

CONCEPT NOTE

ILO-UN Women Regional Workshop on Effective Social and Economic Reintegration of Women Return Migrants

Background

In the AP region, thousands of WMWs return to their countries of origin every year. Returning migrant workers bring back new skills and knowledge, international work experience, and often accumulated capital additional to remittances already sent home. These Women Migrant Workers (WMWs) can be the social and economic change agents in their household, community and at the national level if systematic policies and procedures are in place at the national level to ensure the successful reintegration of the women migrant workers into purposeful employment or self-employment, taking full advantage of their new knowledge and skills (ILO, 2010).

The process of return and reintegration must be managed effectively to enhance the potential impact of migration on development, and to safeguard the interests of migrants to protect and promote their rights. Planning for return and reintegration, and reintegration services, should be considered an essential component of a comprehensive migration governance approach in both countries of origin and destination. Effective return and reintegration programs are also a measure to address the irregular overstays of workers and to provide access to the local labour economy, should returnee migrant workers prefer to remain in their home country.

Yet, in many countries of origin and destination, return and reintegration is that part of the migration cycle that is not often subject to policy or programmatic interventions. If policies and programs exist, there is little effort to assess their effectiveness. The knowledge base on effective approaches to the return and reintegration of migrant workers is low. Migrants and labour sending country governments may not be maximising the benefits of labour migration, either because return and reintegration programmes are not available, or because migrants do not have access to formal institutions able to help in their economic and social reintegration. For many women migrant workers, the mismanagement or poor reinvestment of remittances, at both the government and household level, often push them back into poorly paid jobs in the informal economy, or make them take recourse to unsafe migration channels.

For women migrant workers, who comprise of 50% of the 232 million migrants worldwide, and 31.5 million in Asia,¹ challenges to making migration safe are complicated by the nature of their work within a global context of gender inequality. Around the world, as economies have continued to prosper and industrialization and economic development has expanded at an exponential rate in South and South East Asia, women have responded to the increased demand for labour in particular fields. As a result they have come to dominate work forces in manufacturing, care work and commercial agriculture, both in formal and informal economies. The feminized sectors of the informal economy often lack the policy protection required for women migrant workers to enjoy equal access to their rights as other workers do.

When migrant women are excluded from the development of protection policies aimed at supporting them, they are mis-served, misrepresented and mistreated, and experience marginalization and rights violations. For example, policies aimed at protecting women migrant workers have historically restricted women's mobility and scaled back their labour migration rights. As a result, women migrant workers are more likely to be undocumented and migrate through unsafe channels, increasing their vulnerability to exploitation.

In Asia, most governments have ratified some international conventions to protect migrant women workers, such as:

- The Convention on the Elimination of All Forms of Discrimination Against Women, (CEDAW).
- The CEDAW Committee's General Recommendation No. 26 on Women Migrant Workers (GR No. 26).
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).
- The Committee on Migrant Workers' General Comment No. 1 on Migrant Domestic Work (GC No. 1).
- The ILO Convention Concerning Decent Work for Domestic Workers (Domestic Workers Convention C189) and its General Recommendation No 201 (Domestic Workers Recommendation 201 or GR No. 201).

¹ United Nations Department of Economic and Social Affairs, Population Division (2011). Trends in International Migrant Stock: Migrants by Age and Sex (United Nations database, POP/DB/MIG/Stock/Rev.2011) cited ILO website. Available at: <http://www.iom.int/cms/en/sites/iom/home/where-we-work/asia-and-the-pacific.html>

The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) article 7 (b) specifically outlines that States shall ensure that women participate in the formulation of government policy.² Equally, the CEDAW General Recommendation 26 (GR 26) article 23 (b) stipulates that States parties should seek the active involvement of women migrant workers and relevant non-governmental organizations of women migrant workers and relevant non-governmental organizations in policy formulation, implementation, monitoring and evaluation.³

Regionally, the ASEAN Committee on the Implementation of the 2007 ASEAN Declaration on the Protection and Promotion of the rights of Migrant Workers (ACMW) meets annually at the ASEAN Forum on Migrant Labour (AFML) to review progress on the protection of migrant labourers' rights. This review occurs in relation to the ASEAN Framework Instrument on the Protection and Promotion of the Rights of Migrant Workers, and the forum presents the opportunity for migrant women workers to present their concerns, policy solutions and implementation recommendations to regional policy makers, as supported by CEDAW. Additionally, the development of ASEAN Economic Community (AEC), and its regional labour and migration policies, will further impact women migrant workers, who are not currently included in free-movement plans within the AEC.

