



Draft Resolution on Protection and Promotion of the Rights of Migrant Workers in Asia

Members of the Asian Parliamentary Assembly representing signatory states who are parties to the relevant international conventions and agreements;

Acknowledging that the development of migrant workers and the protection of their rights are in line with the principles of human rights and contribute to the development and promotion of friendly relations among countries;

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and other relevant international instruments to which the States members of the Asian Parliamentary Assembly are parties;

Noting that the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the International Labor Organization (ILO) Convention 97 concerning Migration for Employment, ILO Convention 143 concerning Migrant Workers (Supplementary Provision), established a broad legal framework for the protection of migrant workers if applicable;

Taking note of the importance of the 2016 New York Declaration on Refugee and Migrants and ASEAN Consensus on the Protection and the Promotion of the Rights of Migrant Workers¹;

Acknowledging the significance of ILO Conventions concerning the protection of the rights of migrant workers as well as United Nations Convention against Transnational Organized Crime and Protocols Thereto 'Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children' and 'Protocol against the Smuggling of Migrants by Land, Sea and Air in promoting human rights of Asian migrant workers without prejudice to their sex, race, language, religion, nationality, or ethnic origin;

Noting the adoption of ILO Convention Concerning Decent Work for Domestic Workers at the 100th International Labor Organization (ILO) Conference in Geneva, 2011 as a global recognition of the rights of domestic workers where many of them are migrants;

¹ Adopted with reservations from Thailand.

Underlining the importance of establishing a national legal framework as well as a broad legal framework for the protection of the rights of migrant workers and noting the legal and illegal status of different cases;

Deeply concerned with the precarious conditions faced by migrant workers such as violating of their human rights including through harassment and violence, discrimination, low pay and low status jobs, unpaid jobs, and overwork;

Underlining the challenges that women migrant workers are facing such as forced confinement, low pay, non-payment, excessive working hours, physically strenuous activities and sexual harassment and abuse, human trafficking and migrant smuggling, and prostitution;

Recognizing that unsettled status of immigrants prevents the establishment of conditions for full scale and comprehensive protection of their right by governments of the countries of destination or transit;

Emphasizing that adaptation of labor immigrants to local conditions and working activity in destination states as well as integration into recipient society are important factors which contribute to effective exercise of the rights of labor immigrants;

Acknowledging the contribution of migrant workers to the society and economy of both receiving and sending states and their input to the development and prosperity of the region;

Bearing in mind the importance of friendly relationships and cooperation among governments, parliaments and the peoples of Asia in solving the problems relating to Asian migrant workers; and in particular, providing repatriation assistance services such as coordination with families, airport assistance, domestic transport, temporary shelter, medical and rehabilitation services;

Recognizing the significant role of parliaments both in strengthening social and human rights policies, and in harmonizing an Asian approach on protecting the rights of migrant workers in Asia;

Confirming that providing adequate measures on the protection and promotion of the rights of migrant workers in Asia is part of a shared responsibility among Asian Countries toward a common vision for security and prosperity, which focused on the improvement of the quality of life of its people;

Concerned with the exodus of people who have tried to flee from their homelands in Asia to some European countries, due to lack or deficiency of security, food, health service, accommodation, employment and so forth; many of whom are young migrant workers;

Noting with great concern that ethnic and other forms of intolerance are the major causes of forced migration;

We therefore,

1. **Encourage** APA Member Parliaments to consider accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families to stress Asian commitment on the protection of the rights of migrant workers and humanitarian issues in Asia;
2. **Call upon** APA Member Parliaments to enhance and harmonize their actions towards a better protection of migrant workers' rights, especially the cases of women and children;
3. **Also Call Upon** APA Member Parliaments to urge their respective Government to integrate visions, principles, objectives and commitments enshrined under the Global Compact for Safe, Orderly and Regular Migration adopted at the UN Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration held in Morocco, December 2018 into their migrant-related national policies;
4. **Request** APA sending countries to provide migrant workers with adequate skills and knowledge in order to be able to fulfill their task and understand the culture, prevailing laws and regulation in the receiving countries;
5. **Emphasizing** that Urge the APA Member States should to facilitate vocational training for migrant labor forces so that those migrant workers can integrate into the receiving country, ensuring their life and contributing to socio-economic development, stability and security in every country;
6. **Urge** APA Member Parliaments to ensure that, in case of violation of domestic laws, such laws should be applied in a fair and just manner to both migrant workers and citizens;
7. **Encourage** the promotion of bilateral and regional cooperation among countries in all areas and issues of migrant workers to maximize the potential benefits and minimize the negative impacts of migration;
8. **Encourage** the respective States of the APA Member Parliaments to consider bilateral, or regional agreements including Mandatory Consular Notification Agreement under the spirit of Vienna Convention on Consular Relations; whereby the sending countries are well informed on the legal problems faced by their migrant workers;
9. **Emphasize** the importance of involving United Nations system, international organizations, civil society, and non-government organizations, and increasing participation and interaction with all stakeholders to enable government to develop better policies and supervise the implementation of regulations on migrant workers issues;

10. **Recommend** APA Member Parliaments to provide adequate information on regulation, legislation and policies related to migrant workers in their respective countries, and to share information and best practices as well as opportunities and challenges encountered by Asian countries in relation to the protection and promotion of migrant workers' rights and welfare;
11. **Urge** the APA relevant member countries to promote fair and proper working conditions, proper minimum wages, and adequate access to decent living conditions and health for migrant workers;
12. **Request** the Secretary-General to coordinate with APA Member Parliaments on the progress to implement this resolution and submit a report thereon to the meeting of the Standing committee on Social and Cultural Affairs.