



Mekong Migration Network

Terms of Partnership

As updated at the MMN General Conference, Chiang Mai, Thailand 3 August 2018.

1. BACKGROUND

1.1 In September 2001, the Asian Migrant Centre (“AMC”) and more than 20 regional and national partners in the Greater Mekong Subregion (“GMS”) i.e. Burma, Cambodia, Yunnan/China, Lao PDR, Thailand and Vietnam, initiated a collaborative action research project entitled “Migration in the Mekong”. During this period, project partners jointly mapped migration issues, needs and responses in the GMS and its findings were published as a first edition of the Resource Book: Migration in the GMS in 2003.

1.2 Following the initial collaborative research mentioned above, the project partners of the first phase as well as other interested organisations from the GMS met again at the “Workshop on Networking, Joint Research & Strategic Program on Migration in the Greater Mekong Subregion”, on 16-18 October 2003 in Phnom Penh, Cambodia. All the participants felt it would be desirable to form a network through which they could exchange information and conduct joint programs, due to the difficulty in assessing the issues and effectively advocating for the protection of migrants without cross-border collaboration. After the 3 days of intensive discussion, the participants adopted the resolution and the Mekong Migration Network (“MMN”) was established based on this resolution.

1.3 The founding Terms of Partnership (“ToP”) were agreed and drafted at the same workshop. As stipulated under the ToP, the MMN Steering Committee (“SC”) was formed and held its first meeting on 19 October 2003 in Cambodia. Subsequent meetings of the MMN SC and members reviewed and updated the ToP. Details of the latest revision/update are noted above.

2. NATURE OF MEKONG MIGRATION NETWORK

2.1 MMN is a subregional, consultative, and coordinative network of advocates working for the protection and promotion of the welfare, well-being, dignity and human rights of migrants and their families in the GMS.

3. PRINCIPLES OF UNITY

3.1 MMN Vision

The MMN advocates for the full recognition, respect, protection and promotion of the dignity, well-being and rights of migrants and their families. The MMN is committed to working toward



realising humane, fair and just working conditions as outlined in the ILO standards on “decent work” for all migrants, free from all forms of discrimination.

3.2 MMN affirms that “migrants’ rights are human rights” – that the basic human rights protected within the UN international human rights instruments, standards and treaties apply to all migrant workers, based on the principles of universality, indivisibility, inalienability and non-discrimination.

3.3 Members of MMN commit to advocating for the rights of all migrants and their families without discrimination, including discrimination on the basis of class, race, ethnicity, gender, age, religion, occupation, immigration status or health status in the GMS.

4. GOAL AND STRATEGIC OBJECTIVES

4.1 Central Goal

The central goal of the MMN is to protect and promote the welfare, well-being, dignity and human rights of migrants and their families, and to build mutual support and solidarity among migrants, advocates and local communities.

4.2 Priority Areas of Work

The priority areas of work for the MMN are as follows:

- To share and disseminate information concerning migration;
- To jointly discuss & analyse migration issues;
- To jointly monitor labour migration policies across the GMS;
- To regularly publish materials relating to the issues of migration;
- To jointly strategise and plan programmes to address migration issues;
- To jointly advocate for the full recognition of human rights of all migrants and their families;
- To strengthen the MMN as a network of advocates in the GMS through various means including capacity-building of the member organisations;
- To share information about donors and fund raising and provide technical support when member organisations are raising fund, if requested; and
- To jointly plan and conduct capacity-building, education, and training for other migrant advocates and policy makers in the GMS.

5. TERMS OF MEMBERSHIP



5-1. Regular Members

5.1.1. MMN membership is by organization and is open to GMS based civil society organisations working on migration related issues within the GMS, consistent with the MMN vision and principles. These include the following organizations or associations:

- Migrant workers’;
- Non-Governmental ;
- Community-Based ;
- Non-Profit ;
- Grassroots;
- Mass (excluding electoral political parties);
- Youth;
- Trade unions;
- Women’s;
- Faith-based; and
- Academic and research institutes.

5.1.2 Organisations that qualify for membership as above are considered “regular members” of the MMN.

5.1.3 Member organisations must specify a contact or “person in charge” and an alternate to represent their organisation.

5.1.4 All members must update their contact details and inform the Secretariat promptly.

5.1.5 All members are required to re-confirm their membership annually. Members are required to submit a membership confirmation form, along with a report updating their organisations’ work concerning labour migration.

5.1.6 Membership fees

(a) All the members are required to pay annual membership fees.

(b) Membership fees are based on the respective member organisations’ annual income:

1) Less than USD10,000-> USD1;

2) USD10,000-50,000- >USD15;

3) 50,000-100,000-> USD20; and

4) above 100,000-> USD50.



(c) All the members shall pay the above membership fee annually at the time when they re-confirm membership through Pay Pal or when they join the meetings, not later than 30 November.

