

# *SOLIDARITY FOR ASIAN PEOPLES' ADVOCACY (SAPA)*

## **Working Group on Labour and Migration**

### **JOINT POSITION ON THE PERSPECTIVES & STRATEGIES OF ASIAN MIGRANTS ON THE GLOBAL ECONOMIC CRISIS 25 February 2009**

#### **GLOBAL CRISIS**

“This is a global crisis and it needs global solutions. We are experiencing a downturn in global economic development,” admits the pillars of the world economic and social order – the Organisation for Economic Cooperation and Development (OECD), World Bank (WB), International Monetary Fund (IMF), World Trade Organisation (WTO), International Labour Organisation (ILO) and the German Chancellor – in their February 2009 joint statement.<sup>1</sup>

We, the labour and migration groups and advocates in Asia, assert that this is a comprehensive and multi-faceted social, economic, financial and environmental crisis. “It is a systematic crisis, a crisis of the development model,” as we declared at the 2009 World Social Forum in Belem, Brazil.<sup>2</sup>

This crisis is the latest eruption of the compounded effects and devastation of the neoliberal development ideology espoused by the “Washington Consensus”, and systematically imposed since the end of World War II by the Bretton Woods institutions (IMF, WB, WTO), the OECD, global capitalists and multinational corporations. This will not be the last, or the worst economic crisis, especially for the workers, migrants, women, and the poor, marginalised and vulnerable peoples in Asia and the world.

Indeed, the entire post-war period built on the neoliberal development model is dramatically distinguished by a progression of global crises, each one more widespread and devastating than the ones before – the economic, food and debt crises in Asia and Latin America in the 1970s-1980s; the economic meltdown in Asia and the subsequent currency crisis in Latin America in the late 1990s; the worsening climate change crisis which greatly accelerated in the post-war period due to the ever-more excessive, destructive and unsustainable global development and consumption patterns; and the current global crisis, which will be deep and lasting, and could be worse than the Great Depression of the 1930s.

#### **Neoliberal Paradigm at the Root of Exploitative Migration**

There are over 250 million people today who are migrants – living, working, raising families and building communities in places outside their country of origin. Total migrants’ remittance transfers to their home communities are a staggering US\$300 billion a year; more than triple all international aid.<sup>3</sup> These migrants will be directly and disproportionately impacted by the global crisis.<sup>4</sup> They will face a deeply uncertain future.<sup>5</sup>

Even before this latest crisis, migrants have already been the objects and victims of the neoliberal paradigm. Migrants and social movements have opposed for decades the profit-driven, market-centered, corporate-led, export-oriented development model as one of the root

causes of contemporary, abusive and exploitative labour migration.<sup>6</sup> Decades of neoliberal globalization have worsened poverty, unemployment, loss of income, job insecurity, food insecurity, collapse of rural economies, landlessness, indebtedness, displacement of communities, and have contributed to the current global climate crisis. This iniquitous system necessitated systemic corruption, excessive powers by the politico-economic elites, multinational companies operating as “super-states” without public accountability, oppressive policies especially towards migrants and workers, militaristic regimes or dictatorships, and colonial/neo-colonial control by advanced countries over the less-developed ones.

Mass labour migration, premised on the commodification of workers – the trade (export and import) of human labour as cheaper, more vulnerable, more flexible and disposable tools, denied of their human rights, labour rights, family and reproductive rights, and with fewer if any safeguards, health protection and social security – became an essential feature of this global neoliberal model. The exploitation and commodification of migrants, workers and women ensures the profits of companies, businesses and the economic elites. The lack of accountability towards the worker enables the employer to engage in flexible short term contracts that leave the migrant more susceptible to any downturn in the global market.<sup>7</sup>

Debt domination, one of the lasting impacts of the crisis of the 1970s, is a major factor in the impoverishment of economies of the South. Debt domination breeds joblessness, underemployment and poverty, and force people to migrate and find employment abroad for survival. Worse, the huge amount of taxes and fees collected from migrant workers is being squandered to debt servicing. Migrants’ remittances, which are now among the biggest sources of foreign exchange for countries of origin, enable these countries to transfer the burden of financing social services to the migrants, and thus allow the government to prioritise budget allocation for debt servicing, military and other unjust priorities;<sup>8</sup> corruption worsens because unscrupulous politicians and public officials exploit the remittances to obscure misspending or pocketing of public funds.

While migrant workers face increasingly exploitative conditions in the labour market, the remittances that are generated are frequently used to alleviate trade deficits, not fuel development. According to the latest statistics released by the United Nations Development Program (UNDP) through its Human Development report, with the exception of Malaysia, every single country in the region that exports labour has fallen in relation to its standards of education, health and standard of living. Such standards are likely to further decrease as migrants are unable to financially contribute to their family’s health and education.<sup>9</sup>

To enable both sending and receiving countries to exploit migrants, migration policies and practices tend to cause, reinforce, or intensify gender, class and systematic abuses and discrimination; they fail to protect migrants’ human rights.

