

**Legislative Council
of the
Hong Kong Special Administrative Region**

Delegation of the Legislative Council

**Report on the duty visit
to
the Asian Parliamentary Assembly Conference
on Principles of Friendship and Cooperation in Asia
and
the Ad Hoc Committee Meeting
on Protection of the Rights of Migrant Workers in Asia
held in
the Republic of Indonesia
27 to 29 September 2011**

TABLE OF CONTENTS

		Page
1	Introduction	1
2	Background	1-4
3	Ad Hoc Committee Meeting on Protection of the Rights of Migrant Workers in Asia	4-5
4	Asian Parliamentary Assembly Conference on the Principles of Friendship and Cooperation in Asia	5
5	Concluding remarks	6

Appendix

- I Programme of APA Conference
- II List of Members of APA
- III The Information Paper provided by the delegation and presented to the Ad Hoc Committee Meeting (LC Paper No. CB(2)2641/10-11(01))
- IV Speech of Hon Miriam LAU Kin-ye, GBS, JP at the Ad Hoc Committee Meeting on 28 September 2011
- V Explanatory Note on the Ad Hoc Committee Meeting on Protection of the Rights of Migrant Workers in Asia

- VI Draft Resolution of the Ad Hoc Committee
- VII Draft Resolution of the APA Conference
- VIII Photographs of the members of the
delegation at meetings and other events

1 - Introduction

1.1 A delegation of the Legislative Council ("LegCo") visited Solo, Central Java Province, the Republic of Indonesia from 27 to 29 September 2011 to attend as guest of the Indonesian House of Representatives the Asian Parliamentary Assembly Conference on Principles of Friendship and Cooperation in Asia (APA Conference) and the Ad Hoc Committee Meeting on the Protection of the Rights of Migrant Workers in Asia (Ad Hoc Committee Meeting). The activities of the delegation are set out in this report.

2 - Background

Asian Parliamentary Assembly

2.1 The Asian Parliamentary Assembly (APA) is born of the Association of Asian Parliaments for Peace (AAPP) in November 2006 in Tehran. AAPP was established in September 1999 in Dhaka, Bangladesh, with the aim of promoting unity towards the single purpose of peace and a concrete framework for regional cooperation to strengthen human rights protection and democracy, and also to cultivate strategies for the realization of peace and the right to development as well as social, cultural and environmental rights of the people in Asia. AAPP evolved into APA at AAPP's Seventh Session and adopted the APA Charter.

2.2 The vision of APA is Asian integration. Its objectives are:

- (a) promoting freedom, social justice, peace, security and friendship;
- (b) sharing access to up-to-date knowledge among members;
- (c) developing human and natural resources cooperatively among members, securing the interests of all members and recognizing their permanent authority on the resources;
- (d) providing welfare facilities on health and nutrition for the member states; and
- (e) contributing to the integration among Asian nations in order to utilize the potentialities of the region.

2.3 Membership of APA is open to national parliaments of the sovereign states of Asia in that they may submit their application for joining APA at any time. At present, APA comprises 41 member parliaments and 17 observers. Each member parliament has two delegates plus additional delegates in APA based on the size of its population. The membership list of APA is in Appendix II.

2.4 The basic organs of APA are the Plenary, the Executive Council, the Bureau of the Assembly, the committees as may be established and the Secretariat.

Ad Hoc Committee

2.5 Members of APA recognized that at the regional level it has an important role to play in ensuring greater cooperation amongst parliamentarians in the effort to protect the rights of migrant workers. The objectives of the Ad Hoc Committee Meeting on Protection of the Rights of Migrant Workers in Asia are¹ —

- (a) To support and strengthen the universal ratification process of the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- (b) To promote bilateral and regional cooperation between the sending and receiving countries to maximize the potential benefits from migration from every aspect and minimize the negative impacts of migration;
- (c) To develop a joint cooperation among Asian countries and promote a shared view and common framework to meet the challenges faced by migrant workers, and to raise public awareness and understanding on migration issue; and
- (d) To promote a comprehensive legislative review and other necessary measures to enhance the protection of the rights of migrant workers, as well as to harmonize the commitment to better protect migrant workers made in global and regional level into national legislation.

¹ Please see the Explanatory Note on Protection of the Rights of Migrant Workers by the Indonesia House of the Representatives at Appendix V.

The Invitation

2.6 The Indonesian House of Representatives through a letter of its Speaker invited LegCo to send a delegation of two members to participate in the Ad Hoc Committee Meeting and to follow as guest the APA Conference to be held in Solo, Central Java Province, Indonesia on 28 and 29 September 2011. The Indonesian House of Representatives would cover accommodation for the two delegates and provide meals and local transportation. Other additional delegates might attend at their own expenses. LegCo was also requested to submit a paper on the Protection of the Rights of the Migrant Workers in HKSAR. The programme for the APA Conference and the Ad Hoc Committee Meeting is in Appendix I.

2.7 At its meeting on 1 September 2011, the House Committee agreed to accept the invitation from the Indonesia House of Representatives to LegCo to send a delegation to the APA Conference and the Ad Hoc Committee Meeting. The House Committee also agreed that Hon Miriam LAU, the President's Deputy and Chairman of the House Committee, and Hon LEE Cheuk-yan, Chairman of the Panel on Manpower, should be the two members of the LegCo delegation. Dr PAN Pey-chyou and Mr LEUNG Kwok-hung joined subsequently as additional members of the delegation.

2.8 The LegCo Secretariat prepared the paper on "Protection of the Rights of Migrant Workers in HKSAR". The draft paper was discussed at the special meeting of the Panel on Manpower held on 16 September 2011 and all Members had been invited to attend the meeting to give views. The finalized paper² was sent to the APA Secretariat.

Membership of the delegation

2.9 The delegation comprised the following members:-

Official members of the delegation

Hon Ms Miriam LAU Kin-ye, GBS, JP
(The President's Deputy and Chairman of the House Committee)

² A copy of the paper (LC Paper No. CB(2)2641/10-11(01)) is at Appendix III.

Hon LEE Cheuk-yan
(Chairman of the Panel on Manpower)

Additional members of the delegation

Hon Dr PAN Pey-chyou

Hon LEUNG Kwok-hung

Staff of the Legislative Council Secretariat

Mr KAU Kin-wah, Senior Assistant Legal Adviser 3 (Secretary to the delegation) accompanied the delegation on the visit.

3 - The Ad Hoc Committee Meeting on the Protection of the Rights of Migrant Workers in Asia

3.1 The delegation participated in the Ad Hoc Committee Meeting held in the morning of 28 September 2011. The paper entitled "Protection of the Rights of Migrants Workers in HKSAR"³ providing information on the protection of the rights of migrant workers in HKSAR had been submitted earlier to the APA Secretariat (the paper). The paper covers the types of migrant workers in HKSAR; the protection of the rights of migrant workers under international conventions, local legislation and administrative measures; the services and supports provided to migrant workers; and the recent development relating to the scope of the rights of migrant workers in HKSAR.

