Forum: General Assembly Third Committee

Issue: Migrant workers in Southwest Asia and development in their home countries: issues and challenges

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Introduction

Migrant workers moving to and from regions have become a vital component in the modern global economy and the South and Southwest Asia region (SSWA) is no exception. The International migration of workers out of SSWA has been crucial in the development of the region and has had numerous salutary socio-economic effects in the often lesser-developed home countries of said workers, alleviating issues such as population pressure and lessening the strain of economic downturn. Though these migrants are no longer members of their own nation’s workforce, they contribute to its development by sending back remittances that pump money into the economy and rival the inflows of financial support provided by international aid programs.

Oftentimes motivated by domestic conflict, instability, or unemployment, migrant workers in the SSWA region seek foreign work to escape unfavorable socio-economic conditions in their home nation. However, these workers are often subjugated and face discrimination in the nations to which they migrate. Migrant workers in SSWA, especially females, are incredibly vulnerable and face a multitude of issues regarding remittances, worker’s rights, and beyond that threaten the safety of said workers and the development of their home nation. Migrant workers are key in the development of the SSWA region and tackling the issues currently facing said workforce are of the utmost importance to achieve socio-economic sustainability in certain developing nations.

Definition of Key Terms

South and Southwest Asia region (SSWA)

An Asian sub region namely consisting of Afghanistan, Bahrain, Bangladesh, Bhutan, Cyprus, India, the Islamic Republic of Iran, Iraq, Kuwait, Lebanon, Maldives, Nepal, Oman, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Syria, Turkey, United Arab Emirates, and Yemen.

Migrant worker
Oftentimes motivated by unfavorable domestic conditions and the desire to seek better socio-economic opportunities, migrant workers are workers who migrate from place to place seeking seasonal or permanent employment.

**Remittance**

A remittance is a transfer of money from a migrant worker to an individual or group of individuals in his or her home country. Remittances sent to developing nations provide a steady inflow of currency and act as a macroeconomic stabilizer.

**International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (ICRMW)**

Signed on December 18, 1990 and coming into effect on July 1, 2003, the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families is a United Nations multilateral treaty that outlines the protection of the rights of migrant workers and the obligations of governments to provide fundamental human rights to said workers. It aims to establish standards of protection for migrant workers and their families and has been signed and ratified by 47 states. The Committee on Migrant Workers (CMW) monitors the implementation of the conditions within the convention.

**Background**

As previously mentioned, workers in the SSWA migrate seeking foreign employment due to a variety of factors including political instability, persecution, war, and unemployment. Though these migrant workers provide valuable remittances (often through illegitimate means) to their home nation that assist in ensuring macroeconomic sustainability, this action in itself can also be detrimental to domestic socio-economic development in terms of domestic restructuring. Additionally, migrant workers in SSWA often face adverse conditions and subpar treatment as a result of a lack of fundamental human rights, threatening their safety and the security of their families.

**Motivation behind migration**

SSWA migrant workers tend to leave their home nations primarily as a result of high rates of unemployment and political instability. The fact that 40% of the region’s population still lives on less than $1.25 coupled with high unemployment in SSWA nations results in a consistent outflow of workers seeking better employment opportunities. Workers leaving their home nation also have the opportunity to return with new skills that will increase their chances of employment in their home country. Within the SSWA region, migration generally occurs westward toward popular destinations such as India, Iran, and Turkey. Many migrant workers from the region also choose to leave Southwest Asia and head to more developed states such as Australia, Singapore, and Japan.
Issues and challenges

Migrant workers from South and Southwest Asia still face a number of challenges that need to be addressed by international community to ensure their protection and maintain development in their home countries. Though the migration of labor forces outside home countries has assisted in economic development with over $206 billion in total remittances sent to the region, there are various concerns regarding the rights of migrant workers, the impact of remittances on domestic reform, illegitimate remittance transfers, and the exploitation and safety of female migrant workers in particular that must be alleviated to ensure sustainable development of the SSWA region.

