the Asian Migrant Centre concentrated his presentation on the grey area between migration and trafficking.

Highlights of Plenary One

A. Feminization of Migration, Ms. Carrie Sri Tharan

Ms. Tharan shared with the participants that as early as 1980s, she had worked with the Asia-Pacific Development Center where they were involved in the issue of “trade in maids”. At that time, they were looking at the mechanisms, causes and consequences / conditions of the “trade in maids”. Reasons behind why and how maids left their countries and their condition in the host countries.

Ms. Tharan noted that even though the issue of “trade in maids” surfaced in the 1980s we continue to face the same problems and issues, only on a wider scale and on a more complex level.

To explain the concept of the feminization of migration, Ms. Tharan gave the Philippine experience as an example. During the 1980s in the Philippines, the ratio of
men leaving for the Middle East compared to women migrating throughout Asia was 70:30 respectively. Currently, statistics are reversed with more women (70%) compared to men (30%) leaving the country to look for work abroad. This trend is known as the “feminization of migration”.

Ms. Tharan noted that the greater number of women workers is due in part to the greater number of women migrants. In the past, even though there were always women migrants, they were invisible in the sense that they were portrayed as dependents of men: wives, daughters, etc. It was only recently that women migrants began to become visible on their own accord. But the fact remains that though women migrants have now become visible, they are mainly concentrated in the low-paying, unskilled labour sector. Ms. Tharan stressed that it is discriminating to categorize domestic work as unskilled because it entails multiple skills in the management of a household. Despite this, domestic work is still categorized as unskilled labour.

The feminization process of migration, according to a well-researched article written by Lin and Oshii from International Labour Organization (ILO) in 1996, is most pronounced in Asia and constitutes one of the most striking economic and social phenomenon of recent times. Women migrants are now regarded as autonomous, independent individuals moving for better chances of survival for themselves and their families. This phenomenon also presents issues of women needing to grapple with regulations, gender constraints, discrimination and exploitation, and they are generally disadvantaged throughout the migration process. Women, especially those in the entertainment and domestic sectors, encounter all sorts of problems, abuses and exploitation at every stage of the migration cycle.

Ms. Tharan also mentioned that in her interaction with women migrant workers from the Philippines, 90% of the women who have worked 10-15 years away from their family still plan to work abroad. Their main reason being that even though their families have better houses and their children sent to better schools, they are unable to sustain that way of life without working abroad. As the Philippines still lacks opportunities; the push factors continue to remain.

It was also reiterated in this discussion that there is a need for re-education in our societies to end the discrimination against women. As long as men are considered more superior to women, discrimination will not end. There is also a need to look into laws and policies of governments that promote discrimination.

B. Transforming the Gendered Terrain of Labour Migration Policies in Asia, Ms. Jean D’Cunha

Ms. D’Cunha’s presentation covered three main issues. Starting with mapping out
the key elements of a gender-sensitive rights-based perspective; it was followed by
highlighting gender vulnerabilities and concerns throughout the migration proc-
ess and ended by citing strategic interventions and sharing of good practices.

Gender perspective according to Ms. D'Cunha, has its specific principles. Basically, it asserts a distinction between the terms sex and gender. Sex refers to
anatomical differences between male and female, while gender refers to the social
differences between men and women. Gender is associated with the roles
played and expected by each sex.

Ms. D'Cunha then associated gender perspective in the context of migration. Looking at migration from a gender perspective, one can assume that both men and
women migrate. Secondly, both similarity and difference in terms of violations and
policy impacts should be analyzed. Women are also recognized to be more
vulnerable. It is also noted that since migration is change oriented, a gender
perspective in migration would catalyze policy change in the environment and can
result in significant social changes such as institutional norms and mindset. These
changes can advance the rights and opportunities of women to have real access to
resources which would lead to a substantive equality.

Although gender perspective focuses on women, it is not women-exclusive as it
would marginalize men and not make the perspective equal. Ms. D'Cunha stressed
the fact that it is not only women who are marginalized. Both men and women,
especially poor men and women, are experiencing marginalization because of
poverty, ethnic and social status.

Ms. D'Cunha cited that many women-targeted approaches are not necessary
gender responses, because if the approach reinforces stereotypes, then it is
disempowering to women. For example, laws preventing women from migrating is
discriminatory because it portrays women as helpless and needing to be
protected. An empowering program should allow women to migrate, undergo
training to have the necessary skills and be educated of their rights.

Ms. D'Cunha further reiterated that a gender approach is rights-based because
discrimination against women is a violation of their fundamental rights. Rights
violations are often part of the root causes of migration. Gender-sensitivity is an

“An empowering program should allow women to migrate and undergo training to have the necessary skills and be educated of their rights.”
important aspect to take rights into account. A rights perspective must take into account the differences in the situation between men and women; it is not gender sensitive if it does not address these differences.

As part of her presentation, Ms. D’Cunha cited gender vulnerabilities and concerns in the different stages of the migration process. For instance, during the pre-departure stage, women are more marginalized in terms of access to information, reliable contacts, and other aspects of this phase. Such discrimination highlights the need for information dissemination to be placed in areas where women can have access to them. This can be channeled through women’s groups, and other forms of media which could be enhanced to be within the reach of migrant women.

She also stressed that to address migration from a gender perspective, there is a need for the following:

- Engendered and sex-disaggregated databases on migration and remittances;
- Gendered responses and policies that regulate and accredit recruitment agencies and draw men and women into legal channels of migration;
- Labour laws that govern documented and undocumented migrant workers;
- Unionization and upholding of migrants' rights to freedom of association;
- For both men and women migrant workers to be included in policy making representations.

C. Migration and Trafficking, Mr. Rex Varona

Mr. Varona started with the definition of the key terms in his presentation. “Migrants” in the context of his presentation referred to migrant workers in vulnerable, marginalized and oppressed situations. “Regular” refers to documented migrant workers, i.e., with valid visa or work permits, while “irregular” refers to those that do not have valid visa or work permits, e.g., undocumented, trafficked and smuggled migrant workers. The term usually used by governments is “illegal”, but advocates do not use this term because it is associated with indiscriminately criminalizing migrant workers, many of whom are victims, who had been forced into undocumented status.
“Trafficking” in UN definition is the “recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

To start the discussion on defining the grey area in trafficking and migration, Mr. Varona cited factory work as an example. If a person moves to seek work in a factory due to extreme poverty, will that be considered compulsion or force? If he is promised a certain wage, but is not informed about the discrimination that comes with the work as a migrant, will that constitute exploitation / deception?

Then there is also the concept of human smuggling. Human smuggling as defined by the UN Protocol Against Smuggling is the “procurement of illegal entry into, or illegal residence of a person in a State Party of which the person is not a national or permanent resident in order to obtain, directly or indirectly, a financial or material benefit.” After dwelling on the complexity of the concept in real life and practice, Mr. Varona went on to pose the question, “Which is now the broader phenomenon, labour migration, trafficking or smuggling?”

A list of international instruments were also presented by Mr. Varona which can be used when dealing with the issues that come with migration and trafficking.

Mr. Varona ended his presentation by saying that being a migrant advocate, he
hesitates to say that all migrants are forced, trafficked or smuggled. Because that would imply that all the migrants do not have the capacity or ability to make informed decisions, or are totally ignorant or deceived. There are clear cases of trafficking for sex or labour exploitation, but these cases should not be used to make a blanket conclusion that all migrant labourers are trafficked. This is disempowering, and can create victim mentality instead of working class or social actor perspectives. This sweeping association can also be used by governments to deal with labour migration as a crime / visa control issue, instead of a labour rights matter.
Plenary Two

International Standards Setting and Framework

Plenary two focused on International Standards Setting and Framework. Panel speakers for this session were Ms. Chin Sung Chung, a professor of Sociology at the Seoul National University who focused her presentation on the mechanisms in the Human Rights Commission and Sub-Commission processes, how the migrant workers advocates can use these mechanisms and why it is important for advocates to utilize them; Ms. Hei Soo Shin, an expert from the Commission on the Elimination of Discrimination Against Women (CEDAW), whose presentation covered CEDAW and how migrants rights activists and support groups can use the CEDAW mechanisms to forward the issues of women migrant workers; and, Ms. Alison Tate, from the Australian Council of Trade Unions, who spoke on the ILO Labour Standards pertaining to migration and how the conclusions and recommendations of the recently concluded International Labour Conference in Geneva can be made into a programme of action for both migrant workers NGOs and trade unions.

Highlights of Plenary Two

A. Migration at the Commission and the Sub-Commission by Prof. Chin Sung Chung

Prof. Chung started her presentation by enumerating a number of problems brought about by migration followed by introduction of the UN Human Rights mechanisms on migration. She also gave a brief presentation of the treaty monitoring bodies and the Commission on Human Rights and the Sub-Commission through which migrants rights advocates can channel their advocacy to the Working Groups.
A brief history of the UN's efforts in addressing the issues and problems on migration was also presented in this session. It was mentioned that the UN began to pay attention to the plight of migrant workers in the 1970s, which is also the same time when a large number of migrant workers started going to the Middle East.

After a series of studies and conferences to combat racism, the UN General Assembly finally adopted the International Convention on the Protection of All Migrant Workers and Members of Their Families in December 1990. This was followed by more conferences dealing with migrant workers.

Prof. Chung also focused on how the Commission on Human Rights and the Sub-Commission work for the benefit of the migrant workers. In 1997, a Working Group composed of five intergovernmental experts looked into the existing obstacles to protection, which resulted in the submission of a report where the issue of structural vulnerability being experienced by migrant workers was raised. The same report recommended for an international monitoring mechanism. This was followed through by a report submitted by the UN Secretary General to the Commission on violence against women workers (in 1997) and on human rights of migrants (in 2003). It was noted that NGOs played a vital role in the drafting of the reports as it was the NGOs who provided the experts and the Secretary General with information contained in the report.

It was also highlighted that the mandate of the Special Rapporteur on the Human Rights of Migrants is to request and receive information from all relevant sources, including migrants themselves, on violations of their human rights and that of their families.

The Committee on Migrant Workers (CMW) is the treaty monitoring body of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families which was adopted in 1990. The CMW is mandated to monitor the protection of the rights of migrant workers and their families. It held its first session in March 2004. Its membership is made up of 26 states of which 5 of these states are from Asia.¹

Another independent monitoring body launched by the Secretary General and a number of governments in December 2003 in Geneva was the Global Commission on International Migration (GCIM). The GCIM is composed of 18 commissioners and is mandated to place international migration on the global agenda. It is also mandated to analyze gaps in current policy approaches to migration and examine international linkages with other issue-areas and present recommendations to the

Secretary General and other stakeholders. Prof. Chung emphasized that NGOs and other migrant advocates should push to overcome states-centered activities of the commission and give inputs to produce a comprehensive report.

B. The Use of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in Promoting and Protecting the Rights of Women Migrant Workers by Ms. Hei Soo Shin

Ms. Shin focused her presentation mainly on the use of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in promoting and protecting the rights of women migrant workers. Among other international treaties on human rights, the CEDAW is the most comprehensive treaty for women. Having 177 ratifications, the Beijing Platform Actions calls for a universal ratification, full implementation and withdrawal of reservations.

Ms. Shin defined “discrimination against women” as “...any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”, according to CEDAW.

Also enumerated in her presentation were the important elements of the Conventions, which includes: formal equality and substantive equality; temporary special measures; protection of maternity; modification of gender role stereotypes; and, violence against women.