3.2 After the opening remarks by the Assistant Secretary General of APA and the keynote speech by Her Excellency Muhaimin Iskandar, the Indonesian Minister of Manpower and Transmigration, the Chairman of the meeting, Hon Sidharto Danusubroto, invited delegates to deliver their speeches. After the delegates from 11 countries including China, Pakistan and Indonesia had made their speeches, the Chairman invited Hon Miriam LAU Kin-yea to present the paper. As copies of the paper were being distributed to the delegates present, Hon Miriam LAU made her speech highlighting the legislation and administrative measures adopted to protect migrant workers in HKSAR. A copy of the Hon Miriam LAU's

³ At Appendix III.

speech is at Appendix IV. The Chairman of the meeting commented that HKSAR had a good record for the protection of the rights of migrant workers.

3.3 The Ad Hoc Committee then briefly discussed a draft resolution on the protection of the rights of migrant workers in Asia⁴. Due to lack of time, the delegates agreed to adjourn the matter to be further considered by members.

4 - The APA Conference on the Principles of Friendship and Cooperation in Asia

4.1 The opening ceremony of the APA Conference held on 28 September 2011 was officiated by the Hon Dr Marzuki Alie, Speaker of the Indonesian House of Representatives who also delivered the opening speech. Delegates from 17 member parliaments attended. Brunei Darussalam and HKSAR LegCo attended as guests of the host.

4.2 The delegation attended all the sessions of the APA Conference, which comprised the afternoon session on 28 September 2011 and the morning session on 29 September 2011. Since LegCo was not a member of APA, the delegation had no right of speech and only followed the proceedings of the Conference. The delegates of member parliaments delivered speeches around the theme of friendship and cooperation in Asia. At the conclusion of the Conference, the delegates agreed on a declaration on friendship and cooperation in Asia⁵.

4.3 Members of the delegation had opportunities to acquaint with and exchange views with the delegates from other Asian parliaments during the welcome reception on 27 September 2011, the two banquets held on 28 and 29 September 2011 respectively and other social occasions. Photographs of the delegation attending the meetings and other events are at Appendix VIII.

⁴ A copy of the draft resolution is at Appendix VI.

⁵ A copy of the draft resolution is at Appendix VII.

5 – Concluding remarks

5.1 Members of the delegation found the Conference an opportune occasion to acquaint and exchange views with parliamentarians from other Asian countries. The concerns and objectives of APA are conducive to the peaceful development of the people of Asia. As a world city in Asia, HKSAR would benefit from the promotion of friendship and cooperation in Asia.

5.2 The Ad Hoc Committee meeting allowed the delegation to share with members of APA the HKSAR experience in protecting the rights of migrant workers. It would contribute to the international image of HKSAR.

5.3 Members of the delegation wish to thank the Indonesian House of Representatives for the invitation and the hospitality extended to the delegation during the visit. They also wish to thank the thorough arrangements by the dedicated staff of the House of Representatives and the APA Secretariat who have contributed much to making the delegation's visit pleasant and enjoyable.

Legislative Council Secretariat

11 November 2011

ASIAN PARLIAMENTARY ASSEMBLY



**International Conference on Principles of Friendship and Cooperation in Asia
and
Ad Hoc Committee Meeting on
the Protection of the Rights of Migrant Workers in Asia
28 – 29 September 2011
Solo, Central Java Province - Indonesia**

Tentative Program

Theme: Asian Integration for Friendship and Cooperation - Shaping a Better Future

Tuesday, 27 September 2011

Arrival of Delegates at Adisumarmo Airport
Proceed to the Sunan Hotel, Solo

19.30

Welcome Reception

Hosted by Hon. Dr. Muhammad Hidayat Nur Wahid, Chairman of the
Committee for Inter-Parliamentary Cooperation, the Indonesian House
of Representatives
Venue: Poolside of the Sunan Hotel, Solo

Wednesday, 28 September 2011

07.00 – 08.00

Breakfast

Venue: Narendra Restaurant, Lobby Level, Sunan Hotel

08.30 - 09.45

Opening Ceremony

Venue: Ballroom 2, Lobby Level, Sunan Hotel

- National anthem: Indonesia Raya (Great Indonesia)
- Art Performance
- Welcome Speech by Governor of Central Java
- Remarks by Secretary General of APA
- Opening Speech by Hon. Dr. Marzuki Alie, Speaker of the Indonesian House of Representatives
- Photo Session

09.45-10.00

Coffee break

- 10.00 – 10.30 **Ad Hoc Committee Meeting on Protection of the Rights of Migrant Workers in Asia**
- Remarks by Assistant Secretary General of APA
 - Keynote Speech by H.E. Muhaimin Iskandar, Minister of Manpower and Transmigration (*TBC*)
 - Photo Session
- 10.30 – 13.00 **Ad-Hoc Committee (Continued)**
- Adoption of the Agenda
 - Election of the Bureau
 - Remarks by Hon. Sidharto Danusubroto, Chairman of Ad Hoc Committee Meeting
 - Explanatory Note on the Protection of the Rights of Migrant Workers in Asia by Honorable Member of the Indonesian House of Representatives
 - General discussion
 - Consideration of Draft Resolution and Adoption of the Report of the Ad Hoc Committee
- 13.00 – 14.00 Lunch
Venue: Narendra Restaurant, Lobby Level, Sunan Hotel
- 14.00 – 15.00 **International Conference on Principles of Friendship and Cooperation in Asia**
- Remarks by Assistant Secretary- General of APA
 - Remarks by Hon. Priyo Budi Santoso, Deputy Speaker of the Indonesian House of Representatives
 - **Keynote Speech: Principles on Friendship and Cooperation in Asia** by H.E. Jusuf Kalla, Former Vice President of the Republic of Indonesia (*TBC*)
 - Photo Session
- 15.00 - 15.15 Coffee break
- 19.30 Dinner hosted by Hon. Dr. Marzuki Alie, Speaker of the Indonesian House of Representatives
Venue: House of Danar Hadi, Solo

Thursday, 29 September 2011

- 07.00 – 08.30 Breakfast
Venue: Narendra Restaurant, Lobby Level, Sunan Hotel
- 09.00 – 10.45 **International Conference (Continued)**
- Adoption of the Agenda and Election of the Bureau
 - Remarks by Hon. Dr. Muhammad Hidayat Nur Wahid, Chairman of the Conference
 - General Debate

