Regional Conference on ILO Convention 189 Ratification Campaign

"Building and Advancing Strategic Alliances for the Promotion of Decent Work for Domestic Workers"

14-15 April 2012, Miriam College Manila, Philippines

Organized by:

German Commission for Justice and Peace
Association of Major Religious Superiors of the PhilippinesMigrants Center (AMRSP-MC)
International Domestic Workers Network (IDWN)
Global Network
Philippine Technical Working Group (TWG)
Migrant Forum in Asia

Prepared by: Migrant Forum in Asia

Background

The adoption of ILO Convention 189 (C189) or the Domestic Workers Convention travelled a long arduous journey which was made possible through the relentless work of domestic workers groups, trade unions, migrant advocates and other social movements that support the cause of domestic workers.

C189 among others recognizes the rights of the domestic workers to:

- Organize;
- normal hours of work;
- a weekly rest day;
- minimum wage;
- social security protection;
- decent living conditions and right to privacy;
- be informed of their terms of employment;
- decide where to reside and keep in their possession their travel documents and;
- be protected against abusive recruitment agencies

Prior to the decision of the ILO Governing Body in March 2008 to include domestic work as a standard setting item, migrants groups, trade unions and domestic workers groups have been campaigning for the recognition of domestic work as work, a campaign that goes beyond having a Convention for domestic workers, a campaign that seeks to establish that Domestic Work is Work, Domestic Workers are Workers and Domestic Work is Not Slavery.

When the discussion on C189 started, this solidarity was further strengthened and alliances were built among domestic workers and advocates across the globe. There was build up of momentum leading up to the adoption of C189 which was intensified by joint activities and collective thinking and strategizing. After the adoption of C189, domestic workers and advocates are faced with the challenge on how to keep the momentum going and make these alliances stronger and bigger to ensure that the standards as embodied in the Convention become the observed practice for domestic workers.

Following the June 2011 ILC, domestic workers groups and advocates, came together in Manila in October 2011 for the first Asian regional conference to collectively strategize and adopt a common action plan in order to advance the ratification campaign in the region.

The 2-day Conference in Miriam College which specifically focused on faith-based groups/organizations is an offshoot of the October 2011 Conference where one of the recommendations was to reach out to other sectors and build cross-constituency alliances. The particular focus on faith-based organizations was to offer a new dimension to the campaign i.e to provide ethical deliberations and to recognize the potential of these groups to call for a shift in public consciousness. Around sixty representatives from domestic workers groups, migrants groups, trade unions, civil society organizations and faith-based groups participated in the Conference. Countries represented were: Cambodia, Hong Kong, Germany, India, Indonesia, Jordan, Lebanon, Nepal, Pakistan, Philippines, Singapore, Thailand and the USA.

Executive Summary

Are we doing the right thing for domestic workers? Which voices do we represent? What values do we hold on that dictate our actions and dealings with domestic workers? Do we empower them or further contribute to their marginalization? How do we work together to create a common ground for domestic workers that would pave the way for their genuine empowerment?

These questions offered a thought provoking background to the Conference.

The Conference opened a new dimension to the C189 discourse- an ethical discussion on the issue of domestic work. Inclusion of a new sector- the faith-based groups who accepted the challenge and committed to be part of the campaign enriched...

The Conference was opened by a provocative message from the keynote speaker, Ms. Erlinda Perlado, who challenged the participants to self-reflect and go beyond the mode of ratifying C189. Having a law is just a minimum. If we need to change laws, we need to change ourselves. There should be a conscious effort of personal reflection on our own values and behaviour. Realizing decent work for domestic workers needs ethical consideration which includes the following:

- 1) Awareness of ourselves and understanding of the impact of power relations;
- 2) Recognizing the value of relationality and acknowledging our common humanity;
- 3) Challenging our understanding of domestic work, stress values that are liberating and challenge religious values that are not helpful and;
- 4) Ensuring the ongoing education and empowerment of women.

Ms. Perlado also recognized that finding a common ground for action may take time and emphasised the importance of maintaining open communication to all directions.

The **First Day** of the Conference was focused on examining the developments in the Asian region (Sessions 1-4) since the October 2011 Post-ILC Regional Conference in Manila, Philippines. In Sessions 1, it was noted that amongst the Asian countries, only the Philippines who is likely to ratify the Convention soon. Meanwhile, some are taking steps to improve existing policies and also introduce legislations on domestic work.

Sessions 2 and 4, noted the advocacy and lobbying work of domestic workers groups, civil society organizations and trade unions. A lot has been done in regard to campaigning, awareness raisingawareness amongst domestic workers and challenging governments.

Participants shared their activities, lobbying experiences with their governments, successful strategies and plans to advance their strategies. Effective future strategies to sustain the pressure and speedup the process of ratification included: establishing a multi-stakeholder working group, building and strengthening alliances and consistent media work.

The active discussions provided opportunities for participants to openly deliberate and challenge each other's plan on advancing the campaign for domestic workers.

Synthesis session opened a space for participants to further examine the missing elements or issues that are yet to be fully addressed in the campaign. An intervention was made about the representation of domestic workers in the Conference. Advocates were reminded that C189 is about domestic workers; thus the need to involve them and not just talk about them.

Progress to-date and initiatives have focused primarily on the political aspect of the campaign. The social aspect of influencing the public's perception of domestic work remains something that should be intensified in the discussion. It was also noted that providing domestic workers opportunities for them to participate in the political sphere such as involvement in national advisory committees opens spaces for domestic workers' presence and voice in the society.

The **Second Day** of the Conference started with a recap of the first day, followed by discussion on existing international instruments relevant to domestic workers. The session was aimed at familiarizing the participants especially the faith-based groups with other tools that could be used to advocate for the protection and promotion of the rights of domestic workers.

Following this session there was an active discussion in which it was revealed that historically faith based groups have had strong roles and a continuous presence in UN sessions. They are also experienced with grassroots work and thus proper recognition should be given to the work. There is a need to explore opportunities for collaborative work among CSOs and the faith-based groups.

The Press conference aside from urging the Philippine government to ratify the Convention also reinforced the objective of the Conference which is to humanize the issue and challenge any existing stereotypes on domestic workers. Domestic workers are people with dignity and capable of speaking for themselves. We need to ensure that they are given the opportunity to experience this dignity.

In the afternoon, participants were divided in 4 small groups as seen in Session 8. Each group discussed one topic from the 4 subjects presented: 1) organizing domestic workers; 2) introducing a standardized contract and; 3) a reference wage for domestic workers and; 4) exploring concrete ways of collaboration with faith-based groups/organizations.

Group 1 which discussed organizing domestic workers offered creative and non-traditional strategies on how to reach out to domestic workers and form them into an association. Meanwhile the sessions on introducing a standardized contract and reference wage for migrant workers were well received by the participants.

Group 2 on standardized contract affirmed that introducing a standardized contract would serve as a capacity building tool for migrant domestic workers which could be utilized as a template for bilateral/multilateral negotiations with destination countries or when writing nationally based contracts.

Group 3 which discussed the reference wage brainstorm on the concept and how it differs from the minimum wage. Reference wage is an alternative to the minimum wage, to protect and promote migrant domestic workers' right to fair, decent and equal wages. It is a skills related wage-spectrum for migrant workers for different

occupations established by agreement between sending countries. It seeks to address:

1) Competition over the minimum wage between sending countries and; 2)

Discrimination of workers based on national origin in receiving countries.

The final plenary session was devoted to formulating the participants' action and strategies devised during the 2-day Conference into a 10-Point Action Plan for 2012.

The Conference ended with a closing prayer.

See Annex 1 for the Programme and Annex 2 for the List of Participants.

DAY 1, 14 APRIL 2012

I. Introductory Sessions

Opening Remarks

The Conference was formally opened by both motivational and personalized messages from William Gois of Migrant Forum in Asia and Sr. Ling of the Association of Major Religious Superiors of the Philippines.

Mr. Gois stressed that while a huge victory was accomplished by the adoption of ILO Convention 189 (C189) on Decent Work for Domestic Workers, he reminded the participants that there is still a long way to go. This victory has to be translated into practice and ensures that these standards transform the society. Transforming how we understand dignity and the world of work today. It was in this context that this Conference was called for; to provide a space for ethical deliberations and reflection. A new group was brought in – the faith based organizations that are known for championing causes. He reminded the group to take this campaign together as it is a cause that affects women, workers who are left on the periphery of migrant sectors.

As concrete expressions of solidarity, he suggested to the faith-based groups to allot a day for domestic workers and lend a voice to that call. He also reminded the group to re-assess the 2011 ILC where there was willingness and euphoria on the part of the groups involved. The challenge now is how to strengthen the existing alliances that were developed around the campaign. Assessment should be an on-going part of the process in order to move the campaign forward.

He cautioned the group that losing the momentum could happen anytime. There should be a conscious effort to become bigger and stronger in order to sustain the momentum. He expressed his "hoped" that at the end of the 2-day Conference, the group will be able to come up with very concrete strategies.



Sr. Ling shared how close the issue of domestic work to her as a person who lived and worked with domestic workers. Domestic workers are people with dignity and should be treated humanely.

She expressed her gratitude to everybody for coming, supporting and partnering with them. She ended her message by encouraging the participants to make this journey together be a path towards freedom and fulfillment of the dignity and rights of domestic workers.

Rev. Catherine Graham of the Refugee and Migrant Network read out the statement of Rt. Rev'd Andrew Chan Au-Ming, Bishop of the Diocese of Western Kowloon and Chairman of the Refugee and Migrant Network, Anglican Communion. Bishop Au-Ming endorsed the Conference and affirmed the right of domestic work to fair labour standards. He also stressed that domestic workers should be recognized as valid contributors to our society.

Overview of the Conference

Agnes Matienzo of Migrant Forum in Asia gave a brief background of C189 and the overview of the 2-day Conference.

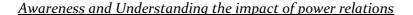
II. Keynote Message

Ms. Erlinda Perlado

Women and Gender Commission, Association of Major Religious Superiors of the Philippines

Ms. Perlado gave a thought provoking message which opened space for critical self-reflection and deliberations during the Conference. Her message was focused on the following:

- Awareness of ourselves and understanding the impact of power relations;
- Recognizing the value of relationality and acknowledge our common humanity;
- Challenging our understanding of domestic work, stress values that are liberating and challenge religious values that are not helpful and;
- Continuing the education and empowerment of women.



