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► Labour migration governance in ASEAN

A review of the implementation of recommendations from
the 3rd to 16th ASEAN Forums on Migrant Labour

Supported by

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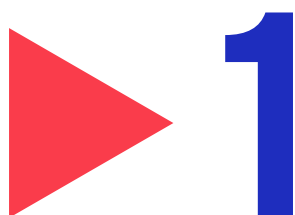
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Abbreviations

ACMW	ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers
AFML	ASEAN Forum on Migrant Labour
ASEAN	Association of Southeast Asian Nations
ASEAN Consensus	ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers
BP2MI	Badan Pelindungan Pekerja Migran Indonesia (Indonesian Migrant Workers Protection Agency), until 20 October 2024
Cebu Declaration	ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
CSO	civil society organization
DMW	Department of Migrant Workers (Philippines)
ILMS	international labour migration statistics
IOM	International Organization for Migration
KP2MI	Kementerian Pelindungan Pekerja Migran Indonesia (Ministry on Indonesian Migrant Workers Protection), from 21 Oct 2024
LGBTQI+	Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, and other diverse sexual orientations and gender identities
MAP Foundation	Migrant Action Programme Foundation (Thailand)
MOM	Ministry of Manpower (Singapore)
MOU	memorandum of understanding
MRC	Migrant Worker Resource Centre
MWAC	Migrant Worker Assistance Centre (Thailand)
MWC	Migrant Workers Centre (Singapore)
OFW	Overseas Filipino Workers
OSH	occupational safety and health
PERKESO	Social Security Organization (Malaysia)
TESDA	Technical Education and Skills Development Authority (Philippines)
TVET	technical and vocational education and training
WEGET	Women's Exchange Get Together (Thailand)



Introduction

This paper was prepared as the progress review background paper for the 17th ASEAN Forum on Migrant Labour (AFML) held on 13–14 November 2024 in the Lao People's Democratic Republic. The AFML is a multi-stakeholder open forum held annually by the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) under the Action Plan 2018–25 to implement the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. The AFML serves to provide relevant stakeholders – tripartite members of the ASEAN Member States, civil society organizations, the ASEAN Secretariat, and international organizations – with a platform to exchange ideas and good practices on issues relating to migrant workers in the Association of Southeast Asian Nations (ASEAN) region. The forum gathers annually to discuss and share experiences, as well as to develop joint recommendations on issues related to the protection and promotion of the rights of migrant workers. The 17th AFML focuses on the theme “Care work and labour migration in ASEAN”.

Since 2012, progress on the implementation of AFML recommendations has been monitored through biennial progress review papers prepared by the ILO. The current paper is the seventh in this series, following the development of previous progress review background papers for the 5th, 7th, 9th, 11th, 13th and 15th AFMLs (ILO 2023a; ILO 2021; ILO 2019; ILO 2017; ILO 2015; ILO 2013). These are presented at the regional AFML meetings for comments and discussions by ASEAN Member States, and prepared with tripartite plus inputs, asking all stakeholders to reflect on progress and challenges.

1.1 ASEAN normative and institutional frameworks on the rights of migrant workers

The Association of Southeast Asian Nations is an intergovernmental organization established in 1967 with the signing of the ASEAN Declaration. At time of this report's preparation, the organization comprised ten Member States¹ from South-East Asia that have committed to the establishment of an ASEAN Community to build a stable, resilient and peaceful region. The ASEAN Community consists of three pillars, namely, the ASEAN Political-Security Community, the ASEAN Economic Community, and the ASEAN Socio-cultural Community (ASEAN, n.d.).

Labour migration is an integral part of the ASEAN Community, and its contribution to the region is recognized in the three ASEAN Blueprints.² The ASEAN Economic Community calls for the facilitation of the movement of skilled labour in the region, and the ASEAN Socio-Cultural Community advocates for the protection and promotion of human rights, especially for vulnerable groups, including migrant workers (ASEAN 2015; ASEAN

1 Brunei Darussalam, Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. Timor Leste joined as the 11th ASEAN Member State in October 2025.