To further facilitate and monitor the promotion and protection of the rights of women, the CEDAW Committee was created with 23 independent experts in the committee. The Committee meets twice a year, for three weeks each, where they examine the State’s report and adopts the so-called “Concluding Comments”. As part of its mandate, the Committee also adopts “General Recommendations” and issues statements when needed.

It was also mentioned that for the NGOs to utilize this international instrument, it should be noted that a “shadow report” is valued by the Committee as a reliable source of information. The shadow report is used as a reference in the drafting of the recommendations by the Committee.

C. Strategies Re: ILO Multilateral Framework on Migration by Ms. Allison Tate

Ms. Tate focused on the multilateral framework on migration by the ILO which is one of its efforts to link migration to the world of work. The World Commission on
the Social Dimension of Globalization identified that there is a major gap in the current institutional structure of the global economy. This also contains a rights-based approach where the principles of equality and non-discrimination with respect to the treatment of migrant workers is taken into consideration first and foremost.

It was highlighted in this session that existing ILO instruments provide essential direction on how to handle the dimensions of migration and constitute an essential building block for any multilateral framework. She noted that all ILO conventions, unless otherwise specified, and in particular core standards, apply to all workers: temporary, permanent, irregular, including migrant workers.

Ms. Tate also enumerated the purposes of the multilateral framework on migration. One of these was to increase and better manage migration maximizing the benefits to both sending and receiving countries while aiming to ensure that all migrant workers receive adequate protection and equal treatment. She pointed out that the ILO has in fact submitted a report entitled “Towards a Fair Deal for Migrant Workers in the Global Economy”. This report was prepared for the International Labour Conference held in June 2004, where a General Discussion on migrant workers was included in the agenda of the 92nd Session of the ILC.

In discussing the structure of ILO , Ms. Tate recognized that its unique tripartite structure is also an opportunity for the migrant advocates and organizations to take advantage of, as it gives the social partners considerable influence and power. The tripartite nature gives ILO weight that makes it a key actor in global social issues.

A brief history of how the ILO came to what it is now was also presented by Ms. Tate. The ILO has always been a part of the United Nations system and therefore is a part of international politics and all that it involves.

After much international political debate, the ILO was to provide venue for direct participation from three parties: government, employers and workers groups. She highlighted that the civil society has direct access to the ILO at every level. This makes the ILO a unique forum among world organizations because employers and workers organizations have an equal voice with governments in shaping ILO policies and programmes.

Ms. Tate also stated that the migrant advocates can view the ILO as an opportunity for input and advocacy.
Workshop Results

Day One

Parallel workshops on focal issues and topics in relation to the plenary discussions were held in the afternoon session of the first day of the conference. The participants were divided into groups and were provided with a list of questions which guided the discussions. The participants were requested to report back to the conference after the allotted time for the workshops.

One workshop focused on the current emphasis on national security, which results in targeting migrants with suspicion and the enforcement of bureaucracy and administrative hurdles making life difficult for migrants. This workshop aimed to help project that human security, which is the primary reason for the migrants moving from home, should be the focus in an age of globalization. There were two sub-groups in this topic.

Another workshop focused on women and feminization issues of migration. While looking as the issues in general, the participants were further sub-divided into smaller groups to tackle the specified vulnerable sectors where women migrant workers face greater challenges.

Workshop Questions and Results

Key issues identified by the participants vis-à-vis the list of workshop questions:

A. National vs. Human Security

1. What are some of the key issues with regard to migrant workers’ livelihood, needs and status, as well as migration trends that have arisen post — 9/11?

   • Human security must be upheld, even if national security is at risk;

   • Lack of appropriate database to document and analyze the issues;
• National security dimension is taking the upper hand with increasing execution at the upper levels of government.

• Migration laws in Korea, Taiwan and Japan are becoming more stringent and more general to make legal procedures/channels more difficult to get through.

• One of the common agreements, especially with regard to changes in policy & practices, was the enactment of stricter immigration checks, including highly militarized borders.

• National security means counter-terrorism and migrant workers are easy victims of terrorist conflicts. One of the most glaring issues was the execution of 12 Nepali workers in Iraq. This is just one example of how migrant workers' security is vulnerable.

• Ongoing arrests of migrants' advocates everywhere in the world — families/communities/NGO networks who shelter or give aid to undocumented migrant workers are being arrested or detained by government.

• Governments tend to criminalize undocumented migrant workers, and this criminalization is being extended to migrants' advocates.

2. What responses have you made or have planned to make to address these issues / needs?

• To counter racial profiling, discrimination, NGO groups/communities have been mobilized to help migrant workers who have become victims;

• Support and solidarity for undocumented migrant workers — one example cited is the hunger strike in Korea, where NGOs demanded for just treatment of migrant workers, good working conditions, other support activities & critiquing the government.

3. In the given environment, how can migrant rights advocates protect migrants' rights in the context of human security?

• Need for an appropriate database to be used practically to support migrant workers and to ensure activation and implementation of migrant workers conventions;

• The same database to be used to strengthen the civil society dimension and enable active collaboration and to raise awareness within the larger society through the media;

• Need for the migrants network and associations to work hand in hand for
civil society movements to gradually strengthen the human rights dimension and personal security;

- Human security means that states must protect migrant workers respecting their human dignity; human rights for citizens and non-citizens, as opposed to national security, which makes use of the military and police authorities;

- Call for basic human rights.

**B. Feminization of Migration**

The workshop on the “Feminization of Migration” was sub-divided into five different categories, where the phenomenon of the feminization of migration was seen to be intensifying: foreign domestic workers (FDWs), entertainers, women migrant factory workers, inter-cultural marriages and women migrant workers in the health sector. Corresponding questions were provided for all categories to move the discussion forward.

**Foreign Domestic Workers (FDWs)**

1. How can migrant advocates use new legal channels and precedents in advocating the rights of FDWs?

- There is a need to review existing channels, Memorandum of Understanding (MOU), bilateral agreements, UN conventions, ILO and CEDAW. These legal instruments should be applied / implemented and monitored to ensure the protection of the rights of migrant workers.

- Advocates should lobby for the creation and implementation of national legislations protecting domestic workers. Provisions should be provided in the legislation for a standard contract and minimum wage of domestic workers.

- Recognition of domestic work as work for domestic workers to be covered by labor protection and their contribution to the global economy be recognized.
2. What are the new forms of empowering FDWs, and what are the potentials and limitations of empowering/organizing FDWs?

a) New forms/strategies for empowerment and its strengths

- The development of information education materials tailored specifically for FDWs on migrants rights, gender, health and reproductive health etc.
- Strengthening of migrant workers’ organizations in both sending and receiving countries. This includes education campaigns and organizing among family members of migrant workers.
- Increasing solidarity and support for migrant workers by linking up with trade unions and various civil society organizations working to promote the rights and well being of migrant workers.

b) Limitations

- FDWs have limited mobility due to the nature of their work.
- FDWs are not awarded any holidays making it difficult for them to come to meetings or educational discussions
- There are no laws protecting foreign domestic workers and this leads to the abuse of their rights including the lack of standard contract.

3. How does development intensify feminization of labour and how does this manifest in terms of labor migration?

- Social ratification of domestic workers as workers, as foreigners, as migrant workers;
- A big number of young women are mobilized to work abroad due to the push and pull factors of migration.
- Women migrant workers are more involved in economic activities and in turn become stakeholders in development.

4. What are some of the other areas in which we see the growing phenomenon of feminization of migration, aside from FDWs, entertainers, inter-cultural marriages and women migrant factory workers?

- Caregivers
- Nurses
- Plantation workers
Entertainers

1. Current situation:
   - Receiving countries such as Korea accepts entertainers from USSR, Philippines and other sending countries;
   - Visa of entertainers is usually good for six months only;
   - Work includes dancing, waiting on tables and going out with customers;
   - A big number of entertainers also have undocumented status;
   - Philippines is a sending country through legal channels to Korea, Japan and unofficially to Malaysia;
   - Many agencies, i.e., talent, recruitment, are under government supervision in the Philippines;
   - Minimum age has been changed from 21 years old to 18 years old in the Philippines, making it easier for minors (14 — 15 years old) to pass themselves off as older to go abroad.

2. Issues identified:
   - High risk of trafficking and prostitution — although it was noted here that some women are forced into prostitution. They may know the risks, but may “choose” to do so, but this is in quotes because of large push factors (poverty, armed conflict, violence against women).
   - The entertainment Industry is growing due to globalization, rapid growth in developing countries (i.e., more money to spend and consequently a growing demand).
   - In sending countries, a poor economy provides women with little or no opportunities. Women opt to go abroad as entertainers hoping to stay for only 6 months. However six months is not enough to pay debts incurred to pay placement fees and various expenses before leaving; thus the women are forced to stay for more than one contract.
   - Military bases in Korea; when U.S. military pulled out, many working there were displaced, but stayed on in Korea;
   - Patriarchy reinforces values that promote double standard among men and women. This reinforces the culture of sex and entertainment to be provided by women. Men demand to be entertained and women are
considered as providers of entertainment in the form of sex.

- Values of consumerism also prevail among family members of migrant women workers. This results to family members demanding for more money forcing the women migrant workers to extend their contract.

- Commercialization of women’s bodies — globalization and Capitalism promote values of commercialism where everything is for sale including women’s bodies. Women are treated as commodities in the labor market.

3. Responses:

- There is a need for the creation and implementation of Anti-trafficking laws.

- There is a need for alternative jobs/livelihood for women. It was given as an example here that there are NGOs in the Philippines working to supply this;

- There is a need to lobby for laws to protect women entertainers in host countries.

- There is a need to respond to the root cause of migration (poverty, unequal economic opportunities in sending countries). Migrant workers, members of their families and the community need to be made aware and educated about migrants’ issues.

- Advocate towards the transformation of the entertainment industry into an industry that does not promote sex as entertainment.

**Women Migrant Factory Workers**

1. Issues and Needs:

- There is prevailing practice of overcharging of placement fees by corrupt brokers. However it was also noted in the discussion that in Bangladesh, women’s placement fees are 50% less than men. Therefore, husbands encourage their wives work abroad.
• There is prevalence of underpayment of salaries and discriminatory wage differentials.
• A big number of women forced to go irregular or undocumented making them more vulnerable;
• Women are also forced to work overtime exposing them to occupation and health hazards.
• There are also a number of cases of sexual harassment and violence, not only from employers but also male co-workers. A few are caused by poor dormitory management. In some cases, women are on the 2nd floor, men on the 3rd floor leaving the women with little privacy.
• A number of women factory workers are forced into prostitution;
• Remittances abused by husband or family members. In some cultures women who are responsible for finances. In the absence of the mother nobody takes care of the finances and remittances sent by women are abused by husbands.
• The absence of policy protecting migrant workers reinforces the lack of minimum wage among factory workers in some countries.
• Health problems — Examples of which are women doing microscopic work may have poor eyesight; there are also some women who are forced into traditionally male jobs where too heavy loads may cause back problems.
• Poor living conditions (salary reduced 25% by room and board in some countries).
• Family break-ups;
• Pre-departure seminars don’t provide rights education or how to protect themselves/what to do in case of sexual harassment/abuse situations.
• Most countries don not allow migrants to form or join unions.

2. Responses:
• Hotlines are really helpful especially since they have no access to telephones during working hours;
• Need for awareness raising, rights education, publications on UN standards;
• Empowerment, encourage to join unions (in some countries, women may join unions, but can’t form their own);
• Legal assistance/training;
• Shelter for abused;
• Make employers follow ethical conduct/labor laws;
• Availability of information through internet about workers in relation to the owners of companies.