5.1.7 Members who fail to re-confirm will lose their rights to vote at the General Conference.

5.1.8 Members who fail to re-confirm on request by the Secretariat for two consecutive years will lose their membership status and will have to re-apply for membership should they so wish.

5.2 Associates

5.2.1 The following advocates of migrants' issues in the GMS are welcome to work closely with the MMN as "associates" (working partners) of the network, but NOT as members:

- Individuals (who do not fall under the following categories);
- NGO networks[1];
- Law firms and lawyers' association;
- Civil society organizations based outside the GMS;
- International and regional development agencies;
- International NGOs
- UN/Inter-Governmental Organisations ("IGOs"), and
- Government agencies.

Organisations who qualify as regular members under 5.1 but choose to be associates can be accepted as associates.

5.2.2 Associates have no voting power and cannot be elected as a member of the SC.

5.2.3 Associates are encouraged to make voluntary contribution.

6. APPLICATION FOR NEW MEMBERS

For Regular Members:

6.1 Applicant organisations must submit their membership commitment on the form provided below to the MMN Regional Coordinator, wherein they commit to adhere to the MMN's ToP.

6.2 Applicant organisations must understand and agree to the ToP in their entirety.

6.3 One letter of endorsement from a regular MMN member of the applicant's country must be submitted to the Secretariat. If that is not possible, a letter from one MMN regular member from



another GMS country may fulfill the purpose. The endorsement letter, together with an application form and other supporting documents shall be submitted to the Secretariat.

6.4 The Secretariat shall inform all existing MMN members of new applications for membership after all the documents have been received. Once all the documents are received, the secretariat shall inform the applying organisation that the application be processed within six months from the date of aforementioned letter. MMN members may express their opinions about the new applications within one month. All views expressed by member organisations regarding the applicant organisation's proposed membership must be considered by the MMN SC, who will respect confidentiality, and they shall all be taken into consideration. The SC is required to consider all applications for membership of the MMN. Application will be discussed through emails or in meetings, and the decisions will be made based on majority voting principle. In case there is an objection, the SC will further investigate, giving a due respect to the opinion of other SC members. Objections shall be specific with a clear explanation of reasons. SC will advise all the members that there has been an objection. The SC shall make a decision regarding the application within the time specified above.

For Associates:

6.5 Individuals, groups and organisations who wish to become "associates" of the MMN must submit a written request to the MMN SC. Associate applicant must submit their application in English or in any of the national languages of the Mekong on the form provided by MMN.

6.6 The procedure is the same as 6.4.

7. BASIC OPERATIONAL PRINCIPLES

7.1 General Conference

7.1.1 The MMN shall meet at a General Conference ("GC") of members a minimum of once every three years. The general conference shall constitute the highest policy- and decision-making body of the MMN and is the forum where general policies and plans of action are decided. MMN organisational matters e.g. membership status, will be discussed at the GC. SC will submit financial and network activity reports at the GC.

7.1.2 Minimum of 4 (four) member GMS countries with at least 25 per cent of all the membership shall make a quorum.

7.1.3 Decisions are made based on the principle of the majority of the regular members attending the GC.

7.2 Steering Committee



7.2.1 The SC shall be composed of seven members (one from each: Burma/Myanmar, Cambodia, Yunnan/Guangxi/China, Lao PDR, Thailand, Vietnam, and the Regional Coordinator). All but the Regional Coordinator are voting members. 50% plus one is considered quorum.

7.2.2 The SC members shall be nominated by MMN members of respective GMS countries based on the following criteria: i) the candidates' capacity and commitment to promote rights of all migrant workers and their families in the GMS; ii) the candidates' proven commitment to strengthen the MMN; and iii) having been active in MMN for at least one year. The nomination from each country will be discussed and approved at the GC.

7.2.3 General Conference can create special voting seats as it deems necessary. [2] When a special seat is created, the GC shall specify the terms including duration and replacement process for the special seat.

7.2.4 Any organisation can only hold one seat in the SC.

7.2.5 The SC is the primary decision making body regarding operational matters concerning the functioning of the MMN. The SC members are required to act as the communication points for their respective countries and/or communities. They are responsible for coordinating with other MMN members in their country as well as with the SC to supervise and facilitate the implementation of the MMN's common agenda.

7.2.6 The SC shall consider and decide upon suitability of applications from potential new members as per section 6.4 above.

7.2.7 In cases where an SC member resigns from her/his mother organisation, her/his organisation shall appoint a replacement member from her/his organisation or from another MMN member organisation in that country to complete the remaining term. This appointment must be made within three months of the vacancy appearing and the SC must be informed promptly.

7.2.8 If the organisation does not appoint a representative within 3 months, it will fall to the SC to appoint a replacement.