2 ASEAN Economic Community Blueprint 2025; ASEAN Political-Security Community Blueprint 2025; and ASEAN Socio-Cultural Community Blueprint 2025.

2016a). The ASEAN Political-Security Community also advocates for the strong cooperation of sectoral bodies – while maintaining respective reporting lines.

ASEAN Member States' commitment to protecting and promoting the rights of migrant workers led to the adoption of the Declaration on the Protection and Promotion of the Rights of Migrant Workers (hereafter, the "Cebu Declaration") in 2007. The ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) is the sectoral body responsible for the implementation of the Cebu Declaration, and its work supports the advancements of the principles contained within.

The ACMW also guided the development of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (hereafter, the "ASEAN Consensus") adopted in November 2017. The ASEAN Consensus is the outcome of a key commitment in the Cebu Declaration to "develop an ASEAN instrument on the protection and promotion of the rights of migrant workers" (article 22). The ASEAN Consensus elaborates the rights of migrant workers and members of their families and expands the obligations of ASEAN Member States. The implementation of the ASEAN Consensus is guided by the Action Plan 2018–25 which defines five broad categories of work: (i) education and information; (ii) protection; (iii) enforcement; (iv) recourse; and (v) reintegration. Cluster J below contains an update on the implementation of the Action Plan (see section 2.10).

The ACMW is active in developing regional standards and thematic policy guidance on labour migration, building on the commitments made in the Cebu Declaration and the ASEAN Consensus. Key thematic ASEAN instruments include:

- ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers³ (2020);
- ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN (2022) and its Guidelines³ (2024);
- ASEAN Declaration on The Placement and Protection of Migrant Fishers (2023) and its Guidelines⁴ (2024);
- ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations⁴ (2023) and its Guidelines⁴ (2023) and;
- Vientiane Declaration on Skills Mobility, Recognition and Development for Migrant Workers⁴ (2024) and its Checklist⁴ (2024).

1.2 Labour migration in ASEAN

There are an estimated 10.1 million international migrants and 9.1 million international migrants of working age living in ASEAN net destination countries, according to the United Nations (UN, Population Division 2019). International labour migration statistics (ILMS) data compiled by the ILO indicate that in 2019, Malaysia and Thailand were among the top 20 countries globally in terms of the largest stocks of international migrants. Conversely, Indonesia and the Philippines are among the top 20 countries with the largest diaspora populations in the world. The international remittances received by the region increased from US\$48 billion in 2010 to US\$78 billion in 2019. Within ASEAN, migrant workers made up 37 per cent of workers in Brunei Darussalam, 15 per cent in Malaysia and 3 per cent in Thailand. These countries, plus Singapore, have significant numbers of employed migrants in the labour force. Women comprise less than half of migrants in ASEAN, making up 36.7 per cent in Brunei Darussalam, 37.9 per cent in Malaysia and 45.5 per cent in Thailand (ILO 2022a). Actual numbers of migrant workers in the Malaysian and Thai labour markets are likely much higher than these official statistics, due to presence of irregular migrant workers (UN 2024; World Bank 2017).

3 Developed with technical support from the ILO.

4 Developed with technical support from the ILO and International Organization for Migration (IOM).

The majority of migrants workers in ASEAN are intra-ASEAN migrants. In Thailand, for example, most employed working-age migrants come from countries sharing territorial borders: Myanmar, Cambodia and the Lao People's Democratic Republic (ILO 2022a). Increasingly, however, countries that were traditionally considered countries of destination are also sending migrant workers, including Thailand. Equally, countries that have traditionally been considered countries of origin, such as Indonesia, are also increasingly becoming destinations for migrant workers. Migration from ASEAN to other regions is also increasing, especially to East Asia, including to Japan and the Republic of Korea. The Gulf Cooperation Council (GCC) countries also remain a significant destination for ASEAN migrant workers (ADB Institute, ILO and OECD 2024).

Almost 90 per cent of migrant workers in ASEAN net destination countries are working in the services and industry sectors, with women migrants being more represented in service jobs than in other economic sectors (ILO 2022a). Migrant women in the services sector, which includes domestic work, represent on average 55.3 per cent of all migrant women workers in these countries; while 33.8 per cent of migrant women work in the industry sector, and only 11 per cent work in agriculture. Men make up the majority (65 per cent) among employed migrants in Brunei Darussalam, Malaysia and Thailand. Across Brunei Darussalam, Malaysia and Thailand, half of all employed men migrant workers (51 per cent) are working in the industry sector.