There are international and regional human rights instruments protecting migrants’ rights. Despite these, there are widespread abuses, arbitrary arrests and detentions, torture, deportation, inhumane treatment, and discrimination of migrants particularly in Asia and the Middle East. In certain countries, this oppressive treatment of migrants have manifested in vigilantism or violence against migrants, especially women. The violators – government personnel, recruiters, employers, money lenders, remitters – go unpunished and therefore behave with impunity.<sup>10</sup>

We assert that migration is not another form of trade (export/import of human labour);

migration, like development, is a right. Working abroad should be a choice to enhance the dignity and opportunities of people, not a desperate bid for survival at the expense of human rights and dignity.

## **IMPACTS ON MIGRANTS**

Even without national or global crises, migrants in Asia and the Middle East are already among the most abused and exploited. Experience further shows that in times of national crises, migrants are usually the first to be targeted for reduction in wages/benefits, restrictions/reductions on hiring, arbitrary termination, mass expulsion; they are blamed for taking away local jobs and are subjected to more racism and discrimination. As the current global crisis deepens, we expect the treatment, discrimination, abuse and exploitation of migrants to worsen in Asia, the Middle East and across the world.

In the 1997 Asian crisis, the worst impacts were felt by workers and migrants in the next 3 years (1998-2000). A report by the Asian Migrant Centre said that almost 1 million migrant workers lost their jobs by the end of 1998, while an additional 3.54 million workers in Asia became unemployed due to the crisis. In the 1998-2003 period, migrants in the major host countries (Hong Kong, Singapore, Malaysia, South Korea, Thailand) were subjected to more lay offs, wage freezes, wage cuts, non-payment of wages, reduction/removal of benefits and social protection or discriminatory policies. Mass arrests, detention and/or deportation of migrants happened in South Korea, Malaysia, Thailand and Singapore.<sup>11</sup>

We expect the worst impacts of the current crisis to hit the hardest in the second half of 2009 until 2010 – especially in terms of economic recession, loss of income, loss of jobs, displacement of migrants, increased abuse/exploitation, mass deportation, and increase in xenophobic attitudes or even violence against migrants. Overall there will be increase in poverty and deterioration of the quality of life of migrants and the working people in general.

This is the worst global crisis since World War II – not only economically, but also in terms of impacts on migrants, workers, women, and the vulnerable sectors of society. The IMF expects the global economy to contract by as much as 3.5% in 2009, and stagnate in 2010 – despite the unprecedented trillions of dollars in stimulus packages all over the world.<sup>12</sup> The ILO's latest report on Global Employment Trends noted that working poverty, vulnerable employment and unemployment began to rise sharply in 2008. Global unemployment has jumped from 5.7% in 2007 to 6% in 2008, meaning that some 190 million women and men were put out of work. ILO predicts that 23 million more workers in Asia could lose their jobs in 2009.<sup>13</sup>

The negative effects on migrants and workers will linger for years afterwards. Many migrants and families may not be able to recover from these, especially the newly-deployed migrants who may be the first to be terminated while still steeped in huge debts, and the irregular migrants who will be the targets of mass arrests and deportations. "The migrants are usually the first to be sacrificed, terminated, and expelled whenever there is an economic crisis; they are also the last to be hired and given back proper wages and benefits," the Asian Migrant Center, Coalition on Migrant Rights and Migrant Forum in Asia declared in 1998.<sup>14</sup>

This will continue to exacerbate the poverty and destructive impacts on the social conditions, the environment, and the quality of life of workers, migrants and women. The crisis is global, but the impacts will vary; women and migrants will be disproportionately and negatively

affected.<sup>15</sup>

We anticipate the following major impacts on migrants.

## **General Impacts**

### ***1. Job losses, reduction in the number, restrictions in the entry and/or expulsion of migrants in the host countries***

The ILO predicts that there will be more than 23 million job losses due to the crisis in Asia, with migrant workers being among the most affected and also rendered the most vulnerable.