- 10.45 – 11.00 - Coffee break
- 11.00 – 13.00 - General Debate (Continued)
- 13.00 – 14.00 Lunch
Venue: Narendra Restaurant, Lobby Level, Sunan Hotel
- 14.00 – 16.00 **International Conference (Continued)**
 - General Debate
- 16.00 - 16.15 - Coffee break
- 16.15 – 17.00 **Continuation**
 - Consideration and Adoption of Solo Declaration
 - Closing
- 19.30 Dinner hosted by Hon. Mr. Joko Widodo, Mayor of Surakarta
Venue: Mangkunegaran Palace, Surakarta

Friday, 30 September 2011

- 07.00 – 08.30 Breakfast
Venue: Narendra Restaurant, Lobby Level, Sunan Hotel
- Departure of Delegates

FACT SHEET
Asian Parliamentary Assembly Membership

	Country	Number of votes
1.	Afghanistan	4
2.	Bahrain	2
3.	Bangladesh	5
4.	Bhutan	2
5.	Cambodia	4
6.	China	7
7.	Cyprus	2
8.	DPR Korea	4
9.	India	7
10.	Indonesia	6
11.	Iran	5
12.	Iraq	4
13.	Jordan	4
14.	Kazakhstan	4
15.	Kiribati	2
16.	Kuwait	4
17.	Kyrgyzstan	4
18.	Laos	4
19.	Lebanon	4
20.	Malaysia	4
21.	Maldives	2
22.	Mongolia	4

Asian Parliamentary Assembly Membership (cont'd)

	Country	Number of votes
23.	Nepal	4
24.	Pakistan	5
25.	Palau	2
26.	Palestinian Authority	4
27.	Philippines	5
28.	Republic of Korea	4
29.	Russia	5
30.	Saudi Arabia	4
31.	Singapore	4
32.	Sri Lanka	4
33.	Syria	4
34.	Tajikistan	4
35.	Thailand	5
36.	Tonga	2
37.	Turkey	5
38.	United Arab Emirates	4
39.	Uzbekistan	4
40.	Vietnam	5
41.	Yemen	4

Research Division
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**Information Paper provided by the delegation of the
Legislative Council of the Hong Kong Special
Administrative Region of the People's Republic of China**

**Protection of the Rights of Migrant Workers in
the Hong Kong Special Administrative Region**

1. Background

1.1 On behalf of the Indonesian House of Representatives, the Speaker of the House has invited the Legislative Council ("LegCo") of the Hong Kong Special Administrative Region ("HKSAR") to participate in the Ad Hoc Committee Meeting on the Protection of the Rights of Migrant Workers in Asia to be held at Solo in the Republic of Indonesia on 28 September 2011.

1.2 For the purpose of the Ad Hoc Committee Meeting, this paper provides information on the protection of the rights of migrant workers in HKSAR. The paper covers the types of migrant workers in HKSAR; the protection of the rights of migrant workers under international conventions, local legislation and administrative measures; the services and supports provided to migrant workers; and the recent development relating to the scope of the rights of migrant workers in HKSAR.

2. Types of migrant workers in HKSAR

2.1 *Article 12* of the *Basic Law* stipulates that HKSAR shall be a local administrative region of the People's Republic of China ("PRC"), which shall enjoy a high degree of autonomy and come directly under the PRC Government. In *Article 154*, the Government of HKSAR ("the HKSAR Government") may apply immigration controls on entry into, stay in and departure from the Region by persons from foreign states and regions. According to Section 11(2) of the *Immigration Ordinance*, the permission for a person to land or remain in HKSAR is subject to the examination by and, where considered necessary, conditions of stay as imposed by the Director of Immigration of the HKSAR Government.

2.2 While HKSAR does not have a legislative definition of migrant workers, according to *Article 11* of the International Labour Organisation's *Migration for Employment Convention (Revised)*¹, a migrant for employment means a person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment.

2.3 According to the categorization by the Immigration Department of the HKSAR Government, there are six major types of migrant workers in HKSAR² (please refer to Appendix):

- (a) professionals and investors – persons who possess special skills, knowledge or experience of value to and not readily available in HKSAR can obtain employment visas to work in HKSAR under the General Employment Policy. In 2009-2010, there were 22 280 professionals from nearly 100 countries/territories admitted into HKSAR for employment in various sectors, either on long-term or short-term basis;
- (b) Mainland³ talents and professionals – the Admission Scheme for Mainland Talents and Professionals, implemented in July 2003, allows qualified Mainland applicants to work in HKSAR in order to meet local manpower needs. The Scheme has no sectoral restrictions, catering for the entry of talents and professionals in the arts, culture, sports and culinary sectors. As at 31 March 2010, 34 967 talents and professionals were admitted under this Scheme;

¹ The *Migration for Employment Convention (Revised)* specifies that migrants in regular status should receive treatment no less favourable than those of nationals in certain matters pertaining to employment.

² Annual Report of the Immigration Department of the HKSAR Government, 2010.

³ According to *Article 1* of the *Basic Law*, HKSAR is an inalienable part of PRC. In this paper, in order to distinguish the HKSAR system from the PRC system, "Mainland China" is used to describe PRC when it is not intended to include HKSAR, the Macao Special Administrative Region and Taiwan.

- (c) overseas Chinese professionals – introduced in September 1990, Mainland residents who have been residing overseas for at least one year immediately before submitting the application from overseas would be allowed to come to HKSAR for employment⁴. There were 3 023 overseas Chinese professionals admitted to work in HKSAR between November 2000 and March 2010;
- (d) non-local graduates – the Immigration Arrangements for Non-local Graduates ("IANG") was introduced in May 2008. Foreign persons who have obtained a degree or higher qualification in a full-time and locally-accredited programme in HKSAR can apply to stay and work in HKSAR. Those who apply within six months after their graduation are not required to secure an offer of employment upon application, while those apply after six months of their graduation need to meet such requirement. Successful applicants under IANG who are able to meet the normal immigration requirements may be granted 12 months' stay on time limitation without other conditions of stay. As at 31 March 2010, 6 522 non-local graduates were approved to work in HKSAR under this arrangement;
- (e) imported workers – under the Supplementary Labour Scheme introduced in 1996, persons from overseas are employed to fill vacancies which could not be filled by local workers. Imported workers are normally allowed to stay for an initial period of 12 months and the maximum contract period is two years. As at 31 March 2010, there were 16 418 workers admitted under this Scheme; and
- (f) foreign domestic helpers ("FDHs") – persons from overseas are allowed to work as domestic helpers in HKSAR on a two-year contract basis to relieve domestic families of household chores since the 1970s. As at 31 March 2010, there were 273 609 FDHs in HKSAR, with 49% coming from Indonesia, 48% from the Philippines, and the remaining from Thailand and other regions.

⁴ Until 1 November 2000, the overseas residential requirement immediately before submitting the application from overseas for employment in HKSAR was two years.