3. Manifestations of development:
   • Vulnerable cultural, economic, and political positions of women are obstacles to women’s empowerment, therefore employers prefer women to men so they can take advantage (women from some societies may be more passive, less aware of rights, so employers can abuse)
   • In many countries of workshop participants, female factory workers are on the increase.

4. Other categories:
   • Seafarers;
   • Women in call centers / telemarketing;
   • Home-based manufacturing work.

**Inter-Cultural Marriages**

The participants in this group addressed the first question only which was to identify the internal and external stresses on inter-cultural marriages.

- Children have trouble accessing health care and education
- Language nuance difficulties;
- Domestic abuse by husband or mother-in-law, both physical and verbal;
- Age differences: In Taiwan men in their 70’s and 80’s marry young migrant women;
- Educational attainment level gap (women have higher level, men were workers);
- Clash of expectations, wives were seeking better lives, while men were thinking of saving money for retirement, etc.;
• Cultural differences: in the Philippines and Korea, many women who have been married with children from previous marriages, have trouble with bringing children to Korea; in Taiwan, marriage between people from the mainland & Taiwan requires 8 years of residency (but if from any other foreign country, the requirement is only for 3 years);

• Poverty has led Filipina women to marry Japanese men who are financially capable of supporting their family despite cases of domestic violence;

• Providing educational programs to children of intercultural marriages;

• Conflict with in-laws;

• There is a need for women to be empowered and this entails a long process and a lot of communication.

**Women Migrant Workers in the Health Sector**

(It is important to note that both sending and receiving countries were well represented in the group.)

1. Status

• In Vietnam, growing number of schools.

• In the Philippines, there is a growing number of skilled people taking courses in Nursing because of the big demand for people in the health sector abroad. Many doctors and nurses are leaving the country which results in an imbalance in the health care sector of the Philippines.

2. Impacts:

• In sending countries, there is a lack of knowledge in access to health care and reproductive health among migrant workers;

• Japanese-language schools in the Philippines are being set up to help nurses, but it is also common for recruitment agencies to provide language classes for migrant workers;

• In receiving countries like Japan, 100 nurses from different countries are accepted per year, but there is a special training for nurses before they are taken in. They need to learn the Japanese language and pass the exams in Japanese — one has to study Japanese language first before they can apply in Japan.)
3. Manifestations of development:

- There is a bigger demand for migrant workers in the health and service industries, and there are more sectors now where women can work;

- Health issues are also discussed: most migrant workers are not given enough information about accessing health care in the host country while still in their home countries;

- In Taiwan, documented workers get health insurance, in Korea and Japan, most documented workers get health care, but undocumented migrant workers do not;

- **Suggestion:** health information should be included in pre-departure/pre-employment seminars, especially with regard to reproductive health.

4. Other sectors:

- Health & services;

- Sea-based workers such as cruise ships who are now hiring more women than men.

Participants in the workshop get ready in the presentation of their discussion to the plenary.
Plenary Three

WTO and GATS Mode 4

Plenary three focused on the World Trade Organization (WTO) and General Agreement of Trade in Services (GATS), particularly Mode 4 and its impact on migration. Professor Narashima Reddy from the University of Hyderabad, India presented the WTO process and the question of mobility within it referring to GATS Mode 4. Ms. Marina Durao from the International Gender and Trade Network—Asia shared about GATS Mode 4 and problematized the issue from an NGO perspective and focused on developing strategies in capacity building and advocacy.

Highlights of Plenary Three

A. WTO and International Migration by Dr. Narashima Reddy

Dr. Reddy started his presentation with a brief background on GATS. He said that the need for a multilateral trade agreements brought up the issue of creating the GATS. GATS was rejected right from the beginning by the developing countries. Unfortunately, none of these objections were held solidly by the developing countries.

Dr. Reddy discussed in his presentation the different Modes of trade in services. Mode 1 is about supplier in one country providing services in another country. Example of this is planning or designing for construction abroad. Mode 2 is about consumption of services abroad where a service receiver or consumer from one country goes to another country to receive it. Tourism and medical treatment, for instance, falls under this. Mode 3 refers to a commercial presence of the service abroad where a service provider or supplier has commercial presence abroad, e.g., bank branches of service centers. Mode 4, on the other hand, refers to the movement of natural persons. A person from one country goes to another country to provide services but has to be on a temporary basis.

It was highlighted in the presentation that in terms of Mode 4, services by
“temporary workers” is used in a very restrictive sense. Mode 4 talks of “temporary workers” but there is nothing in GATS which defines the word “temporary”.

According to Dr. Reddy, WTO has strict supervision on restriction on goods through GATT rules, on technology through TRIPS rules and on other services through Modes 1 to 3 of GATS. Under Mode 4, however, very little have been achieved making it the more shallow and the weakest of WTO commitments.

The existing Mode 4 commitments are heavily tilted toward high-skilled persons. Only 17% of it applies to low-skilled but is still subject to “economic needs test”.

Under Mode 4, it is important to note that there is no protection being offered to the temporary worker. Work permits are confined to one sector and one location only. Once the “temporary worker” goes to one country and works for an employer, he/she cannot switch to another job in the same country. It also gives the employer the right to suspend in the event of labour dispute. Temporary workers are not allowed to form unions making them more vulnerable and not having the legal means to assert their rights. What makes Mode 4 even worse, temporary workers are required to pay social insurance tax but host governments are not required to pay for any of the benefits.

B. GATS Mode 4 and Inequality by Ms. Marina Fe Durano

Ms. Durano recalled that in the 19th century, there were no barriers in migration from the old world to the new world. The entry of WTO enabled the possibility of opening boarders for trade. The objective of the developed countries in setting up WTO is to liberalize investment rules. This however was fought by developing countries for it would amplify the inequality between developed and developing countries.

Ms. Durano also explained the reason why developed countries are pushing for GATS and in particular mode 4. She also discussed how Mode 4 of GATS would increase inequality among developed and developing countries. Mode 4 deals with the movement of natural persons providing services to other countries.

Services are dominant in high-income countries, particularly in the North or developed countries, because of de-industrialization where the industrial sector of the North becomes heavily dependent on the services sector. It was also noted that with de-industrialization comes the re-organization of production results in distribution of production processes across borders.
Between 70s and 90s, there was a great change in the organization of production. Multinational firms break up the production process and distribute production blocks outside of their home economies but maintained control of decision-making and finances in the home country. Less developed countries served as areas where they could set-up industries at a cheaper cost at the same time remain in control of its management. Countries were chosen according to their capacity to meet the production requirements of Multinational firms.

Ms. Durano explained in detail the relationship between capital and labor among Northern and Southern Countries. She emphasized that Northern countries are in need of services to support its industries. They lack the human resource for services thus, they look for foreign workers to fill the gap. Southern or developing countries on the other hand have plenty of service providers who are seen as cheaper alternatives to local workers in the north.

Ms. Durano also emphasized that at the international mobile labour, temporary workers are not important to global trade organizations. They are not part of the system so they are not included in the negotiations.

It was also noted that the North has reduced public expenditures on health and education so it is not possible for them to pay high wages. But since there is a high demand, workers from the South keep the North’s budget at a fair level; making the service providers from the South cheaper alternatives.

Movement becomes segmented by skills. Highly-skilled workers are internationally mobile, which results to an increase in inequality due to skills gap and gender gap in wages. There is high mobility in capital in sharp contrast with heavily controlled labour migration.

Ms. Durano ended her presentation by addressing the participants, who were mostly migrant advocates themselves, with the question on how they relate GATS to their struggle to promote and protect the rights and well being of migrant workers. She reminded the participants that the next WTO Ministerial Meeting will be in Hong Kong in December 2005 and challenged them of their plans with regard to GATS, specifically, Mode 4.
Workshop Results

Day Two

As a follow up to the discussions, parallel workshops were held after the plenary session. The participants were divided into three separate groups focusing on different topics where the issues, responses and needs were identified through the process.

The first workshop focused on updates from the last RCM and to broaden the framework of health to include well-being. The workshop aimed to look into the psychosocial health of migrants.

Another workshop focused on the fact that migration also causes the informalization of labour aside from the fact that migrants are also found in the informal sector.

The last workshop focused more on the need for home and host country collaboration in looking at sustainable reintegration. The discussion aimed to unveil the different levels and actors in the collaboration process if change is really going to be brought about substantially in sending countries.

Workshop Questions and Results

A. Migrant Workers’ Health and Well-Being

1. Issues identified:
   - Vulnerability due to undocumented status. For example, in Korea, undocumented migrant workers can apply and avail of accident insurance but a lot of small factories actually don’t get insurance for migrants because they claim they don’t have the money, therefore many migrants are not covered by insurance;
   - Government encourage migrants to work abroad and send remittances without ensuring and providing support for their health and well-being;
   - Limited funds → migrants send money home as a priority to support their family, making their own health and well-being secondary;
   - Many women prioritize sending remittances back home, sometimes
sacrificing their own personal health and nutrition because they are expected to support their families; it is noted here that many women migrants feel that ‘well-being’ pertains to the well-being of their family more than their own;

- The Dhaka Declaration failed to address displaced persons; there are large numbers of these in some areas (e.g., Burma) and this issue needs to be addressed;

- Women and migrants fleeing conflicts back home, e.g. Burma face health problems and sexual abuses, including rape by the military;

- Access to health services by migrants is limited by language, e.g. migrants can't properly describe their health problems/concerns.

2. Responses:

- Support center for health concerns particularly in Korea;

- In Taiwan, language trainings in health lingo are provided to enable migrants to communicate health concerns to doctors and health providers;

- A list of migrant friendly health providers is also provided to the migrants in Taiwan;

- On Burma border, there is a publication on automatic response mechanisms for support provided or needed for women/Burmese migrants’ health concerns and

- Information sharing between migrant groups and the various countries.

3. Needs:

- Campaigns to advocate for the various issues (regularize undocumented workers, etc);

- Women-friendly clinics;

- Medical services at embassy or consulate for their migrant nationals;
• Examine/ explore the healing practices of religious groups;
• Information sharing between and among support groups in the region;
• Define ‘well-being’ based on migrants’ own perceptions/needs; e.g., how they spend their free time, what leisure activities they want/need, etc.;
• Need more empowerment of MWs to stop/prevent sexual abuse.

It was also noted in the workshop presentation that in some countries, instead of going to a medical center, sick migrant workers go to religious centers to be healed. The issue of abortion where it is prohibited in some countries needs to be addressed soon.

B. Informalization of Labour

In this topic, two sub-groups were formed composed of one group of Korean participants and another group for other nationalities.

Korean Sub-Group:

1. Issues raised:

• WTO-GATS Mode 4 (GM4) is already in effect in Korea as reflected by the trainee systems; the Korean government is spearheading this move;
• There are many problems with the industrial trainee systems in Korea (IPS, EPS). These systems provide temporary permits for migrants; guarantee interests of employers, rather than migrants. This is the same as GM4;
• IPS & EPS differ from GM4 only in the sense that they involve manufacturing (not service) workers; still, their characteristics are almost the same as those described in GM4. They do not provide protection for migrant workers. Therefore, the situation of migrant workers will only get worse; the extra passage of GM4 will exacerbate the problem;
• When ITS was first introduced in Korea, it was not fully understood by the concerned stakeholders. But having the issues and problems that the ITS brings, and seeing the same problems that the GM4 will bring, migrants’ advocates and organizations need to lobby and protest to protect the migrant workers’ rights;
• There is a need to mobilize and learn from ITS to mould and form the
GM4 to add the necessary protections for migrant workers in Korea;

- Korea should be able to offer an international guideline on how to implement GM4; migrants' advocates are currently working on a plans and guidelines in relation to the 6th WTO Ministerial meeting in Hong Kong in 2005.