IOM anticipates increase job losses among migrants in the construction, manufacturing, finances, services, retail, and tourism sectors.<sup>16</sup> AMC estimates that millions of migrant workers will lose their jobs in Asia and the Middle East due to the current crisis.<sup>17</sup>

For instance, massive job losses threaten migrants in the 6 States of the Gulf Co-operation Council (GCC) – an area that is highly dependent on migrants (an estimated 18-20 million migrants work in the GCC region; migrants constitute up to 40% of the population in some States), and not supposed to suffer seriously from the global crisis. Analysts estimate that due to the crisis and the resulting decrease in the global price of oil, as many as 6 million migrants face losing their jobs. This especially impacts migrants in the development, construction and service sectors, mostly coming from Bangladesh, Pakistan, India, Philippines, Indonesia.<sup>18</sup>

### ***2. Non-payment, underpayment, delays or reduction in wages; reduction or removal of benefits of migrants and local workers; increase in abuses and worsening of working/living conditions of migrants***

Echoing the concern of migrant advocates, IOM expects reduction in wages and poorer conditions in the workplace and cuts in social service provision.<sup>19</sup> In several countries, the global crisis has already been used to justify the forced repatriation/expulsion of migrant workers; some employers have used the crisis to justify abuses and violations of migrants' rights, including non-payment or refusal to pay wages.

### ***3. More restrictive migration policies and/or practices***

The MFA and AMC report says that the Malaysian government has already announced a ban on the recruitment of migrant workers for manufacturing and services sectors. Under the pretext of a "Hire Local First" policy, the government will again force the early termination of productive migrant workers without their legally entitled compensation. Singapore expects that there will be about 300,000 job losses by 2010 and likely the first to be let go will be migrant workers. Macau, Australia, Italy, UK and several countries have announced plans to reduce or limit the entry of migrants.<sup>20</sup>

IOM reinforces this analysis saying that it expects adoption of more restrictive immigration policies to protect the local labour market and in response to less demand for foreign workers. Spain has given financial incentives to encourage unemployed migrants to return home.

#### ***4. Reduced migration flows***

IOM anticipates possible reduced migration flows; potential migrants will possibly opt to stay home and see out the crisis.<sup>21</sup>

#### ***5. Reduced remittance flows***

ILO, MFA, AMC, IOM and CARAM Asia all anticipate that many sending countries will suffer from expected reduction in migrant remittances – in many countries, this will be outright reductions in the volume of remittances; in some, the rate of increase will drastically slowdown (e.g. Philippines). The decline in remittance flows will mostly be due to migrants' loss of jobs in the host countries.<sup>22</sup>

#### ***6. More exploitative and opportunistic practices by recruiters, money lenders, employers***

AMC and MFA anticipates that like in the 1997 crisis, opportunistic recruitment agencies, exploitative employers and lending companies, and corrupt officials will exploit the vulnerabilities and difficulties of millions of migrants displaced by the crisis by charging steeper recruitment fees (which are already at extortionate or illegal levels in many countries in Asia and the Middle East), forcing migrants to accept substandard contracts or working terms/wages/benefits, promising false jobs, or violating migrants' contracts (e.g. underpayment, non-payment, delays in payment, no days off, etc.) because migrants are less likely to complain or publicly protest due to difficulties in finding work if terminated.<sup>23</sup>

#### ***7. Increased irregular migration / trafficking***

MFA highlights that although migration flows might decrease or slow down, it is also possible that flows of undocumented workers will increase even as doors are locked (OECD, 2009). The reasons for migration (such as unemployment, need to support families) will not disappear in the global recession. Desperation may deepen and migrants may endure perilous conditions to continue sending support home.

IOM says that increase in irregular migration is expected as unemployed migrants in host countries seek to work without authorization, as opportunities for regular migrants decrease, and as more people in home countries seek work overseas. There is a possible increase in trafficking.

#### ***8. Increased discrimination or anti-migrant or xenophobic sentiments***

Around the world, countries have prospered as migrant workers build the infrastructure and fuel the engines of their economies. In Hong Kong, MDWs contribute around 1% of the GDP.<sup>24</sup>

Yet during economic downturns, migrants have been accused of depressing wages and stealing local jobs. As millions of working people are let go amidst the mounting economic crisis, politicians have begun to exploit the recession to instil fear in job loss and promote classes of workers. Statements such as “locals first” have become divisive strategies that set migrant workers against national workers. Couched in racism, “local first” policies are frequently used to justify attacks on migrants and are cheap attempts to absolve government of responsibility.<sup>25</sup>

IOM reinforces this position saying that “calls to reduce migration in destination countries tend to be based on the false perception that ‘migrants take jobs’ or ‘compete for welfare benefits’, when in fact, majority of migrants create economic activity and jobs.”<sup>26</sup> The AMC report on the 1997 Asian crisis cited the experience of Korea and Singapore, which were forced to reverse initial declarations on deporting/not hiring migrants when small and medium enterprises (SMEs) said locals did not take jobs and factories will grind to a halt if they are not allowed to hire migrants.<sup>27</sup>

***9. Absence or lack of government programmes, services or capacity to handle migrants’ return and reintegration; lack of support, livelihood and job options for migrants who return home***

