

Resolution No.1

MIGRANT LABOUR

The 3rd ITUC-AP General Council Meeting in Cebu, Philippines, on 10-12 November 2009:

NOTES

that international labour migration has drastically increased in the times of globalization and as many as 200 million workers and their families are residing in countries other than their own in search of employment; Asia and the Pacific region account for more than 50 million;

NOTES

that labour migration is closely linked to economic development – or rather lack of it. Growing unemployment, lack of decent work at home, population explosion, declining fortunes in agriculture, growing disparities, political conflicts, natural disasters and general desire for decent work and decent life force people to migrate to foreign countries. Migrant labour make significant contributions to both countries of origin as well as destination;

RECOGNISES

the growing feminization of labour migration; women workers constitute almost half of the migrant labour;

DEPLORES

that migrant workers are frequently subjected to unequal treatment and opportunities as well as discriminatory behaviour; in many countries several types of skilled and semi-skilled jobs are barred for migrant workers; they are the worst victims of racism and xenophobia; migrant workers are paid much less than native workers (often only half of the latter's) for doing the same job, adding to the exclusion from social protection and other workers benefits and entitlements;

CONDEMNS

the most exploitative and inhuman conditions of domestic workers which in some cases amount to slavery and forced labour; they work for meager wages for long hours (often 15-16 hours a day) with no rest or compensation for overtime, no social protection, exposed to physical and sexual harassment, violence and abuse;

DEPLORES

that in many countries workers fundamental rights to organize and collective bargaining are restricted or altogether denied to migrant workers; while these rights may be recognized for native workers, migrant workers rights are frequently violated; some labour laws explicitly prohibit migrant labour from becoming members of trade unions, others have restrictions on holding offices in unions;

DEPLORES

that the recruitment process in most cases is left to the recruitment agencies where the innocent jobseekers fall

a prey to unscrupulous recruitment agencies; there is blatant frauds in recruitment, misinformation and contract substitution and lack of a model employment contract;

REITERATES

that organizing migrant workers is the most effective way to protect and promote their interests;

CALLS ON

Unions to

- establish migrant labour centres/departments wherever appropriate, both in origin and destination countries to specifically attend to the migrant workers; these centres should provide a forum for these workers to take up their problems;
- establish partnership agreements between unions in origin and destination countries;
- organize migrant labour in both origin and departure countries; conduct education programmes for migrant labour;
- campaign for labour law reforms which restrict migrant workers right to join unions;
- actively involve in conducting pre-departure orientation programmes for migrant workers ensuring their rights, labour laws and culture of destination countries;
- monitor and expose violations, abuses and exploitations through media;

CALLS ON

ITUC/ITUC-AP to

- to promote ratification and implementation of ILO Conventions 97 and 143 and the 1990 UN Convention on Protection of the Rights of all Migrant Workers and Members of their Families;
- lobby together with affiliates, governments and regional groupings (ASEAN, APEC, SAARC, ASEM, etc) for protection and promotion of rights of migrant workers, ratification of ILO/UN conventions and involvement of trade unions in groupings, charters, policies, agreement, etc.;
- document and disseminate best and mal-practices of overseas employment promoters/recruiters and of government officials;
- promote and assist in organizing migrant workers; organize activities on migrant labour at various levels;
- actively participate in the development of specific ILO instrument on domestic workers;
- work with ILO and other concerned international organizations for the establishment of a rights-based multilateral framework for migration in the global economy.