



Migrant Forum in Asia (MFA)

59- B Malumanay Street, Teachers' Village West, Diliman, Quezon City 1104, The Philippines
Tel: (632) 433 35 08 Fax: (632) 433 12 92 • E-mail: mfa@pacific.net.hk • Web: www.mfasia.org

Standing Members

Bangladesh

Ain O Salish Kendra (ASK);
Refugee and Migratory
Movements Research Unit
(RMMRU);
Welfare Association of
Repatriated Bangladeshi
Employees (WARBE)

India

Center for Education and
Communication (CEC);
Migrant Forum India (MFI)

Nepal

All Nepal's Women
Association (ANWA);
Women Rehabilitation Center
(WOREC)

Sri Lanka

Action Network for Migrant
Workers (ACTFORM);
Migrant Services Centre
(MSC);
Women and Media Collective
(WMC)

Burma

Federation of Trade Unions –
Burma (FTUB)

Indonesia

Center for Indonesian Migrant
Workers (CIMW); Jarnas
Pekabumi; KOPBUMI;
Migrant Care;
Solidaritas Perempuan;
Serikat Buruh Migran
Indonesia (SBMI)

Malaysia

Charles Hector & Co.;
Tenaganita

Philippines

Batis Center for Women;
Center for Migrants Advocacy
(CMA-Phils); Kapisanan ng
mga
Kamag-anakan ng Migranteng
Mangagawang Pilipino
(KAKAMMPI);
Kanlungan Center Foundation,
Inc. (KCFI); Unlad Kabayan
Migrants Services Foundation,
Inc.

Singapore

St. Francis Workers Centre
(SFWC)

Hong Kong

Asian Migrant Centre (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 (HWC)

Statement on International Migrants' Day 2008

18 December 2008



Dignity and justice for all of us

On this day, Migrant Forum in Asia (MFA) celebrates International Migrants' Day and calls out to the world to recognize the rights, struggles and contributions of migrants.

Over 250 million people worldwide are migrants – living, working, raising families and building communities in places outside their countries of origin. The contributions of migrants are vast and multifaceted, with their hard work, dedication and creativity supporting the social, economic and cultural foundations of societies around the world. Countries have prospered as migrant workers have built their national infrastructure and fuelled the engines of their economies.

MFA lauds Jamaica and Paraguay who this year joined with migrants and their allies in defending the rights of migrants by ratifying the UN Convention on Migrant Workers and their Families. This brings the total number of ratifications of the UN 1990 MWC to 40 (see: www.mfasia.org for more details) Also we are very pleased with the approval of General Recommendation (GR) 26 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which aims to address the grave violations and discrimination against women migrant workers in countries of origin, destination and while in transit. Finally, we commend the International Labour Organization (ILO) in preparing a proposal for a Convention on Decent Work for Domestic Worker at the International Labour Conference in 2010. MFA commits to engaging in this process as a step to advancing international protection for women migrant workers.

Each day, migrants brave great challenges as they leave their homes and families. Yet even as governments and international organizations claim the profound contributions of migrants, they have established policies that defy the most fundamental human and labour rights of migrants. It is clear that economic globalization and the neo-liberalized market approach that it endorses have cut deeply into the inalienable rights and dignity that we celebrate during the 60th anniversary of the Universal Declaration of Human Rights.

Human rights are built through their realization in both law and practice. Without the fulfillment of both, migrants' rights become null and void. The global community has pledged to uphold rights of all humans; however, the reports of violence waged against migrant workers are by no means rare.

Rarely are governments being proactive in enforcing human rights treaties and labour laws already in place. Unpaid wages, long working hours without rest or overtime pay, discrimination, intimidation, confinement, physical beatings, sexual harassment, rape and other abuses in the workplace, non-compensation in cases of industrial accidents and absence of redress mechanism fill out the long list of violations.

Migrant workers have become the face of the race to the bottom for low wages in order to satisfy the demand to expand profit margins and eliminate labour regulations. Amidst the global shocks from the convergence of the energy, financial, food and climate crises, international bodies (i.e. the World Trade Organization, the World Bank and International Monetary Fund) and several countries of the Global North have stepped up pressures to conclude the Doha "Development" Rounds. Doha aims to open up markets to the advantage of a select few, maintaining a legacy of putting profits before people, and markets before rights.

