



COALITION ON MIGRANTS RIGHTS (CMR)  
ALLIANCE OF PROGRESSIVE LABOR (APL)  
ASIAN MIGRANT CENTRE (AMC)  
MIGRANT FORUM IN ASIA (MFA)  
HUMAN RIGHTS WATCH

## **ASIAN DOMESTIC WORKERS ASSEMBLY**

***“Domestic Work is Work! Women’s Work is Work!  
Building an Asian Migrant Domestic Workers’ Regional Alliance and Strategic Action  
Agenda”***

17-18 June 2007  
Astoria Plaza Hotel, Pasig City, Metro Manila, Philippines

### **INTRODUCTION**

The Asian Domestic Workers Assembly (ADWA) is envisioned to be a forum and general gathering of migrant domestic workers’ (MDW) organizations, unions, associations, leaders and representatives in Asia, together with allied trade unions/labour groups, NGOs, advocates and support groups.

The main objective of the Assembly is to discuss, analyse, strategize, plan, coordinate and jointly act on national, regional and global issues, agendas and positions of MDWs in Asia. The Assembly will discuss what kind of alliance, network or action mechanism is needed by MDWs in order for them to collaborate and represent themselves more effectively.

The general guiding framework of the Assembly is the promotion of the human rights, welfare and interests of MDWs in Asia.

In particular, the Assembly will use the following guiding principles:

- “Domestic Work is Work” – promotion of MDWs’ labour and trade union rights; affirmation of decent work and equal pay for equal work principles; recognition and proper valuation of domestic work as work;
- “Women’s Work is Work” – promotion of women’s rights and gender justice principles; recognition and proper valuation of women migrants’ work, including household labour;
- “Migrants’ rights are human rights” – promotion of basic and universal human rights principles, particularly migrants’ and domestic workers’ human rights, in line with international standards and instruments;
- Right to Development principles; social and economic justice, participation and empowerment of MDWs.

For decades, MDWs have been suffering from persistent abuses, violence and violations of their rights, due to their more vulnerable and exploited situation. Several countries are

introducing policy reforms affecting MDWs, yet these changes fall far short of the reforms needed to combat widespread abuse, much less remove the systemic vulnerabilities and discrimination/marginalisation of MDWs.

Given the dynamic policy climate, it is imperative that domestic workers' groups be united and strategic when advocating for better protections and accountability from governments. Building upon the experiences of recent years, the ADWA will provide a space for migrant domestic workers and allies to identify campaign priorities, share strategies, and develop an action plan for 2007 and 2008.

The Global Forum on Migration and Development scheduled in July 2007 in Brussels will be another opportunity to shape international dialogue on MDWs, especially because the MDW groups from the global regions (Asia, Europe, Latin America, North America, Africa) have agreed in 2006 to convene a global meeting of MDW groups as one of the civil society events in Brussels.

## **RATIONALE**

Millions of Asian women work as migrant (foreign) domestic workers, primarily in the Middle East, Malaysia, Hong Kong, Singapore, Thailand and Taiwan. AMC estimates that there are at least two (2) million migrant domestic workers (MDWs) in Asia; over 90% of these are women. [AMC estimate, end-2006]

Majority (over 60%) of MDWs in Asia are documented (if we assume that half of all FDWs in the Middle East are documented). This means that more than 750,000 MDWs in Asia are undocumented, and are in a highly vulnerable situations.

Hong Kong, Taiwan and Singapore are destination countries that have more systematic, regular and established channels for the legal importation of MDWs. However, having working visa/permit does not necessarily mean that the MDWs have written, legally-binding employment contracts. Hong Kong stands out for having (since 1987) a standard, legally-enforceable, government-prescribed employment contract and minimum wage for MDWs.

MDWs encounter a wide range of abuses during recruitment, employment, and return to their countries. The nature and intensity of abuses, violations and problems vary according to nationality, gender and other factors. But there are a lot of common, prevalent and persistent problems experienced by all MDWs in Asia because of the convergence of class, race and gender factors. Restrictive and discriminatory visa policies put MDWs, even if they are documented, in vulnerable position, with very little bargaining power; undocumented MDWs suffer even more. These abuses have been extensively documented by local, national, and international organizations, governments, and United Nations agencies.