IOM says that some countries may experience influx of returning migrants; this can result to economic and social instability in poorer countries esp. if they have not instituted reintegration programmes.<sup>28</sup>

Despite advocacy since the mid-1990s by AMC, MFA and migrant groups for the adoption of comprehensive, systematic, rights-based, gender-fair, people-centered, sustainable national reintegration and economic development programmes for migrants, no country in Asia has done so until today. As millions of migrants are forced to return home, sending countries have little or no capacity to facilitate their proper return and reintegration. Opportunistic recruiters, corrupt officials, and exploitative employers can easily use this increased vulnerability to abuse the migrants; short-sighted governments which only cared about sending millions of migrant abroad, may now face a massive problem of dealing with thousands of returning migrants.

## **Particular Impacts**

### ***1. Migrant domestic workers (MDWs)***

The Asian Migrant Domestic Workers Alliance (ADWA) estimates that there are at least 2 million MDWs in Asia, mostly women migrants from Sri Lanka, Bangladesh, India, Indonesia, Philippines, Thailand, Nepal, Laos<sup>29</sup> working under conditions of isolation, discrimination, with visas tied to employers, highly vulnerable to sexual and physical abuses, and with little bargaining power. In a large number of these cases, the crimes go unreported and the perpetrators are never brought to prosecution.<sup>30</sup> IOM says demand for MDWs will remain stable even amidst the global crisis; however, AMC anticipates that significant numbers will be terminated due to the crisis, once their employers lose jobs or income. For example in Hong Kong, more than 27,000 migrant domestic workers lost their jobs during the 1998-1999 crisis.<sup>31</sup>

### ***2. Women migrants***

Mobility among women migrants continues to increase; feminisation of labour migration, specifically in particular job types and/or nationalities, also continues. Women Maws now constitute the majority in certain job categories and countries (Philippines, Sri Lanka, Indonesia; DW, etc.). Women MWs continue to be more susceptible to more vulnerability, including to physical/sexual abuses, gender-based violence, human trafficking, discrimination

at work and in society, etc. The global crisis disproportionately impacts on women, thus making their vulnerability and oppression worse.<sup>32</sup>

### ***3. Burmese migrants and refugees***

The nature of migration from countries ruled by dictators, such as Burma, is not primarily governed by economics but by survival, security, and protection issues. Thus however difficult the economic crisis makes working in the country of destination for many millions of migrants from Burma, the conditions in the country of destination will still be safer than returning home. The lives of these migrants are thus at risk of spiralling into poverty and desperation. They may face dangers from increased xenophobia and have nowhere to turn to for refuge.<sup>33</sup>

## **STRATEGIES & RESPONSES**

The crisis is global, but it will affect different countries in different ways, requiring a range of different national, regional and global strategies among governments, policy-makers, migrants, workers, civil society and all stakeholders.

### ***1. Radical change in development model and the “migration and development” paradigm***

We reiterate our position at the 2009 World Social Forum that the basic framework of any response, especially by government and policy makers, is NOT to save the existing – and failed – neoliberal system, but to use the crisis to create a more just economic and social system. “The responses have to be inscribed in a framework of radical change and alternatives, coherent with the common good of humanity. It is necessary to build up a solidarity economic system, equitable and environmentally sustainable, able to produce decent work. The financial system must support this economy and be democratically controlled. Production and consumption system has to be changed. We have to reinvent the role of the State at national and international level with the democratic peoples' control. These strategies demand a change in the international commercial relationships and a new paradigm of justice in the interaction between north and south.”<sup>34</sup>

This radical rethinking of the development paradigm should be done particularly in relation to ‘migration and development.’ We reiterate the joint position of migrants, trade unions and Asian civil society as embodied in the call to action of the People’s Global Action on Migration, Development and Human Rights (PGA)<sup>35</sup> and our 2006 joint statement,<sup>36</sup> that migration and development strategies and programmes must firmly be anchored on a human rights, people-centered and social justice perspective, consistent with the “right to development” principles and perspectives of the U.N.

We shall oppose any GFMD plans, agreements or moves that perpetuate migrants’ exploitation, reinforce gender oppression, undermine human rights, and surrender State responsibility for development, or promote the neoliberal paradigm.

We reiterate our call to stop the labour export policy, the commodification and exploitation of migrants, and dependence on migrants’ remittances as a national development strategy.

We oppose responses to the crisis that perpetuate forced migration; migration should be a choice, not necessity or forced.

We oppose any response that transfers the responsibility and burden of financing and providing social services, creating jobs, financing development away from governments and the international institutions and to the migrants.

