

# **Commemoration of International Migrants Day.**

At

**Bandaranaike Memorial International Conference Hall, Colombo**

## **Report of Congress of Migrant Workers Associations held on 17<sup>th</sup> December 2006.**

### Introduction

The Congress commenced with a 2 minute silence in remembrance of migrant workers who lost their lives in rendering service abroad for the cause of the Motherland. It was followed by the Song of the Migrants.

International Migrants Day (IMD) falls on 18<sup>th</sup> December of any year but for the convenience of large number of worker participants it was advanced for Sunday 17<sup>th</sup> December. A principal objective of the meeting was to discuss and explore a Work Plan for year 2007 on the theme “Prevention of Trafficking of Human Persons through Safe Migration”. Migration was treated in a generic manner applicable both to internal and external movements in search of employment and other prospects. Representatives from Migrant Workers Associations (MWA) and Trafficking Watch Groups attended. It also included invited returnee migrant workers, State Sector Officials, Trade Unions and NGO representatives. 500 persons participated.

Mr. Anton Lodwick Secretary General, National Workers Congress and Chairman Migrant Services Centre welcomed the invitees. A representative of Chairman SLBFE, Mr. M. Randeniya; Chairperson of National Child Protection Authority, Mrs. P. Wettewe made short addresses on the significance of the day to Migrant workers and members of the families.

Ms. Tine Staermose, Director, ILO was the Chief Guest, made the Principal Address. Ms. Staermose stated the significance of the occasion and the continued support ILO was willing to offer to Trade Unions and their affiliated bodies to make migration Safe, Decent and Worthwhile. She recommended a serious study be made of the “Framework of Best practices” ILO Conference adopted in Geneva in 2006 and recommended its use by Trade Unions and their affiliated bodies to address problems and issues of Migrant workers.

Ms. N. Amerasinghe, Assistant Secretary General of NWC proposed a Vote of Thanks.

*(Two cultural items were presented by MWA members followed by Refreshments.)*

## **Session – II**

In the second session a Keynote address on “Prevention of Trafficking of Human Persons through a process of Safe Migration” was made by Director, Migrant Services Centre, Mr. David Soysa.

He outlined the concept of Migration in a generic manner, discussed the elements of safe migration be it internal or external and the uncertain tie of unsafe migration which leads to trafficking and denial of Human Rights. He also pointed out that in situations of conflict; unemployment; low incomes; exciting news released by media on availability of jobs in occupations like. Nursing job seekers are constantly exposed to exploitation abuse and trafficking. He also referred to recent changes to Penal Code in Sri Lanka and out lined the disabilities that prevail under current Law on Foreign Employment in ensuring Safe Migration; the several abuses indulged in by manpower suppliers; the close affinity of recruitment offences to incidence of fraud, deception, illegal and irregular recruitment; the constant identification of these incidents as Trafficking. The silence of Foreign Employment law on prescribing punishments; the difficulty in accessing Penal code in such instances and changes needed to Labour law to make migration safe more reliable and make it an alternative avenue for temporary employment for Sri Lankans.

He explained the similarity of circumstances in internal and external migration yet the distinction in extent of criminalities of the offence. He outlined experiences of India and China and discussed the several preventive measures and anti trafficking support efforts, these countries have adopted with success.

The several activities of the NWC/MSA to prevent trafficking through awareness building in 11 districts; the setting up of Trafficking Watch groups and Migrant Workers Associations; involvement in activities of Focus Groups under Geneva Global Fund Project were discussed.

A summary of the results of the Geneva Global project and its impact on prevention of Trafficking through Safe Migration was recounted as follows. Number of persons identified as potential victims of trafficking were 530 of whom 170 were in internal trafficking and 360 in external trafficking, number of persons with evidence of being trafficked was 78. (26 were internal and 52 external). They were referred to relevant authorities. 168 people expected further assistance to resettle. The number of people who undertook safe migration was reported as 97.