2.4 Most migrant workers in HKSAR are FDHs. In 1970s, the Philippine Government implemented the *1974 Labour Code* which began the Philippines' export of labour⁵. The Philippine Government promoted and encouraged labour export as a measure to ease its serious unemployment situation at home. Meanwhile, Hong Kong achieved near full employment due to economic boom in the manufacturing and servicing sectors. As a result, the Hong Kong Government attempted to mobilize the local female labour force to ease the labour shortage problem, which led to a growing need for domestic assistance and particularly the hiring of FDHs from the Philippines. The number of FDHs has been on the rise since they were first allowed to work⁶ in the territory. In the early 1970s, there were only about 2 000 FDHs in Hong Kong. The number increased to 21 000 in 1982 and 70 300 in 1990. The increase continued during the 1990s and the total reached 200 000 in 2000.⁷ In 2010, FDHs accounted for 3.9% of the total population⁸ in HKSAR, i.e. 273 609 persons.

2.5 Until the 1990s, most FDHs came from the Philippines. After the Asian economic crisis in 1998, both Indonesia and Thailand allowed labour to work as domestic helpers in other places including HKSAR. Over the years, the Immigration Department has reported a drastic increase in the number of migrant workers entering HKSAR from Indonesia and Thailand. In 2010, the percentage of FDHs coming from Indonesia for the first time exceeded that from the Philippines⁹.

⁵ *Article 17 of the Labour Code of the Philippines* states that an Overseas Employment Development Board is created to undertake, in cooperation with relevant entities and agencies, a systematic programme for overseas employment of Filipino workers in excess of domestic needs and to protect their rights to fair and equitable employment practices.

⁶ According to the Labour Department of the HKSAR Government, the policy of allowing FDHs to work in HKSAR is in line with the principle that non-local persons are admitted for employment only if the jobs concerned are not readily taken up by the local work force.

⁷ Baseline Research on Racial and Gender Discrimination towards Filipino, Indonesian and Thai Domestic Helpers, Asian Migrant Centre, p.15.

⁸ According to the Census and Statistics Department of the HKSAR Government, the population in HKSAR was 7 067 800 as at 31 March 2010.

⁹ Annual Reports of the Immigration Department of the HKSAR Government, 2008-2010.

3. Relevant international conventions and local legislation

International conventions

3.1 There are three international conventions specifically addressing the rights of migrant workers, namely the United Nation's *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*¹⁰; and the International Labour Organisation's *Migration for Employment Convention (Revised)* and *Migrant Workers (Supplementary Provisions) Convention*¹¹. Among the three conventions, only the *Migration for Employment Convention (Revised)* applies to HKSAR.

3.2 According to *Article 39* of the *Basic Law*, the provisions of the *International Covenant on Civil and Political Rights*, the *International Covenant on Economic, Social and Cultural Rights*, and the international labour conventions¹² as applied to HKSAR shall remain in force and shall be implemented through the laws of HKSAR after its reunification with the Mainland China. Furthermore, the United Nation's *International Convention on the Elimination of All Forms of Racial Discrimination* and the *Convention on the Elimination of All Forms of Discrimination against Women* are also applicable to HKSAR.

¹⁰ The *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* aims to foster respect for migrants' human rights, and guarantee equality of treatment and the same working conditions for migrants and nationals.

¹¹ The *Migrant Workers (Supplementary Provisions) Convention* addresses the needs of those migrant workers in irregular status. It focuses on labour migration under abusive conditions and equality of opportunity and treatment.

¹² According to the Department of Justice of the HKSAR Government, there are 41 international labour conventions applicable to HKSAR. The conventions cover various aspects of labour rights and protections, including unemployment, maternity protection, equality of treatment, workmen's compensation and working environment.

Local legislation

3.3 In HKSAR, all migrant workers enjoy the same statutory rights and protection as local workers under the labour legislation. The two major pieces of labour legislation in HKSAR, namely the *Employment Ordinance*¹³ and the *Employees' Compensation Ordinance*¹⁴, apply equally to local and migrant workers. Under these Ordinances, migrant workers have the right to unionise, organize, demonstrate and undertake religious and cultural activities. In particular, they enjoy various types of protection including:

- (a) maternity protection – female FDHs are eligible for 10 weeks' paid maternity leave if they have been employed under a continuous contract¹⁵ immediately before the commencement of the scheduled maternity leave. The daily rate of maternity leave pay is equal to four-fifths of the average daily wages of the FDH. Further, once a female FDH has given notice of her pregnancy and her intention to take maternity leave, the employer is prohibited from dismissing her by reason of her pregnancy¹⁶;
- (b) rest days – employers should provide FDHs at least one rest day in every period of seven days, and the rest day is a continuous period of not less than 24 hours and is in addition to the statutory holidays to which the FDHs are entitled;
- (c) statutory holidays – FDHs are entitled to 12 statutory holidays in a year irrespective of their length of services;
- (d) paid annual leave – FDHs are entitled to paid annual leave after serving every period of 12 months with the same employer. The length of paid annual leave will increase progressively from seven days (for one to two years) to a maximum of 14 days (for nine years and above) according to the length of service;

¹³ Chapter 57 of the Laws of HKSAR.

¹⁴ Chapter 282 of the Laws of HKSAR.

¹⁵ An employee who has been employed continuously by the same employer for four weeks or more, with at least 18 hours worked in each week, is regarded as being employed under a continuous contract.

¹⁶ Section 15 of the *Employment Ordinance* (Chapter 57 of the Laws of HKSAR).

- (e) long service payment – employers should pay long service payment to FDHs upon their dismissal if they have worked continuously for not less than five years. If the FDH has had not less than 24 months of service with the same employer immediately prior to the termination by reason of redundancy, he/she is entitled to severance payment; and
- (f) employees' compensation – the *Employees' Compensation Ordinance* in general applies to employees who are employed under a contract of service or apprenticeship. Employers must take out insurance with authorized insurers to secure their liability to pay compensation under the Ordinance and the common law in respect of injuries sustained by their employees as a result of an accident arising out of or in the course of employment. Any employer who does not have a valid insurance commits an offence and is liable to a maximum fine of HK\$100,000 and imprisonment for two years.

Administrative measures

3.4 For FDHs, the HKSAR Government has taken administrative measures, which are not applicable to local workers, to safeguard the rights of FDHs. They are protected by a Standard Employment Contract which is mandatory for hiring FDHs, regardless of nationality or gender in the sense that unless the Standard Employment Contract is signed between the employer and FDH, the relevant authority will not issue the requisite visa to the FDH.

3.5 Any HKSAR resident who satisfies the criteria as specified in the Guidebook for the Employment of Domestic Helpers from Abroad¹⁷, including financially capable of employing a FDH and completion of the Standard Employment Contract, may employ a FDH. The employer should submit the application forms for employing a domestic helper from abroad and for an entry visa together with the completed contract and other required documents. All contracts must be notarized by the corresponding consulate before the Immigration Department of the HKSAR Government approves the FDH employment visa unless the FDH's country of origin does not require such notarization.