We oppose the single-minded framework of “maximising remittances” to save/help develop the national economy – especially if this means: the promotion of vulnerable, exploited, temporary labour migration; sacrificing the rights/welfare and security of migrants; not having proper reintegration programmes for migrants; not having proper job creation and community development programmes by the sending governments; enhancing the non-accountable/non-transparent and profit-driven role of banks, remittances, lenders and corporates in order to stimulate more remittances. These are all consistent with the neoliberal agenda of making the people bear the burden of development, reducing government responsibility and accountability, and ensuring more profits for companies.<sup>37</sup>

But opposition and resistance are not enough; there is the need to develop real alternatives based on the needs of ordinary people. These alternatives should be shaped and refined by a new thinking, new alliances, and by new struggles—some of which are already underway—in countries around the world.<sup>38</sup>

## ***2. Job creation and protection***

We reiterate our position that the top priority amidst the current crisis is to defend existing jobs, and to demand the creation of new jobs. Job creation programs must focus on sustainable employment and jobs in public and social services.”<sup>39</sup>

These job schemes should not discriminate against migrant workers. Migrants should not be unfairly singled out for termination or expulsion, e.g. along the lines of “first to be fired, last to be hired”. For all workers, local and migrants alike, there is a need for immediate responses, a resistance against dismissals and stronger advocacy for social protection.<sup>40</sup> We shall resist all attempts to shift the burden of the economic crisis onto the backs of the workers and migrants. We shall demand accountability of those who caused the crisis.

MFA urges countries of origin to create decent jobs in order for people not to be forced to migrate; migration should be an option not as a means to survive. Governments must stop relying on remittances for economic development. MFA iterates that government must implement the ILO strategy for decent work, found in the 2008 ILO Declaration on Social Justice for a Fair Globalization.<sup>41</sup>

Those workers that choose to migrate for work must be protected and governments (of both sending and destination countries) must develop means to protect the labour rights of migrant workers including access to health services, portable social security, by including migrants under national labour legislation and through standard contracts. Portable social security is essential to tide over migrant workers during this current crisis but also to protect migrants from the accelerating cycles of economic downturns.

ILO reinforces these calls by calling for holistic and coherent policy for employment growth and employment protection through tripartite mechanism.<sup>42</sup>

Government fiscal stimulus packages should put top priority on creation of jobs, protection against unemployment, provision of social services and enhancing social protection for workers, migrants, women and other vulnerable sectors of society. These stimulus packages should help strengthen sustainable community economies and provide a conducive environment and support for people's livelihoods. These stimulus plans and job creation schemes/policies should be gender-sensitive, and protect women and vulnerable groups; they should respect existing labour laws and decent work principles and standards.<sup>43</sup>

MFA calls for governments to ensure that laid-off migrant workers are safely returned home and are not forced to repatriate. There should be support measures by sending governments for displaced migrants, including reintegration programmes.<sup>44</sup> AMC and MFA have pioneered, since 1995, the advocacy in Asia and internationally for effective reintegration programmes for migrants – including adoption of the “migrant savings for alternative investments (MSAI) strategy; but until now, there has been no or little response by sending governments in Asia. Until today, no sending country in Asia has a coherent, functioning reintegration programme that can sustain a returned migrant and her/his family; cyclical migration remains the norm; worse, it is a major strategy of sending countries (e.g. Philippines) in ‘recycling’ migrants to stave off the impacts of their displacement due to the global crisis.<sup>45</sup>

### ***3. Social protection; government measures and stimulus packages; international and regional support/collaboration among governments***

We reiterate our call for more public investment for social security and social protection programs, including for formal and informal labour, migrants, women and other vulnerable sectors.<sup>46</sup> The lack of portable social security exacerbates the vulnerability of migrant workers.<sup>47</sup>

This position is supported by ILO's call to support vulnerable groups when implementing policy measures, including providing social insurance, expanding social security coverage, uplifting social security standards, and ensuring minimum wage for informal workers.<sup>48</sup>

Governments need to be aware of migrant concerns and must examine, in consultation with trade unions, how migrants can be supported through this challenging time. The ILO's strategy for decent work, found in the 2008 ILO Declaration on Social Justice for a Fair Globalization “provides a solid foundation in addressing the current crisis. Decent work opportunities at home would pave the way for migration by choice, not by necessity.”<sup>49</sup>

MFA urges governments in sending countries, as they begin to create economic stimulus packages, to create decent work opportunities and also to spend on skills and training programs to cushion workers, both local and migrant, from future shock waves. Government stimulus programmes should not stigmatise, exclude, and increase xenophobic sentiments towards migrants. We should oppose ‘hire nationals only; fire migrants first’ policies (e.g. Singapore, Malaysia) because these stoke racism, discrimination, xenophobic sentiments.<sup>50</sup>

We call for the ASEAN Fund (US\$120 billion) to include in its use of funds the support for migrants' reintegration programmes and other measures to mitigate the impacts of job loss, income loss, etc due to the global crisis.