**Sub-group Two:**

As defined, formal labour is regulated labour with employment terms defined. Based on this definition, informal labour would mean unregulated with undefined terms. Informal labour has no clear laws covering the worker.

1. Factors that make formal labor into informal labor (Informalization of labor):
   - Structural adjustment programs;
   - Push for efficiency/competitiveness = cheap labour;
   - Push for privatizations, deregulation of governments;
   - Economic crises.

2. Contributing factors:
   - Lack of skills;
   - Immigration policies.

**C. Sustainable Development and Remittances**

1. Issues identified:
   - How do we value, weigh, and even quantify benefits and costs of migration? Costs are difficult to quantify – e.g. separation from families, deaths, etc. … Benefits might be easier to quantify (e.g. remittances);
   - For many migrants, working abroad is an issue of life/survival; the discussion should not be about costs and benefits only;
Many studies show that it is NOT usually the poorest people who migrate for work; the poorest usually do not have access to resources to pay for going abroad. So we need to deeply examine why people decide to go abroad to work … there might be too much expectations from families that force many migrants to decide to work overseas … is this a sustainable way?

2. Recommendations

- Improve/develop understanding on MSAI; level-off concepts, provide training, capacity building, etc. Korean participants should participate in MSAI conference;
- Conduct an evaluation of the MSAI process among the network members who’ve participated in MSAI program;
- Conduct research on Migrant Savings for Alternative Investments (MSAI), remittance flow and distribution in sending countries, and on the spending habits of MWs (it’s a new issue, so need more information;
- Information and awareness-raising campaign on sustainable development, particularly for government agencies in sending and receiving countries;
- Intensify migrant savings campaigns, education and information campaign;
- Information and education campaign among the network;
- Need to advocate for education of consulate and embassy staff to sensitize and increase support for migrant workers.

Specific recommendations to the different workshops held were then discussed and the participants were able to finalize the recommendations that were incorporated in the 9th Regional Conference on Migration statement.
We, the 160 participants of the 9th Regional Conference on Migration (RCM) from 20 Asian countries, namely Bangladesh, Burma, Cambodia, China, Hong Kong SAR, India, Indonesia, Japan, Korea, Laos, Malaysia, Myanmar, Nepal, Pakistan, Philippines, Singapore, Sri Lanka, Taiwan, Thailand, and Vietnam, representing members of the Migrant Forum in Asia (MFA), and grassroots migrant organizations, unions, labour groups, women’s groups, development organizations, NGOs, international support groups and advocates came together to deliberate on the theme of “Migration for Development and its Feminization Process”, as it impinges on human rights and security of lives of migrant workers in Asia. The 9th RCM was organized by MFA and its national partner, the Joint Committee for Migrant Workers in Korea (JCMK) and Asian Migrant Centre (AMC) on 13-14 September 2004 in Seoul, Korea.

The 9th RCM is a historic gathering as it marks the 10th year of the founding of MFA as an Asian network promoting, advocating, and upholding the rights and dignity of migrants. Among the key achievements that MFA takes pride in are: mobilizing support and advocating for the ratification of the 1990 UN Convention on the Rights of All Migrant Workers and Members of Their Families and the ILO Convention 97 and 143; placing at center stage of the international arena the discourse of international labor migration, concern over the growing racism and xenophobia and recognizing the pioneering efforts on migrants’ reintegration in their home countries through mobilizing remittances.

We have come to celebrate the victories / achievements of the 10-year struggle from Hsinchu, Taiwan to Seoul, Korea. We take pride in militant struggles of JCMK that led to:

1. A national legislation to admit and recognize migrants as regular workers;
2. Government compensation to migrants who were victims of industrial accidents;
3. Raising migrant issues as national concern.
We have come together to renew our commitment to ‘live, work and struggle together with the migrant workers in Asia’ (theme of the 1994 founding conference), and to sharpen our understanding, expand our partnership and deepen our collaboration within our diverse mandates, priorities, and even perspectives. Therefore, having focused our discussions on migration and development, globalization and sustainable development, the supremacy of human security over national security, human trafficking and migration, feminization of migration, gender issues in migration, informalization of labour, reintegration and remittances, migrants’ health and well being, and international human rights standards, we the participants call for:

- The repeal of laws discriminating against migrant workers, including “anti-terror” laws, detention without trial laws;

- Abolition of compulsory HIV/AIDS and pregnancy testing policies;

- The recognition and regularization of undocumented migrant workers and to stop the trainee system in Korea and Japan;

- The recognition of foreign domestic workers and entertainers as workers and to be protected under labor laws and to give proper value to their work;

- The respecting and upholding of the full dignity of migrant workers, including the right to be with their families, the right to marry and start families, the right to health care and social services for all migrant workers and their families, and all other rights and protections of migrant workers and their families as enshrined in the UN Convention on the Protection of the Rights of all Migrant Workers and Members of their Families;

- The establishment of Memoranda of Understanding (MOUs), bilateral and multilateral agreements by sending and receiving countries that ensure the protection of migrant workers’ rights, including the right to association, the right to form or become members of existing unions, and the right of suffrage.
for migrant workers;

- The prevention of all forms of trafficking, ensuring the rights of the victims of trafficking, including regulation and monitoring of recruitment agencies;

- The right to equal wages for equal work without any form of discrimination, including gender and racial discrimination;

- The implementation of training support mechanisms and policies on migrant savings and alternative investments programs that promote sustainable development and reintegration opportunities for migrant workers who return to their home countries;

- The universal ratification and effective implementation of the 1990 UN Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, the adoption of ILO Conventions and other relevant international instruments that promote migrants’ rights;

- An immediate end to the deportation of undocumented migrant workers,

- The regional bodies such as ASEAN, APEC and SAARC to implement policies, guidelines and agreements for the protection of the rights of all migrant workers and their families.

Dated 15 September 2004

Specific Recommendations

Our specific recommendations are the following:

A. Premium on human security over national security based on the fundamental respect of human rights and dignity for all

- Establish a consolidated database of migrant workers’ issues and violations of migrants’ human rights to be used for advocacy;

- Strengthen NGOs and civil society organizations as countervailing force to state organs;
• Raise public awareness on migrant workers’ human rights, to change attitudes, practices, perceptions; to sensitize and mobilize the media, judiciary and bureaucracy;

• Promote global solidarity and networking, join global movement against war and for building world peace;

• Take a pro-active response to migrant human rights campaigns; and

• Advocate a multilateral human rights-based approach to migration.

B. Strengthen gender-sensitive responses to migration

• Greater protection for the rapidly increasing number of women migrant workers, upholding their dignity and basic human rights and valuing women’s work through just and fair wages;

• Empower women to assert their rights through education, to break occupational gender stereotypes, to organize and to form unions to advocate for labour protection;

• Lobby for governments to address issue of “brain drain” in countries which send and receive large numbers of health care workers through higher wages for health workers in sending country and compulsory service and compensation by receiving country to improve health and education in sending country;

• Lobby governments of sending countries to create adequate economic opportunities for women to have jobs that provide decent wages and working conditions so that migration becomes an option;

• Launch education campaign to prevent trafficking of women through various modes, including those related to marriage;

• Lobby for universal ratification of 1990 UN migrants’ rights convention which guarantees reunification of migrant families; and,
• Call for national policies and legislation to address issues that arise out of inter-cultural marriages, specifically those relating to rights and welfare of children of such marriages.

C. Campaign against the growing trend of informalization of labour

• Develop re-thinking of the traditional roles of unions in order to expand as social movement in each country;

• Document all cases of labour exploitation, and establish database on such specific practices;

• Raise the issue of exploitative and oppressive relations in labour informalization at high-level inter-governmental fora;

• Campaign against the growing trend of informalization of labour, especially in the context of migration; and include trainee system as a practice which contributes to the informalization of labour; and

• Lobby the embassies of sending countries to provide assistance to irregular migrant workers in receiving countries.

D. Promote sustainable development, reduce inequalities within and between countries, and mobilize migrant workers and their remittances toward this end

• Conduct information and education campaign on issues affecting sustainable development and remittances among advocates (WTO-GATS);

• Conduct education campaign among MFA members and migrant advocates to form position on WTO-GATS Mode 4 and formulate lobby documents for the WTO meeting in Hong Kong in 2005; link up MFA members with the on-going networks/movements against global injustice;

• Encourage greater participation in the MSAI program by conducting awareness-raising and capacity building for embassy and consulate staff in regard to migration and reintegration issues;

• Conduct research on MSAI, remittance flows and uses and benefits;
• Intensify MSAI campaign among migrant workers and their families, and lobby local governments to support MSAI program and to include it in pre-departure programs; and

• Conduct information sharing and capacity building training among MFA members in relation to migrant savings programs, including experience exchange programs among members.

E. Greater recognition and upholding of basic human right to health and well-being of all migrants

• Lobby for MOUs between sending and receiving countries and use instruments of regional bodies such as ASEAN, APEC and SAARC for adoption of compulsory health care schemes for migrant workers; advocate for migrants' access to health services and quality health care;

• Integrate education for greater health and well-being awareness in migrants’ pre-departure training, on-site orientation and return and reintegration programs and activities in sending and receiving countries;

• Provide education and information to develop and advocate healthcare services and for migrant workers and their families;

• Establish sex disaggregated database system in regard to the health of migrant workers, including occupational diseases, reproductive health, living & working conditions, hazards specific to certain employment sectors; and

• Abolition of policies and practices that exclude and discriminate against migrants’ rights to health.

 names of organizations

Action Network for Migrants (ACTFORM), Sri Lanka
Ain O Salish Kendra (ASK), Bangladesh
All Nepal Women Association (ANWA), Nepal
Anti-Slavery International, Thailand
Asian Migrant Centre (AMC), Hong Kong
CARAM Cambodia, Cambodia
Center for Migrant Advocacy (CMA), Philippines
Center for Indonesian Migrant Workers (CIMW), Indonesia
Coalition for Migrants’ Rights (CMR), Hong Kong
Commission of Filipino Migrant Workers (CFMW), Amsterdam
Federation of Trade Unions – Burma (FTUB), Burma
Federation of Indonesian Migrant Worker Organization (FOBMI), Indonesia
Hong Kong Coalition of Indonesian Migrant Workers Organization (KOTKIHO), Hong Kong
Hope Workers’ Center, Taiwan
Indonesian Migrant Workers Union (IMWU), Hong Kong
Institute of Social Sciences in Ho Chi Minh, Vietnam
Jarnas Pekabumi, Indonesia
Joint Committee of Migrant Workers in Korea (JCMK), Korea
Lao Women Union, Laos
Lawyers for Human Rights and Legal Aid (LHRLA), Pakistan
Kanlungan Center Foundation, Inc., Philippines

MAP Foundation / Action Network for Migrants, Thailand
Migrant Care, Indonesia
Migrant Forum in Asia (MFA), Philippines
Migrant Forum India, India
Migrant Services Center, Sri Lanka
Migrant Workers’ Education and Training Center, China
Migrants Rights International (MRI), Geneva, Switzerland
Society for Christian Reflection, Malaysia
Solidaritas Perempuan, Indonesia
Solidarity Network with Migrants Japan (SMJ), Japan
St. Francis of Assisi Workers Centre, Singapore
Tenaganita, Malaysia
Thai Action Committee for Democracy in Burma, MMN
Unlad Kabayan Migrant Services Foundation, Inc., Philippines
Welfare Association of Repatriated Bangladeshi Employees (WARBE), Bangladesh
Women and Media Collective, Sri Lanka
Women Rehabilitation Center (WOREC), Nepal
Papers Presented

Feminization of Migration
Ms. Carrie Sri Tharan, Migrant Forum in Asia

Invisibility of Women Migrants

The twentieth century marked a turning point towards greater female migration. The enormous increase in the female labour force has partly resulted from the greater number of women migrants. Today, women account for approximately half of all areas other than construction or heavy industry (Sharpe, 2001). Notwithstanding this, Hania Zlotnik contends that the ‘extent of women’s involvement in international migration has generally been overlooked, mainly because women have been viewed as ‘dependents’ moving as wives, mothers or daughters of male migrants. Such stereotypes are evident in the statistical systems used to measure migration and, not surprisingly, have pervaded the study of international migration.’ (Zlotnik 1993, p.229). Writing in 1993, Buijis remarked that there have been ‘few attempts to look beneath the surface of the mass movement of people and to disentangle the specific experiences of women.’ (Buijis 1993, p.1). Until the mid-1970s, women were not visible in studies of migration and when they did, were treated as dependents of men.