7.2.9 The SC shall elect the chair within the SC. In a case of resignation of the SC chair from her/his mother organisation, the SC shall hold a new election for a chair.

7.2.10 The SC shall be responsible for providing oversight and guidance to the MMN Secretariat concerning budget management, fund raising and staffing matters.

7.2.11 The SC shall designate members to represent the MMN when necessary.

7.2.12 The SC term of office is for duration of 3 years. SC members may only serve for a maximum of 2 consecutive terms. [4] The SC members can stand again for election after one term (3 years) has lapsed.



7.2.13 When an SC member completes her/his term, the MMN members of their respective country or community shall recommend the next SC member organisation for the approval by the General Conference. The SC members who have completed only one or two term(s) can be re-nominated. Where members of the SC need to be appointed between the GCs, the Secretariat shall inform all MMN members of the nomination. The MMN members can express their opinion about the nomination within two weeks. The SC shall then make a decision regarding the nomination through the majority voting principles. The selection of the new SC is to be formally approved either at the GC or by emails by members with a majority vote principle. A voting form will be sent out to all the member organisations. Half of the regular members plus one will make a quorum and the decision will be made by majority vote. Members must send back the voting form within two weeks.

7. 2.14 MMN will endeavour to have at least 2 members in each country who're capable of fulfilling an SC role. When this is not the case, SC will consider making exceptional arrangements.

7.3 Secretariat

7.3.1 The SC shall decide where the Secretariat is to be based. [5]

7.3.2 The Secretariat shall be composed of the Regional Coordinator and other relevant staff.

7.3.3 The Regional Coordinator shall serve as a non-voting member of the Steering Committee.

7.3.4 The Regional Coordinator shall be responsible for coordinating and managing the work carried out by respective staff members.

7.3.5 The Secretariat shall collectively take care of the day-to-day operations of the MMN and be the central point in facilitating communication between members and other partners. The Secretariat shall be accountable directly to the SC and shall report to the MT and the SC as appropriate.

7.3.6 The Secretariat shall facilitate the procedure as per section 6.4 above when it receives applications from potential new members.

7.3.7 The Secretariat will assist the SC regarding all fund raising matters.

7.3.8 Each Secretariat member of staff will have an employment contract with the hosting organisation and with the MMN SC with a job description, which will be updated regularly. [6]

7.3.9 The employment contract shall at the minimum comply with national labour standards of the country where staff is based.



7.4 Foundation for the Migrants from Mekong Neighbourhood

Background

7.4.1 In 2010, MMN applied for foundation status in Thailand following the MMN SC decision in 2008 and successfully obtained foundation status in November 2011. The foundation's name is the Foundation for Migrants From Mekong Neighbourhood (hereafter referred to as "The Foundation").

Roles and Responsibilities

7.4.2 The Foundation provides the MMN with a legal entity in Thailand, which gives an advantage to its work in Thailand especially in engaging with the government bodies.

7.4.3 The Foundation board members shall provide supervision and guidance to the operation of the MMN in Thailand.

7.4.4 The MMN Secretariat shall report to the Foundation on its activities outside Thailand for reference.

7.4.5 When the MMN has successfully raised funding, and sees it appropriate for the funding to be managed by the Foundation, it shall inform the Foundation of the nature of the funding, and seek cooperation of the Foundation to manage the fund.

7.4.6 If the Foundation board agrees, the funds to implement the projects are received through the Foundation account, and the Foundation board will oversee the use of the fund.

Relations with the MMN Steering Committee

7.4.7. MMN SC is in charge of operational matters of the MMN at a regional level, while the MMN Foundation board will primarily oversees the work of the MMN Secretariat in Thailand.

7.4.8 To ensure smooth cooperation, a representative of the MMN SC shall be invited to the Foundation's board meetings, where resources allow. The SC representative attending the Foundation's board meetings shall inform other SC members of the discussion. SC shall also invite a representative of the Foundation to its meetings when resources are available.

7.5 Regular communication and coordination

7.5.1 The MMN shall establish an effective system of communication and coordination. While the MMN Secretariat will serve as the main communication point, the MMN SC will facilitate the decision making in their respective countries where appropriate.



7.5.2 Among MMN members, day to day correspondence will be conducted primarily via email. The MMN members in respective countries are encouraged to meet on a regular basis, as often as circumstances allow.

7.5.3 SC members must be committed to regular communications amongst SC members, with other MMN members and with the Secretariat. SC shall also endeavour to improve inclusivity of decision making by making use of modern technology and other methods.

Roles of members

7.5.3 All members shall endeavour to regularly communicate and coordinate, give updates and report progress of work related to the MMN to the MMN Secretariat.

