



## **SEANF Statement on the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers**

**October 2017**

The South East Asia National Human Rights Institutions Forum (SEANF) supports an ASEAN mechanism that will advance the protection and promotion of the rights of all migrant workers and members of their families in the region.

The SEANF, a group of six (6) independent national human rights institutions (NHRI) in South East Asia,<sup>1</sup> welcomes the initiatives of ASEAN in realizing a sectoral mechanism that will particularly respond to the human rights situations of migrant workers in the ten member countries. We positively note that the principles enshrined in the 2007 ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers will finally be implemented, ten years later, through the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, which will be signed by ASEAN leaders at the 31<sup>st</sup> ASEAN Summit in November 2017.

While the protection mechanism of the ASEAN Consensus is only limited to: migrant workers from ASEAN Member States; family members who are already with the migrant workers in countries of destination; and migrant workers who became undocumented through no fault of their own, SEANF remains optimistic that the human rights and labor rights of migrant workers and members of their families in and from South East Asia will continue to be respected and promoted, based on standards that the ASEAN Member States have committed to as Parties and signatories to several instruments relevant to migration and human rights. The ASEAN Consensus is an achievement, not only for Member States, but also for migrants' rights advocates and migrant workers and families themselves, who have been struggling for the recognition of their rights as workers, and advocating for non-discrimination, access to services and access to justice.

In the final month before the signing of the ASEAN Consensus, we urge the ASEAN Member States to consider:

- recommendations of relevant stakeholders to strengthen reforms of the recruitment industry; implement standardized employment contracts that are recognized in both origin and destination countries, implement pre-departure and

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<sup>1</sup> Komisi Nasional Hak Asasi Manusia (Komnas HAM) of Indonesia; Suruhanjaya Hak Asasi Manusia (SUHAKAM) of Malaysia; Myanmar National Human Rights Commission (MNHRC); Commission on Human Rights of the Philippines (CHRP); National Human Rights Commission of Thailand (NHRCT); and, Provedoria dos Direitos Humanos e Justiça (PDHJ) of Timor Leste. As the network of NHRIs in the sub-region, the SEANF plays a crucial role in the protection and promotion of human rights in South East Asia. Working under a cooperative framework, we undertake joint projects or activities to address issues of common concern like human trafficking, migrant workers, statelessness, business and human rights, corruption, among others.



- post-arrival orientation seminars that are rights-based and gender-sensitive; and enact a comprehensive, sustainable return and reintegration policies and programs for migrant workers and members of their families;
- recommendations of the SEANF based on its [Paper on Migrant Workers](#)<sup>2</sup>. With this paper, the SEANF lays out its position on the ASEAN Instrument (now the ASEAN Consensus) and the work of the ASEAN Committee on Migrant Workers (ACMW). SEANF can extend technical support to ACMW, as well as to the ASEAN Inter-Governmental Commission on Human Rights (AICHR), and advise on development and implementation of policies in the region through rights-based approaches; and
  - international human rights and labor rights conventions, which serve as the overarching frameworks and standards of human rights protection and promotion.

SEANF reaches out to ASEAN and its institutional mechanisms and offers collaboration in the fulfillment of human rights and dignity of all.

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<sup>2</sup> [http://apmigration.ilo.org/resources/resource-content/south-east-asia-national-human-rights-institution-forum-seanf-paper-on-migrant-workers/at\\_download/file1](http://apmigration.ilo.org/resources/resource-content/south-east-asia-national-human-rights-institution-forum-seanf-paper-on-migrant-workers/at_download/file1)