

NATIONAL HUMAN RIGHTS INSTITUTIONS JOINT STATEMENT ON INTERNATIONAL MIGRANTS DAY



The COVID-19 pandemic has had a tremendous impact on the lives of every individual around the globe in varying degrees. It is during this period that attention needs to be given by States to ensure that the most vulnerable and marginalized groups of people are not exploited during the times of COVID-19. Migrants, in particular, are more vulnerable than ever due to gaps in laws and policies to promote and protect the rights of migrants, especially those in undocumented and irregular status.

On International Migrants Day 2020, National Human Rights Institution of the Maldives, Nepal, and the Philippines call to respect, protect and fulfill the rights of migrant workers and their families, and commit to take action to support the rights of workers to remedy for wage theft and other human rights abuses against migrant workers.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families realizes the importance and extend of migration phenomenon, which involves millions of people and states. Right to an adequate standard of living, just and fair conditions of work and the right to remedy are stipulated as the fundamental rights in the human rights legal framework.

Objective 6 of the Global Compact for Safe, Orderly and Regular Migration (GCM) clearly iterates that States must: *“Provide migrant workers engaged in remunerated and contractual labour with the same labour rights and protections extended to all workers in the respective sector, such as the rights to just and favourable conditions of work, to equal pay for work of equal value, to freedom of peaceful assembly and association, and to the highest attainable standard of physical and mental health, including through wage protection mechanisms, social dialogue and membership of trade unions”.*

Upholding human rights is an international responsibility, demanding cooperation between states. That cooperation has never been more important than during the time of COVID-19. NHRIs have a significant role to play in acting and cooperating to uphold migrant workers right to remedy, to justice for wage theft.

As NHRIs, we unite to take specific action to;

- *Investigate, receive complaints, and document cases and patterns of wage theft*
- *Mediate between workers, employers, and recruitment agents*
- *Litigate for justice and remedy for migrant workers, if within the mandate of NHRI concerned*
- *Build cooperation between NHRIs in countries of origin and destination to better protect the rights of migrant workers*

Hence, we call on states to uphold their duty to promote and protect the rights of migrant workers and their families and ensure access to remedy, and we call on businesses to fulfill their responsibilities to respect human rights as outlined in the UN Guiding Principles on Business and Human Rights.