7.5.4 All members shall annually re-confirm their membership as specified in the guidelines.

7.5.5 All members have rights and responsibilities to attend the GC.

Roles of associates

7.5.6 Associates have a right to participate in the activities organised by the MMN at their own expense.

8. JOINT STRATEGIC ACTION AGENDA

The joint strategic action agenda of the MMN are as follows:

Research and publishing

8.1 The MMN will jointly conduct multi-country collective research projects in order to, collect and update information as well as deepen the understanding and analysis of migration issues in the GMS. Research will be directed by key migration-related issues as identified by the network.

Advocacy

8.2 MMN will jointly advocate on the issues that are decided through the GC.

Information monitoring, exchange and sharing

8.3 The MMN will regularly monitor media coverage and other information relating to migration in the GMS. It shall make available information and materials on migration in the GMS through various means including its website. The MMN shall be a channel where members and other migrant advocates can exchange information and analysis.



Training and capacity-building

8.4 The MMN will conduct training related to migration and migrants' rights for MMN members, other stakeholders in the GMS.

8.5 In order to carry out this function the MMN will develop training programs or materials as necessary.

Networking

8.7 The MMN will strive to strengthen the network and to reach out to new potential members and associates.

8.8 The MMN shall endeavour to build links with other networks and movements whose principles are consistent with that of the MMN.

8.9 The latest MMN Plan of Action and List of Members are attached.

Footnotes

[1] A "network" has membership that is composed of two or more different organisations. This applies to all levels: local, national, regional and international networks.

[2] Subject to further review by the GC, a special seat was created in July 2008 to represent Burmese groups in Thailand. At the GC, September 2010, the special seat was retained.

[3] From 2003 till 2011, all the funds related to the MMN were approved and managed by the project holder AMC. Since the Secretariat Chiang Mai office was registered as a foundation in Thailand in November 2011, the Foundation manages part of funding that is administered in Chiang Mai while the rest is managed by the AMC.

[4] Amendment from a maximum of 2 consecutive terms to 3, following MMN members' response to an email sent by the MMN Regional Coordinator through the list serve dated 8 September 2011. The current term of the MMNSC is June 2007-May 2009. Half of the MMNSC will resign effective of 1 June 2009, another half in May 2010. (Next cycle: 2009-2011 & 2010-2012)

[5] As of 2015, the Secretariat is based both in Chiang Mai and Hong Kong. The office in Chiang Mai had been hosted by the MAP Foundation from 2008-2011. In 2010, MMN applied for a foundation status in Thailand following the MMN SC decision in 2008 and successfully obtained a foundation status in November 2011. The foundation's name is the Foundation for Migrants From Mekong Neighbourhood. The Secretariat in Hong Kong has been hosted by AMC since the MMN was founded in 2003 and continues to do so.



[6] At the time of renewal of contract or annually.

For membership application, please fill in the following form and send by email to the MMN Secretariat, info@mekongmigration.org.

MEMBERSHIP COMMITMENT

We confirm our commitment to become a member of the Mekong Migration Network (MMN).

We agree to the above basic framework principles and Terms of Partnership of MMN, commit to respect, adhere to and promote these principles, help in the strengthening of the MMN, jointly work with our co-members towards the achievement of these goals and fulfil our responsibilities as a member of the MMN.

Name of organisation:

Chairperson or chief officer:

Designated contact person for MMN:

Alternate contact person:

Address:

Phone/fax/email/website

All of the following supplementary documents (in English or in any of Mekong language) must be attached:

Constitution or organisation vision, mission & objectives papers of the organisation

Most recent annual report

Endorsement letter from an existing MMN member

Signed:

Chairperson/chief officer:

Designated contact person for MMN:

(if other than chief officer)

MMN Membership confirmed by: _____



Date of membership: _____

MMN Associate Application for Organisations

We confirm our commitment to become an associate of the Mekong Migration Network (MMN).

We agree to the basic framework principles and Terms of Partnership of MMN, commit to respect, adhere to and promote these principles, help in the strengthening of the MMN, jointly work with our co-members towards the achievement of these goals.

Name of organisation:

Brief Description of organisation:

Chairperson or chief officer:

Designated contact person for MMN:

Address:

Phone:

Fax:

Email (contact person):

Website:

*Membership of other networks (if any):

Date:

Signed:

Chairperson/chief officer:

Contact person for MMN (if other than chief officer):

MMN Membership confirmed by: _____

Date of membership: _____

MMN Associate Application for Individuals



Mekong Migration Network (MMN)

I confirm our commitment to become an associate of the Mekong Migration Network (MMN).

I agree to the basic framework principles and Terms of Partnership of MMN, commit to respect, adhere to and promote these principles, help in the strengthening of the MMN, jointly work with our co-members towards the achievement of these goals.

Name:

Areas of expertise/interests:

Address:

Phone:

Fax:

Email:

*Membership of other networks (if any):

Date:

Signed:

MMN Membership confirmed by: _____

Date of membership: _____