The exclusion of domestic workers from labor laws facilitates blatant abuses and exploitation, and means domestic workers have little or no means of seeking redress. Women and girls employed in private households routinely encounter human rights violations in the workplace, ranging from excessively long working hours with little pay or rest, to sexual harassment and physical violence. Recruitment-related fees, deceptive recruitment practices, and discriminatory immigration policies further jeopardize migrant domestic workers' right to just and favorable working conditions.

Migrants' groups have raised awareness about domestic workers' rights for several years, with a significant amount of success. Once an "invisible" abuse that nobody saw and

nobody talked about, stories of abuse and exploitation can be found in newspapers almost every day.

The reforms necessary to protect migrant domestic workers' rights are no secret. Key measures include extending equal protection under labor laws, reforming restrictive and discriminatory immigration laws that leave many migrants with precarious legal status, monitoring the fees and practices of recruitment agencies, and creating local employment opportunities so that domestic workers migrate out of choice and not desperation. But instead of addressing these core issues, most governments have responded with superficial reforms such as weak employment contracts and bilateral labor agreements. The challenge will be holding governments accountable to comprehensive reforms and protection of migrant domestic workers' rights. It is a positive sign that embassies have improved services for migrants who have not received their wages or experienced abuse, despite the limitations and difficulties.

Decades of sustained intervention and campaigns by migrant groups and advocates have contributed much to improving policies, practices, mechanisms – and hence the living and working conditions – of MDWs. The number and sophistication of migrants' groups have grown, including the emergence of strong MDW trade unions. There is also improved partnership between the migrant groups with the broader trade union and social movements.

MDW groups and advocates have also lobbied/intervened at the national and international levels to elevate their issues and promote their rights, including: UN, ILO, CEDAW, etc.

With all of these developments, the time is ripe to bring MDW groups, trade unions and advocates together to re-assess the current situation, identify key issues and advocacy opportunities, and to coordinate joint actions for and of MDWs in Asia.

Thus, the Asian Domestic Workers' Assembly (ADWA). The ADWA is a follow-through, and builds upon, several past and ongoing initiatives aimed at promoting MDWs' rights and status:

- \* February 2003 (Hong Kong) – “ILO Programme Consultation on the Protection of Domestic Workers Against the Threat of Forced Labour and Trafficking”; co-organised by CMR, MFA and AMC.
- \* 2004 (Geneva): 92<sup>nd</sup> International Labour Conference – MDW unions and advocates were among those invited to speak at the 2004 ILC;
- \* 2005 (Seoul): MFA's Gender Task Force Strategy meeting – it was resolved to continue building the MDW grassroots capacity, unionization and advocacy with the support of MFA and migrant advocates in Asia;
- \* 2006 (New York): MFA's participation in the CEDAW committee of experts – MDW unions spoke at the Committee meeting and their recommendations some of their key recommendations/positions were included by the Committee;
- \* July and September 2006 (New York): U.N. High Level Dialogue on Migration and Development (NGO meeting in July and official meeting in September) – MDW organizations were among the MFA delegates; the MDW groups from the various global regions (e.g. Asia, North America, Latin America, Europe), in the workshop sponsored by HRW and MRI, also resolved to build a global alliance of MDWs.
- \* November 2006 (Netherlands): Global meeting on the protection of domestic workers – Asian MDW unions/representatives joined the meeting which resolved to advocate for MDW rights;

- \* All these need to be consolidated and translated into more focused and effective joint action networks, alliances or mechanisms that will sustain the advocacy for MDWs' rights and interests at national, Asian regional, and global levels.

## **FOCAL TOPICS AND THEMES**

- \* Recognition of Domestic Work as work;
- \* MDW employment contracts – wages, working and living conditions, terms of employment;
- \* MDW occupational safety and health; diseases;
- \* Recruitment agencies, exploitative practices and fees;
- \* Abuses, violence, violations of MDW rights;
- \* Discriminatory and repressive policies, laws against MDWs;
- \* Social status, marginalization; social and job mobility; family and residency rights;
- \* Obstacles to empowerment of MDWs, organizing, unionization, and freedom of MDWs;
- \* Ratification, implementation, reporting on international standards, instruments esp MWC, CEDAW, and UN/ILO core conventions.
- \* Bilateral and multilateral agreements, MOUs;
- \* Irregular migration of MDWs; trafficking for sex or forced labour.