¹⁷ Accessible at the website of the Immigration Department of the HKSAR Government at [http://www.immd.gov.hk/ehtml/ID\(E\)969.htm](http://www.immd.gov.hk/ehtml/ID(E)969.htm).

3.6 Under the Standard Employment Contract, a FDH is employed as a full-time, live-in domestic helper at the employer's residence for a period of two years. The helper should only perform domestic duties¹⁸ as listed in the Schedule of Accommodation and Domestic Duties attached to the contract, and should not take up and be required by the employer to take up any other services (including part-time work) for any other person or at other premises.

3.7 The Standard Employment Contract also sets out the basic employment terms, under which the employer must provide the FDH:

- (a) a mandatory wage level not lower than the prevailing Minimum Allowable Wage ("MAW")¹⁹. With effect from 2 June 2011, MAW for FDHs is HK\$3,740 per month²⁰. Underpaying is a criminal offence, and offenders are subject to a maximum penalty of HK\$350,000 and imprisonment for three years;
- (b) provision of free accommodation with reasonable privacy;
- (c) free food or food allowance;
- (d) free medical treatment; and
- (e) free passages from the FDH's place of origin to HKSAR and return to his/her place of origin on termination or expiry of the contract.

¹⁸ The major domestic duties listed in the Schedule of Accommodation and Domestic Duties are household chores, cooking, looking after aged persons in the household, baby-sitting and child-minding.

¹⁹ The determination of salaries for FDHs is based on MAW instead of Statutory Minimum Wage ("SMW") as all live-in domestic helpers, both local and foreign, are exempted from SMW. Given SMW is set on an hourly basis, it is practically impossible to apply on live-in domestic workers as they are residing, working and living in the employers' home, rendering the calculation and recording of their working hour unfeasible.

²⁰ MAW is determined with reference to a basket of economic indicators including the prevailing general economic condition and the employment situation in HKSAR. MAW is subject to regular reviews. Since the early 1970s, there have been 25 adjustments on MAW, of which, all but two were upward adjustments and five of them had an increment of 20% or more.

3.8 The HKSAR Government also regulates the commission that a migrant worker may pay the HKSAR employment agency that places him/her. The *Employment Agency Regulations*²¹ stipulate that the maximum commission for an employment agency should not exceed 10% of the first month's wages of the migrant worker who has been placed in employment by the agency. Overcharging a job seeker is a criminal offence and the maximum penalty is a fine of HK\$50,000. However, the Regulations do not cover fees and charges that the migrant workers may be required to pay at their places of origin.

4. Supports for migrant workers in HKSAR

4.1 In order to raise awareness of both employers and migrant workers on labour rights, the HKSAR Government has taken the initiative to organize exhibitions and promotion activities for migrant workers. The Labour Department has also published a guidebook for FDHs in several languages to explain to them their rights and relevant services provided by the Government.

4.2 In HKSAR, there are established redress channels for migrant workers to voice their grievances and seek assistance. Migrant workers are encouraged to report to the relevant authorities, such as the Labour Department, the Immigration Department and the Police if they are being abused or their rights are infringed. In the event that free conciliation services provided by the Labour Department are not successful, migrant workers can approach the Labour Tribunal or the Minor Employment Claims Adjudication Board for further assistance. In addition, migrant workers are eligible to apply for assistance under the Legal Aid Scheme provided by the Government when they become involved in legal proceedings.

4.3 There are also various non-government organizations and migrant support groups in HKSAR which provide services and supports to migrant workers. The two largest FDH groups from the Philippines and Indonesia have established their respective trade unions in HKSAR. Other organizations such as the Asian Migrant Centre and the Asian Migrants Coordinating Body also provide information, organize programmes and conduct researches on migrant workers.

²¹ *Regulation 10 of Employment Agency Regulations* (Subsidiary Legislation A of Chapter 57 of the Laws of HKSAR).

5. Recent dispute relating to the scope of the rights of migrant workers in HKSAR

5.1 A Filipino FDH who has lived in HKSAR since 1986, applied to become a permanent resident on the basis that she has been ordinarily residing in HKSAR for a period not less than seven years. Her application was refused by the Immigration Department on the ground that her stay in HKSAR was not reckoned as ordinary residence under the *Immigration Ordinance*²². She then applied for judicial review and one of her arguments is that the relevant provision in the *Immigration Ordinance* might be inconsistent with *Article 24(4)* of the *Basic Law*, which states that persons not of Chinese nationality who have entered HKSAR with valid travel documents, have ordinarily resided in HKSAR for a continuous period of not less than seven years and have taken HKSAR as their place of permanent residence before or after the establishment of the HKSAR could be permanent residents of HKSAR.

5.2 The case was heard at the Court of First Instance of the HKSAR High Court and the judge reserved judgement on the case after a two-and-a-half day hearing. A decision is expected by the end of September 2011. Two similar cases are pending before the High Court. Since the cases are pending legal proceedings, it is not appropriate for LegCo and its Members to comment or express any views on the matters in issue.

Legislative Council Secretariat
September 2011

²² Schedule 1 to Chapter 115 of the Laws of HKSAR.

Appendix

Table – Number of visas/entry permits issued under major schemes by the Immigration Department of the HKSAR Government (2008-2010)

	2008-2009	2009-2010
Employment Visas for foreigners under the General Employment Policy ⁽¹⁾	22 815	22 280
Admission Scheme for Mainland Talents and Professionals	6 552	6 718
Overseas Chinese Professionals	404	498
Immigration Arrangements for Non-local Graduates	3 124	3 398
Supplementary Labour Scheme	1 317	1 078
Foreign Domestic Helpers	86 962	88 931

Note: (1) Excluding training and group visa applications.

Source: Annual Report of the Immigration Department of HKSAR Government 2010

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**Speech for presentation of the paper on
"Protection of the Rights of Migrant Workers in the Hong Kong
Special Administrative" by the delegation of the Legislative Council
of the Hong Kong Special Administrative Region
of the People's Republic of China**

Mr/Madam Chairman,

On behalf of the Legislative Council of the Hong Kong Special Administrative Region ("HKSAR") of the People's Republic of China, we would wish to thank the Speaker of the Indonesia House of Representatives for inviting us as Guest to the Asian Parliamentary Assembly Ad Hoc Committee Meeting on Protection of the Rights of Migrant Workers in Asia. Our delegation has presented an information paper entitled "Protection of the Rights of Migrant Workers in HKSAR", and I would like to take this opportunity to highlight the main points.