The book, Women, Gender and Labour Migration, (Sharpe, 2000) illustrates how women migrants were far less likely than male migrants to be categorized according to what work they did in official records; that while women were visible in the government records of nineteenth century Australia, their economic role was ignored; how domestic service is central to understanding women’s historical migration; and also that in Ireland, from the 1870s, more women than men migrated to the United States and that although many accounts suggest that young women left Ireland to secure a marital partner, such women were indeed expected to find an occupation that would give them an independent income. It appears that until the mid-1980s, the circumstances of female migration were little discussed by anthropologists, sociologists of policy-makers. Since then, substantial accounts have been written about the invisibility of female migrant and the ingrained assumption that the typical migrant was young, single, and male with economic motivations for moving.

Women Migrants, Visible But...
The feminization of international labour migration has been most pronounced in the case of Asia and this constitutes one of the most striking economic and social phenomenon of recent times (Lim and Oishi, 1996). Asian women are moving in their own right as autonomous economic migrants, rather than as dependents of male migrants. The situation of Asian female migrants presents the dilemma of women trying to take hold of economic opportunities overseas but at the same time needing to grapple with restrictive immigration regulations, social constraints, gender discrimination and various forms of exploitation in countries of origin and destination. It has been particularly the situation of Asian women migrants, especially those in the domestic service and entertainment industry, that has heightened public concern and prompted calls for more effective national, regional and international efforts to promote the rights and welfare of migrant workers.

The experience over the years has shown that women are generally disadvantaged throughout the migration process. Studies have documented the problems they face at the country of origin, at the pre-departure stage, at the countries of destination and at the time of return to their home country. Women migrants have suffered from exploitation and all sorts of abuses and violence. The phenomenon of women migrating to work mainly as maids, helpers or caregivers, has brought about fundamental social changes in the family, in the dynamics of household processes and gender relations. In most cases, these women have now assumed the role of main breadwinners in their households and this has earned them an enhanced status. At the same time, prolonged separation from families and loved ones meant for many freedom from social restrictions and norms and mores and the concomitant redefinition of values and changes in one’s priorities in life.

Remittances from the migrants have been utilized for the maintenance of households and for the improvement of the lives of families in terms of better education, nutrition and housing. Yet, there is also a growing recognition of the negative impact of prolonged migration on the lives of families left behind and perhaps, more importantly, of the formation of a culture of migration that evokes a permanent dependence on the continuation of out-migration for livelihood, for development.

**Issues and Concerns**

Amjad of ILO/SEAPAT (International Labour Organization/South-East Asia and the Pacific Multidisciplinary Advisory Team) has earlier referred to a recognition by governments of labour sending countries that migration has not in any real ways contributed to the overall development effort in such countries and that 'its impact may have been more negative than positive, delaying or providing the cushion to procrastinate importantly needed economic and structural reforms in the country.' (Amjad 1996, p.340).
The feminization of international migration raises several issues and concerns which are at the same time political, social, cultural and economic in nature. Some of the key questions brought to fore are the following: What happens to a country that mainly depends on the export of labour and mainly women’s labour, to keep its economy afloat and to respond to the persistent problems of unemployment and underemployment? What is the sense of security or insecurity that migration provides for the country (sending country) as a whole, for the migrant workers themselves and for their families? What does a culture of migration mean for the society? What happens to women, married with young children, or single in their reproductive years, professionally trained or college graduated, who are away for 5, 10, 15 years working abroad mainly as domestic helpers or caregivers? What happens when they come back to the home country ‘for good’? Are they re-integrated? Dislocated? Better-off than before they left? Or is it that they can never come home or be home? Or there is no home? What happens to the families left behind, the households and their gender relations, the dynamics of power, of sustenance? What is the impact on the communities in terms of the perceptions of migrants and migration, new values infused? New skills? Inequalities reduced or exacerbated?

**Transforming the Gendered Terrain of Labour**

**Migration Policies in Asia**

*By Jean D’Cunha, UNIFEM, Bangkok, Thailand*

**Overview**
- Review of trends and current initiatives
- Elements of a gender and rights-based perspective
- Gender and rights concerns at all stages of migration
- Gendered Policy
- Strategic interventions including UNIFEM Asia-Pacific Program on Migration

**Trends in Migration**
- A growing magnitude and pace
- A significant and enduring structural feature in Asian countries
- Feminization since the mid 1980s
- Changing spatial pattern marked by economic geographical and cultural considerations
- Migration management largely controlled by a well organized private section with strong political links
- Official carriers to trans-national migration
- Labour migration for temporary periods
- Growth of irregular migration and trafficking
• Gross human rights violations of poor regular migrant workers and trafficked persons

**Official Discourse and Interventions**

• Not normally gender responsive
• Largely lacking in rights-based sustainable development orientation

**A Gender Perspective on Migration**

• Women and men boys and girls migrate
• Addresses similarities and differences in experience of vulnerabilities, violations, consequences and policy/program impacts
• Recognizes that women and children's greater disadvantages are rooted in gender, age, class, ethnicity
• Change oriented
• Introduces policies laws programs providing equal opportunities
• Transforms institutional norms, rules, procedures and mindsets of men and women towards equality of access and benefits
• Short-term affirmative action to compensate historical disadvantage
• Empowers potential / actual migrants

**Rights-Based: Linking Gender, Rights and Development**

• A Human Rights Approach
• Development practice that ensures fundamental socio-economic and political entitlements
• Promotes human well-being and empowerment
• Gender responsive is rights-based and vice-versa
• Women's rights are human rights
• Discrimination against women and girls violate human rights
• This is a cause of unskilled economic migration and migration related violations and their consequences
• Women's human rights are at the core of migration policies and programs
• Human rights orientation must be responsive to differences and inequalities between men and women

**Gender and Rights Concerns**

**Vulnerabilities: Demand**

• The development of certain economic sections with a more woman-specific demand
• The growth of a profitable immigration industry and informal social networks
• The marketing of countries of employment as sites of abundance and boundless opportunity

**Gender and Rights Concerns**

**Vulnerabilities: Supply**

• Gendered development processes exacerbated in the recent context of globalization that marginalize women from education and employment
enhance gender inequalities and feminized poverty
- Displacement due to nature and human-created catastrophes
- Gendered cultural practices gender discrimination and violence in families and communities
- Labour export policies of host countries as an economic development and politically expedient strategy

**Gender and Rights Concerns: During Transfer and in Host countries**
- Physical and sexual abuse during transfer
- Cultural prejudices
- Restrictive immigration policies discriminatory bans or women’s migration and fewer non-gendered jobs for women
- Gendered abuses in end institutions
- Isolation tight control, moral disapproval, limit access to assistance
- Poor overall and reproductive health including HIV/AIDS
- Exclusion from host country labour laws, gendered conditions of stay
- Lack/absence of assets to move borrowing pressure to accept acute abuse to repay debt

**Gender and Rights Concerns: Return and Resettlement**
- Compulsory HIV/AIDS testing
- Moral rehabilitation for young women returnees
- Increased personal & social costs
- Adverse impacts on children
- Marital instability & discord
- Lack of empathy by family and social stigmatization

**Gender and Rights Concerns: Return and Resettlement**
- Lack of control over remittance reinforces dependence
- Lack of protection against reprisals: inadequate reintegration facilities premature return without debt recovery/saving leading to remigration/trafficking

**Gendered Policies in Countries of Employment**
- Regulations governing
- Entry
- Admission on Stay (Restricted numbers, New Conditions of Stay Policy, Hong Kong, Control over Reproduction and Sexuality)
- Empowerment and Welfare Benefits (Exclusion from Protective Labour
- Legislation, Erosion of Rights when covered by Legislation)

**Gendered Policies in Countries of Origin**
- Promoting Labour Export
- Protection and Empowerment
- Maximizing the Development impact of Remittances and Skills of returned Migrants

**Framework for Strategic Interventions**
• Perspective
• Move to more gender and rights based development paradigms
• Ensure a balance between providing sustainable alternatives to migrant and empowering women migrant workers
• Greater focus on demand side of the phenomenon
• Operational
• Expand geographical coverage in reaction to good practice
• Seal gaps between gender and rights based policies and effective implementation
• Identify and bridge new gaps
• Consolidate links between sending and destination countries
• Implement more gender and rights based bilateral and regional agreements
• Forge regional collaboration in a multi-sectoral manner

Specific Interventions
• Implement sustainable socio-economic development policies/programs that reduce migration for survival
• Ratify international Human Rights Instruments
• Ensure that governments and NGOs report on women migrant workers concerns under CEDAW
• Engender data production research and analysis and indicators
• Introduce gender and right based domestic policies' legislation and programmes consistent with international human rights standards in both sending and destination countries, protecting women migrant workers throughout the migration cycle
• Regulate and accredit recruitment agencies and employers
• Register migrant workers through an incentive system relevant to their needs and concerns
• Ensure the right to mobility and to safe migration conditions for women migrant workers to prevent trafficking and other abuse
• Ensure gender sensitivity and efficacy in the delivery of pre-departure trainings
• Guarantee the right to participate in democratic, political processes in the country of origin including the right to vote
• Review and harmonize immigration policies and laws in destination sites in accordance with international human rights standards and an assessment of sectoral labour market demand migrant women
• Protect the rights of both legal and undocumented migrants in source and destination countries
• Enforce minimum labour standards for the protection of national and foreign migrant workers especially women in countries of employment
• Cover domestic workers
including foreign domestic workers under labour laws

- Ensure that legal valid contracts for domestic workers in destination countries have a gender responsive monitoring and dispute resolution mechanism
- Provide adequate support to workers who press charge in destination sites
- Ensure the right to associate and organize in countries of employment
- Forge gender sensitive and rights based bilateral and multi-lateral agreements/collaborations between source and destination sites and establish mechanisms to implement these

- Provide on site socio-economic, legal and emotional support services to women migrant workers
- Improve service delivery of diplomatic missions in countries of employment
- Develop comprehensive reintegration programmes that provides economic social psychological and legal services in and integrated multi-sectoral manner
- Run nation wide media campaigns in source and destination sites that promote positive images of women migrant workers highlighting specific ways in which governments and civil society can empower them
- Ensure that women migrant workers

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**Mobility, Migration & Trafficking: Concepts, ‘Grey Areas’ & Discourses**

By: Rex Varona, Asian Migrant Centre (AMC), Hong Kong

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**Estimated number of migrant workers (in vulnerable, marginalized, oppressed situations):**

