



Protection of Labor Migrants' Rights

Human Rights Movement «Bir Duino Kyrgyzstan»

2015-2017

Main Activities:

- Protection and promotion of labor migrants' rights on national and international levels;
- Participation in research missions in Kyrgyzstan, Kazakhstan and Russian Federation;
- Preparation of reports and recommendations on improving the situation of the rights of labor migrants with particular focus on women and children;
- Carrying out advocacy and lobbying on national and international levels including OSCE sites and UN Committees;
- Assisting in finding partners, donors and involving partners on Platform into the joint research, trainings and meetings.

«Protecting rights of external migrants from Kyrgyzstan» 2015



- Lobby of recommendations during CESCR session and closed NGO briefing
- Alternative report in CMW and CESCR along with CSIP
http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/KGZ/INT_CESCR_CSS_KGZ_19880_E.pdf
- Alternative report with Anti-Discrimination center «Memorial» in CMW
http://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/KGZ/INT_CMW_NGO_KGZ_19875_E.pdf
- Alternative report on implementation of ICCPR and CESCR obligations by the Republic of Kazakhstan along with public foundation “International Legal Initiative” and public foundation “Public Position”
http://tbinternet.ohchr.org/Treaties/CMW/Shared%20Documents/KGZ/INT_CMW_NGO_KGZ_19876_E.pdf
- Alternative report in UPR <http://www.ihahr.org/publications/upo-po-kyrgyzstanu>

In the concluding comments were identified our and partners' recommendations to Kyrgyz Republic:

- CMW - 10 recommendations (compliance of KR legislature with international legislature, access to information of labor migrants, pre-departure preparation, access to education of their children, equal rights, effective protection, non-discrimination, etc.);
- CESCR- 5 recommendations (access of labor migrants to services, conclusion of bilateral agreements with the aim of protecting migrants, their children and spouses having a residence permit, to reject the law on «Foreign Agents»);
- To CMW and CESCR on the Republic of Kazakhstan – about 10 recommendations (protection, prevention of trafficking, protection of witnesses, prevention of corruption, monitoring the work conditions, protection and access to services)

Conducting research and preparing reports on the situation with the rights of migrant workers

In 2016 FIDH together with "Bir Duino Kyrgyzstan" and "Memorial", with the active participation of PF "Mehr Shavkat" conducted a study on the situation with the rights of women and children from Kyrgyzstan involved in migration.

Coverage: Kyrgyzstan, Kazakhstan, Russian Federation.

The study was conducted in March – April, 2016. Experts and leaders-members of the Platform, more than 80 people, took an active part in the study and surveys.

Two reports were published as a result:

- «Women and children from Kyrgyzstan involved into migration»
- «Labor migrants in Kazakhstan: without status and rights»

Report «Women and children from Kyrgyzstan involved into migration»

The report is based on interviews:

- With 34 women-migrants;
- With migrants' relatives from Kyrgyzstan;
- With representatives of local NGOs that work with sending communities;
- With women and children who became victims of crime;
- With experts on migration issues and gender issues (Bishkek and Osh oblast);
- The report was also based on the evidence of Kyrgyz migrants collected during a research mission in southern Kazakhstan in March, 2016.



Report has list of recommendations to:

- *State Service on Migration under the Government of KR, Ministry of Foreign Affairs, Consulate Services of KR*
- *Ministry of Justice of KR, Ministry of Interior Affairs of KR,*
- *Ministry of Social Development of KR,*
- *Jogorku Kenesh of KR, Ombudsman of KR, EU and UN structures.*

The report was publicized

In press center Aki Press in Bishkeke and Osh

Recommendations were used for lobbying to the state bodies of KR and promotion of children's' and women's rights on international OSCE platforms.

https://www.fidh.org/IMG/pdf/rapport_kyrgyzstan_ru-web.pdf

Report «Labor migrants in Kazakhstan: without status and rights»

Prepared according to the results of the research mission in southern Kazakhstan, as well as on the basis of consultations with stakeholders:

- With human right defenders, representatives of international organizations;
- With state institutions of Kazakhstan;
- With experts on issues of migration with the goal of documenting rights violations of labor migrants and the members of their families.