## **OBJECTIVES OF THE ASSEMBLY**

1. To **bring together** migrant domestic workers' (MDW) groups/representatives, migrant organizations, trade union partners, migrant NGOs, advocate, and allies across Asia to discuss common issues, positions, and strategies for MDWs.
2. To **identify** strategic issues, agendas, recent policy changes/trends; discuss current strategies and responses; identify common strategic action agendas and opportunities for advocacy and joint action.
3. To **analyse** gains/successes, gaps/needs, challenges, opportunities and difficulties/obstacles to organizing work, advocacy and empowerment of MDWs (e.g. in the last five years)
4. To **collectively discuss** the need for a regional MDW alliance or action network to serve as joint platform for self-representation of MDWs, analysis of issues/problems, formulation of common responses/strategies, and implementation of joint action plans/priorities at the national, regional and international levels;
5. To **develop** strategic and priority agendas and plans of action for MDWs in Asia.
6. To **plan and prepare** for MDWs' interventions and activities at the Global Forum for Migration in Brussels in July, 2007; and help in the preparations and convening of the global meeting of DWs as one of the parallel events in Brussels.

## PROPOSED PROGRAMME

Date	Activity & Resource People	Session Chair / Notes
June 12-16	Arrival of participants for those attending the June 13-16 side events	MFA Secretariat
June 16	<ul style="list-style-type: none"> <li>* Arrival of participants for ADWA</li> <li>* Welcome dinner and general briefing of ADWA participants; house rules and schedules (7:00 PM)</li> <li>* ADWA Organizing Committee Meeting and Facilitators' Orientation/Briefing</li> </ul>	ADWA organizing committee
<b>June 17</b>	<b>Day 1 (Sunday)</b>	
8:00-9:00	<ul style="list-style-type: none"> <li>* Registration for ADWA</li> <li>* Ice breakers</li> </ul>	ADWA organizing committee
9:00 AM	<b>Opening of Asian Domestic Workers' Assembly</b> <ul style="list-style-type: none"> <li>- Welcome message</li> <li>- Introduction of participants</li> <li>- Background and objectives of ADWA; programme flow and conduct</li> </ul>	Session chairs: CMR  Co-chair: MFA
10:00	<b>Panel 1: Overview of Asian Migration and Domestic Workers' Situation</b> Speakers: <ul style="list-style-type: none"> <li>* Views from 2 sending countries               <ul style="list-style-type: none"> <li>- MFA, Philippines,</li> <li>- MSC, Sri Lanka</li> </ul> </li> <li>* Views from 3 receiving countries               <ul style="list-style-type: none"> <li>- Sumiati, CMR, Hong Kong</li> <li>- Sr. Bridget Lew, HOME, Singapore</li> <li>- Middle East</li> </ul> </li> </ul>	
11:15	TEA BREAK	
11:30	<ul style="list-style-type: none"> <li>* <b>Synthesis of panel 1 &amp; regional overview (MFA)</b></li> <li>* <b>Open Forum</b></li> </ul>	
12:00	LUNCH	
01:00 PM	<ul style="list-style-type: none"> <li>* Energiser</li> <li>* <b>Panel 2: Fundamental principles in addressing MDW issues: Human and labour rights, gender and social justice, empowerment</b></li> </ul> <p><u>Panel Speakers:</u></p> <ul style="list-style-type: none"> <li>- Basic human rights and migrants' rights principles, <i>William Gois (MFA)</i></li> <li>- Labor and trade union rights, <i>Lotte Kejner (ILO)</i> [TBC]</li> <li>- Gender and social justice principles, <i>Pantita Schaedla, UNIFEM</i> [TBC]</li> </ul> <p><u>Discussants: Views from MDWs/Advocates/Trade Unions:</u></p> <ul style="list-style-type: none"> <li>- <i>Parimala, Malaysia</i></li> <li>- <i>Fr. Eugene Pereira, India</i></li> </ul>	Session chairs: CMR  Co-chair: AMC