Ms. Perlado stressed the need to consider ethics when we talk about protection of domestic workers and the need to reflect on what values we are holding and their influence in making deliberations and decisions in the Conference. Knowing where we are coming from enables us to recognize the gifts and limits of our perspective.

She also asked the participants to consider what our personal relationship with the issue of domestic work apart from advocating for the Convention. Domestic work maybe in the context of a private house but the issue remains public and political. This awareness needs to be brought into the discussion.

She also emphasized that it is important for us to be aware of the power relations we have with domestic workers to better understand the cycle of violence, poverty and abuse. It helps us become aware what role we play – the powerful or the powerless.



Knowing where we are situated in life and our own power relations helps us to communicate about power effectively.

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Empowerment is a struggle of human dignity. We need to be conscious on how we communicate

the use of power; what is empowering to one may not empower others. Women know how to empower themselves; men need to do their own reflections.

As advocates, we have to remind ourselves that domestic workers are people who have rights and dignity. It is our role to let them experience this dignity. CSOs are there to assist and not dictate to them on what they should do. Consultation is important to listen and hear whether domestic workers understand their power.

Recognizing the value of relationality and acknowledge our common humanity

Ms. Perlado touched on the subject of relationality to establish the need to afford domestic workers with the same rights as other workers. She emphasized the value of relationality that is to recognize our brother/sister in the other. It is to recognize that each person has been created in the image and likeness of God with innate worth and dignity.

Providing decent work for domestic workers is a realistic goal and that decent work is only a minimum requirement in recognizing the dignity of a whole person. "The ratification of C189 is only the beginning toward the empowerment of domestic workers."

<u>Challenging our understanding of domestic work, stress values that are liberating and challenge religious values that are not helpful</u>

Ms. Perlado encouraged the participants to a self-reflect on how they perceive domestic work. To liberate domestic workers from slavery, we have to consider the place of work of domestic workers as the household of God which "recognizes the dignity of every human being and creature of any race, class, gender, color or creed, social background or power". There is no hierarchy of power and powerless, the rich and the poor and the master and servant. It is only when we have this perspective that we will be able to transform our society and provide domestic workers with dignity.

Extrapolating on the above, she explained that slavery has been there since time immemorial. Christian scriptures revealed that having a master/mistress-servant relationship is acceptable. "Society and religion still proclaim that the home is where women should be". She further challenged the participants, to do some critique of its own religious beliefs and stress values that are liberating and challenge religious values that are not helpful.

Continuing the education and empowerment of women.

Domestic work is predominantly performed by women and believed to be women's natural role. Women accept this because of self-identification.

Since domestic work is related to women, it was never considered work. Ms. Perlado then underlined the need to integrate gender lens when we talk about empowerment and transformation of relationships stressing that women are not biologically made in the home. We need to address the patriarchal society so our work become valuable and rightly paid as opposed to ideas of being natural for women and thus lowly paid. Domestic work is everybody's work.

She also put forward the need for gender education in order to eradicate slavery in domestic work. "When women celebrate and are taught to hold on to their dignity and rights, there will not be enslaved domestic labor.

Mr. Perlado ended her keynote message by inviting participants to carry the lens that "has a blend of the Christian or faith, feminist, the decolonized perspectives", perspectives which are enlightening, liberating and transforming especially for domestic workers. She also challenged the religious workers as people of faith on how they can further help in promoting human dignity and in advancing the rights of domestic workers.

Interactive Discussion

Interventions on the floor were centered on how the Church should be consistent in their message for parishioners and domestic workers. How they should represent and support domestic workers and influence the public in making a shift in mindset in how they should view domestic work.

Issues floated were the following: non-support of the Sabbath Day for domestic workers; termination of contract due to pregnancy in Singapore; and how the Church could provide space for domestic workers to represent themselves

In response, Ms. Perlando stressed that the Church should not dictate to domestic workers instead they should support domestic workers to represent themselves. Advocates should define themselves as resource for domestic workers.

We need to believe that change is possible but keep in mind that it will be a slow process because we are confronted with a society whose concept of domestic work is ingrained in culture and the people's mind. If we need to change laws, we need to change ourselves. There should be a conscious effort of self-reflection. We should not force something that is not ready.

On a broad stroke, one way to liberate domestic workers from being labeled as "servants" is not to promote domestic work as work designed for women alone but men should share the same role. It has to be openly discussed. She also emphasized that having a law is only the minimum. There is a need to keep the partnership together and ensure that we do not lose track in terms of communication.

Mr. Gois, on the other hand, responded that faith-based organizations have so much power to advance the agenda by promoting values education in schools.

II. Plenary and Breakout Sessions

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Session 1: The Current Situation in the Region Post ILC

This panel provided participants with updates on the current status of the ratification campaign in the Asian region. Updates included how the role Asian governments play in terms of ratification, developments governing protection of domestic workers and initiatives taken by the participants around the campaign.

Updates from the Philippines

Mr.Leo Hans Cacdac

Administrator

Philippine Overseas Employment Administration (POEA)

Mr. Cacdac who is the current Administrator of the POEA and chaired the June 2011 ILC, reiterated that the Department of Labor Employment (DOLE) remains committed to advance the ratification of C189 in the Philippines and the passage of the Kasambahay Bill (Domestic Workers Bill).



At the national level, the DOLE has been consistent in creating spaces for broader multi- sectoral consultations and coal itions to move the campaign forward. He reported that a couple of weeks ago, the Committee Report on the Kasambahay Bill is ready for plenary deliberations at the House of the Representatives hopefully to be tabled in May when the Congress resumes its session. He is convinced that while the on-going impeachment trial and the coming election in 2013 might derail the passage of the bill, the Kasambahay bill become a law before the year ends.

In terms of ratification, the endorsement came out of the international tripartite committee. The DOLE

endorsed the ratification instruments to the Department of Foreign Affairs (DFA) as early as January 2012. The process has been very slow and currently the DFA is asking for a Certified True Copy (CTC) of the Convention. The Philippine Geneva Mission will send by parcel the CTC the week of the 30th April. Once the CTC is available, the DFA then can move with the necessary administrative and clerical work.

At the office of the President, the President is fully aware of the urgency. From the Office of the President, the ratification instruments will then be forwarded to the Senate for concurrence. He also shared that there is a possibility that the President will not address the ILC this year.

At the DOLE side, the assessment is that it may not need to pass the Senate as in the case of the Seafarers Convention, which the Philippines ratified in October 2011. As far as DOLE is concerned, there will be no major hurdle.

From a realistic point of view, he is confident that the Senate will be more inclined to ratify the Convention because of the election.

Apart from the above updates, Mr. Cacdac also shared the current projection of the POEA in terms of deployment of domestic workers abroad. The number may increase as what the 2010-2011 trend showed where there was a 40% increase in 2011 breaking the target of 100,000 to 136,000. The increase in 2010-2011 was attributed to labour demands in Singapore and the UAE. The rest were deployed to Kuwait, Italy, Qatar and in Cyprus.

The deployment to Hongkong, Italy, Kuwait, Qatar, Cyprus and Saudi Arabia remains the same.

Mr. Cacdac stressed that laws are already in place and what is required is to assess and enforce these laws. The POEA is currently considering how to enforce correct placement fees, anti trafficking and penalize recruitment violations. He offered reassurance that POEA will be more vigilant in enforcing the policies on private recruitment agencies. They will ensure that abuse against domestic workers will be lessened if not totally eradicated.

Specific to domestic workers abroad, the POEA is looking at stronger access to justice, skills enhancement; and upgrading and projecting domestic workers as agents of development, transcending the paradigm.

The government is also expecting to make more bilateral agreements with Gulf countries, as well as with Singapore and Hongkong. Discussions with Kuwait and Saudi Arabia have already started.

At the ASEAN level, there is a three-year time period to create an instrument. The Philippine government is hopeful that in 3-year time, the instrument will be adopted within the time frame.

Outside of the ASEAN, there is the Abu Dhabi Dialogue which brings together 8 destination countries (including Singapore and Malaysia and the GCC) and 12 origin countries.

He also acknowledged the contributions of CSOs in improving the Household Service Workers (HSW) Reform Package such as the recent study to assess the HSW conducted by the Center for Migrant Advocacy.

Interactive Discussion

 Philippines to champion the protection of migrant workers and work towards offsetting market competition among origin countries

The issue was raised in the context of the investment of the Philippine in increased bilateralism to safeguard protection of OFWs. A question was also posed on the possibility of the Philippines becoming a multilateral leader considering its gains in terms of negotiations with destination countries.

 Assessment on the effectiveness of all bilateral agreements and access to these BLAs

The issue was raised to encourage the Philippine government to seriously conduct assessment of BLAs to determine their effectiveness. An inquiry was made on how CSOs could access these BLAs. In response, it was established that BLAs are made available at the POEA website.

BLAs are negotiate between two countries that emphasize cooperation for better protection of migrant workers.

 Cases of OFWs in Singapore which need immediate intervention of the Philippine government

Bridget Tan of the Humanitarian Organization for Migration and Economics (HOME) expressed her dismay with how the Philippine government responds to the cases of OFWs in Singapore. She stressed the need to strictly enforce policies.

• Issue of Placement

The Philippines is trying to review the placement policies in relation to conciliation agreement which is being approved at the Consulate level. The government is taking serious actions to punish abusive recruiters.

Updates of some Asian countries

Mr. Rex Varona

Executive Committee Member Migrant Forum in Asia

Rex Varona, MFA's Executive Committee Member presented the updates of some Asian governments in terms of ratification, legislative developments and other initiatives taken by civil society.

Echoing Ms. Matienzo's earlier presentation, Mr. Varona said that even before the discussion on C₁89, there have been on-going initiatives to promote the recognition of domestic work as work.



He shared about the 8-HR campaign which was launched to intensify the campaign for the adoption of an ILO Convention for Domestic Workers. The 8-HR refers to the defining elements that must be guaranteed so that we can say that domestic workers are properly recognized as workers. These are elements/principles that are already accepted (not necessarily implemented) for workers in general; however, these are the same leading elements where domestic workers especially migrant domestic workers are excluded from, denied, or given only in restricted/degraded terms.

