

## THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

### IMADR Oral Statement, Human Rights Council 16<sup>th</sup> Session Item 9, General Debate

22 March, 2011

Mr. President,

The paragraph 26 of the Durban Declaration and Programme of Action (DDPA) requests States to promote and *protect fully and effectively* the human rights and fundamental freedoms of *all migrants, regardless of their immigration status*.

IMADR, on behalf of the Solidarity Network with Migrants Japan (SMJ), would like to stress that in many cases, migrants including refugees and asylum seekers are still facing discriminatory practice, xenophobia and intolerance. In many countries, immigration policies are restrictive, rigid and not properly coping with changing context and actual trends of migration. Furthermore, immigration policies that do not reflect the needs for migrant labour in the country even increase irregularity in people's movement and status in the destination, making migrants more and more vulnerable to various human rights abuses including human trafficking and labour or sexual exploitation. Indeed, there are a lot of migrant workers, especially domestic workers and those in informal sector, being deprived of their labour rights.

Mr. President,

In Japan, right wing group have been openly assaulting Korean schools and pupils, tends of adults surrounding and shouting at children. These groups can continue and even escalate their acts without being punished, since there is no legislation in the country that prohibits such racist acts. There is neither anti-discrimination law nor independent national HR institution. A number of migrant trainees and technical interns, who work in Japan through a programme designed and facilitated by the State, are deprived of their fundamental rights and freedoms, being exploited, and facing slavery like working and living condition. In some cases, this programme is even used by human traffickers. In 2008, a technical intern from China died of long-term overwork and there are about 30 cases in recent years in which the death of trainees and interns are probably caused by inhuman working condition.

Against this backdrop, we call on the Council to more strongly promote human rights based approach towards migration as well as ratification and *full* implementation of International Convention of the Protection of the Rights of All Migrant Workers and Members of Their Families. Regardless of their immigration status, migrants are all human beings and their human rights must be equally promoted and protected. Further, we request that all the States present here provides sufficient assistance to and cooperate with relevant stakeholders such as NGOs or trade unions working with migrants for the promotion and protection of their human rights.

Thank you Mr. President