



FORCED DISPLACEMENT & EXCLUSION OF MIGRANTS AND REFUGEES

ENI LESTARI

CHAIRPERSON, INTERNATIONAL MIGRANTS ALLIANCE (IMA)



Who are excluded?



- Number of global migrants increase every year and reach nearly 272 million globally and over 60 million refugee, asylum seekers and displaced people.
- They are displaced from their homelands due to 3 major reasons:
 - impoverishment which intensified since the inception of neoliberal policies in 1970s
 - political conflicts and wars which intensified after US launched war against terrorism since the bombing of World Trade Centre in 2001
 - environmental destruction and climate crises
- Asia Pacific region is a home for 84 million migrants, 6.8 million refugees, 5 million internally displaced people (IDPs) and 1.2 million stateless persons by the end of 2022.

- They are subjected to unfair and inhuman migratory policies:
 - Most recruitment are conducted by private agencies with no public accountability and given impunity.
 - Migrants are excluded from the existing labour and social protection of home and host countries.
 - They are employed in 3D type of works (Dirty, Difficult, Danger) as contractual labour with no job security, easily disposable and deported.
 - Refugees and asylum seekers are not legally recognized and even when they are given such recognition, they are unprotected and excluded from any social benefits.
 - Migrants, refugees and displaced people are part of local workforce but undermined and unrecognized and become easy target of stigmatization, discrimination, racism and xenophobia (Covid-19's virus carrier and spreader)
- Unable to gather and join/form their union/association as tool of empowerment and bargaining power due to denial to join/form in many countries and lack/no rest days.

How do we ensure INCLUSION and MEANINGFUL PARTICIPATION?

- Migrants, refugees and other displaced people are the primary stakeholder in migration agenda, thus their voices, aspiration and self-representation in all discussion on migration should be ensured.
- Their rights to form/join association/union should also be legally recognized by host governments.
- Trade unions in host countries should also pro-actively include and organize migrant workers because they are also workers and provide space for their own leadership to grow.
- Host governments must include migrants in all existing labour and other ordinances applied to their local workers including equality in decent/living wage.



- Migrant domestic workers must be given legal option whether to live in with their employers or live-out to respect their privacy, safety and ensure harmony relationship for employers and employees.
- Host government must allow all contractual migrants, especially the informal workers, to apply right to permanent resident as the same right is given to other foreign workers in formal works.
- Control and clear legal mechanism against recruitment agencies including punishment and compensation for victims.



How do we enhance opportunities, access to resources, voice and agency of individuals, and respect for rights, and ensure their effective engagement in decisions concerning their sexual and reproductive health and rights?

- Inform and educate them regarding their legal rights/other rights according to the national/regional/international conventions and how to access those rights
- Promote of self-organizing among grassroots migrants and refugees for them to discuss their issues, challenges and what they can do to address their condition
- Promote partnership of NGOs and service providers with migrant's organizations with the objective of assisting them on what they need and also for them to continue their empowerment programs to be self-reliance (*immediate needs and advocacy levels*).
- Provide accessible services to all migrants and refugees regardless of their immigration status

- Creating regional and international platform for grassroots migrants and refugees to connect and unite themselves such as IMA.
- NGOs to promote self-representation of migrants in the discussions regarding migration and displacement.
- UN/ILO and other bodies to enable facilitations of grassroots migrants and refugees from financial supports, language, visa, space to speak, etc.



What are the main achievements, good practices and lessons learned?

■ Achievements

- Advocacy on C189 on decent work for domestic workers
- Right to one day off for domestic workers
- Gradual wage increase given to domestic workers in Hong Kong due to intensive campaign and public awareness
- Zero agency fees policies by sending government resulting to lower recruitment fees but migrants continue to pay their high fees (USD3000 to USD2000)
- Governments provide facemasks, alcohol, Covid-19 test and injections to documented migrants and refugees and partially to undocumented/stateless

■ Good practices

- Migrant domestic workers in Hong Kong continues to be active in community organizing and collective actions even they are facing social, political and economic restrictions during Covid-19. They maximize social media to voice their concerns and even organizing.
- Migrants in different countries create their own mechanism to help each other to raise fund, support urgent issues and even send donation to their fellows within and in other countries.
- Solidarity of local networks and NGOs are very crucial to ensure the safety and protect the rights of migrants, refugees and displaced people.

■ **Lessons learned**

- Migrants and refugees are the primary stakeholder in migration agenda and advocacy. They are already naturally forming their own groups to protect and safeguard their collective interests. They will stand up for their own rights when they have to despite the risks of being targeted and deported which proven during Covid-19 pandemic.
- Active partnership between grassroots migrants and refugees with NGOs and local supporters are very vital to ensure the needs are addressed and their safety are protected.

What are the remaining challenges?

Structural levels	Community levels
<ul style="list-style-type: none">• Worsening crises in multiple levels• Worsening treatment and erosion of rights against migrants and refugees• Worsening political conflicts and wars• Massive job loss and lowering of income• Unavailability of decent jobs back home• High cost of livings	<ul style="list-style-type: none">• Stress physically and emotionally due to overwork and exploitation• Stress financially due to high cost of living and extra support for families• Desperation to earn extra income and sustainability of jobs overseas

How have COVID-19, climate change and ICTs impacted the achievement of the priority issues? Please differentiate between positive and negative effects?

- Restrict further rights to gather, speak out and unionize
- Erosion of existing rights
- Job and remittance/income insecurity
- Deterioration of physical, mental and emotional health
- Stigmatization, racism and xenophobia threatening safety
- No sufficient support systems and exclusion by governments
- Lack of international institutions (UN, ILO, etc)