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Living in the Shadows: the human rights of migrants

"Migrant workers are also human beings. Why don't they pay for my work? I cannot go home because I don't have money. I have chosen to kill myself as there is no other way."

Words found on a note left by Jeong Yu-hong, a 34-year-old migrant worker from China, living in South Korea.

On this year's International Migrants' Day Amnesty International launches its first comprehensive public document on migrants' rights.

Every year thousands of people die while trying to reach other countries. Many of those who arrive in a new country face further abuse and exploitation at the hands of traffickers, unscrupulous employers and state officials. Those who lack official status and the protection of the law are often denied basic human rights and are condemned to live and work in appalling and degrading conditions.

This Amnesty International publication, *Living in the Shadows: a Primer on the Human Rights of Migrants*, presents an overview of the rights of migrants. It outlines how government policies and practices should protect the human rights of migrants at all stages in the cycle of migration. It highlights some of the human rights violations that many migrants face and sets out an agenda for campaigning for migrants' rights. Migrants' rights are human rights, and governments, communities, employers and individuals should do more to uphold and protect them.

As non-nationals, migrants are increasingly subjected to discrimination, racism, xenophobia and other forms of prejudice. The types of human rights abuses migrant workers face include having salary payments routinely withheld, passports or other identity documents confiscated by their employer, verbal and physical abuse from their employers and lack of access to proper housing and health. They also face arbitrary arrest and detention in often abusive conditions. At the same time, many live with the overriding fear of being expelled from the country of employment, often without the chance to appeal. Women, who constitute almost fifty per cent of migrant workers, are particularly vulnerable to exploitation, including sexual violence. Children, especially when unaccompanied, are also very vulnerable to exploitation and are sometimes forced to undertake the worst kinds of labour including forced prostitution, drug trafficking, recruitment into armed forces, or domestic labour under slave-like conditions.

Because of their precarious situation many migrant workers remain extremely vulnerable to human rights abuses from their employers and host states and are often too afraid to complain about their situation. If they do, they are likely to be dismissed by their employer, and if they turn to the state, they may be deported from the country.

Migrants are frequently described, by some politicians and the media, as criminals, economic burdens, security threats and even a risk to public health. The reality is, however, that many economies have come to rely on migrants who are prepared to work in dirty, degrading and dangerous jobs with little security and low wages. This unrecognized, unappreciated, and undervalued workforce now drives a significant part of the global economy. A migrant worker is increasingly being viewed as a commodity or a unit of labour, a "temporary service provider" who can be shuttled around the world at will. This approach lacks any recognition of a migrant worker's human rights.

There is a substantial body of international human rights law and standards which guarantees the human rights of migrants. The problem, however, is that governments and others lack the will to turn these guarantees into practical and meaningful measures. Action is needed to make the rights set out in international standards into a reality for individual migrants. At the heart of Amnesty International's proposed agenda for campaigning for migrants' rights is a call to treat all migrants with full respect for their human rights and human dignity.

"This silent human rights crisis shames our world. Migrants are part of the solution, not part of the problem. They should not be made the scapegoats for a vast array of social ills."

Kofi Annan, Address to the European Parliament, 29 January 2004

For the full text of the Primer please visit <http://www.amnesty.org/refugees> and take action on the human
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rights of migrant workers in South Korea.