2. HKSAR is a special administrative region of the People's Republic of China ("PRC") which enjoys a high degree of autonomy as provided under the Basic Law of the HKSAR of PRC. Within this high degree of autonomy, and as provided under the Basic Law, the Government of HKSAR ("the Hongkong Government") exercises immigration controls on entry into, stay in and departure from the Region by persons from foreign states and regions independent of PRC. The permission for a person to land or remain in HKSAR is subject to the examination by and, where considered necessary, conditions of stay as imposed by the Director of Immigration of the Hongkong Government.

3. HKSAR does not have a legislative definition of migrant workers. Nevertheless, according to the categorization by the Immigration Department of the Hongkong Government for handling work-visa applications from persons who do not have the right to permanent residence in Hong Kong, there are six major types of migrant workers in HKSAR under the various schemes covering professionals and investors, talents and professionals from the PRC Mainland, overseas Chinese professionals, non-local graduates, imported workers and foreign domestic helpers.

4. Most migrant workers in HKSAR are foreign domestic helpers. The number of foreign domestic helpers has been on the rise since they

were first allowed to work in HKSAR to ease the labour shortage problem in the early 1970s. In 2010, foreign domestic helpers accounted for 3.9% of the total population in HKSAR, i.e. 273 609.

5. The rights of migrant workers are protected by local legislation of HKSAR which either implements or is in alignment with various international labour conventions applicable to HKSAR. In HKSAR, all migrant workers enjoy the same statutory rights and protection as local workers under the labour legislation. Migrant workers have the right to unionise, organize, demonstrate and undertake religious and cultural activities. In particular, they enjoy various types of protection including maternity protection, rest days, statutory holidays, paid annual leave, long service payment and employees' compensation.

6. Legislation aside, the Hongkong Government has also taken administrative measures which apply to foreign domestic helpers only in order to safeguard their rights. Regardless of nationality or gender, foreign domestic helpers are protected by a Standard Employment Contract which is mandatory for their hiring. The Standard Employment Contract sets out the domestic duties that should be performed by the foreign domestic helpers and requires the employer to provide the foreign domestic helper with a mandatory wage level not lower than the prevailing Minimum Allowable Wage, free accommodation with reasonable privacy, free food or food allowance, free medical treatment, and free passages between his/her place of origin and Hong Kong on termination or expiry of the contract.

7. The Immigration Department will only issue an employment visa to a foreign domestic helper on condition that the Standard Employment Contract is signed between the employer and the foreign domestic helper, and it has been notarized by the corresponding consulate, unless the foreign domestic helper's country of origin does not require such notarization. The Hongkong Government also regulates the commission that a migrant worker may pay the Hong Kong employment agency that placed him/her.

8. In order to raise awareness of both employers and migrant workers on labour rights, the Hongkong Government has taken the initiative to organize exhibitions and promotion activities for migrant workers. The Labour Department has also published a guidebook for foreign domestic helpers in several languages to explain to them their rights and relevant services provided by the Government. There are established redress channels for migrant workers to voice their grievances and seek

assistance. Migrant workers are eligible to apply for legal aid provided by the Hongkong Government when they become involved in legal proceedings. There are also various non-government organizations and migrant support groups in HKSAR which provide services and supports to migrant workers. These include, among others, the Asian Migrant Centre and the Asian Migrants Coordinating Body.

9. Members of our delegation are happy to answer any questions arising from information provided in our paper.

- End -

Explanatory Note
Adhoc Committee Meeting
On the Protection of the Rights of Migrant Workers

Background

Migration for employment and its linkages with development have become a global issue which affects most nations in the world, positively and negatively. Asia is also experiencing these positive and negative effects of migration.

In the last 20 years, ILO reports that gross emigration of labor has risen with the annual rate of 6% in Asian region as a whole. Migrant workers' remittances has amounted to more than US\$ 40 billion in the region as a whole, and for some countries of origin have also become the single most important source of foreign exchange income. The World Bank data in 2010 recorded that 4 out of 10 world's biggest remittance recipient countries are Asian countries.

Migrant workers have also generated positive contribution to the development of the receiving countries. It is noted that in many destination countries, demand for skilled workers increases, driven by population and ageing factors. It is also noted that migration from developing countries to other developing countries is larger than migration from developing countries to developed countries. Asia, for instance, has become the world's largest supplier of professionals and skilled migrant workers, which are needed by other Asian countries.

Noting the great potential of positive contribution given by migrant workers to the development of their sending and receiving countries mentioned above, the urgency for the protection of migrant workers in Asia remain strong. This protection is crucial especially for the low-skilled migrant workers who face many challenges, including mistreatment, discrimination, underpaid and unpaid employment, indecent working and living condition, ignored labor, and even human rights abuses. Women, who account for almost half of all international migrants, face specific challenges. Other challenges arise from the issue of migrant workers are the growth of irregular migration, as well as transnational crimes such as trafficking and smuggling of people. These challenges are affecting the economic, social, and security situation of the sending and receiving countries.

In the global level, various efforts are taken to address the issue of the protection of migrant workers. One of the efforts is the adoption of the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UN ICRMW). This convention comprehensively regulates human rights protection forms for migrant workers and their family which need to be conducted by sending countries, transit, or receiving countries. It also regulates subject referred to migrant workers. Several efforts of global campaign to encourage the universal ratification of this convention have been conducted by various parties, including the UN through UN Human Rights High Commissioner. The campaign itself is not only directed to the migrant workers sending countries, but also to the receiving and transit countries.

Aside from the adoption of the said international convention in 1990, the UN through ILO on its 100th conference in 2011 has adopted a convention concerning decent work for domestic workers which recognized the rights of work for domestic workers where many of them are also migrants. Moreover, various UN General Assembly resolutions urged States, including parliamentarians to increase the protection of migrant workers.

Countries are now recognizing that such challenges needs to be tackled on a broader front since it has many dimensions -- including national security, neighbor-state relations and human rights. The global challenge today is to forge the policies and the means to regulate and manage migration and the migrant workers as well as to ensure that it contributes positively to development of both home and host societies and to the protection of the rights of migrant workers themselves.

Along with the global character of migration phenomenon, mutual understanding has been achieved in the importance of dialog and cooperation at the international, regional, as well as bilateral level, to better protect the basic rights of migrant workers. In this regard, the role of parliamentarians at national level is highly significant. At the regional level, Asian Parliamentary Assembly (APA) has an important role to play in ensuring greater cooperation among parliamentarians in the effort to protect the rights of migrant workers aforementioned.