As of 2019, 38 per cent of migrant workers in Brunei Darussalam, Malaysia and Thailand were in occupations classified as elementary occupations. The majority of migrant workers in these three countries (56.9 per cent) are employed in jobs classified as medium-skilled (ILO 2022a).

1.3 ASEAN Forum on Migrant Labour

The ASEAN Forum on Migrant Labour (AFML) is a multi-stakeholder open forum held annually as part of the ASEAN Consensus Action Plan, institutionalized following the adoption of the Cebu Declaration. The participants of the AFML meetings are key stakeholders from the ASEAN region, including representatives of governments, employers' and workers' organizations, civil society organizations (CSOs), representatives from international organizations, as well as selected observers decided by consensus of the ASEAN Member States. The AFML is the only recurring annual tripartite plus policy forum on labour migration in Asia.

Terms of Reference for the AFML have been formally adopted by the ACMW. According to the Terms of Reference, the objectives of AFML are to:

- i. Share knowledge, good practices, innovations, challenges and solutions in implementing policies, legislations and programmes to protect and promote the rights of migrant workers;
- ii. Share experiences, challenges and good practices in the implementation of AFML recommendations;
- iii. Recommend strategies and actions arising from discussions of the thematic areas of the AFML which serve as inputs to governments and employers', workers' and civil society organizations.

The AFML meetings focus on a specific theme relevant for countries of origin and destination in ASEAN. During the AFML meetings, the participants agree upon and adopt a set of non-binding and voluntary recommendations that aim to promote and protect the rights of migrant workers in ASEAN Member States and to facilitate the formulation of evidence-based migration policies. The recommendations adopted at the end of each AFML meeting are gender-responsive and developed jointly by governments, social partners and CSOs. Table 1 lists the themes of previous AFML meetings.

► Table 1. Past AFML themes

AFML	Thematic focus	Location	Year
1	Institutionalization of the AFML	Manila, Philippines	2008
2	ASEAN Declaration on migrant workers: Achieving its commitment.	Bangkok, Thailand	2009
3	Enhancing awareness and information services to protect the rights of migrant workers.	Hanoi, Viet Nam	2010
4	Development of a public campaign to promote understanding, rights and dignity of migrant workers in countries of destination: Return and reintegration and development of sustainable alternatives in countries of origin. ► Promotion of a positive image, and the rights and dignity of migrant workers. ► Promotion of strategies for effective return and reintegration, as well as sustainable alternatives for migrant workers.	Bali, Indonesia	2011
5	The protection and promotion of the rights of migrant workers: Towards effective recruitment practices and regulations.	Siem Reap, Cambodia	2012
6	Enhancing policy and protection of migrant workers through data sharing, and adequate access to the legal and judicial system during employment, including effective complaints mechanisms. ► Enhancing policy and the protection of migrant workers through data collection and sharing. ► Enhancing policy and the promotion of migrant workers through data sharing, and adequate access to the legal and judicial system during employment, including effective complaints mechanisms.	Bandar Seri Bagawan, Brunei Darussalam	2013
7	Towards the ASEAN Community by 2015 with enhanced measures to protect and promote the rights of migrant workers. ► Promotion of fair and appropriate employment protection, payment of wages, and adequate access to decent working and living conditions for migrant workers. ► Coordination among and role of key stakeholders to set up and implement policies and procedures to facilitate aspects of migration, including recruitment, preparation, protection abroad, and return and reintegration.	Naypyidaw, Myanmar	2014