Lack of labor protection and rights

Migrant workers from the SSWA region often face harsh exploitation and a severe lack of basic human rights in the countries where they seek employment. There are numerous issues that compromise the rights of migrant workers in SSWA including poor working and living conditions, vulnerability to disease, income below promised wages, and a lack of social security. At the root of all these issues is the employer-sponsored system prevalent in the region, also known as the *kafala* system, which holds employers responsible for providing workers with healthcare, housing, and safe working conditions. This system, when left unregulated (as it often is), gives employers complete control over provision of the aforementioned aspects and as such leads to poor conditions and extensive violation of basic human and worker’s rights. Migrant workers under this system are commonly not allowed to leave their work or seek employment elsewhere without the permission of their employer. Though the aforementioned ICRMW has outlined the minimal standard of worker’s rights, the convention has yet to be signed and ratified by a multitude of SSWA nations. Its main ratifying states are usually countries of origin for migrant workers such as Sri Lanka, as it acts as a means of protecting its citizens abroad.

Illegitimate means of remittance transfers

Remittances to the home countries of migrant workers constitute a growing percentage of the GDP of SSWA nations; around 18 percent of Sri Lanka’s national GDP, for example, consisted of remittances. In the SSWA region in particular, migrant workers and their families are often more financially secure than their domestically employed counterparts. However, remittances are often transferred using unofficial channels though the *hundi* system of non-bank middlemen or through couriers and friends. In Pakistan and Nepal, for example, it was found that upwards of 60 percent of migrant workers use the *hundi* system to send remittances back home. This increases the chances of embezzlement and loss of income, as these unofficial channels are extremely unreliable and thus resulting in an overall loss in remittance inflow to developing SSWA nations.

Lack of domestic restructuring as a result of remittances
The beneficial nature of remittances and their macroeconomic stabilizing characteristics often contribute to a lack of domestic reform in SSWA nations. Due this advantage yielded by migrant workers abroad, home countries are often hesitant to restructure and create opportunities for employment in order to encourage outflow of migrant workers. This is a challenge in the growth of SSWA nations as it discourages domestic economic development in favor of lower-income sectors of the populous.

**Exploitation of female migrant workers**

Female migrant workers constitute half of the current migrant workforce from the SSWA region, a figure that has drastically increased over the past century and continues to grow due to growing socio-economic opportunities. These workers are crucial as females in many SSWA are traditionally designated the role of homemaker and are thus responsible for the work they do abroad in addition to the household in their home nation. However, the majority of these female migrant workers is considered low skilled and remain extremely vulnerable to exploitation and human rights abuses. Due to the status of many female migrant workers as household or domestic employees, they are often excluded from the already scant legislation directed towards ensuring the rights of workers. As a result, women are commonly sexually harassed or raped by their employers and are unable to escape said conditions. Moreover, women’s rights as workers are perhaps violated most severely by the *kafala* system, as females face exacerbated mobility restrictions and lack of female-specific healthcare in addition to the preexisting lack of basic healthcare provision. Female migrant workers are also more susceptible to human trafficking and involvement in the sex industry due to these factors.

**Major Parties Involved**

**Developing nations**

Developing nations in the SSWA region are where issues facing migrant workers are most prevalent and in most dire need of attention. In these nations, lack of economic development continues to provoke the exploitation of cheap labor and overall dependence on remittances as part of the total GDP.

**Non-governmental organizations (NGOs)**

Non-governmental organizations are vital to the United Nations in bringing forth creative perspectives and proposing new solutions to the issues facing migrant workers in the SSWA region. Reliable and knowledgeable NGOs can be consulted by the United Nations as they have focused goals and provide invaluable assistance through means of aid, ideas, and beyond. Collaboration with NGOs such as Amnesty International (AI) and Human Rights Watch (HRW) could potentially yield great success and strengthen the influence of the United Nations in alleviating many of the challenges facing migrant workers and issues relating to development in their home countries.
Committee on Migrant Workers (CMW)

The Committee on Migrant Workers is a UN sub-committee consisting of a group of independent experts that monitor the implementation of ICRMW in signed and ratified countries. The committee holds two sessions a year and is meant to receive reports from states regarding how the terms specified in the convention are being implemented, yet the only ratified state that has done so thus far is Sri Lanka. The committee also publishes annual reports detailing the progress of the implementation of the rights of migrant workers and (only under certain circumstances) receives complaints from individuals in ratified countries claiming their rights have been violated.

