

LEADERSHIP & TRANSPARENCY



Human Rights Groups to Governments: Ensure Justice for Migrant Workers Sent Home Due to COVID-19

Words by Mary Mazzoni



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A migrant worker walks home after his shift in Beijing, China, one of several top destination countries for migrant workers.

(Image: A migrant worker walks home after his shift in Beijing, China, one of several top destination countries for migrant workers.)

Every year, [an estimated 164 million people](#) cross national borders for work. The money they send home feeds, houses and clothes their families, who they don't see for months or even years at a time. As strangers in strange lands, their lives are often difficult — and they're only growing harder in light of the new coronavirus. With businesses shuttered and the global economy at a standstill, countless migrant workers find themselves in limbo.

Coronavirus-related closures have left millions of migrant workers [stranded](#) in overcrowded dormitories and temporary residences — unable to work and unable to return home. These workers are at high risk not only for [contracting the coronavirus](#), but also for human rights and labor violations, advocates say.

As news of stranded migrant workers spread across the world, a number of countries have [begun procedures to repatriate them](#). But human rights groups warn that hasty repatriation plans could become breeding grounds for wage theft and other labor violations.

"The COVID-19 pandemic has severely affected millions of migrant workers in destination countries, many of whom have lost their jobs, been forced by employers to take unpaid leave or reduced wages, or not received their wages at all," the NGO Human Rights Watch said in a press statement last week, endorsing a [joint letter](#) by a coalition of migrants rights and labor organizations. "Many migrant workers struggle with whether to return home despite their outstanding labor claims, while others remain stranded in cities or border areas in precarious conditions without access to services or support."

In their letter, the groups call for an "urgent justice mechanism" to ensure repatriated migrant workers are paid the wages they're owed before they return home.

"Migrant workers worldwide are suffering the impact of the COVID-19 pandemic. The least governments can do is make sure that these workers get the salaries and compensation they have earned before they were forced to leave their jobs," Rothna Begum, senior women's rights researcher at Human Rights Watch, said in a statement.

Hasty repatriation could make a precarious situation even worse, human rights groups warn

Wage theft and minimum wage violations are already malignant problems within destination countries for migrant workers. In the U.S., migrant workers [lose \\$15 billion each year](#) due to minimum wage violations alone. In Australia, where temporary migrant workers make up around 11 percent of the labor force, [nearly half](#) earn substantially less than the country's minimum wage.

Over the past several years, [Human Rights Watch has reported](#) that many migrant workers in the Middle East have been forced to leave their host countries without being paid wages owed to them. In host countries including [Malaysia](#) and the [United Arab Emirates](#), watchdog groups have documented widespread incidents of employers seizing migrant workers' passports in order to withhold their wages or lock them into contracts that essentially amount to forced labor. In some cases, workers must [pay recruitment fees](#) for the privilege of securing a job abroad, creating an environment akin to indentured servitude, in which fees are taken from the worker's wages and the worker cannot return home until the debt is paid.

The groups endorsing the joint letter warn that, without sufficient oversight from governments, "employers might take advantage of mass repatriation programs to terminate and return workers to whom they have not provided full compensation, wages and benefits."

"Millions will be repatriated to situations of debt bondage as they will be forced to pay off recruitment fees and costs, despite returning empty handed," the letter reads. "Without ensuring that companies and employers are doing their due diligence to protect and fulfill the human rights and labor rights of repatriated migrant workers, states across the migration corridor become complicit in overseeing procedures where millions of workers will be returning without their earned wages or workplace grievances being heard, nor seeing justice in their situation."

A justice mechanism for migrant workers

The transitional justice mechanism the human rights groups suggest includes four key objectives to prevent the mistreatment of repatriated migrant workers. Most importantly, countries must find accessible and affordable ways to address grievances, claims and labor disputes of repatriated workers who have lost their jobs as a result of the pandemic — and it should "be a priority" that all workers with legitimate claims are able to access compensation.

While the groups say it's crucial that workers' grievances are heard and resolved as soon as possible, they advised governments to enact safeguards that allow workers to continue to pursue their claims even after they've returned home. Finally, they call on states to require businesses to keep all employment records, including payroll, employee lists and hours worked, and allow workers to take copies of their records with them.

For most workers, being able to access basic records and receive fair compensation for hours logged is the absolute bare minimum, but this was hardly the case for many migrant workers even before the pandemic. And if labor rights abuses posed by repatriation schemes are allowed to stand, COVID-19 could represent a tipping point that catalyzes even more widespread mistreatment of these men and women, the groups warn.

"If we are to 'Build Back Better,' we cannot continue to turn a blind eye to the issue of wage theft that has been persistent across migration corridors for years, and will be unprecedented in the case of repatriated migrant workers in the COVID-19 pandemic," the letter reads, referring to [calls to Build Back Better](#) after the pandemic by embedding social and environmental justice into response plans.

"If unaddressed at this time, we run the risk of forever delinking the patterns that connect

migration to development, as the stories of the lives of migrant workers will bear witness to this mass injustice for years to come."

Image credit: [Matt Ming/Flickr](#)



MARY MAZZONI [✉](#) [🐦](#) [in](#)

Mary Mazzone, Senior Editor, has written for TriplePundit since 2013. She is also Managing Editor of CR Magazine and the Editor of 3p's Sponsored Series. Her recent work can be found in [Conscious Company](#) and [VICE's Motherboard](#). She is based in Philadelphia.

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