

ASIAN MIGRANT DOMESTIC WORKERS ALLIANCE (ADWA)
Statement on International Labour Day 2008 and the Launching of the
“Regional Campaign on the Recognition & Protection of Domestic Work as Work”
1 May 2008

DOMESTIC WORK IS WORK!
RESPECT THE RIGHTS, STATUS AND DIGNITY OF DOMESTIC WORKERS!

Today we celebrate the 118th International Labour Day. We honour the more than 100 years of struggle and victories of the working class all over the world, which advanced the rights, status and dignity of workers. “Workers’ rights are human rights” is now a well-established, universal principle embodied in the core instruments of the United Nations, the International Labour Organisation, and in national laws.

But we also affirm that our gains are not enough, nor are they secure. The forces of global capital, neoliberalism and exploitation are on the offensive to further take advantage, restrict, or roll back workers’ rights. These forces want to reduce workers – including women and migrants – into unorganised, flexible, cheap and vulnerable labour commodities.

There are still major gaps in terms of protection of the rights and dignity of workers. There are also specific sectors of the working population that still are not properly recognised and protected as workers. The migrant domestic workers (MDWs) is one such sector. There are currently an estimated 2 million MDWs in Asia, working mostly in the Gulf States, Malaysia, Hong Kong, Singapore, Thailand and Taiwan. Over 90% of these are women, and a significant number (at least 40%) are undocumented. [AMC estimate, 2006]

There is no specific international instrument establishing MDW rights; there are no common, minimum standards on fair and decent treatment of MDWs. In Asia, governments arbitrarily choose whether to include MDWs in their existing policies/laws, to what extent, and what restrictions or exclusions they want to impose.

Asian governments categorise MDWs as ‘unskilled’, and usually send them abroad without work contracts. Not surprisingly, the ‘deployment’ of MDWs is premised on the denial of basic labour rights, and the maintenance of migration regimes that discriminate against MDWs. Many host countries do not cover MDWs in their labour laws; if MDWs are mentioned, it is to subject them to restrictive ‘conditions of stay’ or to disqualify them from protection or standards that are enjoyed by local or other foreign (“skilled”) workers.

The recognition and protection of MDWs as workers is crucial because we need to challenge the gender stereotypes (that domestic work is women’s work) and patriarchal perspectives (that domestic workers are servants) that are reinforced through the systematic and global ‘deployment’ of MDWs.

The convergence of class, gender and racial factors puts MDWs in a position of particular and systemic vulnerability, thus making MDWs among the worst-end indicators of the situation, status, treatment and vulnerability of workers and women in society. Their health and visa status further worsen their situation. MDWs encounter numerous human rights violations in the workplace and in society, ranging from excessively long working hours with little pay, no regular rest days, to sexual harassment and physical violence. Women and girls are particularly vulnerable to physical/verbal and sexual abuses because they work in isolation in private households. Recruitment-related fees and deceptive recruitment practices

further jeopardize MDWs' right to just and decent working conditions. Many MDWs do not have access to redress channels, or fear of being fired and deported if they do so. These abuses have been widely reported by MDW organisations, advocates and international agencies.

The measures necessary to protect MDW rights are no secret. These include extending equal protection under labour laws, adopting and enforcing standard employment contracts for MDWs, removing restrictive and discriminatory immigration and labour laws, 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 much of these assume that governments recognise and value domestic work as work.

Therefore, there is a need to advance the MDW advocacy so that the recognition and protection of 'domestic work as work' becomes a universally-accepted principle; and that this principle is reflected in the national, regional and international laws, policies and practices.

In the past 30 years, MDWs and advocates in Asia have shown their power to act on the problems and effect major changes. They have organised, unionised, lobbied, and campaigned to advance MDW rights and improve policies and practices affecting MDWs.

Since 1991, the Migrant Forum in Asia, MDW trade unions and partners have pioneered the campaign for the recognition and advancement of the rights, status and dignity of migrant domestic workers in Asia – including the unionisation of DWs. In 2003, the Coalition for Migrants Rights (grassroots MDW unions and organisations in HK), launched the campaign for the protection of migrant domestic workers against forced labour. In 2006, these groups together with Migrants' Rights International (MRI), NGOs and MDW partners from all over the world agreed to spearhead an international campaign on the recognition of domestic work as work. In June 2007, the Asian Migrant Domestic Workers Alliance (ADWA) was formed in order to serve as the broad alliance of MDWs, trade unions and civil society groups to spearhead the joint regional advocacy in Asia.

Today, ADWA and its partners are jointly launching the ***“Regional Campaign on the Recognition and Protection of Domestic Work as Work.”*** The central aim of this campaign is to advocate for the “recognition of domestic work as work”, and the “respect and advancement of the rights, status and dignity of migrant domestic workers”. The key areas of advocacy are: (1) the adoption of valid, fair and standard employment contract for MDWs (based on decent work principles including wages, rest days, working hours, and living and working conditions); (2) the recognition and protection of MDWs under national policies/laws, and the removal of policies that discriminate or marginalise MDWs; (3) the adoption of migration regimes that recognise MDWs as legal workers and provide safe and transparent migration channels for them; and (4) the adoption of international instruments that universally recognise and define minimum standards on the rights and status of MDWs.

***WORKERS OF THE WORLD, UNITE!
DOMESTIC WORK IS WORK!
RESPECT AND ADVANCE THE RIGHTS, STATUS AND DIGNITY OF
MIGRANT DOMESTIC WORKERS!***

Asian Migrant Domestic Workers Alliance (ADWA)
1 May 2008, Jakarta, Indonesia