International Labor Organization (ILO)

The International Labor Organization is an agency of the United Nations that deals with issues of labor around the world, primarily concerning those regarding working conditions and international standards of fair work. The ILO has thus far had multiple conventions relating to migrant workers, namely conventions 97 and 143 that deal with migration for employment and treatment of migrant workers, respectively. Though these conventions are a step forward in assisting migrant workers in the SSWA region, many SSWA nations have yet to ratify them.

Timeline of Events

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<tr>
<th>Date</th>
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<tr>
<td>March 14, 2003</td>
<td>ICRMW reaches the minimum requirement of 20 ratifications upon the ratifications of</td>
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<td></td>
<td>Guatemala and El Salvador.</td>
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<tr>
<td>July 1, 2003</td>
<td>ICRMW officially comes into effect in ratified states.</td>
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Previous Attempts to Resolve the Issue

As previously mentioned, the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (ICRMW) has been the largest action proposed in maintaining the rights of migrant workers abroad. It attempts to outline the protection of the rights of migrant workers and the obligations of governments to provide fundamental human rights to said workers. However, it has yet to be ratified by the majority of SSWA nations and is thus largely ineffective in the region. Furthermore, out of the few states that have ratified the convention, only one (Sri Lanka) continues to send annual reports to the Committee on Migrant Workers regarding the progress of rights implementation.
Furthermore, the ILO has, too, had multiple conventions relevant to the issues and challenges facing migrant workers in the SSWA region. Similarly, these conventions have yet to be ratified by the majority of SSWA nations.

Action taken to alleviate issues relating to the *kafala* system of and employer-sponsored workface has been scant, but two countries in the SSWA region where the issue is prevalent have banned the system altogether (Kuwait and Bahrain). Qatar has similarly vowed to disband it in the near future. However, not all states have incentive to make this leap and have not taken enough action to do so.

The primary action taken to solve the issue of illegal remittances has been to encourage migrant workers to transfer remittances through banks to minimize the potential for loss and legitimize the transfer in general. For example, Pakistan launched the “Pakistan Remittance Initiative” in 2009 and India and Turkey offers special bank accounts for migrants abroad. These are effective in securing legitimate remittance transfers, but again, not all SSWA nations have taken this action.

**Possible Solutions**

- **Incentivize nations to abolish the *kafala* system:** Many developing nations in the SSWA region are not necessarily concerned with the implications and consequences of the *kafala* system of employment due to the government funds that may be required to support a migrant work force. Simply put, developing SSWA nations lack the means to support these workers and do not view the *kafala* system as a pressing issue in the development of their nation.

- **Incentivize nations to ratify the ICRMW:** The ICRMW is currently the most comprehensive convention relating to the challenges facing migrant workers abroad and it is thus imperative that SSWA nations agree to sign and ratify this convention. Whether through incentive or other means, the ratification of this convention would hold nations under an obligation to provide basic human and worker’s rights to migrant workers. The document heavily emphasizes the connection between rights for workers and basic human rights and thus the ratification of the treaty would develop both, improve overall working conditions, and alleviate some of the pressures regarding mobility currently facing workforces. Furthermore, this convention also has the potential to guarantee fairer pay and contract obligations that would in turn allow for greater remittances send back to home countries to assist in development.

- **Incentivize migrant workers to utilize formalized remittance transfers:** Informal remittance transfers pose a threat to the development of SSWA nations as the funds are moved illegitimately and are often lost in the process. Such transfers are often preferable to the migrant workforce, as they are perceived as simpler to initiate than formal bank transfers since many migrants lack in financial literacy. Additionally, migrant workers are oftentimes too busy during the day to make trips to formal money transferring firms and at night are often under guard due to the restriction of the *kafala* system. Thus, informal transfers are oftentimes seen as the only available option to return the funds home. Formal transfers would ensure the safety of the funds and they would also pump more money into the home nation’s banking system and assist in economic development as a whole. Migrant workers must have the incentives, knowledge, and
means in order to be motivated to formalize their remittance transfers to assist in the development of their own nation and minimize the losses that could be suffered as a result of scams or other illicit activities.

• Improve involvement and participation of relevant NGOs: NGOs are the backbone of the movement to implement universal human rights. Through collaboration with relevant NGOs, the United Nations could have more influence in alleviating this issue and allowing for appropriate action to be taken regarding migrant workers and development in their home nation. NGOs have the capability to ensure transparency, the provision of aid, and countless other assets vital to action on this issue.

Bibliography


