

The Right to Work and the Right to Mobility: Respect the rights of all workers everywhere

May Day Statement, 2015
Migrant Forum in Asia



Every year on May 1st, workers around the world celebrate the history of the labour movement and mobilize around the world to call on states to fulfill their obligations to protect and promote the labour and human rights of all workers. On this day of global solidarity, Migrant Forum in Asia joins with trade unions, worker associations, grassroots organizers, and civil society organizations in renewing our commitment to the global struggle for decent work for all workers.

No worker should have to pay recruitment fees to secure decent work

We live in a world in which many workers, even after having developed their skills through education and training programs, are required to pay intermediaries to secure employment. In some cases, the amounts paid are so high that workers become indebted to friends, family members, and money-lenders. For migrant workers, taking on significant debts for job placements abroad is so common that it has become an expected feature of labour migration, even in contexts in which governments have heavily regulated or banned the charging of recruitment fees. Too often, migrant workers find themselves in debt bondage and exploitative employment relationships, their choices constrained by their need to relieve this financial burden.

Migrants' rights advocates worldwide are speaking out against the practice of charging recruitment fees to workers. Join the global [Recruitment Reform Campaign](#) and support our call for Zero Fees for Migrant Workers. #ZeroFees #RecruitmentReform

Migration should be a choice, not a necessity

In an age of unprecedented levels of human mobility, we also see too many indicators of the failure of the world of work. It is estimated that 232 million¹ workers have left their countries of origin in search of opportunities abroad, serving as an important indicator of the lack of decent livelihoods and jobs at home. For too long, origin country governments have looked at labour migration as a strategy to alleviate unemployment pressures while failing to implement policies and programs that would also

¹ <http://www.ilo.org/global/topics/labour-migration/lang--en/index.htm>

make staying home a viable option. Governments of countries of destination recognize that worker supply far outpaces demand for available positions, and too often fail to respect and uphold the human and labour rights of migrant workers occupying critical positions in their national workforces. Workers should never be coerced by economic necessity to migrate. Workers who choose to migrate must never be subject to exploitation or human or labour rights violations.

Despite two UN High Level Dialogues on International Migration and Development and seven Global Forums on Migration and Development, there is a lack of clear political commitment among states to work collaboratively on migration governance. This is evident in the disappointingly few ratifications of the Migrant Workers' Convention, now entering its 25th year, and ILO C143, now in its 40th year. In an interdependent world in which we see growing demographic challenges and increasing mobility, it is imperative that governments work together towards stronger political will to achieve sustainable development based on the existing human rights framework. If the current deliberations on the Post-2015 Development Agenda are to see truly sustainable and transformative results, then the willingness of states to address the global governance of migration is crucial.

Workers' rights to organize and freely associate must be respected and upheld

In many countries of destination, migrant workers do not have the right to organize, form associations, or bargain collectively, in contravention of the ILO's core labour standards. We continually witness the closing down of migrant organizations and associations and the intimidation of community organizers out of fear that migrants will engage in discourses that would threaten the status quo. Migrant community organizations are not even allowed to officially register in many countries. Such measures have had a stifling effect on hundreds of community organizations, which have stopped meeting for fear of being held suspect.

When workers cannot organize or freely associate, their rights are violated. They cannot support one another in defending their labour and human rights. The ability to organize and freely associate is crucial in the realization of all fundamental principles and rights at work. Migrant workers must be empowered to act collectively. Governments must respect and uphold their obligations under ILO Convention 87 – Freedom of Association and Protection of the Right to Organize (1948) and ILO Convention 98 – Right to Organize and Bargain Collectively (1949) and guarantee workers' rights to organize and freely associate.

We stand in solidarity with migrant workers in South Africa

In a world that seems to be turning away from our common humanity, we stand in solidarity with migrants in South Africa. We are appalled and outraged by reports of the ongoing violent anti-migrant attacks that are forcing so many to live in fear and many more to flee in uncertainty. This violence is the result of egregious systemic failings that have resulted in poverty, extreme inequality, corruption, and political repression—legacies of colonial oppression, apartheid, and the unjust neoliberal economic order that has made South Africa one of the world's most unequal societies.

We denounce anti-migrant violence, intimidation, and the systemic failings that have led to this tragedy. We call on governments to restore security and dignity for all by respecting the human and labour rights of all people within their borders and taking steps to alleviate inequality and deprivation. We call on global civil society to stand in solidarity with those who are still struggling and to honour those who have lost their lives in these horrific attacks.

A moment for the true expression of solidarity

Our hearts go out to all the Nepali migrant workers who are so far from home and who have not yet been able to make contact with their families in the wake of the recent earthquake.

We call on their employers to stand in solidarity with these workers. Employers should provide immediate assistance to facilitate communications and to accommodate the request of any worker who wishes to return home to be with family or assist in immediate relief efforts. We likewise call on governments of countries of destination to support these workers such that they can assist one another at this difficult time. Destination country governments should create spaces for workers to coordinate their efforts to support rebuilding, communication facilities to assist workers in connecting with their home communities, and means to fast-track the sending of money and supplies to their families, all of which are crucial for immediate recovery efforts. Nepal will need the support of its workers in the long process of recovery. We call on employers and governments to stand in solidarity with Nepal and its workers.

As MFA, we believe in the right to work and in the right to mobility. Today, we reaffirm the principle that all workers should be treated equally, irrespective of nationality or immigration status—*a worker is a worker everywhere*.

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