The 8 basic elements under the 8-HR campaign were the following: rights, remuneration, rest, retirement and insurance, reproductive and family rights, residency and mobility, recruitment regulation and standards – unless not regulated, DWs will experience abuse and reintegration and return.

Mr. Varona noted that while not all these elements are embodied in C189, MFA is glad that some of its elements are also enshrined in C189.

Mr. Varona then presented a matrix highlighting the developments that happened since the October Post-ILC Conference. Updates on these countries were presented: Bahrain, Bangladesh, Cambodia, Hongkong (China), India, Indonesia, Jordan, Malaysia, Nepal, Philippines, Saudi Arabia, Singapore, Sri Lanka, Thailand, and the UAE. See attached Annex 1 for the country updates.

From the presentation, it was noted that among the Asian countries, it is only the Philippines who is likely to ratify the Convention soon. Meanwhile, some are taking steps to improve existing policies/legislations and also introduce legislations on domestic work. Mr. Varona reminded the participants to look into the commitments and pronouncements of their governments during the June 2011 ILC, especially those who voted for the Convention.

In terms of the priority countries for the ratification campaign, Mr. Varona reiterated that during the Post ILC October Conference, the Conference adopted ITUC's "12 by 12" campaign targetting 12 countries to ratify C189 in 2012. Among the 12 countries, 4 Asian countries were prioritized for ratification including the following: India, Indonesia, Saudi Arabia and the Philippines.

MFA also recently identified 14 priority countries (including ITUC's Asian countriesd) where there is an MFA grassroot member on the ground. These countries are: Philippines, Cambodia, Indonesia, Sri Lanka, Nepal, India Bangladesh Singapore, Israel Malaysia Lebanon, KSA, Qatar, UAE, China and Thailand

Mr. Varona encouraged the participants to ask their governments to inquire about the transmittal of the C₁89 documents to the competent authority usually the Parliament to ascertain whether the government plans to ratify the Convention. The government can delay transmittal of documents and ratification. He reminded the participants on the need to be more assertive and seize the moment so as not to lose the momentum.

As a strategy, he recognized the work of the Philippine Technical Working Group which other partners could also consider in order to pressure their respective governments to move towards the direction of ratification.

Interactive Discussion

The interactive discussion encouraged participants to contribute, make corrections and clarify some points which were not clear in the presentation. It was noted that while there are several reforms that are being initiated by governments, CSOs must not be complacent and should monitor these developments as to whether or not they will bring positive improvements to the lives of domestic workers.

Participants also shared their activities and programs in line with the campaign. They included signature campaigns, discussions on C189, dialogue with relevant government ministries and forming of committees/groups that will lead the campaign at the national level.



Other issues that were raised are the following:

• How to popularize C₁89

The issue of popularizing C₁89 most especially to the domestic workers and grassroots migrant communities was raised given the fact domestic workers and migrant workers are constrained. They should stand up. Build their capacities and assist them in getting them out of the house and participate.

To meet this end, several suggestions were put forward such as translation of EIC materials in local languages, use of popular education and audio-visual materials, and ensure the participation of domestic workers during the June 16 International Domestic Workers Day.

Significant dates were also suggested for joint events such as March 8, May Day, June 16, December 18, Migrants Campaign Month and November 30 (for the Philippines groups)

Mass actions and demonstrations were also recommended.

Tenaganita, the local partner of the World Prayers Day (WPD) in Malaysia is collecting signatures to be sent to the Malaysian government.

• Continue to reach out to women's groups

Conference participants acknowledged the fact that until now participation of women's groups in the campaign is yet to be intensified. Women's groups remain to be a missing sector in the campaign.

• Use of international instruments/tools to demand that governments hold to their international commitments

Advocating this way is important especially if there was no indication of interest to ratify the Convention. One case in point was Singapore who has abstained from voting. CSOs use CEDAW to push for ratification of C189. In July 2011, the government of Singapore reported to the CEDAW Committee and one of the recommendations of the Committee is for Singapore to ratify C189 part of its obligation on CEDAW.



• Mobilize support from international networks

It was stressed that in order to keep the campaign bigger and stronger, support from international networks should be maximized. National efforts should be supported by international organizations such as the IDWN, Human Rights Watch, Amnesty International and MFA.

Solidarity statements as a strategy should continue to be utilized to create global impact.

• Intensify media involvement

Suggestions to re-examine media strategies were put forward. It was noted that while we have good contacts perhaps professional services should also be considered for technical input e.g. ILO.

• Inquire about the progress of the ratification of C189

As an immediate follow-up to the Conference, it was suggested to monitor the progress of the ratification instruments.

Session 2: Plenary Discussion on Examining Strategies that effect change

This session provided the participants with the opportunity to share their lobbying experiences with their governments, the successful strategies and what is required to advance the strategies.

Nepal

- Conduct discussion forums on C₁89 with the assistance of ILO
- Incorporate C₁89 on orientation and awareness programs at the grassroots level
- Collaborate with trade unions
- Initial discussions with governments on the status of the ratification. The government has also intention to ratify but not anytime soon.
- Reached out to other groups to be involved in the campaign
- Conducted radio programs on the importance of C189

Jordan

- Focus on media work as they have the capacity to influence public opinion
- Collaboration with schools and universities to educate students on how to treat domestic workers and inform them about domestic workers' rights as enshrined in C189

Lebanon

- Involved different stakeholders relevant government ministries, CSOs, trade unions and domestic workers groups and advocates which resulted to the creation of a national steering committee in 2006 that was tasked with drafting a unified contract, amendment of the national legislation and come up with a booklets on rights and responsibilities
- Mobilized UN offices to be part of the campaign and put added pressure to the Lebanese government.

Hong Kong

- Since Hongkong is not a ratifying State, advocacy around C189 is being done for political impact. Following the Manila Post ILC Conference, a number of leadership training programs were conducted particularly on the content of C189.
- Organized public education in the street in support of the 12 by 12 campaign during the International Migrants' Day on 18 December 2011
- In March, during the Chief Executive Election and there was a Forum attended by candidates and domestic workers dressed in aprons who gave fantastic speeches and handed the demands to communicate with the Chinese government to ratify the Convention
- FADWU and CMR had a protest and training session during the 2012 International Women's Day
- Training for 100 domestic workers about C189
- Developed training modules together with the ILO

- In 2012 May Day, IDWN will join the May Day action and will demand for the ratification of C189 and other demands. A giant elephant effigy will be used to communicate the demand to ratify C189.
- A petition will be sent to the Chinese government during the 2012 International Labor day
- Domestic workers are now part of the HKCTU Governing Board for them to be more visible.
- On the right to abode/residency, IDWN reached out to youth groups and the employers group and recruited volunteers to organize walking tours every Sunday to enable the public to meet with migrant domestic workers, hear their stories. While this is not primarily on C189, it humanizes domestic workers and promotes attitudinal change.
- Provide trainings which are consistent to the capacity of migrant domestic workers and domestic workers unions. For DW unions which are weaker, IDWN gives support on the groundwork.

Philippines

- Continue dialogue with the Department of Labor and Employment and other stakeholders
- Keep track of the progress of the ratification process in the country
- Organize orientation forums with migrant communities on C₁89 particularly the survivors of trafficking. Kanlungan Foundation will launch Balabay, a support group of survivors of trafficking, and will use C₁89 as an agenda item.
- Utilize social networking sites for e-advocacy to further advance the campaign on C189

Indonesia

- After the launch of 12 x 12, Indonesian groups started working on a petition that will end on June 16 to be submitted to the government and to the Parliament. Currently, 7, 000 signatures have been collected locally and abroad.
- Organize a mass media activity every month
- Organize occupy parliament to sustain the pressure and send a message of urgency of the ratification
- Continue collaboration with trade unions

Sri Lanka

- Jointly organized a forum and public mobilization together with CSOs.
- Launched a signature campaign
- SL groups will also set up an e-media as a medium to convey the message to the government to ratify the Convention.
- Submitted a proposal to the Minister and get the resolution passed.
- Work with parliamentarians.
- Organize domestic workers as trade union members.

Singapore

 Use creative strategies for the government to notice and listen to you. In Singapore, HOME sent a bouquet of flowers to the Minister when the weekly rest day was passed by the Singapore government

- Use the Trafficking in Persons (TIP) National Plan to affect legislations. HOME
 used the action plan to issue a public statement with consensus of CSOs, and
 mention the ILO 189.
- Use of the new social media and the power of Facebook to educate domestic workers about C189.

India

- Presence of the TF on Domestic Workers which is serves as an adviser to the Minister
- Organize training programs with domestic workers
- The domestic work policy was passed
- 25,000 domestic workers are now aware of the DW policy
- Launched large signature campaign and post card campaign targetting around 500,000 signatures.
- Seven Indian states have passed laws bringing domestic workers under the Minimum Wage Act
- Social security benefits will be available for domestic workers
- Capacity building for CSOs, migrant domestic workers and their families, government officials and the media on C189 in the states of Andra Pradesh, Kerala and Tamil Nadu.
- Strong tie up with trade unions and government officials

Cambodia

- The Cambodian delegation to the 2011 ILC did not participate in the Conference.
- Created a CWGDW composed of around 10 members from CSOs and TUs.
- The prime minister banned the sending of domestic workers to Malaysia.
- Building awareness on some of the issues of local and migrant domestic workers both local and migrants
- Released a call to action calling on the governments of Cambodia and Malaysia to come up with an agreement that reflects provisions of C189
- Collect data on the situation of domestic workers for an informed advocacy.

Germany

- Awareness raising, lobbying with parliaments and government
- Connect with religious leaders
- Support ecumenical activities like the World Prayer Day 2012 with petitions to parliamentarian and government
- Joint positioning of development NGOs and FBOs
- Keeping the contact to trade unions and Domestic Workers Organisaions

Session 3: Insights and Updates from the ILO

Ms. Hilda Tidalgo

Senior Programme Assistant International Labour Organization, Manila

Ms. Tidalgo provided global updates on the status of ratifications of C189, which was culled, from the ILO Global Report, which will be released next month. Recommendations on strategies were also put forward.

In Asia only the Philippines has expressed the desire to ratify C189. Outside Asia, there are 14 countries that pronounced intention to ratify. These countries include: Belgium, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ghana, Italy, Nicaragua, Norway, Paraguay, Tanzania and Uraguay.