AFML	Thematic focus	Location	Year
8	Empowering the ASEAN Community through the protection and promotion of the rights of migrant workers. ► Occupational safety and health to foster a safe and health working environment. ► Labour inspection to ensure workplaces provide minimum employment rights.	Kuala Lumpur, Malaysia	2015
9	Better quality of life for ASEAN migrant workers through strengthened social protection. ► Current situation of social protection for migrant workers in ASEAN. ► Working towards the portability of social security of migrant workers in ASEAN.	Vientiane, Lao People's Democratic Republic	2016
10	Towards achieving decent work for domestic workers in ASEAN. ► International and national standards for the protection of migrant domestic workers. ► Implementation of policies and support services.	Manila, Philippines	2017
11	Digitalisation to promote decent work for migrant workers in ASEAN. ► Digitalization of migrant labour management. ► Digital services to migrant workers.	Singapore	2018
12	Future of work and migration. ► Challenges on sustainable, fair and equal protection. ► Challenges on migrant worker employability.	Bangkok, Thailand	2019
13	Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community. ► Impact of COVID-19 on migrant workers and responses in ASEAN. ► Cohesive and responsive labour migration policy for future preparedness in ASEAN.	Hanoi, Viet Nam	2020
14	Recovery and labour migration in the post-pandemic future. ► Protection of migrant workers during the COVID-19 pandemic: Current situation. ► Recovery and the post-pandemic future.	Bandar Seri Bagawan, Brunei Darussalam	2021

AFML	Thematic focus	Location	Year
15	Resumption of labour migration and regional cooperation ▶ Economic recovery and labour migration. ▶ Rights protection to maximize development impacts of labour migration.	Phnom Penh, Cambodia	2022
16	Enhancing the effectiveness of legal pathways for labour migration in ASEAN ▶ Improving labour migration programmes in ASEAN. ▶ Ensuring legal migration pathways are inclusive and responsive to the labour market.	Indonesia	2023

1.4 Objectives, scope and methodology for reviewing the implementation of AFML recommendations

Since 2012, progress towards implementing the AFML recommendations has been monitored through biennial progress review papers prepared by the ILO. The current paper is the seventh in this series, following the development of previous progress review background papers for the 5th, 7th, 9th, 11th, 13th and 15th AFMLs (ILO 2013, ILO 2015, ILO 2017, ILO 2019, ILO 2021, ILO 2023a). This progress review paper covers the 3rd to 16th AFMLs, from which there are a total of 220 recommendations. The paper focuses on new initiatives implemented between January 2022 and October 2024.

The 220 recommendations from the 3rd to 16th AFMLs cover a broad range of policy and intervention areas. Like the previous papers in the series, this progress review paper also groups these recommendations into clusters to ease tracking and monitoring. For the purposes of this paper, the recommendations have been grouped into ten clusters (Clusters A–J):

- A. Information dissemination and campaigns
- B. Pre-departure and post-arrival orientation, skills training and recognition
- C. Access to complaint mechanisms and legal support
- D. Other support services
- E. Labour migration policies and processes and fair recruitment
- F. Labour protection and decent conditions of work
- G. Access to healthcare and social protection
- H. Return and reintegration policies and programmes
- I. Collecting, sharing and analysing labour migration data
- J. Multi-stakeholder cooperation

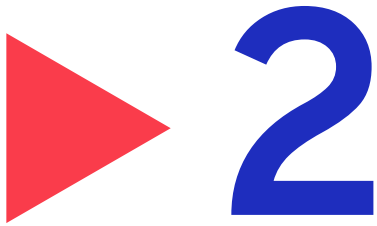
Please refer to Appendix B for information on which recommendations were assigned to each cluster.

The purpose of the progress review is to consolidate and summarize the activities, experiences and good practices, as well as the gaps and challenges of various tripartite plus stakeholders in implementing AFML recommendations.

This report is not an exhaustive description of all the initiatives that have been undertaken by ASEAN stakeholders, but rather reflects the information collected by the authors from a questionnaire survey, a literature review and the national preparatory meetings for the 17th AFML.

Data for the report were gathered from:

- Responses to a survey questionnaire distributed to all ASEAN Member States, workers' and employers' organizations in the ASEAN Member States, as well as CSOs supporting the implementation of AFML recommendations (see Appendix A for a list of respondents); and
- Literature review of surveys, studies and ILO project reports in the ASEAN region; official documents and news reports available online; information retrieved from the websites of ASEAN stakeholders; and outcome documents and presentations from labour migration-related events, particularly from the AFML preparatory meetings and ASEAN conferences.



