



**Respect Migrants' Rights
Ratify the Migrant Workers Convention**

20th Anniversary of the adoption of the United Nations Migrant Workers Convention :

Call for ratification by the Republic of Kenya

Open Letter to President Mwai Kibaki

Geneva, 3 June 2010

Your Excellency,

On the occasion of the 20th anniversary of the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention), a global campaign has been launched calling on governments to act immediately to end widespread human rights violations, suffered daily by migrants around the world, by ratifying this Convention.

Today, we are writing to call upon Kenya to ratify this core international human rights instrument.

More than 200 million persons across the world are migrants, representing nearly 3% of the world population. All countries are affected by migration either as origin, destination or transit countries and all states are thus confronted with the challenges of developing effective migration policies with human rights at their core.

Although, for many, migration is a positive experience, many others migrate under duress and face severe hardships in their countries of destination. Migrant workers all over the world remain particular targets of abuse, discrimination and exploitation by traffickers, smugglers and employers. Yet an instrument is at your government's disposal to minimise this and to strengthen their legal protection.

Kenya faces a number of challenges including high unemployment for the youth. Nationals seeking employment across borders sometimes find that the promises made by recruitment agents and the actual terms of reference do not tally. The working conditions and environments are often an issue, as highlighted and reported by the media. There is therefore a critical need to better protect Kenyan nationals seeking employment and those working outside the national borders. According to the September 2009 World Bank report Kenyans in the Diaspora contributed 1.4 billion USD in form of remittances into the economy. Such a significant contribution needs to be encouraged, enhanced and secured. The ratification of this Convention is a very important step towards the establishment of institutional mechanisms to ensure the protection of the rights of Kenyan migrant workers and migrant workers in Kenya.

The ICRMW recognises the specific vulnerabilities of migrant workers and promotes humane and lawful working and living conditions and the need for increased protection. It provides guidance on the elaboration of migration policies, which can only be effective if they are based on legal standards and the rule of law. It sets out provisions to combat exploitation of migrant workers and members of their families in countries of arrival, transit and departure of migrants.

Since its adoption by the United Nations General Assembly in 1990, the ICRMW has been ratified by 42 states. A further 16 have signed the Convention.

We therefore urge the Government of Kenya to seize this occasion to ratify the ICRMW and thereby recognize the fundamental human rights of migrant workers. We strongly hope that on the occasion of the 20th anniversary of the Convention, on 18 December 2010, we can also celebrate its ratification by Kenya.

We would be very interested to receive your Government's views on the matters raised in this letter and look forward to hearing from you.

Yours sincerely,

Souhayr Belhassen, FIDH President
On behalf of the International Steering Committee of the Campaign

A handwritten signature in black ink, appearing to be 'SB', written in a cursive style.

The Campaign Steering Committee : The Campaign was launched by the International Steering Committee for the Campaign for Ratification of the Migrants Workers Convention, a unique network of UN agencies, international organizations and global civil society organizations. Steering Committee members include the Office of the High Commissioner for Human Rights (OHCHR), International Labour Office (ILO), International Organization for Migration (IOM), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Federation for Human Rights (FIDH), Amnesty International (AI), International Trade Unions Confederation (ITUC), December 18, International Catholic Migration Commission (ICMC), Human Rights Watch (HRW), Migrant Forum in Asia (MFA), Migrants Rights International (MRI), Public Services International (PSI) and the World Council of Churches (WCC).