Meanwhile Argentina, Bahrain, Chile, India, Lesotho, Morocco, Namibia, Paraguay, Philippines, Singapore, Spain, Thailand and the USA are the countries which are developing in different degrees national policies and laws such as domestic workers bills, standard contracts, health insurance, minimum wage, rest day and overtime for domestic workers.

In order to advance the implementation of C189, 23 countries¹ are seeking ILO assistance to promote country programmes on domestic workers. These are countries who have on-going IPEC programs which are basically on child domestic workers.

She also reported that among the donors, Sweden has the highest contribution.

In terms of strategies, the following were recommended:

- Sustained advocacy campaign to maintain pressure on the political processes
- Public visibility of policy makers' action or inaction
- Sustain direct engagement with key decision makers
- Capacity building of key parties
- Strong alliances locally and across borders
- ILO presence and or engagement
- Resources

Interactive Discussion

 A possible study on the formation of effective alliances for ratification of Conventions

The issue was raised in the context of the objective of the Conference which is on building alliances. C189 created a kind of momentum that strengthens existing alliances. Prior to its adoption, there was a build up of momentum. A question was raised whether the Global Monitoring Report will be able to do a comparison/analysis on alliances and building of momentum that have been

¹ Bahrain, Bolivia, Brazil, Cambodia, Chile, Ethiopia, India, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mexico, Namibia, Nepal, Paraguay, Peru, Philippines, Tanzania, Thailand, Turkey, Uraguay and Zambia

developed around C189 and other ILO Conventions. How alliances are built, what sustains them etc. which could be used as a reference for future Conventions. Time has changed, new strategies emerged and

• Monetary resources available for women

This inquiry was made in the context of Ms. Tidalgo's report that ILO has available funds for a 2-year project on C189. The intervention sought clarity whether ILO has financial resources to support the programs of some Catholic religious groups in the Philippines on women.

• Defining child work, child labor and child domestic workers

Clarifications on the issue of child work, child labor and child domestic workers were raised for better understanding of the coverage of C189.

Session 4: Strengthening strategies

This session provided the participants with an opportunity to further discuss strategies and scale up existing efforts. Possible joint activities to provide visibility to the campaign were considered. The following activities were suggested for implementation within the year. Monitoring of these developments will be done at the country level. Conference organizers will follow-up with the local organizations.

- Develop a joint manifesto highlighting the unity of the groups advocating for the ratification of C189. This manifesto will be sent to the embassy officials of the target countries. Existing statements/appeal letters could also be attached
- Organize 2 major impact activities on 1 May (to be negotiated with labor groups) and 16 June such as public rallies, prayer vigils and joint statements
- Email "blasts" to governments
- Use social media (such as facebook and twitter) to post online petitions
- Make a countdown for the target priority countries for added pressure
- Dialogue with governments. If they still refuse,
- Collaborate with universities/colleges and do more educational events
- Mobilize your own base.
- Exchange of opinions between government and CSOs
- Outreach meetings with media to sensitize them to the issue. Consider regional media also.
- Write a theme song and broadcast it on the radio and Youtube
- Create common visual materials and/or songs and jingle.
- Look at some countries that are also supportive of C189 such as Australia, New Zealand.
- Open space for discussion with faith-based groups



- For AMRSP to organize a candle light event in EDSA Shrine during the Pentecost prior to 16 June.
- For Faith-based groups to dedicate a Sunday to talk about C189 before June 16
- Design a common logo for the ratification campaign
- Translate EIC materials into local languages for it to be more accessible to domestic workers.
- Check if the Certified True Copy of C₁89 has already been transmitted to the relevant government ministry.
- Send a letter to the embassies of KSA, India, Indonesia and the Philippines

Additionally, the following were suggested to provide visibility and keep the momentum going.

- In terms of building alliances, participants need to be aware of UN conferences where the issue of C189 could be highlighted
- Create a multi-stakeholder working group at the national level to speed up the ratification process
- Long-term contact to Ministers and addressing politicians through
- The possibility to get politically active domestic workers unions in national advisory committees opens new opportunities for changing presence and voice in society.

Synthesis of Day 1

Dr. Hildegard Hagemann

German Commission for Justice and Peace Germany

To gauge the level of learning of the participants and their impression about the Conference, Dr. Hildegard facilitated a Q and A session. The session was also designed to help the Conference organizers to improve the program.

Providing reaction to the questions were representatives from the migrant workers groups, trade unions, and CSOs.

Q: When you came to this conference, what was your expectation?

A: Migrant domestic workers workers are able to speak for themselves and not NGOs/CSOs speaking about them. More representation from migrant workers particularly migrant domestic workers (Returnee migrant worker)

Q: What is missing in today's discussion, which you hope to be addressed on Day 2

A: The need to widen the alliance and approach other groups that have the potential to create pressure and impact on the campaign.

Q: What do you think of this Conference?

A: The conference is interesting because it captures pressing issues relevant to domestic workers e.g. organizing domestic workers and gave emphasis on the change of people's attitudes. The presence of the religious people is also a positive addition to the Conference. (Trade union representative)

Q: What was the most interesting issue in this conference? What are the new ideas you learned today?

A: Identifying the root causes of domestic workers' problems including the inadequate response from the government to alleviate the problem.

Day 2, 15 April 2012

Recap of Day 1

Dr. Hildegard Hagemann German Commission for Justice and Peace

Dr. Hageman noted that the first day of the Conference was rich in terms of information, ideas and creativity and as well challenging because it was thought provoking and opened space for self-critical reflection and deliberation. The Conference gave a new dimension to the campaign by providing some ethical reflection.

She recognized the inspiring keynote address and interventions of Ms. Perlado; the conducive dialogue with POEA Administrator Hans Cacdac where he provided insightful updates on the status of the ratification process in the Philippines, the current trust of the POEA and the levels of negotiation of the Philippine government bilaterally, regionally and internationally; the regional and global updates provided by Mr. Varona and Ms. Tidalgo respectively on the state of the ratification process on C189; and the very creative brainstorming exercise on identifying effective strategies.

Dr. Hagemann also reminded participants of some issues which are yet to be addressed such as giving domestic workers a space to speak up and dialogue with us, the question of changing mindsets and the link between rural development and employment as a challenge for coherent politics.

Session 5: A Look at the International Instruments Protecting (Women) Migrant Domestic Workers

This session provided participants with information on relevant UN instruments that could be used as a tool to convince governments to ratify the Convention and hold on to its commitment to protect women migrants particularly migrant domestic workers.

Ms. Sana gave a brief overview of UN institutions and how they operate. She then moved on to the discussion of the history of CEDAW GR 26 and the MWC General Comment No. 1, their important elements and how they could be used as tools to promote and protect the rights of domestic workers, particularly migrant domestic workers.

Specific to CEDAW GR 26, Ms. Sana explained that CSOs could use the List of Issues as entry point for advocacy and that CSOs could also add on these which ratifying States need to respond when they report to the CEDAW Committee.

Interactive Discussion

• Sharing of Experiences on CEDAW Reporting

Experience of CSOs in Sri Lanka, Singapore, and the Philippines was shared at the plenary. Sri Lanka is a country of transit going to the Middle East via Indonesia. The Committee asked the government of Sri Lanka what they have done to protect migrant women.

In the case of the Philippines, which is up for review in April, last March the Center for Migrant Advocacy (CMA) submitted a list of issues. As of 2009 there was nothing reported on migrant workers.

Meanwhile, Singapore was reviewed in July 2011 and HOME also made a submission for UPR and CEDAW. It only took them one month to prepare the report as they have good grasp of the issues. It was only a matter of documentation and where to store the data. Most of the issues raised by HOME were included in the concluding comments for the next review of the Singapore government.

• Importance of networking and building of alliance

It was stressed that engaging with the UN institutions was not that difficult if we have solid networking with other groups. There are CSOs who can assist on how to effectively engage with these institutions particularly in making submissions or shadow reports. The work is not difficult if the data and documents are available. CSOs that have been engaging the process could assist in preparing the report. These CSOs could also share their experiences for others to learn from. As in the case of HOME which was invited to talk in Thailand and share the process they had gone through in preparing the report as well as in the actual engagement with the CEDAW Committee. HKCTU's experience in collaboration with Malaysian's CSOs was also recognized.

• Information on Taiwan

AMRSP raised the issue of abuses committed against migrant domestic workers in Taiwan which one of their affiliates, the Daughters of Charity, has responded to.

In response, it was explained Taiwan has been lobbying to become a member of the UN in its own right; rather than subsumed under China. Thus, not recognized by the UN advocacy. When MFA goes to Geneva and meet on special procedures, there is possibility of submission (made confidential and anonymous) and then the SR raises the issue (e.g. like trafficking, not mentioning the country but can identify the issues in that country/State/territory)

Collaborating with trade unions

Working with TUs is important. The UN bodies are not able to enforce but provide valuable monitoring which can like a shaming exercise that is useful for advocacy.

It was emphasized that engaging UN institutions worth the effort as there have been notable successes. In the case of Singapore, HOME was able to get an audience with a Chinese official where they were able to share the issues that they submitted to the CEDAW Committee. In March 5 2012, the government of Singapore announced that domestci workers will not be able to enjoy a weekly rest day effective January 2013.

• Role of faith-based groups

Historically in the UN, faith based groups had strong roles. Many Christian organizations were involved in the early days of the UN, before the growth of NGOs. One of the categories of the UN distinctively mentions faith based groups not NGOs. Faith based groups are active even today and they are always present in UN sessions. They are experienced with grassroots work and this has to be revitalized and proper recognition should be given to the work.

• The need to surface migrant workers' issues in the UPR report

Sr. Immaculate shared that in Sri Lanka migrant workers unfortunately do not highlight it as an issue. The Good Shepherd Office in Geneva will take up this issue in the UPR for Sri Lanka.

- Utilizing UN core human rights treaties to make a case on C189.
- Accreditation of faith-based groups to the HRC and ECOSOC

The issue was raised in relation to a block called OIC (Organization of Islamic Countries) within HRC and the current debate on the possibility of having an OIC HR Commission in Jakarta, Indonesia which the groups could maximize to build alliances with other faith-based groups.

Press Conference

A press conference was held with a central message urging the Philippine government to immediately ratify C189. Speakers also called on the public to treat domestic workers with respect and dignity and give them what is due to them.

