

**Memorandum of Understanding (MoU)**  
**Among**  
**ASEAN Trade Union Council (ATUC),**  
**South Asian Regional Trade Union Council (SARTUC), African Regional**  
**Organisation of the International Trade Union Confederation (ITUC-Africa),**  
**International Trade Union Confederation Asia Pacific (ITUC-AP); Arab Trade**  
**Union Confederation (Arab TUC) the Trade Union Confederation of the Americas**  
**(TUCA)**

The above six Trade Union organisations have expressed their firm commitment and willingness to undertake to develop this Memorandum of Understanding (MOU) and to work to ensure full and effective implementation of the content of the agreement.

We therefore:

**AFFIRM** that migration remains a historic and continuous human phenomenon that offers development benefits for sending, transit and receiving countries, as well as for the migrants and their families;

**UPHOLD** the importance of migration for employment purposes as a choice and its contribution to human dignity, decent life and shared prosperity when effectively and genuinely managed;

**Affirm** the right to free movement of people, workers, the right to migrate, not to migrate, to remain or to decent return;

**ACKNOWLEDGE** that women and youth constitute a growing majority of migrant workers, who, by and large, are largely on their own. Most remain outside the trade union movement. They are over represented in precarious work, exploited by recruiting agents and employers. They do not have a voice and representation in their working places and have to endure poor working and living conditions;

**NOTE** with concerns that migrant workers' rights continue to be trampled upon, abused and denied in ways that undermine their physical integrity, social self-worth, psychological sanctity, mental rectitude and economic empowerment. These abuses manifest in low and abysmal wages; delayed and withheld wages; beating and torture; slavery and vestiges of the worst forms of slavery; starvation and violence and harassment ; excessive working hours and very little rest time; racial attacks and xenophobia; hopelessness in the absence of legal redress to injustices, amongst others;

**REJECT** the current narrow reaction of engaging migration and refugee governance through the prisms of extremism, token populism, temporal electoral quick-fix, up scaling

of deportation, and the “economic growth narrative will keep migrants and refugees back in their countries”;

**BELIEVE** that mutual cooperation and genuine implementation and enforcement of the Decent Work Agenda will only create and multiply the benefits of labour migration for workers and families, investors, enterprises and employers as well as for sending, transit and host economies;

**ASCERTAIN** that the situation of migrant workers should be addressed through the principles of international trade union solidarity, social justice, equal treatment, equal opportunity, and gender equity.

**ACKNOWLEDGE** that International Labour Organisation (ILO) Conventions, Protocols and Recommendations and specifically No. 97 on Migration for Employment (1949), No.143 on Migrant Workers (Supplementary Provisions) 1975, No. 189 on Decent Work for Domestic Workers (2011), and the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990, and similar others all represent veritable instruments for the defence, protection and promotion of the rights of migrant workers.

**REALISE** that migrant workers should have the same rights as those of workers of destination country, including the right to freedom of association, including to establish or join and actively participate in trade union activities as eloquently provided for in ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise (1948) and No. 98 on Right to Organise and Collective Bargaining (1949);

**RECOGNISE** that trade unions are established to defend workers’ interests irrespective of race, nationality, demography, creed and gender. And that all workers, including migrant workers, should enjoy full labour rights included in internationally-labour recognised standards, the countries’ labour laws and collective agreements in receiving countries.

Subsequently, the parties to this MOU have therefore agreed to create better and improved spaces, opportunities and environment for the better defence, protection and promotion of migrants, their families and their rights through:

- Joint and coordinated efforts to promote and facilitate organising
- Advocacy and campaign engagements
- Training and education
- Communication, reporting and documentation
- Support services provision

The undersigned parties agree to cooperate and to carry out joint trade union campaigns to advance trade union solidarity and to strengthen cooperation among the parties for protection of both migrant and local workers, including harmonisation of their working and living conditions, through the agreed, but not limited to the following actions,

**ACTION 1:** To work for increased ratification of ILO Convention No. 97 and No. 143 and the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) as well as ILO Conventions dealing with public and private employment agencies; as well as to work for the ratification of ILO Convention No. 189 to promote decent work for domestic workers.