Progress of the ASEAN Member States in implementing the 3rd – 16th AFML recommendations

This review of ASEAN Member States' efforts to implement the body of AFML recommendations was done through an analysis of efforts under clustered thematic headings. The clusters move through the labour migration cycle, starting from information dissemination and campaigns, and ending with inclusive return and reintegration. In addition to migration cycle-specific recommendations, there are two additional clusters covering labour migration data and multi-stakeholder cooperation.

► Box 1. Summary of key achievements



The ASEAN region has made steady progress in improving labour migration governance and protection of migrant workers' rights in the period under this review (2022–2024). At the regional level, the ACMW is active in developing regional standards and policy guidance on labour migration. A total of four new ASEAN Declarations and three new ASEAN Guidelines were developed and adopted on topics including portability of social security benefits; skills mobility, recognition, and development; deployment and protection of migrant fishers; and protection of migrant workers and their families in crisis situations (see boxes 3, 4, 11 and 14 and section 2.10.1). A total of seven ILO Conventions and Protocols were ratified across the region, and with Brunei Darussalam's ratification in 2023, the ILO Forced Labour Convention, 1930 (No. 29) has now been ratified in all ten ASEAN Member States.

At the country level, key achievements in labour migration governance and regulation of recruitment included the adoption of Viet Nam Directive 20-CT/DW to guide labour migration policy (box 7) and the

Lao People's Democratic Republic's Agreement 1050 to regulate recruitment agencies and eliminate recruitment fees (box 9) and Regulations of the Lao Employment Business Association. In Cambodia recruitment agencies are piloting self-assessment in line with the Code of Conduct for Cambodian Recruitment Agencies (section 2.5.4). The Philippines established the Department of Migrant Workers (DMW) as an overarching authority on labour migration governance. A total of 21 bilateral memoranda of understanding (MOUs) were signed to protect the rights and facilitate the recruitment of migrant workers within the ASEAN region and to other regions (section 2.5.2).

In the area of labour protection of migrant workers, significant achievements include Thailand's adoption of Ministerial Regulation No. 15 on domestic workers labour protection (box 8), Indonesia's Government Regulation No. 22 on migrant fishers and ocean ship crew (box 10) and the Philippines Magna Carta for Filipino Seafarers. Malaysia's Social Security Organization (PERKESO) extended invalidity and survivors' benefits to cover migrant workers, with these benefits now joining employment injury coverage, which was extended to migrant workers in 2019 (box 13). Singapore improved migrant workers' housing (section 2.6.3) and Brunei Darussalam adopted the Employment (Minimum Wage) Order, which is applicable to migrant workers (section 2.6.2). Migrant workers' right to organize remains limited across the region, but positive progress in this space includes the establishment of the first Domestic Workers' Association in Myanmar (section 2.6.5) and signing of the Bilateral Trade Union Cooperative Agreement between the Cambodian Labour Confederation and the Fisher Rights Network in Thailand. Trade unions and civil society organizations remain key players in the provision of information, training, legal aid, organizing and other support services to migrant workers. In Thailand, access to government-funded support services for migrant workers was expanded through strengthening the country's network of Migrant Worker Assistance Centres (MWACs) (box 5).

2.1. Cluster A – Information dissemination and campaigns

Information dissemination and campaigns have been recurring themes in past AFML discussions and recommendations. The AFML recommendations cover the need to strengthen information for migrant workers and their families so that they can benefit from more protected labour migration. They also guide provision of information services themselves, ensuring that they are accessible and provide the full range of information that migrant workers might need. The recommendations recognize the role that information dissemination plays in supporting aspirant migrants to access safe migration opportunities and identify fair recruitment; while also recognizing the role that information can play in ensuring that the families of migrant workers are aware of the realities of migration and are able to support their family members and manage expectations. Information campaigns that target the general public can go some way to addressing stigma and xenophobia, in particular by highlighting the contribution of migrant workers, and by challenging outdated ideas and language that can contribute to discriminatory norms.