Speakers included the following:

- Ip Fish, International Domestic Workers Network
- Reynaldo Rasing, Global Network
- Bridget Tan, Humanitarian Organization for Migration Economics (HOME)/ Migrant Forum in Asia
- Jerome Alcantara, Philippine Technical Working Group
- Fr. Edwin Corross, CBCP-ECMI

Below are the highlights of the statements of the speakers:

- Fr. Edwin Corross
- Fr. Edwin highlighted the large deployment of OFWs particularly domestic workers which justifies the need for the Philippine government to ratify the Convention. Ratifying the Convention and display the government's commitment.
- Fr. Corros challenged the government to lead the whole world in calling for protection of domestic workers. He also called on the passage of the Magna Carta for domestic workers which would provide protection to local domestic workers.

He also called on to the public the need for a paradigm shift in treating people like slaves. We need to liberate domestic workers from enslavement. The journey will be tough but we need to respond to the challenge. Decent work for domestic workers is only a step forward towards liberation of domestic workers.

• Ip Fish

Ms Ip recognized the active involvement of domestic workers across the globe to ensure that a Convention will be adopted in 2011. She also explained what the Convention is about and encouraged domestic workers to make C189 known to the world. The public should be sensitized that domestic workers are not different from other workers. Domestic workers should put their acts together to demand for their rights as embodied in the Convention.

She also recounted the many initiatives undertaken by different groups after the adoption of C189 and the shared IDWN's current focus which is to continue organizing domestic workers as a way to empower them and supporting national campaigns for ratification and organizing which remain restricted in some parts of Asia like the West Asia. IDWN will also continue to build networks with different sectors.



• Jerome Alcantara

Mr. Alcantara read out SUMAPI's statement. SUMAPI is a local organization of domestic workers that is actively involved in C189 campaign and also a member of the Philippine Technical Working Group. SUMAPI called for the speedy review of the ratification instrument and the passage of the Domestic Workers Bill.

The TWG, on the other, echoed SUMAPI's call and urged the Philippine government not to further delay the ratification of C189 and the long overdue passage of the DW Bill that has been tabled since 1995. The TWG will not allow that domestic workers continued to be abused.

Reynaldo Rasing

Mr. Rasing affirmed what has been raised by the previous speakers and asserted that there are compelling reasons why the Philippine government should ratify the C189. He appealed to all the groups present in the Conference to help in putting

more pressure to the Philippine government to ratify the Convention before the anniversary of the adoption of the Convention.

• Bridget Tan

Through sharing an appalling case of a Filipino domestic worker in Singapore, Ms. Tan called on the Philippine government to ratify C189 and stop the killing, bullying and humiliation of domestic workers. She also challenged everybody that change must begin with individuals if we want a society that recognizes domestic work as work, domestic workers as workers.

She also called on domestic workers not to forget that they have dignity. They must stand up and not be afraid to tell their stories.

Following the messages of the speakers, statements from the Association of Major Religious Women of the Philippines and NASSA were read out by their representatives.

The next session was allotted for Question and Answer.

Facilitating the press conference was Julius Cainglet of the Federation of Free Workers (FFW) who also explained the strategic decision of organizing the Conference in the Philippines. The engagement of the Philippine government and the role it plays around the Convention was also provided. Mr. Cainglet explained that the Philippines is the only Asian country that has expressed interest to ratify the Convention, and that as such the pronouncement was further supported by the President's State of the Nation Address in 2011 by mentioning that having a law on domestic workers would be his main strategic agenda.

Session 6: Issues that matter: Deepening the discourse and advancing the implementation of C189

Session 6 was focused on 4 simultaneous interactive workshops to discuss the strategies on organizing domestic workers, brainstorm on the need for a standardized contract and a reference wage for domestic workers and identify concrete ways of cooperation with faith-based organizations in the region.

1) Strategies on organizing domestic workers

This workshop looked at the experiences of the participants in organizing domestic workers. Suggestions for effective and creative ways of organizing were also put forward.

Philippines

- Using the Kasambahay Bill as an entry point to organize domestic workers
- Mapping of domestic workers and community organizing
- Conduct outreach to domestic workers during their day offs

Nepal

• Create Alert groups to empower the domestic workers

Singapore

- Form the group into a functional group e.g. HOME alumni
- Provide skills training
- Contact village chiefs to get contacts for the returnees
- Briefing of migrant domestic workers
- How to contact the domestic workers?

Good to have 2 contacts in mapping

Community based organizing

Exploring more districts

Get the training and info.

Workers will reach out to the schools, and contact more domestic workers

More initiative to get contacts

Ways to understand domestic workers more

• Launch an online newsletter





2) Concrete ways of cooperation with faith-based groups

Consistent to the primary objective of the Conference which is to build alliances with faith-based groups, participants from 'different faith-based groups came together and collectively discussed on how to be able to contribute to the ratification campaign and work for the promotion of decent work for domestic workers. The group came up with shor t –term and long term plans. Below are the highlights of their discussion:

Short Term Plans:

- A. Education and Formation Campaign
- Send the solidarity statement of NASSA, CBCP-ECMI and AMRSP to the President
- Request the International Faith-Based Organization to write a statement to President Aquino
- Send the statements to the different embassies, churches, and religious institutions
- Organize coordinated activities highlighting the C189 campaign on the following dates: May 1, May 21 and May 22

- Create a Facebook/ social networking site for C₁89 Ratification Campaign (TWG)
- Media campaign e.g. St. Theresa's Radio Program on Migration, Radio Veritas
- Mass Campaign or pastoral letter from CBCP on C189

Long Term Plans:

- A. Capacity Building and Skills Training (Trainers' Training)
- B. Documentation on domestic work
- C. Employment promotion for domestic workers
- D. Creation of a Secretariat for C₁8₉ (National and Regional)
- E. Establish a "Migration Day" for the different educational institutions
- F. Inclusion of C189 campaign in the formation-education program of seminaries, educational institutions and congregations.
- G. Design and Develop modules vis-à-vis faith-based teachings of the different Churches or organizations

3) Standardized contracts

Participants brainstormed on the need to have a standardized contract which could be used as an advocacy tool to advance the implementation of the Convention and ensure that the fundamental rights of domestic workers as enshrined in the Convention are met.

The standardized contract is envisioned to be a capacity building tool for migrant domestic workers and to be utilized as a template for bilateral/multilateral negotiations with destination countries or when writing nationally based contracts. Below are the highlights of the group's discussion:

Question #1: Should there be a standardized contract for migrant domestic workers?

- Problem: There are two parties to a contract, would the second (host) government recognize a contract signed in the first country?
- Host Governments can enforce the contract between two parties. As a contract it is binding between employee and employer
- Sending nations, if all on the same page, have a stronger voice.

Question #2: What are the arguments we could use to justify the need for a standardized contract?

- Abuses and exploitation happen because of contract violations. To make a strong case for introducing a standardized contract, documentation of cases of contract violations provide strong evidence in favour of having a standardized contract, which would protect migrant workers.
- Introducing a standardized contract is one way to prevent exploitation and better protection for migrant domestic workers
- Legal procedures become streamlined and straight forward with a standardized contract.
- A standardized contract, if implemented multi-laterally, gives equal recognition, and treatment to migrant domestic workers across the board.
- It would help ensure decent working conditions for migrant domestic workers
- An adopted standardized contract will allow governments to go after employment agencies more effectively.

- A standardized contract could be used as an capacity building tool for migrant domestic workers. Information about the standardized contract will help MDWs to be aware of their rights.
- Standardized contracts can be submitted to legislatures, and used as a lobbying tool to help strengthen the rights of migrant domestic workers.

Question #3: How do we push the government to implement a standardized contract?

- Show the need for standardized contracts and the legal rights it would give migrant domestic workers. Use documentation to show that people are dying/being abused/detained etcetera. For example, in Lebanon, there is an NGO that works on HIV issues. Every month the NGO starts a campaign on HIV awareness
- Stemming from the last recommendation, awareness of the conditions of domestic workers should be raised. This can be done through signature campaigns, fact sheets, and media interaction.
- Texts of international conventions can be used to encourage and implement a standardized contract. For example, the ILO 189 outlines the minimum rights that a domestic worker should have by providing articles outlining those rights.



Question #4: How would the governments implement a standardized contract?

- Effective standard contracts stemming from the lobbying for a standardized contract would be implemented through bilateral, tripartite, and multilateral agreements.
- Issues standing in our way: Different expectations from different sending countries on what the contract should look like bar a universal implementation of the standardized contract. Likewise, there is also a need to look at the host countries' labor laws.

In terms of the provisions: The standardized contract shall stipulate that the employer shall pay X amount to the family, in the case of the death of the migrant domestic worker. This would uphold the workers' dignity. Holidays, salary and working conditions should not be violated, but rather recognized and stipulated in the contract. This will ensure safe/healthy work conditions. The contract should stipulate the number of households, preferably limiting it to one.

4) Reference wage session

A Reference Wage is an alternative to the minimum wage, to protect and promote migrant domestic workers' right to fair, decent and equal wages.

A reference wage is a skills related wage-spectrum for migrant workers for different occupations established by agreement between sending countries. It seeks to address:

- 1. Competition over the minimum wage between sending countries
- 2. Discrimination of workers based on national origin in receiving countries. Given that both undermine attempts to establish fundamental rights and labour standards for migrant workers.

Discussion Points:

 Reference wage would mean injustice for Indonesian migrant workers because until now the government cannot provide the skills training for Indonesian migrant workers. Most of the educational background of Indonesian migrant workers is only high school.

Formal education is not the sole determinant of skills acquisition. Experience also matters. A reference wage reinforces the recognition of what migrant workers do. It looks at the skills of the migrant domestic workers, consider the case of Seafarers where they take a competency test, competencies and experience which they use in negotiating their contract.

• The Philippine's take on the proposal considering that its minimum wage is USD400.

The PH will support as long as USD400 is the ceiling. A reference wage would mean a domestic worker will be paid the same whether they are Filipinos or not. The idea is also to respond to the mismatch between employers' and domestic workers expectations on skills

A reference wage can help in the standardization of the contract.

A domestic worker would be able to argue for an increase in wage once new skills are acquired. The problem with the minimum wage, it has been stagnant, no flexibility to increase unless one goes back and amend or establish a new bilateral agreement.

