

3rd ITUC Asia Pacific Conference Resolution No.4

MIGRANT WORKERS

The Conference recognises that international migration has increased drastically during the last few decades. Tens of millions of men and women leave their homes and cross the borders in the hope of making a better living. In the absence of adequate employment opportunities available in their home countries, workers are compelled to go to foreign shores in search of employment. According to World Bank estimates, as many as 214 million workers and their families are residing in countries other than their own. According to ILO estimates, 81 million of them have moved to find work. Asia and the Pacific account for more than 61 million. Migrant labour includes workers on irregular status, contract workers, refugees, settlers and professionals.

Unequal development is the root cause of migration. Current migration flows need to be viewed in the context of global economy and the structural inequalities it creates. As a result of the globalisation process accompanying dismantling of production chains, deregulation and liberalisation of finance, commerce and service systems have left many jobless, especially in the developing countries, forcing them to emigrate. Economic disparities are widening.

Migration is closely linked to economic development – or rather the lack of it. The principle reason why workers decide to move from one country to another is in search of decent work. Poverty and unemployment leaves people with no alternative than crossing borders. Over 200 million people are without work, constituting 6.2% of the global work force.

One significant characteristic of labour migration relates to the increasing feminisation of the whole process. Engagement of women is cheaper than men and coincides with the shift from manufacturing to service economies. Many are found to be going as domestic workers in the major countries of destination in the East, South East and West Asian countries. Estimates suggest that female workers constitute 49% of the total migrant workers.

The Conference emphasises that labour migration has impact on both origin and destination countries. Migration has a direct bearing on the source country's balance of payments, unemployment, poverty and standard of living, quality of life and investment in health and education. Remittances to countries of origin are estimated at more than US\$ 414 billion a year. In some countries remittances constitute more than 20% of the GDP. Migrant labour also contributes immensely to the destination countries like availability of increased workforce, skilled human resources, economic growth, partially correcting demographic trends, etc.

The vast sections of less skilled workers are in trying conditions. Many of them work under virtual slavery conditions. Fraudulent job offers, forced labour, delayed payment or non-payment of salary, long working hours and heavy work-load have become the major problems confronting migrant labour. Most of these workers have to go through recruitment agencies acting as intermediaries in the host countries and have to pay huge sums for jobs. They are taken for a limited period and get very low wages; mostly they get wages much lower than the promised remuneration.

Even though they comprise a large proportion of the labour force in the region, migrant workers are victims of gross discrimination. Migrant workers do not receive equal treatment as nationals. They are deprived of fundamental workers' rights to organise and to form trade unions. Representation and a voice at work are important means by which migrant workers

can secure other labour rights and improve their working conditions and assert their rights. Labour laws may exclude expatriate workers from their purview and make it difficult for them to join unions, or form their own unions. While some countries prohibit them from becoming members of trade unions, others have restrictions on holding offices in unions.

Trade unions need to play a pivotal role in protecting and promoting the interests of migrant labour. Trade unions have a key role to play in ensuring that migration policies support development in origin countries, and uphold the principles of equal opportunity and treatment, as well as full recognition of migrant workers' rights in destination countries. Failure to protect the labour rights of migrant workers and the minimal organisation of these workers significantly contribute to income inequality in the region. Trade unions in both origin and destination countries should work together in fighting for promoting and protecting migrant workers. Organising is the key to improve working and living conditions.

It is noted that many governments in the origin countries consider migration as a panacea to their economic ills. It is to be reiterated that migration is no substitute to progressive economic policies aimed at inclusive development and job creation in their own countries.

The Conference commits the ITUC-AP, working with affiliates and GUFs to:

- Encourage, promote and facilitate partnership agreements between unions in origin and destination countries. They are meant to: promote, protect and defend the rights of migrant workers; encouraging labour and social integration of migrant workers; securing equal rights for migrant workers; strengthening bilateral relations and trade union solidarity; the ITUC-AP should collect and disseminate information on good practices of unions collaborating across national borders to protect the labour rights and organise migrant workers;
- Encourage establishing Migrant Labour Centres/departments to specially attend to migrant workers;
- Campaign Against Racism and Xenophobia for awareness raising and providing the union members and the public with information on the positive contribution that migrant workers make to host countries;
- Campaign and promote organising migrant workers – either join existing unions or form migrant workers unions;
- Campaign for ratification and effective implementation of the relevant ILO Conventions i.e. No. 97 and No. 143;
- Campaign for abolition of Kafala system which should be targeted to eliminate all forms of Kafala, including disguised forms, such as partial immobility of migrant worker from one employer to another, obliged to stay at least one year with original employer, etc.;
- Campaign for coverage of national labour laws to migrant labour;
- Unions to organise pre-departure training programmes for migrant labour on the conditions in the destination country – rights, labour laws, culture, language, etc.;
- Campaign for adoption of model employment contracts with minimum standards on wages, working hours, holiday, overtime pay, leave, medical benefits; and
- Lobby sub-regional / inter-regional governmental bodies to take up issues of labour migration in their policy agenda.