Three hundred and ninety four new members joined MWAs Migrant Workers Associations . Number of Street Drama performed to create awareness in the districts was 44 and over 7,000 people attended. Awareness programmes for high level district officials and NGOs were held in 11 districts, 25 trafficking Watch Groups have been set up and a total of 17 new MWA's formed in these districts.

It is observed that recent NWC/MSC efforts ensured a high degree of popular involvement in prevention of trafficking with calls for elimination of unsafe migration. The vigilance of SLBFE and Child Protection Authority going by recently reported interventions in the print media show the interest of law enforcement sections of the state in a bid to halt trafficking under the pretext of migration for employment.

*(Two cultural items were presented by MWA)*

Thereafter short presentations were made by MWA representatives from Hambanthota, Rambukkana, Galle, Attanagalle, Mathugama on following topics:-

- (i) Commitments of the State to migrant workers, State Policy and Mahinda Chinthanaya - Hambanthota MWA.
- (ii) Benefits of unionization to migrant workers - Rabukkana MWA
- (iii) Rights of migrant women workers - Galle MWA
- (iv) Safe guards to Health of migrant workers and prevention of disease and care of victims – Attanagalle MWA
- (v) Tips on safe migration strategies to be adopted by job seekers in the domestic sector – Mathugama MWA

*(Two cultural items were presented by MWA.)*

### **Session –III**

#### **Panel Discussion.**

In the 3<sup>rd</sup> Session a panel discussion identified current issues to ensure safe migration.

Discussion centred on the following.

- (1) Expansion of Geneva Global /NWC/MSC Anti Trafficking Project into new areas. The support of the Service Commanders be sought to take the message to border villages, ID camps, Refugee Camps and other vulnerable groups.

- (2) Build capacity of newly set up TWGs & MWAs, Focus Groups, and support with interventions in their activities.
- (3) Have special programmes for targeted victims of trafficking in
  - (i) Skills training,
  - (ii) Language training,
  - (iii) Financial support to stand on their feet
  - (iv) Introduce them to schemes available in both State and Corporate Sectors
  - (v) Provide guidance, extension services and follow-up.
- (4) The active role of Trade Unions in promoting migrants Rights and the benefits of unionisation of migrants was recognized particularly at a time when unification of the World Trade Union Movement has been realized through the merger of ICFTU with 120 million members with WCL with 30 million members enabling formation of an International Trade Union Confederation. Trade Union consolidation is a positive indication of future support and a greater opportunity for effective migration policies in host countries. .
- (5) Mobilise media at all levels to be empathetic in their support to anti trafficking and create popular awareness through regular reporting of incidents. It was noted that this is a vital area for radio and electronic media coverage.
- (6) Negotiate with Education authorities for School programmes to create awareness at the level of school children on measures aimed at prevention of trafficking and ensure rights of the Child as provided in international investments.
- (7) Enable exchange of information and visits to countries like India, Korea and China where ongoing measures of ILO and IOM are reportedly strong to raise awareness of anti trafficking activities of their citizens.
- (8) Set up a Fund to assist premature school leavers to stay in schools; families in distress, victims of trafficking; to enable them start income generating activities and find self employment alternatives.

*(Two cultural items were offered by MWA)*

## Session –iv

### Resolutions

The Congress thereafter discussed and accepted the following resolutions to be carried out in the MSC Work Plan for 2007.

- (1) “NWC/MSC in association with CARAM Asia request the Secretary General of United Nations to call upon all member countries to sign and ratify the United Nations Convention on the protection of Rights of Migrant Workers and members of their families”.
  
- (2) “NWC/MSC in association with CARAM Asia, call upon the Secretary General of UN to enable participation of migrant communities and inclusion of Migrant voices in every High Level Dialogue on Migration and Development.”
  
- (3) “NWC/MSC in association with local migration networks call upon Sri Lankan authorities to bring further changes to the employment laws of Sri Lanka to
  - (a) Specifically provide for safe migration, decent work and good employment practices through reaching comprehensive Bilateral Agreements with host countries.
  - (b) Grant political rights to migrants.
  - (c) Grant Social security Schemes to cover migrant workers currently in employment and who have returned to the country after employment over the last 20 years”.
  