• Implementation of reference wage. Will it be included in MOUs?

Sending countries need to put forward the idea together, or individually but in the agreed form of the reference wage. It will also be stipulated in the contract. It will go through the entire system of employment

• Monitoring system. How would we determine whether the reference wage is implemented? How do we determine that the wage is still given?

The case will be considered a labor dispute, requiring redress mechanisms

• Which is superior, reference wage or a minimum wage

A reference wage is better because it recognizes the skills of the domestic worker. It increases the bargaining power of the worker and gives additional flexibility to increasing the wage. It addresses competition based on nationality.. It will lessen the issue of underpayment. No motivation in principle for employers to underpay.

It provides an opportunity for career promotion.

• How to start the implementation of a reference wage? How do we advocate? What are the setbacks?

In terms of the setbacks, the following were identified: refusal of the employers, monitoring of the wage, and redress mechanisms.

• Weakening of social dialogue and tariff negotiation

While the idea of reference wage would offset competition between sending countries, an intervention was put forward on the issue of weakening social dialogue and tariff negotiation if governments will determine a reference wage scope and would be a challenge for income justice. It was also emphasized that the advocacy should strengthen social partners and civil society which means empowering them to negotiate the wage scope themselves.

Session 7: Finalization of Action Plan and Strategies

This session focused on identifying the most feasible activities/strategies that could be done in 2012 based from the discussions on Session 4. The participants came up with 10-Agenda Action Points.

- 1. Ensure Certified True Copy (CTC) of C189 is with the government and in which agency (Department of Foreign Affairs or Ministry of Foreign Affairs) the CTC is with now;
- 2. Create a joint manifesto, to be sent to the embassies of the target countries. The manifesto will symbolize unity.
 - Priority: 4 Asian countries in ITUC 12x12 campaign (India, Indonesia, Philippines, Saudi Arabia) and our respective countries;
 - Attach signatures (gathered at the country level) to the manifesto.
 - Submit a joint letter from this conference to Philippine President urging immediate ratification of C189. *See Annex 3 for the Appeal Letter*.
- 3. Organize country level and regional impact activities
 - 2 major Asia-wide activities in 2012 building up to June (May 1 and June 16);
 - Organize public rallies, prayer vigils and come up with joint statements;
 - Joint / common campaign activities on 16 June 2012;
 - Release a joint statement for 16 June 2012 which MFA will draft and coordinate to the participants by email. The joint statement will be under the name of the organizers of this conference and will be open for signature by all. See Annex 4 for the June 16 International Domestic Workers Day Statement.

- 4. Increase the pressure on governments in Asian countries to ratify C189
 - Organize dialogues/lobbying activities with governments.
 - Daily email blast to governments. Daily reminders (countdown e.g. email for ten days)
 - Use social media (facebook, twitter, etc) and online petitions.
- 5. Increase our awareness-raising and education activities on C₁89 and its ratification
 - Tap universities/colleges for education campaigns and forums inside schools
 - Mobilize several sectors e.g. DWs, migrants, students, lawyers, civil society advocates etc.; reach out to school and youth associations to involve them in the campaign (Jordan, Nepal)
 - Put up posters in the schools (Sri Lanka)
 - Provide a basic tool kit of information on C189 and its ratification that can be used in/by schools, congregations, communities, etc. (materials from MFA, ITUC, IDWN, etc.)
 - In the future, can include these topics in the school curriculum (Philippines)
- 6. Outreach meetings with national, regional and international media
 - Continue to sensitizing the media about the issue.
 - Develop a generic media toolkit on the C₁89 and its ratification. Organizers of this conference will take the lead role particularly the Philippine TWG.
- 7. Create common audiovisual materials for the C₁8₉ campaign
 - These include the following: a theme song, information and education materials for C189
 - Post relevant materials to social media sites such as You Tube, FB, etc.
 - Get local and regional endorsers/ambassadors like celebrities, respected personalities, DW reps, etc.
 - Explore the possibility of developing a mobile phone ringtone "ratify C189"
- 8. Find / create more space for discussions/planning/action with faith-based groups.
 - Utilize existing venues of faith-based groups (organizers to facilitate communication) e.g. pastoral letters, "Migrant Sunday", etc.
 - Re-establish/ strengthen alliances and partnerships with faith-based groups; build processes at country and regional levels for C189 action groups to talk with faith-based groups and explore common plans, actions
 - Request that a Sunday before or after June 16, churches to reflect / discuss 189. Faith based groups to take the lead in raising awareness. Facilitate visible public actions. Organizers of this Conference will facilitate communication.
 - Target date: December 2012; Monitoring body: MFA, GN, TWG, AMRSP-MC, Justice and Peace Commission
 - Outputs of Workshop group 2 (faith-based group discussion) to be integrated as part of this plan. See notes on Session 7 under Workshop Group 2.

9. Explore campaigns in other countries supportive of 189. IDWN and MFA to initiate this process.

MFA's Priority List: Philippines, Cambodia, Indonesia, Israel, Sri Lanka, Nepal, India, Bangladesh, Singapore, Malaysia, Lebanon, KSA, Qatar, UAE, China and Thailand

10. Involve/engage trade unions, women's groups / networks

Closing Messages

The Conference ended with a closing prayer administered by Rev. Catherine Graham for the victims of violence against domestic workers in their working place and in their struggle for justice.

ANNEXES

Annex 1- Programme













Program

"Building and Advancing Strategic Alliances for the Promotion of Decent Work for Domestic Workers"

Regional Conference on ILO Convention 189 Ratification Campaign 14-15 April 2012, Miriam College Manila, Philippines

DAY 1 (14 April)

Welcome Statement & Round of Introductions

9:00am - 10:00am

Introductory Remarks by:

William Gois, Migrant Forum in Asia Reynaldo Rasing, Global Network Sr. Michaela Gotangco, Association of Major Religious Superiors of the Philippines – Migrants Center (AMRSP-MC)

Overview of the Consultation

Agnes Matienzo, Migrant Forum in Asia

Introduction of Participants

Keynote Message	10:00am-10:20am
This is to set the tone with regard to the target groups of this conference which are the religious organizations with the intention of showing the need for ethic deliberations and locate the role of religious organizations in the campaign especially in	Resource Speaker: Sr. Erlinda Perlado Coordinator, Women and Gender Commission AMRSP
protecting domestic workers whether ratification is done or not by the governments.	Facilitator: Dr. Hildegard Hagemann
Interactive Discussion	10:20am-10:50am
Coffee Break	10:50am-11:00am
Session1: The Current Situation in the Region Post ILC	11:00am - 11:30am
This session is envisioned to set the context of the 2-day program. It seeks to provide participants with country updates on how far the Asian governments responded to the ratification requirements and procedures set by the ILO following the adoption of C189 in June 2011. Updates on legal and policy reforms will also be presented.	Resource Speakers: Administrator Hans Leo Cacdac Philippine Overseas Employment Administration (POEA)
	Rex Varona Asian Migrant Centre













	Facilitator: Jerome Alcantara
	Technical Working Group
Session 2: Interactive Discussion	11:30am-12:30pm
This session is designed to give space for the participants to add other	Facilitator:
important developments which were not highlighted from Session 1.	Jerome Alcantara
Participants will be invited to share other information that they have or	Technical Working Group
heard about. This is also envisioned as an opportunity to clarify some	
issues.	
Session 3: Wrap Up of the Final Country Updates	12:30pm-01: 00pm
	Resource Speaker: Rex Varona
	Asian Migrant Centre
Lunch Break	01:00pm-02:00pm
Luicii Dieak	01.00pm-02.00pm
Session 4: Plenary Discussion on Examining Strategies that effect change	02:00pm-03:00pm
	Facilitator:
This session is envisioned for the participants to share their experience	Ellene Sana
in lobbying with their governments and to provide clearly defined strategies that move things forward.	Center for Migrant Advocacy
Session 5: Insights and Updates from the ILO	03:00pm - 03:30pm
This session is envisioned as a response to the preceding presentations.	Resource Speaker:
At the end of the presentation, the ILO representative will be requested	Ms. Hilda Tidalgo
to put forward some recommendations to further strengthen the	Senior Programme Assistant
campaign.	ILO Manila
	Facilitator:
	Lisa Respicio
	Global Network
Coffee/Tea Break	03:30pm-03:40pm
Session 6: Internal Scanning and strengthening strategies	03:40pm-04:40pm
This session is designed to provide opportunity for the participants to	Facilitator:
examine their strengths/capacity based from their resources and	Lisa Respicio
thereafter guide them where to focus its efforts/actions in order to	Global Network
advance the campaign in the region. Participants should take into	
account the discussions on Sessions 1, 4 and 5 particularly the	
recommendations put forward by the ILO.	
Synthesis of the Day's Program	04:40pm - 05:30pm
Synthesis of the Day ST Togram	Facilitator:
	Dr. Hildegard Hagemann
	German Commission for Justice and Peace













DAY 2 (15 April)

Recap from Day 1	09:00am-09:20am
The day's sessions will begin with a brief overview of the previous day's	Facilitator:
session	Dr. Hildegard Hagemann
	German Commission for Justice and Peace
Session 7: A Look at the International Instruments Protecting (Women) Migrant Domestic Workers	09:20am-10:00am
This session is aimed at providing participants a background on	Resource Speaker:
international instruments that provide protection for migrant domestic	Ellene Sana
workers that could be used as tools for advocating for the rights of domestic workers and how they relate to C189. The following relevant UN	Center for Migrant Advocacy (CMA)
instruments will be discussed - CEDAW GR26 and Committee on Migrant	Facilitator:
Workers' General Comment #1.	Rex Varona
	Asian Migrant Centre
Interactive Discussion	10:00am-11:00am
	F 324
	Facilitator:
	Rex Varona
	Asian Migrant Centre
Coffee/Tea Break	11:00am-11:15am
Press Conference	11:15am-12:00pm
9	Speakers:
	Fr. Edwin Corros CBCP-ECMI
	Rey Rasing
	Global Network
	Bridget Tan Humanitarian Organization for Migration and Economics (HOME)
	lp Fish International Domestic Workers Network
	Josua Mata PH Technical Working Group for Decent Work for Domestic Workers
	Facilitator:













Julius Cainglet Technical Working Group

Lunch Break	12:00pm-01:00pm	
Session 8: Issues that matter: Deepening the discourse and advancing	01:00pm-02:30pm	
the implementation of C189		
This session is designed for breakout groups where participants will be	Facilitator:	
divided into 4 groups to discuss the following:	William Gois	
1) Strategies on organizing domestic workers	Migrant Forum in Asia	
2) Concrete ways of cooperation with faith-based organizations in the		
region /what role there is for faith-based institutions to assist and support		
the campaign for the protection of domestic workers?		
3) Brainstorming on standard contract for MDWs – why do we need a		
standard contract, what strategies do we need to use to advocate for this		
and what are the spaces available for engagement		
4) Brainstorming on reference wage for MDWs- what is a reference wage,		
why do we need to establish a reference wage, what strategies do we need		
to use advocate for this and what are the spaces available for engagement		
with governments.		
governmento.		
Session 9: Presentation of Workshop Reports	02:30pm-03:30pm	
	Facilitator:	
	William Gois	
	Migrant Forum in Asia	
Coffee/Tea Break	03:30pm-03-45pm	
Open Forum	03:45pm-04:45pm	
	Facilitator:	
	William Gois	
	Migrant Forum in Asia	
Session 10: Moving Forward and Synthesis of the 2-day program	04:45pm-05:30pm	
	Facilitators:	
	Dr. Hildegard Hagemann	
	German Commission for Justice and Peace	
	William Gois	
	Migrant Forum in Asia	
	rigiant of all in tion	
Closing Messages	05:30pm	
	Sr. Glocar Eamiguel, FMM	
	Core Group Member	
	AMRSP- MC	
	Ip Fish	
	International Domestic Workers Network	
	Julius Cainglet	
	Federation of Free Workers	

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Annex 2- List of Participants

Country	Name and Organization
	East Asia
Hongkong	Ms. Ip Fish International Domestic Workers Network (IDWN)
	Email: <u>ip.fish@inf.org</u>
	Rev. Catherine Graham
	Anglican Community Refugee and Migrant Network
	Email: camillergraham@gmail.com
	Mr. Ganga Khatiwada
	Coalition for Migrants Rights
	Email: gkkhatiwada@yahoo.com
	Ms. Holly Carlos Allan
	Helpers for Domestic Workers
	Email: hdh@stjohnscatherdral.org.hk
	Seeta Sharma
	Dan Church Aid
	Email: ssh.india@dca.dk
	South Asia
India	Mr. Pusuluri Shashi Kiran
	Migrants Rights Council Email: shashikiranpusuluri@gmail.com
	Email. Shashikiranpusulur (@gman.com
Nepal	Ms. Bijaya Rai Shrestha
	POURAKHI Email: <u>bijayaraistha@hotmail.com</u>
	Email: <u>bijayaraistna@notman.com</u>
	Mr. Bishnu Khatri
	Youth Action Nepal Email: bishnu@youthaction.org.np
	Eman. <u>Distritt@youthaction.org.np</u>
	Mr. Babu Ram Gautam
	Women Rehabilitation Center (WOREC)
	Email: <u>Baburam.gautam@gmail.com</u>
	Mr. Mahendra Pandey
	Pravasi Nepali Coordination Committee
Sri Lanka	Email: mahendra@pncc.org.np Sr. Immaculate de Alwis
on Lanka	ACTFORM
	Email: welhouse@sltnet.lk
	Mr. K. Velayudam
	National Trade Union Federation
	Email: ntufsl@gmail.com

	South East Asia
Cambodia	Ms. Natalie Drolet
	Legal Support for Children and Women
	Email: ndrolet@lscw.org
Indonesia	Ms. Lita Anggraini
	JALA PRT/IDWN
	Jala prt@yahoo.com
	Ms. Nisma Abdullah
	Serikat Buruh Migran Indonesia
	Email: sbmidpn@yahoo.com
	Mr. Willy Balawala
	Solidarity Center
	Wbalawala@acils.or.id
Philippines	
	Ms. Paz Guinaran
	SAMAPI Fmail: nguinacaran@gmail.com
	Email: pguinacaran@gmail.com
	Sr. Cecilia Espenilla, OP OP- Siena
	Email: cecilespeno04@yahoo.com
	Eman: <u>cechespenoo4@yanoo.com</u>
	Ms. Fatima Lintang
	KAAGAPAY OFW Resource and Service Center, Inc
	Email: <u>yan 012700@yahoo.com</u>
	Ms. Remedios Borlongan
	Samahan ng Migrante at Pamilya, Inc.
	Email: <u>roseremyblue@yahoo.com</u>
	Mr. Haydn Shook
	Migrant Forum in Asia
	Email: haydnshook@yahoo.com
	Mr. Roger Cordero
	Alliance of Progressive Labor/MARINO
	Email: roger.cordero@yahoo.com
	Sr. Teresa Evasco
	Daughters of Charity
	Email: stevasco@yahoo.com
	Ms. Marizen Santos
	Migrant Forum in Asia
	Email: mfa@pacific.net.hk
	Mr. Rex Varona
	Migrant Forum in Asia

Empil voyvoyana @grapil para
Email: rexvarona@gmail.com
Mr. Andy Perez Asian Migrant Domestic Workers Alliance (ADWA) Email: andy0111@yahoo.com
Mr. Jerome Alcantara Visayan Forum Foundation Inc. Email: jalcantara@visayanforum.org
Ms. Hilda Tidalgo International Labour Organization – Manila Email: tidalgo@ilo.org
Ms. Himaya Montenegro LEARN Email: Maidera19@yahoo.com
Sr. Nympha Que Association of Major Religious Superiors of the Philippines- Migrants Center Email: nympha00@gmail.com
Ms. Menan Alda WGC- AMRSP Email: mriana14@gmail.com
Ms. Tatcee Macabuag Migrant Forum in Asia Email: mfa@pacific.net.hk
Ms. Ellene Sana Cente for Migrant Advocacy Email: ellenesana@yahoo.com
Mr. Erwin Puhawan Kanlungan Centre Foundation Email: erwinpuhawan@gmail.com
Sr. Michael Gotangco Association of Major Religious Superiors of the Philippines- Migrants Center Email: amrsp_mc@yahoo.com
Ms. Charito Jocson Pinalas Association of Major Religious Superiors of the Philippines- Migrants Center Email: amrsp_mc@yahoo.com
Mr. Hans Leo Cacdac Philippine Overseas Employment Administration (POEA) Email: haby1305@yahoo.com

Ms. Erlinda Perlado
WGC- AMRSP
Email: Erlincp.ipdi@gmail.com
Fr. Edwin Corros
CBCP-ECMI
Email: edwinurocorros@gmail.com
Email: <u>cawmarocorrose-gman.com</u>
Sr. Glocar
AMRSP-JPICC
,
Email: glocarfm@yahoo.com
Ms. Mikaela Robertson
Center for Migrant Advocacy
Email: mikaela.robertson@gmail.com
Mr. Josua Mata
Alliance of Progressive Labor
Email: josua@apl.org.ph
Ms. Dhang Pinzon
LEARN/Global Network
Email: dhangpinzon@yahoo.com
Ms. Alyssa Saniel
Migrant Forum in Asia
Email: mfa@pacific.net.hk
mian. mae paemeneank
Mr. Julius Cainglet
Federation of Free Workers
Email: dabigdyul@gmail.com
Eman. <u>uaviguyutwigman.com</u>
Ms. Ana Maria Nemenzo
Women Health Philippines
Email: ananemenzo@yahoo.com
Mc Agnoc Mationgo
Ms. Agnes Matienzo
Migrant Forum in Asia
Email: mfa@pacific.net.hk
M. L
Ms. Jacqueline Scanlon
Migrant Forum in Asia
Email: <u>Jacqueline.mfa@hotmail.co.uk</u>
Mr. Eric Fernandez
FMM- JPICC/AMRSP-JPIC
Email: Fernandez.eric257@gmail.com
Mr. William Gois
Migrant Forum in Asia
Email: mfa@pacific.net.hk

	Ms. Charelle Passion
	SOHO
	Email: chay_2b2@yahoo.com
	Email: chay_202@yanoo.com
	Ms. Czarina Osuyos
	Philippine Inquirer, Libre
	Email: czarina.me18@yahoo.com
	Ms. Jessa Hermosa
	Philippine Inquirer, Libre
	Email: jessa.hermosa03@yahoo.com
	Mr. Reynaldo Rasing
	Global Network/LEARN
	Email: Reynaldo rasing@yahoo.com
	Email: <u>regulated rasingesyanoo.com</u>
Singapore	Ms. Bridget Tan
	Humanitarian Organization for Migration and Economics
	(HOME)
	Email: <u>bridgett.home@gmail.com</u>
	West Asia
Jordan	Ms. Maysoon Qara
	Jordan National Commission for Women
	Email: mgara@yahoo.com
Lebanon	Ms. Sylvia Eid
	Caritas Lebanon Migrant Center
	Email: seid@eclmc.org
	Europe
Germany	Dr. Hildegard Hagemann
	German Commission for Justice and Peace
	Email: h.hagemann@dbk.de
	U.S.A
Washington D.C	Mr. Tim Ryan
	Solidarity Center
	Email: tryan@solidaritycenter.org
	Mr. Jose Luis Gutierrez
	NALACC
	Email: jgutierrez@nalacc.org
	9

Annex 3- Conference Appeal Letter for Ratification of C189













15 April 2012

His Excellency Benigno S. Aquino III President Republic of the Philippines Fax: 632 7361346

Subject: Urgent Request to ratify ILO Convention 189 on Domestic Workers on or before 16 June 2012

Dear Mr. President,

We convened the second Asian *Regional Conference on the ILO Convention 189 Ratification Campaign* on 14-15 April 2012 in Miriam College, the Philippines as part of our ongoing efforts to ensure the early ratification and entry into force of ILO Convention 189 (C189) on Decent Work for Domestic Workers. The organizers and participants are the leading domestic worker, trade union, civil society, migrant and faith-based groups in the Philippines, Asia and globally advocating for C189 and the rights of local and migrant domestic workers.