#### ***4. Migrants' rights policies, laws and protection mechanisms***

MFA calls for governments to uphold the right of migrants to organize, a fundamental right guaranteed by the Universal Declaration on Human Rights. Migrants' rights are likewise guaranteed by the core U.N. and ILO conventions, especially the UN Convention on Migrant Workers. Now more than ever, there is a need for the universal ratification and effective enforcement of the existing human rights instruments. We call on all countries to speedily adopt/ratify these as a safety net for migrants during and after the global crisis, and enforce Decent Work principles to cover migrants in the host countries. These obligations should be strongly upheld during and beyond the period of the crisis; ensure fair and equal treatment of migrants.<sup>51</sup>

Sending countries must take an active role in protecting the health and social rights of their citizens even when they are overseas. Rights-based pre-departure/post-arrival seminars, including on health and reproductive rights, HIV prevention, and health education must be provided to migrant workers.<sup>52</sup>

Receiving countries must remove discriminatory and racist policies and combat xenophobic practices/attitudes, e.g. visa ban on Nepalese MDW and the New Conditions of Stay (NCS) policies in HK; the "expel migrant workers first" policies or mentality in Malaysia, Macau, etc.<sup>53</sup> We call on governments to stop draconian policies that criminalize migrants, subject them to vigilante or other forms of violence, and deny their basic rights.

ASEAN states should urgently operationalise and create effective mechanisms for the ASEAN Human Rights Body, and the ASEAN Declaration on the Promotion and Protection of the Rights of Migrant Workers.

Remove mandatory health, HIV and pregnancy testing policies; stop the ensuing deportation of pregnant women migrants and HIV-positive migrants. Instead, the governments should provide affordable healthcare services for migrant workers irrespective of their visa status.<sup>54</sup>

Governments should develop redress mechanisms for more effective accountability of non-state actors (employees, recruitment brokers) for violations against migrant workers; they should provide, expand, support and welfare services for migrants especially during the crisis period.<sup>55</sup>

#### ***5. Recognize the value, status and contributions of migrant workers and MDWs***

We reiterate our call for the recognition of migrants' work, value and contributions both in the sending and receiving countries. In the receiving countries, proper channels of employment, migration, protection and social services should be provided to the migrants, proper, enforceable contracts and redress mechanisms.<sup>56</sup>

We support and advocacy of the domestic workers themselves, as represented by their organisation like the Asian Migrant Domestic Workers Alliance (ADWA), for the "recognition of domestic work as work", and the promotion and respect of the rights, value, status and dignity of domestic workers.<sup>57</sup> This includes the full recognition/inclusion and protection of all domestic workers (local and migrants) in national laws (labour, health, social welfare, etc.), adoption of legally-binding and standard employment contracts for domestic workers, and adoption of regional and international laws recognising and protecting domestic

workers (CEDAW, ILO). We support the international advocacy for the adoption of a specific ILO convention recognising and protecting all domestic workers, including their rights to self-representation, unionisation, organising, social security, decent wages, and other basic labour rights.<sup>58</sup>

#### ***6. People's and migrants' alliances, solidarity and collective action; social dialogue***

Trade unions, together with migrant workers, have strengthened the labour movement, organizing for decent work, decent and equal pay, job security and safe workplaces. Every worker is affected by the global recession and workers must remain united. Labour and migrant worker movements have become allies but more has to be done to build solidarity across borders with ties at home and in destination countries.<sup>59</sup>

We reiterate the necessity that programs, struggles, and initiatives include the participation of workers in precarious jobs and workers in the informal economy – e.g. domestic workers, temporary workers, migrant workers.<sup>60</sup>

We support the ILO's call for the strengthening of bi/tripartite processes and mechanisms, ensuring real consultation on policy design, implementation and feedback, and involving the stakeholders (NGOs, migrant workers, women's groups, informal economy, legislators).