Importance and relevance

- Demographic trends and uneven development patterns in Asia suggest that labor migration will continue to grow. If efficiently managed, it can contribute to the improvement of migrant workers' individual skills and capacities, support the efforts to achieve poverty reduction and alleviation, and provide a competitive advantage in an increasingly global economic environment.
- The ICRMW was adopted by the UN General Assembly through 45/158 resolution, 18 December 1990. It was already in effect in 2003 and there are currently 31 signatory countries and about 44 states party to this convention.
- However, the acceptance of this convention within Asian countries is minimal. It is recorded that there are only 3 (three) parties of this convention, which are: the Philippines, Sri Lanka and Timor Leste, and a few signatory countries, which are: Bangladesh, Cambodia, and Indonesia. In the end, the efforts to expedite the ratification are also in the hand of legislators/members of parliament. Thus, the cooperation among legislators/members of parliament in the region regarding the understanding and the need to increase the rights of migrant workers is of strategic importance.
- Confirming a shared responsibility to realize a common vision for a secure and prosperous Asia with the main focus on the improvement of the quality of life of its people and measures on the protection and promotion of the rights of migrant workers.
- This Ad-hoc Committee Meeting on Protection of the Rights of Migrant Workers is also important as a recognition forum on the contribution of migrant workers to the society and the economy of both the sending and receiving countries.

Objectives

- To support and strengthen the universal ratification process of the UN ICRMW to stress Asian commitment on the protection of the rights of migrant workers and humanitarian issues in Asia.
- To promote bilateral and regional cooperation between the sending and receiving countries to maximize the potential benefits from migration from every aspect and minimize the negative impacts of migration.
- To develop a joint cooperation among Asian countries and promote a shared view and common framework to meet the challenges faced by migrant workers, and to raise public awareness and understanding on migration issue.
- To promote a comprehensive legislative review and other necessary measures to enhance the protection of the rights of migrant workers, as well as to harmonize the commitment to better protect migrant workers made in global and regional level into national legislation.



ASIAN PARLIAMENTARY ASSEMBLY

AD HOC COMMITTEE ON THE PROTECTION AND PROMOTION OF THE RIGHTS OF MIGRANT WORKERS IN ASIA

SOLO, INDONESIA, 28 SEPTEMBER 2011

DRAFT RESOLUTION

We, members of the Asian Parliamentary Assembly,

ACKNOWLEDGING that the development of migrant workers and the protection of their rights would contribute to the development and promotion of friendly relations among countries;

RECALLING the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and other relevant international instruments;

RECOGNIZING that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Labour Organization (ILO) Convention 97 on Migration for Employment, ILO Convention 143 on Migrant Workers (Supplementary Provision), and ASEAN Declaration on the Protection and the Promotion of the Rights of Migrant Workers established a broad legal framework for the protection of migrant workers;

CONFIRMING that the ratification of 8 ILO conventions namely: Convention No 29, Convention No 87, Convention No 98, Convention No 100, Convention No 105, Convention No 111, Convention No 138, and Convention No 182 shall promote the protection of human rights in various aspects including the rights to work for migrants without distinction of any kind such as sex, race, colour, language, religion or conviction,

political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status;

WELCOMING the adoption of ILO Convention Concerning Decent Work for Domestic Workers at the 100th International Labour Organization (ILO) Conference in Geneva, 2011 as a global recognition on the existence of domestic workers where many of them are migrants;

UNDERLINING the importance of establishing a broad legal framework for the protection of migrant workers and noting the legal and illegal status of different cases;
DEEPLY CONCERNED with the precarious conditions faced by migrant workers such as human rights abuses, harassment and violence, discrimination, low paying and low status jobs, unpaid jobs and ignored labor;

UNDERLINING the challenges that women migrant workers are facing such as forced confinement, low paying , physical and sexual harassment and abuse;

ACKNOWLEDGING the contribution of migrant workers to the society and economy of both receiving and sending states and their share to the development and prosperity of the region;

BEARING IN MIND the importance of friendly relationship and cooperation among governments, parliaments as well as the peoples of Asia in solving the problems relating to migrant workers; and in particular, providing repatriation assistant services such as coordination with families, airport assistance, domestic transport, temporary shelter, medical and rehabilitation services;

RECOGNIZING the significant role of parliaments both in strengthening social and human rights policies and in harmonizing Asian approach for respecting fundamental human rights, and protecting the rights of migrant workers in Asia;

CONFIRMING that providing enough measures on the protection and promotion of the rights of migrant workers in Asia is part of a shared responsibility among Asian Countries toward a common vision for security and prosperity which focused on the improvement of the quality of life of its people;

1. **Call upon** APA Member Parliaments to urge their respective governments, who have not yet done so, to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to stress Asian commitment on the protection of the rights of migrant workers and humanitarian issues in Asia;

2. **Urge** APA Member Parliaments to expedite the ratification process of the ILO Convention Concerning Decent Work in order to promote equal treatment and equal opportunity, and to protect the rights of domestic workers where many of them are also migrants;
3. **Call upon** APA Member Parliaments to promote comprehensive legislative review and parliamentary role to enhance the protection of the rights of migrant workers as well as to harmonize actions to a better protection of migrant workers, especially the woman, made at the global and regional level into national legislations;
4. **Request** APA Sending Countries to provide migrant workers with adequate skills and knowledge in order to be able to fulfill their task and understand the culture, prevailing laws and regulation in the receiving countries;
5. **Encourage** APA Member Parliaments to ensure that their domestic laws shall be fair and just, equally applicable to both migrant workers and citizens who violate the laws;
6. **Also encourage** the promotion of bilateral and regional cooperation among countries in all areas and issues of migrant workers to maximize the potential benefits and minimize the negative impacts of migration;
7. **Request** APA Member Countries to conclude bilateral, or regional agreements including Mandatory Consular Notification agreement under the spirit of Vienna Convention on Consular Relations therefore the sending countries are well informed on the legal problems facing by their migrant workers;
8. **Emphasize** the importance of involving civil society/non-government organizations and increasing their opportunity for participation and interaction with stakeholders to develop better policies on migrant workers issues;
9. **Recommend** APA Member Parliaments to provide adequate information on regulation, legislation and policies related to migrant workers in their respective countries, and to share information and best practices as well as opportunities and challenges encountered by Asian Countries in relation to the protection and promotion of migrant workers' rights and welfare;
10. **Request** the Secretary-General to coordinate with APA Member Parliaments on the progress to implement this resolution and submit a report thereon to the meeting of the Standing committee on Social and Cultural Affairs in 2012



ASIAN PARLIAMENTARY ASSEMBLY

DRAFT SOLO DECLARATION

On Friendship and Cooperation in Asia

September 29, 2011
Solo, Indonesia

We, the Representatives of the Member Parliaments of the Asian Parliamentary Assembly (APA), and other distinguished delegations participating in the International Conference on Friendship and Cooperation in Asia, held in Solo, Indonesia on 28-29 September 2011, and generously hosted by Indonesian House of Representatives, hereby declare the result of our deliberations as follows:

Spirit of Friendship in Asia

Our vast continent embraces the most ancient civilizations of the world. Asia also possesses a rich common heritage which can nurture amicable relations throughout the continent and beyond. The spirit of friendship in Asia provides solid grounds for common aspirations. And cooperation among Asian Nations and States is but a natural fruit of their shared efforts in facing common challenges. Today, Asia enjoys strong foundations and unique network of linkages which signify integrative trends in areas such as trade, energy, tourism, environment, and development.