We thank the Philippine Government for having taken concrete steps towards the ratification of C189, which was adopted last 16 June 2011 at the International Labor Conference. We welcome the endorsements by the Department of Labor and Employment (DOLE) and the Tripartite Industrial Peace Council (TIPC) to the Senate and to the Department of Foreign Affairs, for the immediate ratification of C189.

We particularly note that the Catholic Bishops Conference of the Philippines-Episcopal Commission on Migrants and Itinerant Peoples (CBCP-ECMI), CBCP-National Secretariat for Social Action-Justice and Peace (CBCP-NASSA), and the Association of Major Religious Superiors and Women in the Philippines (AMRSWP), have strongly called for the ratification of C189 by June 2012.

Confronted with the reality of millions of domestic workers worldwide, including Filipino domestic workers abroad and within the country – who remain widely exploited, abused, vulnerable, low paid, and subjected to modern slavery-like conditions – this ILO Convention is urgently needed in order to substantively protect their rights and welfare.

The Filipino domestic workers contribute significantly to the Philippine economy and society, especially in ensuring that the rest of us can go to school, work, and become productive members of society; migrant domestic workers contribute billions each year in remittances to the economy. Therefore, proper recognition and protection of their rights, dignity and value of work is long overdue. Ratifying C189 is an affirmation of this respect and recognition.

However, for C189 to take effect, it must be ratified by at least two member-States of the ILO within 12 months following the adoption of C189, which will end on 16 June 2012. The Philippines should take the lead in the ratification process, given the outstanding role of the government, jointly













with trade unions, employers and civil society groups, in pushing for the adoption of the convention in June 2011.

We understand that the ratification process is pending review in the Department of Foreign Affairs prior to endorsement by the Office of the President. It is in this light that we strongly urge you, Mr. President, to endorse the ratification of C189 as a matter of the highest priority, and ensure its ratification by the government on or before 16 June 2012.

In support of the Filipino Domestic Workers,

On behalf of the organizers:

Dr. Hildegard Hagemann German Commission for Justice and Peace

Sr. Glocar Eamiguel, FMM Association of Major Religious Superiors of the Philippines-Migrant Center (AMRSP-MC)

Ip Fish International Domestic Workers Network (IDWN) - Asia

Mr. Reynaldo Rasing Global Network - Asia

Mr. Jerome Alcantara Technical Working Group (Philippines)

Mr. William Gois Migrant Forum in Asia (MFA)













Participants:

	NAME	ORGANIZATION	SIGNATURE
_Mays	oon mohd Sharet Que	Jordania National commission for Women	-
	ima Lintang ALi F. BORLONGAN	KAAGAPAY OFW Resource and	postar
- PAZ G	F. BORLONGAN UINACARAN	Samahan ng Miganteat Pamiha	Inc populacasas
- Eri	C D. Funandy	AMRSP-JPIC/migrants	avic bodine Fernan
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- Sr. (Cecilia Espenilla. OP.	Deminican Sisters of St. Cortherine of Siena - Phil.	S. autice ropenillo
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	ya V. Montenegro	Shotal Tutwork LEARN	Aldra
	and P. PINZON	Global Network PHIL.	Zwzin
	alie Drolet	Legal Support for Children and Women	11.0-wt
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- Hou	LY CARIOS ALL AN	HDH - HELPERS FOR DOMESTIC HELPERS	gen.
- Bab	u Rain Gautam	Women's Rehabilitation Centre (WOREE, Nepal)	Bhantam
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Bishny Bdr. Khatri	Youth Action Nepal	Gast.
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CONRADO G. ESEMPLE	JP/C Colemban Mistrary	PH
AGNES MATTERIZO	MIGRAT FORUM INACIA	, de
Ikldefad Hageman	German Coccinia Le Justia Place	Mdeputge
WELLEAM GOID	NEGRANI FORUM HOTA	
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Annex 4 – June 16 International Domestic Workers Day Statement

STATEMENT FOR INTERNATIONAL DOMESTIC WORKERS' DAY, 16 June 2012

Ratify and Implement ILO Convention 189 on Decent Work for Domestic Workers Now!

Today, as we commemorate the first anniversary of the adoption of ILO Convention 189 (C189) on Decent Work for Domestic Workers, **we call on ILO Member States to immediately ratify and implement C189** as a demonstration of their global commitment made at the 100th Session of the International Labour Conference on 16 June 2011.

Ratifying C189 is important, urgent and a priority! Wide ratifications of C189 would benefit an estimated 100 million domestic workers around the world who for long have been unrecognized, neglected, and forgotten.

We commend Uruguay for being the first country to ratify C189. We are optimistic that this step forward will encourage the rest of the world to follow in particular the Philippines which also committed to be among the first countries to ratify the Convention.

We call on States, employers, recruiters, civil society, religious groups, and the general public to become instruments of change and reinvent their views on domestic work. Specifically, we raise our call to the following:

- Governments to ratify C189 and follow through on their ethical and legal obligations to extend to both local and migrant domestic workers the same rights as those of other workers.
- Governments are urged to provide an enabling environment that will facilitate respect for rights, provide ample protection and promote holistic development of domestic workers.
- Governments to include domestic workers in national labour laws and enact provisions that address the specific needs and concerns of domestic workers especially child domestic workers and migrant domestic workers.
- Governments to repeal policies that disproportionately discriminate and criminalize domestic workers and effectively enforce existing policies that seek to promote the rights and welfare of domestic workers.
- Governments, employers and the general public to recognize the contribution of domestic workers to the development of societies where they work and treat them with respect and dignity.

- Recruiters to stop the exploitation of migrant domestic workers through collection of exorbitant recruitment fees which lead domestic workers into forced labor and debt bondage.
- Trade unions and labour rights advocates to show their concrete support by assisting domestic workers to exercise their right to association and to join or form a trade union
- For trade unions to expand solidarity with migrant domestic workers across borders.
- Religious groups to take an active role in promoting public consciousness with respect to the culture of inequalities and stereotypes that work against domestic
- workers particularly women domestic workers.
 Religious groups to continue with their role of providing refuge and comfort for domestic workers who have been exploited and abused.
- Domestic workers to organize, speak for themselves and mobilize support for the ratification and implementation of C189.

Domestic Work is Work! Domestic Workers are Workers! Domestic Work is Not Slavery! Ratify C189!

Signed by:

ACTFORM- Sri Lanka

AFL-CIO

Ain O Salish Kendro (ASK)- Bangladesh

Alliance of Progressive Labor (APL- Philippines

Association for Community Development - Bangladesh

Association of Major Religious Superiors of the Philippines- Migrants Center-

Philippines

ATIKHA- Philippines

Bangladesh Institute of Labor Studies-Bangladesh

Batis Center for Women-Philippines

Cambodia Legal Education Center (CLEC) - Cambodia

Caritas Lebanon M igrant Center (CLMC)- Lebanon

Center for Indian Migrant Studies (CIMS)- India

Center for Labour and Social Studies (CLASS) - Nepal

Center for Migrant Advocacy (CMA) – Philippines

Coalition for Migrants Rights (CMR)- Hongkong

Federasi Serikat Pekerja Metal Indonesia (FSPMI)- Indonesia

Federation of Free Workers (FFW) - Philippines

German Commission for Justice and Peace-Germany

Global Network- Asia

Helpers for Domestic Helpers (HDH)- Hongkong

Hongkong Confederation of Trade Unions (HKCTU) - Hongkong

Hope Workers Center (HWC)- Taiwan

Hsinchu Migrants and Immigrants Services Center (HMISC)

Humanitarian Organization for Migration and Economics (HOME)- Singapore

Human Rights and Development Foundation (HRDF)- Thailand

Institute of Social Development (ISD) - Sri Lanka

International Domestic Workers Network (IDWN)

JALA PRT- Indonesia

KAKAMMPI- Philippines

Kanlungan Centre Foundation- Philippines

Konfederasi Serikat Pekerja Indonesia (KSPI)-Indonesia

Labor Education and Research Network (LEARN) - Philippines

Labour Education Foundation (LEF) - Pakistan

Legal Support for Children and Women (LSCW)- Cambodia

Migrant Care- Indonesia

Migrant Forum in Asia

Migrant Forum India - India

Migrants Rights Council - India

National Domestic Workers Movement-India

POURAKHI- Nepal

Pravasi Nepali Coordination Committee (PNCC)-Nepal

Public Services Labor Independent Confederation (PSLINK)-Philippines.

Self Employed Women's Association (SEWA-Academy) - India

Serikat Buruh Migran Indonesia (SBMI)- Indonesia

Solidarity Center

Sr. Immaculate De Alwis, ACTFORM- Sri Lanka

SUMAPI- Philippines

Tamkeen for Legal Aid and Human Rights - Jordan

Transient Workers Count Too-Singapore

Trade Union Coordination Centre (TUCC) - India

Unlad Kabayan Migrant Services Foundation, Inc. - Philippines

Union of Domestic Workers in Andhra Pradesh - India

Visayan Forum Foundation Incorporated-Philippines

WARBE Development Foundation - Bangladesh

WOREC - Nepal

Youth Action Nepal (YOAC) - Nepal

God our Father and Mother

We know that as women, men and children we are all made in your image and that whatever race, color or creed and whatever we do we are equal before you and that the dignity of life is a must.

Sadly, we live in a world <u>where</u> our human failings mean the divide between rich and poor gets wider and more and more people migrate. Many are discriminated against including domestic workers.

We pray that you will guide all who are here to effect change in community and society both locally and globally so that human life is respected and the dignity of life is upheld. Guide us in our efforts so that hearts and minds will be changed and that ILO Convention 189 on decent work for domestic workers will be ratified and implemented.

We pray for all migrant workers throughout the world, but especially for domestic workers and their families left behind. We pray that they may know your love.

We remember in the silence of our hearts <u>all</u> domestic workers who have died and committed suicide. They are known to you in name. May they rest in peace.

For all who are victims of exploitation and abuse give them strength and caution in time of need and for all who care for them.

We pray that all perpetrators will be brought to justice and that you will give <u>us</u> strength as we fight for justice. Help us as we continue to challenge unjust structures of society.

We pray in all our endeavors we will all be transformed and changed and a world where all are equal will come about and domestic workers will be fairly remunerated and protected by labor laws.

We give thanks for our time together, time to share, time to build friendships and alliance, to build a better world. Pray that we will never give up until ILO 189 is ratified and implemented.

May God bless us all.