During regular visits to Kazakhstan between February and May 2016, interviews were conducted with migrants from Kyrgyzstan, Uzbekistan and Tajikistan, and extensive consultations were organized with representatives of civil society in Kazakhstan, as well as a round table in Astana with the participation of experts and representatives of the Kazakh authorities.



fidh

Трудовые мигранты
в Казахстане:
без статуса и прав

Сентябрь 2016 / 11/16/16

Report has list of recommendations:

For representatives of state, regional and local administration of KR, international and local nongovernmental organizations, labor unions, experts

(https://www.fidh.org/IMG/pdf/note_kazakhstan_681r_6_sept_2016_ru_web.pdf)

The research conducted by us allowed the representatives of "Bir Duino Kyrgyzstan", FIDH and affiliates and partner organizations to create a dialogue with representatives of the authorities of Kyrgyzstan and Kazakhstan, at the regional and international levels.

Lobbying recommendations for improving the situation of migrant workers' rights at the OSCE / ODIHR Human Dimension Meeting

September 28, 2016. Site-event "Women and Children from Kyrgyzstan Involved in Migration" FIDH, BDK, "Memorial" Recommendations were published on the HDIM website (<http://www.osce.org/ru/odihr/343786?download=true>)



From 11 to 20 September 2017, on 18 and 20 September, recommendations were made to improve the situation with the rights of labor migrants for the Government of Kyrgyzstan and the receiving countries of the Russian Federation and the Republic of Kazakhstan.

(<http://www.osce.org/ru/odihr/343786?download=true>)

A press conference of FIDH member organizations was held in the "Akipress" news agency on October 3, 2017



In the part about "Tolerance and non-discrimination", "Economic, social and cultural rights", "Bir Duino Kyrgyzstan" submitted recommendations aimed at protecting the rights of migrant workers.

The recommendations were sent to the Speaker, the fraction leaders, the relevant committees of the Parliament, the President, the Prime Minister, ministries, diplomatic missions, international organizations

FIDH Study Mission on the Study of the Situation with the Observance of Labor Rights of Migrant Workers from Kyrgyzstan to the Republic of Kazakhstan.

"Bir Duino Kyrgyzstan" took part in the FIDH study mission from September 4 to 9, 2017 in the Republic of Kazakhstan in the cities of Almaty, Shymkent, and from 11 to 15 September 2017 in Bishkek



Meetings, interviews with representatives of state bodies, labor unions, NGOs, activists and migrants.

The development of partnership within and outside the Platform

- "Bir Duino Kyrgyzstan" interacted with Caritas France regarding the provision of support for the protection of the rights of migrant workers. In 2016 expert Caritas France assisted in organizing meetings with members of the Platform in Bishkek and in the regions of Kyrgyzstan. At this point, Caritas France and several members of the Platform are implementing project activities
- On the recommendation of Bir Duino Kyrgyzstan, three representatives of the Platform participated in the training "Protection of Fundamental Labor Rights Using International Mechanisms" in Almaty. Experts and members such as Tanya Zorina (Beirut TOT), Baktygul Bazgorpoeva and Nuriya Temirova (Bishkek, TOT), took part in the TOT network of the Women Learning Partnership and Bir Duino Kyrgyzstan on the development of horizontal Leadership. Expert meeting of the Civil Movement "For Equality and Non-Discrimination in Kyrgyzstan" was held on October 4, 2017. References: <http://birduino.kg/ru/prensa/642-itogovyj-dokument-grazhdanskoe-dvizhenie-za-ravenstvo-i-nediskriminatsiyu-v-kyrgyzstane-ekspertnaya-vstrecha-4-oktyabrya-2017-g-bishkek>

Recommendations

- It is necessary to clearly define the tasks and priorities of the work of the Platform for the subsequent period;
- To activate the work and to increase the responsibility of the Chairman and members of the Coordinating Committee;
- To develop the Platform as a ground for interaction and partnership of the members of the Platform for the Protection of the Rights of Migrant Workers;
- To develop a Strategic Action Plan, taking into account the changing environment and political processes, both in the short and long term;
- To develop advocacy campaigns at the level of local communities, national level to promote the rights of migrant workers through effective protection tools.