**Action2:** To push for legislation, amendments and model employment contract for migrant workers based on compliance with provisions of international labour standards and enforced through regulations and labour inspection to protect and promote the rights of migrant workers.

**Action3:** To promote, including with coordination with their affiliates to establish information centres for migrant workers to provide both potential migrants, and migrants, with information materials in the native languages (1) on migrant workers employment and living conditions and social benefits entitlement; and (2) on migration, employers' obligation, the national security system, and national laws.

**Action 4:** To facilitate and coordinate through our affiliates provision of services, and advice and assistance to migrant workers coming from countries of origin in cases where trade unions and trade union networks can assist to develop joint measures, including legal support, to denounce abusive practices and to provide legal remedies where needed, and for broadened services to migrant workers.

**Action 5:** To improve communication and links between and among regional organisations and with migrant worker communities to promote migrant worker involvement in trade unions, and dissemination of information of relevance and importance to migrant workers.

**Action 6:** To identify and raise issues of migrant workers such as gender concerns; the lack and weakness of social dialogue; recruitment fees and other related costs borne by migrant workers; prohibition of confiscation of travel and identity documents and promotion of labour mobility; trafficking and forced labour; including the status of migrant workers' social protection aspects, measures facilitating the regularisation of status of migrant workers in irregular situations in their national tripartite labour mechanisms and to ensure the involvement of trade unions in the development of bilateral agreements between governments of sending and receiving countries.

**Action 7:** To push through advocacy for cooperation between the governments of sending and receiving countries to enhance governance of migration, in the fields of establishing avenues for labour migration, strengthening of labour inspection, legal cooperation in the case of human trafficking, forced labour and other abusive situations, and issues of maintenance of social security entitlements

**Action 8:** work to achieve better and improved regulations of activities of recruitment and employment agencies and subcontractors as part of the effort to deepen fair recruitment practices such as the effective exploration of the Migrants Recruitment Advisor.

**Action 9:** To address occupational health and safety and housing concerns of migrant workers, particularly those in precarious conditions, as well as to promote assessable and portable social protection measures for migrant workers including women workers engaged in domestic work, including the promotion of labour mobility for such precarious workers.

**Action 10:** Seek improvement in Bilateral Labour Migration Agreements that would provide for the enjoyment of human and labour rights of migrants through social dialogue engagement that include social partners.

The parties to this MOU, through a "Committee of Representatives" will meet to discuss and make recommendations for an appropriate structure for coordination, implementation and evaluation of programme and actions, as well as to propose a detailed action plan to this MoU.

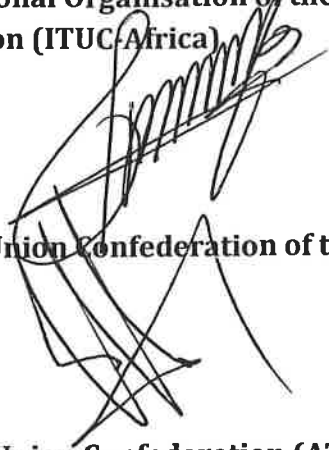
This MoU will come into effect on the date of signature by all parties. Amendment or termination of the MoU will be carried out through consultation and discussion amongst parties.

Signatures, names and designations of signatories

1. **ASEAN Trade Union Council (ATUC)**

2. **South Asian Regional Trade Union Council (SARTUC)**

**3. African Regional Organisation of the International Trade Union Confederation (ITUC-Africa)**

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and lines.

**4. The Trade Union Confederation of the Americas (TUCA)**

**5. Arab Trade Union Confederation (ATUC)**

A handwritten signature in black ink, featuring a long horizontal stroke with a smaller, more complex mark above it.

**6. International Trade Union Confederation Asia Pacific (ITUC AP)**

A handwritten signature in black ink, with a large, sweeping initial 'S' followed by several loops.