Date	Activity & Resource People	Session Chair / Notes
	<p>- <i>Josua Mata, APL</i> [TBC]</p> <p>* <b>Open Forum</b></p>	
02:45	<b>Workshop 1: Key Issues, Problems and Concerns of MDWs in Asia</b>	
03:45	TEA BREAK	
04:00	<p>* <b>Plenary – Workshop 1 Reports</b> (c/o MDW group reporters)</p> <p>* <b>Synthesis</b> – common strategic issues/concerns; particular key/strategic issues</p>	<p>Session chairs CMR</p> <p>Co-chair: MFA</p>
05:00	<p>* <b>Panel 3: Building MDW alliances and solidarities</b></p> <ul style="list-style-type: none"> <li>- Strategic importance and roles of MDW grassroots alliance, <i>Nisha Varia, Human Rights Watch</i></li> <li>- Migrants' regional and global alliances, (<i>MRI or MFA</i>) [TBC]</li> <li>- Migrants' solidarity with peasant movement, <i>Indra Lubis, La Via Campesina</i></li> <li>- Migrants' alliance with labor movement, <i>Josua Mata, APL</i> [TBC]</li> </ul> <p>* <b>Open Forum</b></p>	
06:00	Film show / interactions / networking	
07:00	DINNER / Socials	
<b>June 18</b>	<b>Day 2 (Monday)</b>	
09:00 AM	<p>* Energiser</p> <p>* <b>Recap of Day 1/Synthesis on Inputs</b></p>	<p>Session chairs:CMR</p>
09:30	<b>Workshop 2: Strategic Gains, Needs/Gaps, Challenges, and Priority Agendas for MDWs in Asia.</b>	<p>Co-chair: APL</p>
11:00	TEA BREAK	
11:15	<p>* <b>Plenary – Workshop 2 Reports</b> (c/o MDW group reporters)</p> <p>* <b>Synthesis of Workshop 2-</b> strategic needs, gaps, challenges; suggested priority action agendas for MDWs</p> <p>* <b>Forming of Drafting Committee</b></p>	
12:00	LUNCH	
01:00 PM	<p>* Energiser</p> <p>* <b>Workshop 3: Building the Asian MDW regional alliance, and its strategic agenda, advocacy issues, and action plan</b></p>	<p>Session chairs: CMR</p> <p>Co-chair: HRW</p>
02:00	<p>* <b>Plenary – Workshop 3 reports and recommendations</b> (c/o MDW group reporters)</p> <p>* <b>Synthesis of Workshop 3 &amp; open forum</b>– consolidated results of the 4 workshop groups</p> <ul style="list-style-type: none"> <li>- Recommendation on the MDW regional alliance/network;</li> </ul>	

Date	Activity & Resource People	Session Chair / Notes
	- Recommended strategic and priority issues, agendas and action plan	
03:00	<b>Plenary – Assembly Decisions and Resolutions</b> - Decision on the forming of a MDW regional alliance; - Adoption of the recommended strategic action plan/agenda; - Forming of the ad hoc coordinating or steering group for the alliance.	Session chair: CMR  Co-chair: AMC
03:30	TEA BREAK	
03:45	<b>Resume Plenary – Assembly Decisions and Resolutions</b> - Discussion and adoption of ADWA Declaration (presented by the drafting committee)	
05:00	<b>Closing of the Asian Domestic Workers Assembly</b> - Closing message by the Ad Hoc steering group and ADWA organizing committee	Ad Hoc SC or ADWA Org Committee
06:00	End of Assembly	
07:00 PM	DINNER AND SOLIDARITY NIGHT	ADWA Org'g Committee
June 19	* Departure of ADWA participants	

**Related Events (Manila, June 2007):**

- \* June 13 – exposure trip (Luzon area)
- \* June 14 – MFA MSAI Task Force meeting (MFA TF members only)
- \* June 15-16 (9AM-6PM): 2<sup>nd</sup> Asian regional preparatory meeting for GFMD
- \* June 19 – Philcomdev General Assembly.