<table>
<thead>
<tr>
<th>Asian Receiving Country</th>
<th># Mig. Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East (GCC States only: Bahrain, Kuwait, Qatar, Oman, KSA, UAE)</td>
<td>9 to 12 million [2003]</td>
</tr>
<tr>
<td>Southeast Asia (Malaysia, Singapore; excluding Greater Mekong Subregion)</td>
<td>2.08 million [2003]</td>
</tr>
<tr>
<td>Greater Mekong subregion (Thailand, Laos, Vietnam, Cambodia, Myanmar, Yunnan-China)</td>
<td>1.3 to 2.6 million [2003]</td>
</tr>
<tr>
<td>East Asia (Japan, Korea, Hong Kong, Taiwan; excluding internal migrant workers in China)</td>
<td>2.64 million [1999]</td>
</tr>
<tr>
<td>South Asia (there is an “open border” between India and Nepal)</td>
<td>4 to 10 million [2000]</td>
</tr>
<tr>
<td>TOTAL</td>
<td>19 to 30.2 million</td>
</tr>
</tbody>
</table>
Types of migrants (in vulnerable, marginalized, oppressive situations) + their families:

A. According to immigration status:
   - Regular (documented) - overseas contract workers;
   - Irregular (undocumented, trafficked, smuggled)

B. According to job category:
   - Industrial / manufacturing workers;
   - Service workers (domestic services, entertainment, hotel/restaurant, caregivers, health workers);
   - Plantation / fishery workers;
   - Seafarers;
   - Pseudo-employed migrants: au pairs, industrial trainees

C. Families / dependents of migrants
   - Family left behind;
   - Spouse and/or children;
   - Parents and siblings;
   - Relatives

Illegal recruitment; abusive recruitment practices

Foreign Domestic Workers
- At least 15% of foreign domestic workers in HK are underpaid (almost 50% for Indonesians);
- 22% not allowed weekly days off;
- 27% verbally or physically abused;
- 2% sexually abused.

Factory Workers: victims of occupational hazards

Migrant fish workers

Thai migrant factory accident victim in Taiwan.

Cambodian fish workers in Thailand live in overcrowded boats.

Indonesian migrants illegally kept in overcrowded recruitment centres in Jakarta
Migrant deaths (due to occupational, Trafficking
disease, murder, mysterious, execution, natural causes)

- Philippines — average of 2 dead overseas Filipino workers are sent home everyday (Source: Kanlungan Centre; government statistics, 2003)
- Bangladesh — average of 1 dead Bangladeshi migrant worker from the Middle East everyday (RMMRU research, 2001)
- Thailand — average of 1 dead Thai woman migrant worker in Japan cremated each week (Thai consular official in Japan, 8 Dec 2002)
- Sri Lanka — average of 10-15 dead migrants per month in Lebanon (Phil. Ambassador., June 2004)

Undocumented migrants being deported from Sabah

Over 300,000 Filipinos and Indonesian forcibly deported by Malaysian government from Sabah in 2003.

- “The illicit and clandestine movements of persons across national borders, largely from developing countries and some countries with economies in transition, with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for profit of recruiters, traffickers and crime syndicates, as well as other illegal activities related to trafficking, such as forced domestic labour, false marriages, clandestine employment and false adoption.” (UN General Assembly, 1994)
- Trafficking is the “recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, force labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000)
Smuggling — “procurement of the illegal entry into, or illegal residence of a person in a State Party of which the person is not a national or a permanent resident in order to obtain, directly or indirectly, a financial or other material benefit.” (Source: UN Protocol Against Smuggling of Migrants, 2000)

Key elements of trafficking and smuggling:
- Actual or intent to physically move a person (internally or across border);
- Agent (trafficker);
- Benefit from the process;
- Use of deception, force, threat of force, etc.;
- Resulting in forced labour or sexual exploitation.

Points to think about
- Anti-trafficking regulations can be misused by governments to justify their crime-prevention/control approach on migration (instead of human rights/protection approach);
- Blanket classification of FDW as all trafficked, all victims (including by compulsion of poverty)
  → can be disempowering — generalizes that FDW and women have no capacity or ability to make informed decisions, choices in ALL instances;
  → can create victim mentality (instead of working class/social actor mentality); NGO strategies primarily become redress-

oriented; client-NGO dependency.

International instruments: migration / trafficking
A. United Nations instruments
- Universal Declaration of Human Rights (treaty/customary international law; 1948; xx States-Party);
- UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (treaty; 1951; xx States-Party);
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (treaty; 1957; xx States-Party);
- International Covenant on Civil and Political Rights (treaty; 1976; xx States-Party);
- Convention on the Elimination of All Forms of Discrimination Against Women (treaty; 1981; xx States-Party);
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (treaty; 2000; xx States-Party);
- Convention on the Rights of the Child (treaty; 1990; xx States-Party);
- Migrant Workers Convention (treaty; 2003; States-Party)

B. ILO instruments / Summit declarations
- ILO Convention No. 182 or the
Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (treaty; 2000);

- Convention Against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Woman and Children (adopted 2000; not yet enter into force);
- Vienna Declaration and Programme of Action (declaration; adopted by representatives of 171 States in 1993);
- Beijing Declaration and Platform for Action (declaration; endorsed in 1995 by 189 countries; and participated in by 2,600 NGOS in 1995);
- WCAR Declaration.

**Regional instruments**

- All members of the Association of Southeast Asian Nations (ASEAN) are now parties to the CRC, except for Brunei, also to the CEDAW;
- ASEAN Vision 2020 (1997);
- Hanoi Plan of Action (1998);
- ASEAN Declaration on Transnational Crime (1997);
- SAARC Convention on Preventing and Combating Trafficking in Women and Children in Prostitution (1998);
- Bangkok Declaration on Irregular Migration (1999);
- Asian Regional Initiative Against Trafficking in Women and Children Regional Plan of Action (ARIAT; 2000).

**Migration at the Commission and the Sub-Commission**

By: Prof. Chin Sung Chung, Seoul National University, Seoul, Korea

**Problems of Migration**

- Growing number according to globalization;
- Direction from South to North;
- Feminization of migration;
- Irregular migration;
- Trafficking and smuggling;
- Organized Crimes;
- Drugs and crime.

**History of UN’s Efforts on Migration**

(70s — 80s)

- The UN began to pay attention to the plight of migrant workers only in the 1970s;
- 1972: ECOSOC, GA asked ILO and CHR to look into migration issues;
- 1974-76: Sub-Commission; study on illicit migration and discriminatory treatment of migrant workers;
- 1978: the World Conference to combat racism — migrant workers issues;
**UN Human Rights Mechanism on Migration:**

- **1983:** the second World Conference to combat racism.

(90s)
- **Dec 1990:** International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was adopted by the GA;
- In the 90s, all the major UN conferences dealt with migrant workers: Vienna 1993, Beijing 1995, Copenhagen 1995;
- **1997:** CHR working group (resolution 1997/15) to look into existing obstacle;
- **1999:** report by working group — structural vulnerability, international monitoring mechanisms;
- **1999:** Secretary General submitted report to CHR on violence against women migrant workers;
- **1999:** CHR (55th Session) - Special Rapporteur on HR of migrant workers.

(2000)
- **2004:** CMW first held;
- **2004:** CHR 60th Session — Special Rapporteur for trafficking in persons
- **2004:** CERD comment to David Weissbrock’s study on the rights of non-citizens;
- Partly discussed at the Special Rapporteur on contemporary forms of racism, SR on violence against women, Working Group
on arbitrary detention, etc.;
- **Sub-Commission:** WG on contemporary forms of slavery;

**Commission on Human Rights and NGOs**

- Working group (1997): 5 intergovernmental experts, look into existing obstacles; Mr. Jorge Bustamante submitted report — raised the issue of structural vulnerability encountered by the migrant workers; recommended an international monitoring mechanism;
- NGOs giving information to the experts and SG.

**Commission and NGOs (Trafficking)**

- Report of the Secretary General submitted to CHR: traffic in women and girls (2002);
- Resolution on “traffic in women and girls” (2002/51);
- Report of the UNHCHR to ECOSOC: “Recommended principles and guidelines on HR and Human Trafficking” (2002);
- Special Rapporteur on trafficking in persons (2004/45)

**Commission and NGOs (others)**

- Special Rapporteur on contemporary forms of racism
- Special Rapporteur on violence against women
- Working group on arbitrary detention, etc;
- NGOs need to approach all these possibilities.

**Sub-Commission and the NGOs**

- Study by Ms. Warzazi: illicit migration and discriminatory treatment of migrant workers (1974-976);
- → Lobbying to make members undertake studies, providing information, organizing country visits, applying the studies at the domestic and regional level;
• Social Forum (every July); poverty;
• Working Group on contemporary forms of slavery (every June): trafficking, migrants, forced labour issues; → submit reports to the Sub-Commission;
• → Participating, making interventions, giving input to making of reports;
• Discussions at the session (item b) → making intervention; lobbying to make members undertake studies; providing information;
• Secretary General sent a note: “Smuggling and trafficking in persons and protection of their human rights” (2001) → sending materials to SG;
• General comments by CERD to the report on non-citizen (2004) → acknowledging the relations between Sub-Commission and treaty bodies.

**Committee on Migrant Workers (CMW)**

• Treaty monitoring body of International Convention on the Protection of All Migrant Workers and Members of Their Families (adopted in 1990);
  → monitoring the protection of the rights of all migrant workers and members of their families;
  → had its first session in March 2004;
  → membership: 26 states (Bangladesh, Philippines, Sri Lanka, Tajikistan, Timor-Leste in Asia)
• NGOs → push for more membership; giving input to make proper general comments by the experts.

**Global Commission on International Migration (GCIM)**

• Launched by the United Nations Secretary General and a number of governments on December 9, 2003 in Geneva;
• Comprised of 18 Commissioners;
• Independent and will submit its Final Report to the Secretary General in mid-summer 2008;
• The Geneva-based Secretariat began its activities on 1 January 2004 and the GCIM met for the first time in Stockholm on February 26-27, 2004;
• Mandate of the Commission is to:
  → place international migration on the Global Agenda;
  → analyze gaps in current policy approaches to migration and examine inter-linkages with other issue-areas;
  → present recommendations to the United Nations Secretary General and other stakeholders;
• NGOs → pushing to overcome states-centered activities of the Commission; giving input in producing a report.

**UN Office on Drugs and Crime (UNODC)**

• A global leader in the fight against
 illicit drugs and international crime;

- Established in 1997, UNODC has approximately 500 staff members worldwide;
- Its headquarters are in Vienna and it has 21 field offices as well as liaison offices in New York;
- Mandated to assist Member States in their struggle against illicit drugs, crime and terrorism;
- Research and analytical work;
- Normative work to assist States in the ratification and implementation of the international treaties, the development of domestic legislation on drugs, crime and terrorism;
- Field-based technical cooperation projects.

The Use of CEDAW in Promoting and Protecting the Rights of Women Migrant Workers

By: Hei Soo Shin, CEDAW Expert / Kyung Hee University, Seoul, Korea

International Treaties, CEDAW and Rights of Migrant Women

7 Principal Human Rights Treaties:
- ICCPR (1966-1976)
- ICESCR (1966-1976)
- CERD (1966-1969)
- CEDAW (1979-1981)
- CAT (1984-1987)
- CRC (1989-1990)
- CMW (1990-2003)

CEDAW and Protection of Women’s Human Rights

- CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women);
- Most comprehensive treaty for women;
- 177 ratifications;
- Beijing Platform for Action calls for universal ratification, full implementation and withdrawal of reservations;
- Definition: “discrimination against women” — “…any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

- Important elements of the Convention:
  → Formal equality and substantive equality;
  → Temporary special measures;
  → Protection of maternity;
  → Modification of gender role stereotypes;
→ Violence against women.

