

**Informal Workshop on
Labour Migration in ASEAN and beyond**
17-18 September 2010
Hotel Sofitel Plaza, Hanoi, Vietnam

RECOMMENDATION TO AIPA GENERAL ASSEMBLY

WHEREAS Southeast Asia continues to be one of the world's fastest growing regions with substantial flows of migrant workers both within and outside its regional borders;

WHEREAS this mobility of migrant workers in the region has social, economic and development ramifications for the region, especially as it suffers from the continuing global economic crisis;

WHEREAS labour laws and regulations in ASEAN countries may be inadequate or inadequately implemented to promote and protect the rights of migrant workers and their families;

WHEREAS the lack of adequate protection to migrant workers has resulted in their trafficking, exploitation, maltreatment, physical abuse, sexual harassment, rape, torture, and in worst cases, death; as well as substandard wages, forced over-time, inhuman working conditions, living in fear of employers and local enforcement authorities; [confiscation of identity documents slavery-like living and working conditions]

WHEREAS multilateral and bilateral agreements impact on measures to ensure equality of treatment, and the promotion and protection of migrants' rights;

WHEREAS there is a need for ASEAN to build a migration regime that successfully combines mobility and flexibility with social and human rights protection, and that embodies a strong regional cooperation based on shared economic interests and rights-based development for its peoples;

WHEREAS recalling the resolution to create an *ASEAN Inter-Parliamentary Caucus on Labor Migration* during the last regional workshop, and building on the other resolutions and principles adopted in the previous regional workshops since 2007,

THEREFORE, WE, THE MEMBERS OF PARLIAMENT PARTICIPATING IN THE REGIONAL WORKSHOP WHO ARE COMMITTED TO THE PROMOTION AND PROTECTION OF MIGRANT WORKERS' RIGHTS HEREBY RESOLVE:

1. To recommend to the 31st ASEAN Inter-Parliamentary Assembly (AIPA) in Hanoi the following:

1.1 That the Fact-finding Committee on Migration established during the 30th General Assembly of AIPA by virtue of Resolution 30GA/209/Soc/02 entitled "Resolution on Health and Social Problems Emerging from Migration" make a status report;

1.2 That the Fact-finding Committee consider strengthening and expanding its functions to include, among others:

- a. Examine the various existing bilateral agreements between and among ASEAN countries with the view of developing best practices that can contribute towards the drafting of the ASEAN Instrument for Migrant Workers
- b. Identify the gaps in domestic legislation and monitor regional and bilateral agreements between ASEAN members and its trading partners vis-à-vis existing international labor standards;
- c. Encourage exchanges and conduct inter-parliamentarian visits in coordination with relevant line agencies of both countries of origin and countries of destination for greater executive-legislative collaboration in addressing migrant workers' situation within and beyond the ASEAN region; and
- d. Commission researches or studies on issues with the aim to promote and protect migrant workers and their families.

1.3 That migration issues be part of the agenda of its annual assembly; and,

1.4 That the ASEAN Inter-Parliamentary Caucus on Migrant Labor composed of members of parliament be recognized and supported.

2. To collaborate and dialogue with social partners [trade unions, migrant worker associations, employers, and recruitment agencies] and civil society stakeholders towards sharing of information, exchange and building on best practices and approaches to migration and the ASEAN vision of regional integration.

18 September 2010

Hanoi, Vietnam