Women migrant workers' concerns must be integrated into policy formation, in the context of international normative frameworks on human rights. The successful reintegration of these women migrant workers must be better managed to maximise their contributions to the development of the regional and national economies and societies they work and live within, and to protect and promote their rights. To foster the social and professional reintegration of return migrants, including women migrant workers, the following services were proposed to support returning migrant workers (ILO, 2010):

- Small business advice to ensure any capital brought back is invested wisely and productively;
- The development by returning workers of a portfolio of evidence attesting to their new skills and knowledge;
- Employment placement services specifically addressing returning migrant workers so as to gain maximum economic benefit from their new skills;

² UN Convention on the Elimination of All Forms of Discrimination Against Women. Available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article7>

³ CEDAW GR 26. Available at: http://www2.ohchr.org/english/bodies/cedaw/docs/GR_26_on_women_migrant_workers_en.pdf

- Advice on self-employment options and on any assistance available such as training for enterprise development and information on access to credit.
- Information on how to go about registration of the returnees, including documentation and recognition of skills acquired during migration;
- Affordable assessment services to support the recognition and documentation of the migrant workers' new skills in a fair and transparent manner;
- Advice on the next steps-- which may be employment or a gap-filling training programme leading to full occupational certification.

Objectives

The two and a half day regional workshop will aim to identify, document and share good practices in the reintegration services and programs for returning women migrant workers, which effectively foster both their social and economic integration.

More specifically, the objectives are:

1. Promote understanding of the conditions faced by returning women migrant workers that influence their opportunities for effective re-integration.
2. Document and share good practices in return and re-integration programs for women migrant workers.
3. Increase knowledge base by sharing data and research on the reintegration of migrants, with a special focus on women.
4. Arrive at recommendations for regional partnerships and bilateral cooperation on return and reintegration programs for women migrants between origin and destination countries.
5. To generate incentive to mainstream gender-responsive reintegration strategies for returnee women migrant workers within governments' National Strategies.

The workshop will also include online discussions through UN Women's Knowledge Gateway for Women's Economic Empowerment on the social and economic reintegration of women migrant workers leading to the workshop. The summary of the online discussions will serve as inputs to the workshop sessions, where appropriate.

Agenda Items

The two and a half day regional workshop will be structured as follows:

Session 1: Understanding labour migration, return and migrant's reintegration as applied to women migrant workers

- Reviewing women migrant workers' contributions to home and host economies.
- Return & reintegration as part of the development plans at all level of government.
- Current policies and priorities of women return migrants and reflecting on their concerns of rights violations in the absence of effective protection and promotion of their rights, especially concerning remittance reinvestment and reintegration policies.
- Legislation, policy and programs that support women migrant workers who wish to return to their countries of origin.

Session 2: Identifying challenges and opportunities in the return and reintegration of women migrant workers

- Pre-departure programs and strategies
- On-site interventions and partnerships
- Return and reintegration program modalities
- Systems of monitoring and redress

FIELD VISIT: Visit local organization to experience a successful model of reintegration.

Session 3: Increasing the knowledge base through sharing of good experiences on gender sensitive return and reintegration programs

- Additional point to be included
- Maximizing the potential of women return migrants/ How to ensure better use of return migrant's skills.
- Mechanisms for systematically collecting data on women returnees and mapping return & reintegration initiatives.

Session 4: Promoting original partnership and bilateral cooperation

- Multi-stakeholder cooperation at the societal level and inter-agency cooperation within government.
- Role of government agencies, workers' and employers' organizations and NGOs/CSOs in fostering social and professional reintegration of returning women migrant workers.

Outcomes:

- Increased capacity of policy makers at all stages of Government of the contributions and concerns of women migrant workers.
- Commitment of participants to improve reintegration measures.

Outputs:

- Participants develop and approve a list of recommendations towards advancing gender-responsive reintegration strategies for WMWs.
- Governments support pilot studies into women migrant workers' remittance reinvestment.

Participants

Government officials, social partners (employers and workers), civil society organizations, recruitment agency associations, technical/resource persons.

Timeframe

2 and a half days.

August 19th – August 21st 2014.