In order to achieve these radical changes, it is urgent to build up plural and broad alliances of movements, associations, NGOs, trade unions: an alliance of all the forms of labour, against racism and all kinds of discrimination." We need radicalised alliances and alternative regionalisms based on solidarity; these must recognise and deal fairly with asymmetries and differences in needs, power, and interests.<sup>61</sup>

We emphasize the urgency of popular mobilisations at all levels in order to advance these agendas and positions, including solidarity actions in time for the 28 March 2009 meeting of G20 (London). We shall join the "international day of action" (7th October) called by the World Social Forum.<sup>62</sup>

We commit ourselves to advance our struggle against exploitation and neoliberal globalization in all its forms.<sup>63</sup>

***25 February 2009***

#### ***SAPA Working Group on Migration and Labour***

Migrant Forum in Asia (MFA) - *Co-Convener*  
Think Center – *Co-Convener*

Asian Trade Union Congress (ATUC)  
Asian Migrant Centre (AMC)  
Asia Pacific Forum on Women, Law and Development (APWLD)  
Building and Wood Workers International (BWI)  
Coordination of Action Research on AIDS and Mobility (CARAM Asia)  
Federation of Trade Unions-Burma (FTUB)

Focus on the Global South

Forum on Human Rights and Development in Asia (Forum Asia)

Global Alliance Against Traffic in Women (GAATW)

Human Rights Working Group (HRWG), Indonesia

International Gender Trade Network (IGTN)

**KCT**

Migrant Assistance Program (MAP) Foundation

Migrant Forum in Asia

Malaysian Trade Union Congress (MTUC)

Monitoring Sustainability Globalization, Malaysia

Union Network International-Asia Pacific Regional Office (UNI-APRO)

Public Services International (PSI)

South East Asia Committee for Advocacy (SEACA)

Singapore National Trades Union Congress (SNTUC)

SUARAM Suara Rakyat Malaysia (SUARAM)

**Participating Organizations during the Working Group Meeting, Feb. 23, 2009:**

ACPACS

ACTU

AJI Indonesia

Alikan

Asian Migrant Domestic Workers Alliance (ADWA)

Bahrain Human Rights Council (BHRC)

Center For Indian Migrant Studies (CIMS)

Centre for Education and Communication (CEC)

Centre for Human Rights & Development (CHRD)

ChinaWTO-Network

Christian Aid

CISL

Coalition on Migrants Rights (CMR)

Committee for Asian Women(CAW)

Community Self-Reliance Centre (CSRC)

Community Trust Fund (CTF)

CPD-GPPAC

Center for Migrant Advocacy (CMA)

FORUM-RDS

Friedrich Naumann Foundation

Gender and Development Group

GI NGO

GPPAC-TL

HPT Thai

HRWG

Human Rights Development Foundation (HRDF)

IID-GPPAC

INFID/MC)

INSEC

Institute for Economic, Social & Cultural Rights  
IPF  
IPRM  
ITI HR M  
IWRAP AP  
Joint Committee with Migrants in Korea (JCMK)  
Khmer Kampuchea Krom Human Rights (KKHRA)  
Legal Support for Women and Children (LSCW)  
Mekong Migration Network (MMN)  
Mekong Migration Network (MMN)  
Migrant Care  
Migrant Workers Education and Action Research Centre (MWEARC)  
MPC  
People's Solidarity for Participatory Democracy (PSPD)  
Peoples Empowerment  
RAKS Thai Foundation  
RiskAsia  
SAMIN  
Serikat Buruh Migran Indonesia (SBMI)  
Southeast Asia Regional Cooperation in Human Development (SEARCH)  
St. Francis of Assisi Workers' Center (SFWC)  
Task Force Detainees of the Philippines (TFDP)  
WARBE Development Foundation