• Specific rights protected:
  → Elimination of trafficking and exploitation of prostitution (Art. 6);
  → Political and public life (Art. 7-8);
  → Nationality (Art. 9);
  → Education (Art. 10);
  → Employment (Art. 11);
  → Health (Art. 12);
  → Economic and social life (Art. 13);
  → Rural women (Art. 14);
  → Equality before law (Art. 15);
  → Marriage and family life (Art. 16).

**Strengthening of CEDAW**

• Adopted in 1999, effective in 2000;
• 62 ratifications;
• “Individual complaint” procedure;
• “Inquiry” possible for grave or systematic violations;
• Exhaustion of domestic remedies required.

**CEDAW Committee**

• 23 independent experts on the Committee;
• Elected for 4-year term by the States parties to the Convention;
• Meets twice a year, for three weeks each;
• Examines the State’s report and adopts “Concluding Comments”;
• Adopts “General Recommendations”;
• Issues “statements” when needed.

**How to Use CEDAW**

• Governments:
  → Obligation to implement;
  → Obligation to report — initial report within a year; periodic report every 4 years; combined reports allowed; technical assistance available
  → “Constructive dialogue” with the CEDAW;

• NGOs:
  → “Shadow report” valued—reliable source of information; on all articles or part of the articles;
  → Formal meeting with the Committee — during the session; during the pre-session working group;
  → Involvement in the Governmental reporting.

**“Concluding Comments” of the Committee: Examples**

• More information data and research;
• Discrimination, violence and protective measures;
• Trafficking in women and girls and exploitation of prostitution;
• Discrimination in employment against migrant women including domestic workers;
• Protection from deportation;
• Preventing illegal employment agency;
• Shortage of health professionals
caused by out-migration.

For a Better Implementation of CEDAW
- Wide publicity of the CEDAW Convention;
- Monitoring on the implementation;
- Ratification of the Optional Protocol;
- Withdrawal of reservations, if any;
- Close cooperation between the Government and NGOs;
- Close cooperation among the NGOs;
- “Shadow report” to the CEDAW Committee.

CEDAW website:
- www.un.org/womenwatch/daw/cedaw

Strategies Re: ILO Multilateral Framework on Migration
By: Alison Tate, Australian Confederation of Trade Unions (ACTU), Australia

Opportunity for collaboration between MFA/networks and ICFTU
- Multilateral Framework on Migration: ILO’s efforts to link migration to the world of work. World Commission on the Social Dimension of Globalization recognized that there is a major gap in the current institutional structure of the global economy;
- Address the contemporary framework of globalization (WTO – particular language regarding migration);
- Rights-based approach, principles of equality and non-discrimination with respect to the treatment of migrant workers;
  - Workers’ input – made in the spirit of building on the tools of the ILO;
  - Work with the ILO’s social partners to identify issues, map best practices, develop guidelines, and build a multilateral framework;
  - While not binding, these would carry the authority of workable solutions to strengthen economies, build social cohesion, and eliminate corruption;
- Existing ILO instruments provide essential direction on how to handle the dimensions of migration and constitute an essential building block for any MF;
- All ILO conventions, unless otherwise specified, and in particular core standards, apply to all workers, temporary, permanent, irregular, etc.

Purpose of MFM
- Increased and better managed migration has the potential to maximize benefits to both sending and receiving countries;
- Ensure all migrant workers receive adequate protection plus equal treatment;
- Report: “Towards a Fair Deal for Migrant Workers in the Global
Economy”.

**Unique Tripartite Structure of ILO**
- Gives the social partners considerable influence and power
- The tripartite nature gives ILO weight that makes it a key actor on global social issues
- Depends on the quality of unions (openness, representativeness)
- Use international connections (strategy: link up with friends, i.e. Korea/HK/Australia/Dutch/Canadians/GUFS/ICFTU).

**Outline of ILO’s Past**
- ILO: part of UN system, therefore part of international politics and all that involves;
- UN tried to get UN-based discussion → it took a decade to get UN convention up in context of informal/formal/bilateral mechanisms;
- Efforts to keep discussion within IOM – industrial countries control it; exception is UN family established Rapporteur on migration under the HRC;
- Pressure came from employers, workers and governments of South Asia, especially the Philippines, India and Pakistan, reflecting concerns over the reality for migrant workers (what was happening to workers in the Middle East);
- Pressure to address migration of labour:
  → Unions – how to protect their own jobs?;
  → Rights argument.
- International political debate: who will direct it?
  → IOM: U.S., U.K., Australia want to keep it;
  → ILO: workers, employers want a say;
  → Other policies: industry policies, health policies, development policies, and globalization.
- ILO: instrument of UN
  → Direct participation of three parties (civil society has direct access at every level);
  → Can initiate a standard involved in developing standards;
  → Work towards ratification;
  → Governments must consult;
  → Supervision and enforcement.

**Plan of Action**
- See as opportunity for input and advocacy;
- Strive for consistency between international instruments and cooperation among various UN agencies;
- Several components:
  → Non-binding multilateral framework including the development of guidelines on a series of relevant issues based on best practices;
  → Promotion of ILO standards relevant to migrant workers;
  → Capacity building and technical assistance;
→ Develop a global knowledge base;
→ Support for a sustained social dialogue (in this area) on international migration.

**Capacity Building**

- For governments, employers and workers' organizations
- Critical issues:
  → Migration policy;
  → Labor rights including gender rights;
  → Legislation and practice;
  → National databases;
  → Labor inspection services;
  → Campaigns against racism and xenophobia;
  → Generation of decent work.

**Strategies re: ILO Multilateral Framework on Migration**

- Need to watch:
  → ILO office / ILO ACTRAV (Workers' Bureau – Bangkok);
  → Request capacity building activities;
  → Request consultation;
- Need to talk:
  → What are our governments putting on the table?;
  → Participate as social dialogue partners;
- Plug into broader networks:
  → Link labour to trade and human rights networks;
  → Use human rights training opportunities e.g. DTP in November 2004;
  → Standards setting:
    → How are standards put together?;
    → How things happen;
    → Cycle of reporting / complaints mechanisms;
  → Look for wins: e.g. breach of an ILO Convention by formal agreement
  → Develop case law: document specific cases to highlight important aspects / themes
  → Push ILO to disseminate info / translation of materials regarding the development of the Guidelines for the Multilateral Framework, especially in the coming months
  → Lift awareness of our networks in the ILO processes (workshops/ training)
  → Protect rights: need more case examples coming through on the conventions already ratified
- Timing:
  → ILO GB: November 2005 – Gen's report – elaborate the MFM;
  → Need to act within the next six months!
- Links with Trade Unions
  → ICFTU APRO meeting in
WTO and International Migration

By: Dr. Narashima Reddy, University of Hyderabad, Hyderabad, India

Movement of People and Multilateral Trade Agreements

- 1948: UN Conference on Trade and Employment included ‘skills’ in the proposed ITO but not transit of persons (ITO did not materialize);
- 1947-1994 GAAT Era: No attention paid to workers and professionals;

WTO and Movement of Natural Persons

- Included in the General Agreement on Trade Services (GATS)
- GATS — Four Modes of Trade in Services:
  → Mode 1: “Cross-border Services”, suppliers in one country provides services in another country → service goes abroad, e.g., plan / design for construction;
  → Mode 2: “Consumption of Services Abroad”, service receiver / consumer from one country goes to another country to receive it, e.g., tourism medical treatment;
  → Mode 3: “Commercial Presence of the Serviced Abroad”, service supplier has commercial presence abroad, e.g., a bank branch or a service centre abroad;
  → Mode 4: “Movement of Natural Persons”, when a person goes abroad to provide service, e.g., an engineer of a carpenter;

Mode 4: Service by Movement of Natural Persons — Relevant for International Migration

- Mode 4 included at the behest of developing countries;
- Used in a very “restrictive” sense:
  → Includes “temporary” workers relocating to work for a home country company at a branch in a foreign country;
  → Natural persons seeking access to employment market not included;
  → “Self-employed” not included;
  → “Permanent employment” abroad not included;
- Developing countries insist that Mode 4 should include construction, tourism and domestic workers;

What is the need for inclusion of migration of natural persons under WTO rules?

- Inclusion of Movement of Natural Persons fits into the efficiency and equity rationales of WTO trading system (Steve Charnovitz, 2002)’
→ Efficiency: As barriers of cross-border movements of goods reduce economic efficiency, barriers to movement of labour too will lead to inefficiency;

→ Equity: WTO suggests special and differential treatment norm for rich countries: they should especially open to imported goods from poor countries in the interest of raising the income of those countries;

→ Same equity norm could be extended to greater openness by industrial countries to foreign workers from developing countries;

• Two objections raised:
  1. Migration under Mode 4 trade is associated with changes in factor endowments and thus breaks standard assumption;
  2. Models used to analyze international migration fall under GATS Mode 4 refers to temporary movements within, but not between, sectors;

_GATS Mode 4 Obligations and other WTO Obligations_

• WTO has strict supervision on restriction on
  → Goods through GATT Rules;
  → Technology through TRIPS Rules;
  → Other services through Modes 1 to 3 of GATS;

• GATS Mode 4 — shallower and weakest of commitments;

_Experience under Mode 4 Commitments_

• Very little achieved under Mode 4;
• Existing Mode 4 commitments heavily tilted toward high-skilled persons;
  → Only 17% commitments apply to low-skilled but subject to ‘economic needs test’;
• Additional restrictions imposed:
  → Restriction of “pre-employment”;
  → Work permits confined to one sector and one location;
  → Right to suspend in the event of labour dispute;
  → Prohibit purchase of real estate;
  → Made to pay social insurance tax, without benefits;

_Which way?_

• Bring within the ILO Convention No. 157: Establishment of an International System for Maintenance of Rights in Social Security;

• Associate in Negotiations on Natural Persons: ILO, IOM and UNESCO (just as WIPO and UNEP are associated with TRIPS);

• WTO should also link the trade regime with the human rights and workers’ rights regime;

• “GATS Workers” and “GATS Visas” to protect workers and ensure fundamental rights.
GATS Mode 4 and Inequality

By: Marina Fe Durano, International Gender and Trade Network — Asia

Importance of Services:

- The increasing importance of services is best appreciated when "de-industrialization" of the North is noted:

- Industrial structure of the North is dependent on services sector;

- Re-organization of production results in distribution of production processes across various countries, a.k.a. value-chain;

![Gross-Value Added Contribution of Services (%)](chart)

Employment in Services

![Map of World with Key for Employment in Services](map)
Global Production Blocks
- Multinational firms break up the production process and distribute production blocks outside of their home economies but maintain headquarters at home consistent with dominance of services sector;
- Corporations decide on an investment location according to their perception of the country’s ability to meet their production requirements;
- Between 70s and 90s: share of world exports to world GDP rose from 1/8 to 1/5; share of intra-firm trade rose from 1/5 to 1/3;
- Benefits of this type of production organization can only be maximized if there is international capital mobility and a reduction in tariffs;

International Service Links
- These production blocks are linked by “service providers” and controlled by headquarters;
- Service links are necessary for coordination, networking and distribution;
- Represented by greater importance of portfolio capital flows, increasing importance of transportation and communication;
- Mode 4 in the Service Links
- South service providers are cheaper alternatives to supply constrains in the North, e.g., nurses, public school teachers, domestic helpers, due to high female labour force participation in the North (currently not part of the GATS discussions);