ASEAN Consensus

Para. 49. ASEAN Member States will collaborate to raise public awareness and disseminate accurate information on labour migration.



International Women's Day March as part of the annual Women's Exchange Get Together event organized by MAP Foundation, 2024. © ILO / Wai Hnin Po

2.1.1. Information dissemination to migrant workers and their families

ASEAN stakeholders continue to invest in a range of methods to develop and disseminate information to migrant workers and their families. In **Cambodia**, the Ministry of Labour and Vocational Training produced leaflets on the procedures for sending and processing documents of Cambodian migrant workers for employment overseas, categorized by destination country. These leaflets were distributed and disseminated widely, with the intention of reaching aspirant migrant workers, in August 2024. To ensure that safe migration messaging is understood and passed on in the broader local environment, the Ministry of Labour and Vocational Training also delivered a capacity development training on safe migration to district and commune level leaders and officers. The training was intended to ensure that these officials could educate and promote regular migration for work abroad and to address drivers of irregular migration. The National Union Alliance Chamber of Cambodia (NACC) strengthened the capacity of migrant workers and their families to make informed decisions about migration by providing counselling services, conducting community outreach, and promoting safe migration practices. Through these efforts, 400 migrant workers (211 women) were reached in 2024. Additionally, 202 migrant workers (92 women) registered for social security benefits following NACC's awareness-raising events.

The **Indonesian** Government, on the other hand, published a series of YouTube videos providing information on the mechanisms and services designed to support migrant workers. These videos cover topics including social security, the One Stop Service System, the Productive Migrant Village, and the Training Services for Prospective Migrant Workers.

In **Myanmar**, the BBC Media Action's Yay Kyi Yar Facebook campaign has proved to be a major success in providing information and assistance to Myanmar migrant workers.⁵ Since 2022, the Yay Kyi Yar campaign has produced 201 original videos and infographics with a total estimated reach of 68 million people. In 2024, Yay Kyi Yar has 1,547,510 followers (42 per cent women) across 10 countries, including the major destination countries for Myanmar migrants. A key indication of the strong rapport that Yay Kyi Yar has developed with its audience

5 The campaign is supported by the ILO's Ship to Shore Rights East Asia project and Safe and Fair Programmes.

is that it received 509 requests for direct assistance from migrant workers through Facebook Messenger. BBC Media Action responds to these questions by linking the audience with service providers in Thailand and Myanmar, providing migrants with a critical bridge to access assistance. In Myanmar, social media is also used by the NGO Three Good Spoons to provide information services and disseminate safe migration information. Through social media channels, domestic workers can be connected and build their knowledge on tools including financial literacy and decent work.

In **Singapore**, the ACE (Assurance, Care and Engagement) Group – a division of the Ministry of Manpower – was established to enable a resilient ecosystem to support the well-being of migrant workforce. ACE's Facebook Group and TikTok channel includes educational information and publicity of events for migrant workers. Ensuring migrant workers can access information in their own language is at the centre of the initiatives from MAP Radio in Thailand, which broadcasts in Shan and Myanmar language from two stations in Chiang Mai and Mae Sot. The broadcasts are also available online as are supporting information materials including news and information on migrant rights and policies.

2.1.2. Information campaigns targeting the general public

Information campaigns that target the public more broadly, can contribute to raising awareness of the rights of migrant workers. One such method is through events held around International Migrants Day on 18 December and International Women's Day on 8 March annually. In June 2024, events were held in **Lao People's Democratic Republic, Cambodia, Myanmar and Thailand**, including the International Women's Day WEGET March held in Chiang Mai, Thailand, on March 8 and organized by the Northern Thai Labour Network. The WEGET March brought together CSOs, women's organizations, migrant women, women with disabilities and LGBTQ+ groups to advocate for labour and women's rights. In **Indonesia and the Philippines**, the "No Shipping, No Shopping" campaign emphasizes the importance of seafarers in international trade and the global market.⁶ In addition to reach the general public, campaigns seek to inform employers of migrant workers. In **Myanmar**, Three Good Spoons shares information on the rights of migrant domestic workers to a network of more than 1,700 employers of domestic workers.