## Endnotes

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- <sup>1</sup> Joint press release on the occasion of their meeting, 5 February 2009, Berlin.
- <sup>2</sup> World Social Forum, “Labour in the Global Crisis: Final Statement of the Thematic Assembly”, 1 February 2009, Belem, Brazil.
- <sup>3</sup> International Organization for Migration (IOM) puts the figure at USD 283 billion in 2008.
- <sup>4</sup> Migrant Forum in Asia, “Declaration of the 11<sup>th</sup> Regional Conference on Migration (RCM): Right to Development: Migrants’ and People’s Perspectives”, 24-25 October 2008, Manila, Philippines.
- <sup>5</sup> International Organization for Migration. “World Migration 2008: Managing Labour Mobility in the Evolving Global Economy”
- <sup>6</sup> See for example, analysis, statements and advocacies by Migrants Rights International (MRI), Asian Migrant Centre (AMC) and Migrant Forum in Asia (MFA) cited in Asian Migrant Yearbook 1998 to the present. Also, statements of ‘Our World Is Not For Sale’ network; “Global Call to Action” by the People’s Global Action on Migration, Development and Human Rights, June 2008.
- <sup>7</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration; CARAM Asia, “The Financial Crisis and Its Implications on Migration”.
- <sup>8</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration.
- <sup>9</sup> CARAM Asia, “The Financial Crisis and its Implications on Migration.”
- <sup>10</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration.
- <sup>11</sup> Asian Migrant Centre, “A Year After: Surveying the Impacts of the Asian Crisis on Migrant Workers” in Asian Migrant Yearbook (AMY)1998; a follow-up report was also published in Asian Migrant Yearbook 1999.
- <sup>12</sup> IMF, March 20, 2009.
- <sup>13</sup> World Social Forum, “Labour in the Global Crisis”, February 2009. Asian Migrant Centre, “Report on the impacts of the 2008 global crisis”.
- <sup>14</sup> Consolidated statement, February 2009.
- <sup>15</sup> Committee on Asian Women on FTAs. Migrant Forum in Asia, “MFA Cautions Against Ignoring Migrant Workers Amidst the Global Crisis,” January 2009.
- <sup>16</sup> IOM Policy guidance, 12 January 09.
- <sup>17</sup> AMC and MFA Draft Report, February 2009.
- <sup>18</sup> CARAM Asia, “The Financial Crisis and its Implications on Migration”; AMC and MFA Draft Report, February 2009.
- <sup>19</sup> IOM Policy guidance 12 January 09. AMC and MFA Draft Report, February 2009.
- <sup>20</sup> AMC and MFA Draft Report, February 2009.
- <sup>21</sup> IOM Policy guidance, 12 January 09.
- <sup>22</sup> AMC and MFA Draft Report, February 2009. IOM Policy Guidance, 12 January 2009. CARAM Asia, “The Financial Crisis and its Implications on Migration; ILO paper.
- <sup>23</sup> AMC and MFA Draft Report, February 2009.
- <sup>24</sup> Coalition for Migrants’ Rights, Asian Migrant Centre.
- <sup>25</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>26</sup> IOM Policy guidance, 12 January 2009.
- <sup>27</sup> Asian Migrant Centre, “A Year After...” in AMY 1998.
- <sup>28</sup> IOM Policy guidance, 12 January 2009.
- <sup>29</sup> Asian Migrant Domestic Workers Alliance (ADWA), Conference Declarations (2007 and 2008).
- <sup>30</sup> CARAM, ADWA, CMR.
- <sup>31</sup> Asian Migrant Centre, “A Year After...” in AMY 1998.
- <sup>32</sup> CARAM, AMC.
- <sup>33</sup> Migrants Assistance Program.
- <sup>34</sup> World Social Forum, “Labour in the Global Crisis”, February 2009.
- <sup>35</sup> People’s Global Action on Migration, Development and Human Rights, “Global Call to Action”, circulated at the 2008 Global Forum on Migration and Development (GFMD), October 2008, Manila, Philippines.
- <sup>36</sup> See joint statement of the Asian Alliance on Migration, Development and Human Rights, 2006.
- <sup>37</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration
- <sup>38</sup> World Social Forum, “Labour in the Global Crisis”, February 2009.
- <sup>39</sup> Ibid.
- <sup>40</sup> Ibid.
- <sup>41</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>42</sup> ILO, “Areas for action to respond to the crisis: common findings”, February 2009; Migrant Forum in Asia, statement on global crisis”, 2009.
- <sup>43</sup> ILO, “Areas for action...”, February 2009.

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- <sup>44</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>45</sup> Migrant Forum in Asia, “Declaration of the 3rd Regional Conference on Migration: Migrant Workers Challenging Global Structures”, 1996, Seoul, Korea. Asian Migrant Centre, “A Year After...” in AMY1998.
- <sup>46</sup> World Social Forum, “Labour in the Global Crisis”, February 2009.
- <sup>47</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>48</sup> ILO, “Areas for action”, February 2009.
- <sup>49</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>50</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>51</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration. CARAM Asia, “International Migrants’ Day Statement”, 2008.
- <sup>52</sup> Statements by: CARAM Asia, Migrant Forum in Asia, Asian Migrant Centre, etc.
- <sup>53</sup> Statements by Coalition for Migrants’ Rights (HK); Asian Migrant Domestic Workers Alliance (ADWA), AMC.
- <sup>54</sup> CARAM Asia, “International Migrants’ Day Statement”, 2008; AMC and MFA Draft Report, February 2009.
- <sup>55</sup> CARAM Asia, “International Migrant’s Day Statement”, 2008; Asian Migrant Domestic Workers Alliance, “2008 Statement/Plan of Action”; AMC and MFA Draft Report, February 2009.
- <sup>56</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>57</sup> ADWA Conference Declarations (2007 and 2008).
- <sup>58</sup> ADWA Conference Declarations; CARAM Asia, “International Migrant’s Day Statement”, 2008.
- <sup>59</sup> Migrant Forum in Asia, statement on global crisis, January 2009.
- <sup>60</sup> World Social Forum, “Labour in the Global Crisis”, February 2009.
- <sup>61</sup> Ibid.
- <sup>62</sup> Ibid.
- <sup>63</sup> Migrant Forum in Asia, 11<sup>th</sup> RCM Declaration.