Technology Ladder in Exports

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<th>Year</th>
<th>East Asia</th>
<th>South Asia</th>
<th>Middle East, North Africa</th>
<th>Latin America, incl. Mexico</th>
<th>Latin America, excl. Mexico</th>
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Source: Lall (2003), Table 2, p. 281
• At the same time, accountants, lawyers, other professionals, including managers are necessary for employment in service links; also possible shortages in the North;

**Standardization of Skills**

• Spread of skills-based technological change results in increased demand for skilled workers (Machin, 2001);
• Mutual recognition and similar arrangements help to ensure that skilled labour meets the quality standards of the North (similar arguments in TBT and SPS);
• North maintains control over migration rules and entry of foreigners;

**Movement of High Skills**

• Segmented international labour market by skill and by sex;
• High-skilled in the North who are internationally mobile;

→ Europe facilitating entry but so far no significant changes in migration rules for highly skilled;

• Low-skilled in the South who are immobile;

→ Low-skilled provide labour to the production blocks;

→ Immobility means controlling rise of wages;

**Rising Inequality**

• Increased inequality is not surprising;
• Inequality is due to the skills gap and the gender gap in wages;
• High mobility of capital is in sharp contrast with heavily controlled labour mobility;

**WTO and other RTAs**

• WTO ministerial meeting in Hong Kong in 2005;
• Role of migrant organizations?
General Forum

MFA’s 4th General Forum

16 — 17 September 2004; Seoul, Korea

As scheduled, the 4th General Forum meeting of the MFA network was held after the 9th Regional Conference on Migration. The General Forum (GF) is composed of all members of MFA and is the highest decision and policy-making body of MFA. It convenes at least once every two years in a general assembly.

MFA Terms of Reference (TOR)

In the 4th GF meeting, MFA members discussed and resolved issues on membership and other matters that fall within MFA’s Terms of Reference (TOR). The MFA TOR is the basic document or constitution of MFA and serves as the basis for the actions and decisions of the GF and the Executive Committee (EC). All amendments in the TOR will be incorporated into the existing TOR.

On Membership Procedure

- Submission / completion of all required documents to the Secretariat;
- The applying organization is required to submit two (2) endorsements from any two (2) MFA member organizations in that country; or in the case where there is only one member organization in that country, EC gives the 2nd endorsement;
- The Secretariat forwards all the necessary documents to the EC for review and deliberation;
- EC gives provisional membership after which the Secretariat informs applicant and all MFA members after provisional membership is granted to the applicant;
• Any objection or additional information that MFA members may want to bring up regarding the application should be addressed directly to the Secretariat. The Secretariat will then forward this to the EC for further investigation and deliberation;

  *Note: Objections brought up only at the General Forum, and not prior to it, and without notice to the Secretariat, will not be encouraged nor entertained.*

• If approved by the EC and in the absence of any objection from any MFA member, the applicant is given provisional membership;

• Membership is then regularized during the next General Forum.

**On Rights of MFA Members**

• To vote and be voted into responsible positions;

• To participate and vote in policy- and decision-making processes of MFA;

• To be consulted on important policies and decisions made by MFA;

• To review decisions made by intermediate bodies, e.g. EC, TF, Secretariat;

• To have access to information pertaining to MFA;

• To seek support from MFA;

• To have access to opportunities within MFA;

• To display in its written materials the MFA logo.

**On Code of Ethics**

• Adherence to the fundamental principle of unity of MFA (See AMY 2000, pp.318-322);

• Upholding human rights and dignity;

• Gender based programs and perspectives;

• Commitment in and active work in any and all the activities in the program of action.
• Transparency in relating with MFA colleagues and members;
• Accountability for actions done in the name of MFA;
• Transparent, accountable and ethical conduct in each members’ operations.
• Does not undermine the integrity and harm the work of MFA and its members.
• Openness to work with other groups within the country and in the region on the principle of mutual respect and mutual benefit.

**Responsibilities of MFA Members**

An MFA member shall:

• Pay membership and annual dues;
• Attend the MFA General Forum;
• Submit the organization's annual report to the MFA Secretariat;
• Uphold the principles of MFA as stated in the TOR;
• Contribute to the pursuit of the goals and purpose, programme and project objectives of MFA;
• Perform the functions and duties of MFA bodies of which they belong to (TF, etc.)
• Perform functions and duties as mutually agreed on or agreed by consensus and affirm principles of accountability and transparency.

**On Renewal, Withdrawal and Termination of Membership**

A. Membership may be withdrawn on the following grounds:

• When the member organization ceases to exist – becomes defunct or is dissolved;
• Upon withdrawal by the member;
• Failure to adhere to the above-mentioned Rights, Responsibilities and the Code of Ethics stipulated in the MFA TOR;

• Grave misconduct, moral turpitude or acts inimical to MFA.

B. No member shall be terminated without due process. Process of termination shall be:

• Any member may bring a written complaint to the EC;

• EC conducts an investigation and makes a decision on the complaint within 6 months upon receipt of the written complaint;

• If EC established grounds for termination, membership is suspended;

• GF shall make the final decision on the termination.

On Dual/Multiple Membership of MFA Member-Organization to other Regional Migration-Related Networks

Dual or multiple membership of an MFA member to other regional migration-related networks is acceptable but should not be inimical to MFA. If for instance a member’s affiliation to other network creates damage or undermines MFA, the policies on the Rights, Responsibilities and Code of Conduct approved above shall be used.

Secretariat report

Also included in the agenda was the Secretariat report which covered all activities facilitated and engaged in by the Secretariat and the network according to the Plan of Action created by the GF during the last general assembly held in October 2002 in Dhaka, Bangladesh. Highlights of the report were:

A. On advocacy and campaign:

• Participated in the 59th and 60th Session of the UN Commission on Human Rights in Geneva in 2003 and 2004 respectively;

• Facilitated visit of the Special Rapporteur in the Philippines;

• Participated in the Asian Civil Society Forum in Bangkok in 2002;

• Facilitated a regional celebration and released a statement on the entry into force of the UN Migrant Workers Convention in July 2003;
Conducted country-specific campaigns at regional level.

B. On coordination and networking:

- Almost full attendance of MFA members in the 9th RCM and 4th GF;
- South Asian consultation in Nepal with regard to the scheduled South Asian conference on migrants rights in South Asia in December 2004;
- Membership to the Southeast Asia Committee for Advocacy (SEACA);
- Partnership with the Asian Regional Resource Center on publishing human rights education materials;
- Explored and attended a meeting organized by the Open Society Justice Institute;
- Co-organized the Regional Migrants HR Training Programme coordinated by the Canadian Human Rights Foundation in Manila in April 2004 — a module is also being developed with regard to the training;
- MFA now sits in the UN Regional Task Force on Mobility and HIV Vulnerability Reduction.

C. On capacity building:

- Publication of a training manual on health, gender and migration adopted from pilot trainings held in Manila and in Macau;
- Engagement in the ILC and CHR Sessions helped capacitate the members;
- Training session on migrant workers is being coordinated with the Diplomacy Training Programme and is scheduled to be held in Indonesia in November 2004.

D. On research and monitoring:

- A region-wide health research is on-going in collaboration with AMC and the Ford Foundation;
• Research on impact on poverty alleviation with ASPBAE and IIZ-DVV undertaken.

**Membership**

MFA also granted full membership to eight organizations who applied for membership to the network. The organizations were as follows:

• Coalition for Migrants Rights (CMR), Hong Kong
• Indonesian Migrant Workers Union (IMWU), Hong Kong;
• Federation of Trade Unions — Burma (FTUB), Burma;
• Federation of Indonesian Migrant Workers (FOBMI), Indonesia;
• Jarnas Pekabumi, Indonesia;
• Migrant Care, Indonesia;
• Center for Migrants Advocacy (CMA), Philippines; and,
• St. Francis Workers Centre (SFWC), Singapore.

**Action Planning**

A joint Plan of Action was formulated by the GF. Task Forces (TFs) were also created to better facilitate MFA’s Plan of Action for 2004 onwards. The task forces were to focus on a) feminization of migration; b) MSAI; c) West Asia; and d) monitoring and advocacy.

A lead group in each TF was appointed. Roles/Responsibilities of TF lead groups will be:

• To flesh out plans/process in implementing the TF’s assigned work;
• To spearhead and coordinate the implementation of the TF’s work;
• To contact all relevant MFA members for their involvement in the actual implementation of the work;

The EC was tasked to formulate additional guidelines on the scope/extent of decision/policy making powers of the task forces (e.g. fund raising).
**Election of new EC members**

The GF elected a new set of EC members:

- For South Asia, WARBE and ACTFORM;
- For Southeast Asia, FOBMI and SFWC;
- For East Asia, SMJ or Hope and IMWU or CMR (to be confirmed two weeks after the GF).

Members of the new EC were asked to submit the names of the specific persons to be their official representative (+ alternate) to the EC. The new EC would designate new officers during the EC meeting to be held after the GF meeting in 2005. Until such time, the incumbent officers were to continue with their responsibilities as EC.

MFA members at the 4th General Forum in Seoul, Korea.
Seoul’s Anti-Discrimination Week

The 9th Regional Conference on Migration was held in the week of Seoul’s Anti-Discrimination Week. The Joint Committee on Migrant Workers in Korea, local host organization of the 9th RCM, organized for the 9th RCM participants to be able to join in the mobilization. There were various activities and programs held each day where focus was given to the different sectors in Korean society that face discrimination. The migrants sector discriminations were highlighted on 17 September 2004 and the RCM participants joined in the rally that was part of the day’s activities.

During the culmination of the Anti-Discrimination Week, all sectors facing discrimination came together and formed a human chain.
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Email: mfa@pacific.net.hk Web: www.mfasia.org

Advancing Migrants’ Struggle for Rights and Justice

SOUTH ASIA
Bangladesh
Ain O Salish Kendra (ASK)
Bangladesh Migrant Center (BMC)
Refugee and Migratory Movements Research Unit (RMMRU)
Welfare Association of Repatriated Bangladesh Employees (WARBE)

India
Migrant Forum
Peace Trust
Center for Education and Communication (CEC)

Nepal
All Nepal Women’s Association (ANWA)
Women Rehabilitation Center (WOREC)

Sri Lanka
Action Network for Migrant Workers (ACTFORM)
Migrant Services Center
Women and Media Collective

SOUTHEAST ASIA
Burma
Federation of Trade Unions - Burma (FTUB)

Indonesia
Center for Indonesian Migrant Workers (CIMW)
Federation of Indonesian Migrant Workers (FOBMI)
Jarnas Pekabumi
KOPBUMI Steering Committee
Migrant Care
Solidaritas Perempuan

Malaysia
Tenaganita

Philippines
Center for Migrants’ Advocacy (CMA)
Kanlungan Center Foundation, Inc.
Kapisanan ng mga Kamag-anakan ng mga Migranteng Manggagawa Pilipino (KAKAMPI)
Unlad Kabayan Migrant Services Foundation

Singapore
St. Francis Workers’ Center

EAST ASIA
Hong Kong
Asian Migrant Center (AMC)
Coalition for Migrants Rights (CMR)
Indonesian Migrant Workers Union (IMWU)

Japan
Solidarity for Migrants Japan (SMJ)

Korea
Joint Committee for Migrant Workers in Korea (JCMK)

Taiwan
Hope Workers’ Center