The promotion and strengthening of friendly relationship and cooperation among Asian countries should be based on equality and mutual respect to independence, territorial integrity and national sovereignty and the principles of non-interference in internal affairs of other countries, in compliance with APA Charter as well as the United Nations Charter and other principles and customary practices of international law.

Role of Parliaments in Promoting Asian Common Heritage

Parliaments possess a prominent role in promoting and supporting friendly relations among Asian Nations and States. They can consolidate the spirit of friendship and cooperation by enhancing solidarity among Asian nations on the bases of shared aspirations and common challenges. As an Assembly of Asian people's representatives, and as a quasi-legislative body, the APA is in a proper position to cultivate Asian invaluable common heritage in the

interest of the promotion of friendship and cooperation among Asian Nations. APA has inspired and pioneered the vision of Asian integration. In order to realize this vision, there is a need for Asian countries to identify their common goals and move towards further convergence and integration in economic; social; cultural; political and environmental affairs. We acknowledge that the APA Declaration on principles of Friendship and Cooperation is a suitable framework for achieving further integration in Asia.

APA Achievements in Promoting Friendship and Cooperation in Asia

We recognize the significance of the adoption of “the Declaration on Principles of Friendship and Cooperation in Asia”¹ as a remarkable achievement by the APA in the realm of inter-parliamentary diplomacy. We have come to believe that it does indeed encompass a range of principles vital to further peace, security, and prosperity in the Asian community at large. It also provides a framework for convergence and a platform for gradual interaction at a macro level throughout the region.

The APA Declaration on Principles of Friendship and Cooperation in Asia takes into account not only the global context but also the regional elements required for a successful regional integration. From a global perspective, its adoption and promotion will definitely contribute to the promotion of Asia’s prominence at the world level. From a regional perspective, the common interests of all Asian states, as well as the shared challenges and opportunities facing their peoples, have been the guidelines for drawing up the APA Declaration. Not only the geographical proximity, but also historical, cultural, economic, political, and security ties have been recognized in the Declaration as bearing their own distinctive effects in shaping up a prosperous future for Asia. The APA should thus be given much credit for identification of objective elements and viable processes of integration in Asia and effectively incorporating substantive issues of concern for all Asian Nations and States.

Need for Public Awareness and Governments Involvement

Indeed the APA has already reached a consensus on the merits and contents of principles of friendship and cooperation in Asia. Accordingly, we express our full support for the APA achievements in this respect and urge all Asian Parliaments to take a practical and effective measure towards the realization of its contents by incorporating it into their own laws and policies. However, since the effective promotion and implementation of the Declaration would need involvement of the Asian governments, we call upon all Asian States and their respective Governments to consider how best they can contribute to the realization of these principles.

¹ Text of the APA Declaration on Principles of Friendship and Cooperation in Asia as annexed to the APA/Res/2008/09, 29 November 2008, has been annexed as an integrated part to the present document.

On the other hand, further promotion of the Declaration requires more public awareness and media consciousness. The more the Asian people would become aware of the contents and significance of the principles delineated in the APA Declaration on Principles of Friendship and Cooperation in Asia, the more likely would be its realization. To this end, we need to promote the Declaration as a framework for constructive relationship and cooperation among Asian countries towards integration in Asia. Every APA Member Parliament and each Asian Government as well as non-governmental organizations should undertake their own fair share in raising public awareness in this regard.

Protecting the Rights of Citizens

The main objective of friendship and cooperation in Asia is to foster the foundations of a lasting peace and security in the region whilst respecting the diversity of Asian people. It must be stressed that respect for and protection of human rights, including the protection of the rights of all citizens for freedom and democracy and the rights of migrant workers, is of utmost importance and a common cause for promoting friendship and cooperation among Asian countries. Promoting and strengthening friendly relations and close cooperation would also require the use of peaceful ways and means in dealing with unrests and conflicts in certain Asian sub-regions.

Adopted in Solo, Indonesia, by the consensus of APA Member Parliaments as well as other delegations participated in the APA International Conference on Principles of Friendship and Cooperation in Asia, on the Twenty-Ninth of September in the year Two Thousand and Eleven.

Appendix VIII 附錄 VIII



The delegates presented a souvenir to Hon Dr Muhammad Hidayat Nur Wahid, Chairman of the Committee for Inter-Parliamentary Cooperation, the Indonesian House of Representatives at the welcome reception on 27 September 2011

代表團在九月二十七日的歡迎會上向印尼人民代表議會間合作委員會主席穆罕默德·希達亞特·努爾·瓦希德博士致送紀念品

The delegates at the opening ceremony of the Asian Parliamentary Assembly Conference on Principles of Friendship and Cooperation in Asia held in the morning of 28 September 2011

代表團成員在九月二十八日上午亞洲議會大會亞洲友好合作原則會議的開幕式上合照



The delegates presented a souvenir to Hon Dr Marzuki Alie, Speaker of the Indonesian House of Representatives

代表團向印尼人民代表議會議長馬爾祖基·阿里博士致送紀念品



The Chairman of the House Committee, Hon Miriam LAU Kin-ye at the Ad Hoc Committee meeting held in the morning of 28 September 2011

九月二十八日上午內務委員會主席劉健儀議員出席專責委員會會議

Hon PAN Pey-chyou at the Ad Hoc Committee meeting held in the morning of 28 September 2011

九月二十八日上午代表團成員潘佩璆議員出席專責委員會會議



Hon LEE Cheuk-yan at the Ad Hoc Committee meeting held in the morning of 28 September 2011

九月二十八日上午代表團成員李卓人議員出席專責委員會會議



Hon LEUNG Kwok-hung at the Ad Hoc Committee meeting held in the morning of 28 September 2011

九月二十八日上午代表團成員梁國雄議員出席專責委員會會議





The Chairman of the House Committee, Hon Miriam LAU Kin-yeed had conversation with the leading members of other parliamentary delegations at the dinner banquet hosted by the Speaker of the Indonesian House of Representatives on 28 September 2011

九月二十八日內務委員會主席劉健儀議員在印尼眾議院議長宴請的晚宴席上與其他議會代表團團長交談

The delegates paid a visit to Solo river in the afternoon of 29 September 2011

代表團成員於九月二十九日下午往梭羅河遊覽



The delegates presented a souvenir to the Hon Joko Widodo, the Mayor of Solo, at the dinner banquet hosted by him

代表團在梭羅市市長佐戈•維多多的宴請的晚宴上向他致送紀念品