- (4) “NWC/MSC in association with local migration networks call upon Sri Lankan authorities to
  - a. Ensure that Health Rights are granted to migrant workers and mobile communities and that they be protected for HIV/AIDS and other communicable diseases;
  - b. Mandatory testing related to sexual and reproductive health of migrant workers be removed;
  - c. Discrimination of HIV positives be eliminated and they be granted rights to employment and decent living;
  - d. Pre and post test counseling be available with; access to ARV treatment; care and support to all workers who request such services”;
  - e. Every encouragement be given to promote voluntary testing”

- (5) “It was resolved that NWC/MSC undertake participatory action research on State of Health of migrant workers of Sri Lanka and make recommendations to policy makers”.
- (6) “It was resolved that NWC/MSC in association with local migration networks, CBO and Women Organisations urge the CEDAW Committee to adopt a comprehensive general recommendation that reinforces all the rights of all Women Migrants”.

**Specifically under Geneva Global /ACILS/NWC/MSC programme it was resolved to:-**

- a. “Expand Geneva Global Anti Trafficking Project to 5 new areas in border villages, Internally Displaced Camps, Refugee Camps and vulnerable groups. (2<sup>nd</sup> – 4<sup>th</sup> Quarter 2007)”
- b. “To build capacity of newly setup TWGS and MWAs, Focus Groups and support their intervention in (2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> .Quarter of 2007)”.
- c. “To have special programmes for targetted victims of trafficking in skills training, language training, financial support to stand on their feet and introduce them to schemes available in both State and Corporate Sectors, provide guidance, extension services and follow-up. – (Throughout 2007)”.
- d. To mobilise media at all levels and in every media type to be empathetic in their support to anti trafficking and create popular awareness through regular reporting of incidents. This is a vital area for radio and electronic media coverage. – (Throughout 2007)”
- e. “To negotiate for school programmes to create awareness at the level of school children on measures aimed at prevention of trafficking and ensure rights of the Child. – (2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> .Quarter 2007.)”
- f. “To enable exchange of information and visits to countries like India, Korea and China where ongoing measures of ILO and IOM are reportedly strong to raise awareness of anti trafficking activities of their citizens. – (Throughout 2007)”
- g. “To set up a Fund to assist premature school leavers to stay in schools; families in distress, victims of trafficking, to enable them start income generating activities and find self employment alternatives to being trafficked immediate – (2<sup>nd</sup> Quarter 2007)”

Specifically under NWC/MSC CARAM Asia Programme it was resolved to undertake following activities through the on going CARAM Asia Plan for 2007 and beyond.

- (1) “NWC/MSC/CARAM Asia demand that Health Rights be granted to migrants and mobile communities, everywhere; they be safe guarded; mandatory testing related to sexual and reproductive health of migrant workers be removed”;
- (2) “Discrimination of HIV positives be eliminated and positives granted rights to employment and decent living; pre and post test counseling be available with access to ARV treatment, care and support, every encouragement be made to promote voluntary testing”.
- (3) “Further changes to the employment laws of Sri Lanka be made to specifically provide for safe migration, decent work and good practices to domestic workers; grant political rights to migrants and social security Schemes to cover migrant workers currently in employment and those who have returned over the last 20 years to Sri Lanka”.
- (4)
  - (a) “NWC/MSC in association with Women Organizations and friendly networks urge the CEDAW Committee to adopt a comprehensive general recommendation that reinforces all the rights of all Women Migrants”;
  - (b) “In association with UNIFEM, CARAM Asia and other friendly Women’s Organisations develop initiatives to share good practices; develop a regional code of conduct for recruitment agencies and conduct pre recruitment and pre departure training programmes for women migrants irrespective of class or category”.

**Conclusion.**

The congress concluded at 4.00 p.m. National Anthem was played at the Conclusion.