The Global Forum on Migration and Development (GFMD) has become another platform to open up negotiations on migrant labour, under the pretext of promoting development through remittances. Governments have found yet another instrument to promote a corporate agenda capitalizing on migrant workers, but in this case, meetings happen all behind closed doors.

For the voracious appetite of the neo-liberal, market economy urged by Doha and the GFMD, migrant workers are simply commodities to be "imported" and "exported" when deemed obsolete. Aggressive recruitment continues to lure skilled professionals away from countries which desperately need their expertise. At the same time, many countries are focusing their efforts to train working-age men and women be sent overseas through massive labour export schemes.

To ensure compliance, migrant workers face intense controls over their movements, in transit and in their workplaces. Disturbing security measures have become the norm with entry of private homes, detention of children, and indiscriminate arrests and deportation, all working to characterize migrants as criminal outsiders. Migrants are used in political maneuvers which flout their dignity and security while criminalizing them simply by virtue of their immigration status.

Irregular migrant workers are among the most at risk. Daily, they are confronted by the prospect of arrest, detention and deportation. Employers often use the threat of arrest to exploit migrant workers with irregular status in terms non-payment of wages, poor working and living conditions. Recently, in the Gyeonggi province of Korea, immigration officials and police forced their way into the homes and dormitories of migrant workers, indiscriminately arresting and subsequently deporting about 100 migrant workers. In Malaysia, just days ago, about 150 Indonesian irregular workers were forcibly repatriated. In fact, since August 2008, at least 14,600 migrants have been expelled including about 10,000 Filipinos and 3,800 Indonesians, with deportations occurring weekly (World Politics Review, Nov. 27, 2008).

Women migrant workers are highly vulnerable to discrimination and abuse. In many countries, female caregivers that become pregnant are no longer considered employable and required to leave the country. For many migrant domestic workers,

another restrictive policy is the work visa which bonds migrants to one employer.

Leaving an employer is treated as a crime. Even in situations where workers manage to escape abuse, they are immediately deemed “illegal”, “fugitive” migrants. The systematic criminalization and denigration of migrants is inhumane and grossly disregards the inherent dignity and inalienable rights of all peoples guaranteed by the Universal Declaration on Human Rights.

Migrant Forum in Asia calls for an immediate halt to all forms of abuse and violence against migrants and their families, and an end to all forms of extortion, oppressive and exploitative practices and policies by employers, recruiters, agencies, and governments. More must be done to ensure the rights of the human rights of migrant workers and their families irregardless of their status, regular or irregular, documented or undocumented. To this end, we call for the cancellation of the EU Directive passed in June of this year. We echo the view of Amnesty International that the EU Directive is contrary to human rights standards and does not assure the safety and dignity of irregular migrants, particularly with its allowance for excessive, even indefinite detention, and forcible return.

We call the respect and advancement of the rights, status and dignity of migrant domestic workers through the implementation of the recommendations outlined in MFA’s “Regional Campaign on the Recognition and Protection of Domestic Work as Work”. These recommendations include the adoption of standard employment contracts recognizing the labour rights of domestic workers and the establishment of protections national laws and removal of discriminatory policies.

We call for all countries to ratify and implement the core human rights conventions of the United Nations and the conventions of the ILO that relate to the protection of migrant workers, particularly the 1990 UN Convention on the Rights of Migrant Workers and their Families and CEDAW and GR 26 as well as the ILO Conventions on Migration for Employment and the Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (ILO Conventions 97 and 143).

We call for the Global Forum on Migration and Development to be conducted under the UN auspices which establishes the discussions of the Forum as multilateral and the commitments as a binding.

We of Migrant Forum in Asia in commemoration of the 60th Anniversary of the Universal Declaration of Human Rights renew our call and commitment to continue the struggle for Human Rights and Dignity for ALL Migrants; to live, work, and struggle with the migrants and marginalized; to promote the universality and indivisibility of human rights for all. We call on peoples everywhere to join us in this struggle and celebrate on this day our common humanity.

MFA is a regional network of non-government organizations (NGOs), associations and trade unions of migrant workers, and individual advocates in Asia that are committed to protect and promote the rights and welfare of migrant workers. It is guided by a vision of an alternative world system based on respect for human rights and dignity, social justice, and gender equity, particularly for migrant workers.