In **Thailand**, the Southeast Asia Junction (SEA Junction) implemented a migrant worker photo voice project, which aimed to empower migrant workers in the fishing and seafood processing industry in Thailand and Indonesia to tell their personal stories through the use of photography.⁷ After collecting, curating and translating more than 20 photo stories from Thailand, SEA Junction organized the photography exhibit "Not just Labor: Migrant Photo Voices from Thailand's Fisheries" on the Curved Wall at the Bangkok Arts and Culture Centre in May 2024. The photos in the "Not Just Labour" exhibition demonstrate the need to move towards a greater recognition of the full depth of humanity, capability and creativity that migrant workers bring to Thailand, rather than simply viewing them instrumentally as filling labour needs. The exhibition generated great public interest with 65,000 people viewing the photos at the Bangkok Arts and Cultural Centre.

In the **Philippines**, the 27th Annual Civic Journalism Community Press Awards held in Manila in April 2024. For the fourth consecutive year, the ILO sponsored the "Best Reporting on Migration Issues" award for community newspapers across the Philippines. This special category, funded through a partnership with the Asian Institute of Journalism and Communication, underscores the essential role of media in promoting a better-informed media discourse on labour migration issues in the Philippines. Panay News (Iloilo City) and Samar Weekly Express (Catbalogan) were selected as the winners of the award and received their trophies during a televised ceremony.

⁶ For more information, see: <https://noshoppingnoshopping.mailerpage.io/>.

⁷ The project was supported by the ILO's Ship to Shore Rights project.

2.2. Cluster B – Pre-departure and post-arrival orientation, skills training and recognition

2.2.1. Pre-departure and post-arrival orientation

AFML recommendations related to pre-departure and post-arrival orientation focus on promoting the provision and reach of these programmes, but also their content. The 4th, 7th and 8th AFMLs recommended that these orientation programmes be delivered by government, employers, trade unions and civil society, and that they be mandatory and free of charge. Recommendations from the 10th, 11th, 12th and 15th AFMLs specified the content of these programmes, including essential information on labour laws, social protection and access to remedies, promotion of digital tools, life skills that support the integration of workers, and financial literacy.

All key countries of origin in ASEAN provide pre-departure programmes.

While some States, such as **Indonesia**, solely engage public services to provide pre-departure orientation to migrant workers, others, including the **Lao People's Democratic Republic**, **Cambodia** and **Viet Nam**, also have such programmes delivered by recruitment agents, also and by local trade unions and Migrant Worker Resource Centres (MRCs). CSOs also provide this orientation in Myanmar and the Philippines (see table 2). While **Thailand** is a net-country of destination, it also provides pre-departure orientation for its citizens going overseas as migrant workers.

In the **Lao People's Democratic Republic**, the pre-departure curriculum developed in 2014, was updated in 2022 and 2023. The updated curriculum is broader and allows for tailoring to migrant workers migrating to countries other than Thailand. In **Lao People's Democratic Republic** and the **Philippines**, a sector-specific curriculum for the fishing and seafood-processing sector is also being developed with support from the ILO. In Lao PDR the pre-departure training facilitator's manual has already been rolled out for use by the 35 licensed private employment agencies as a mandatory requirement for deploying Lao migrant workers into the Thai fishing and seafood processing sectors. In the Philippines, it is expected that the Migrant Fisher Information Package will be endorsed by the Department of Migrant Workers (DMW) and the Overseas Workers Welfare Administration for adoption as a fisher-specific pre-departure and pre-employment orientation seminar mandated by the government.

In **Viet Nam**, Circular No. 21 detailing a number of articles of the Law on Vietnamese Guest Workers, which came into force on 1 February 2022, includes significant detail regarding the pre-departure orientation training programme and its duration – including specific training in basic knowledge on forced labour, human trafficking prevention, gender equality, sexual abuse, gender-based violence and prevention skills.

In **Myanmar**, the Department of Labour (of the State Administration Council) supports pre-departure orientation through its training centre in Yangon. Migration information, including lists of registered and blacklisted agencies, is also shared on the Safe Migration Facebook page, a Telegram channel, and the Ministry of Labour's website. Additionally, several Civil Society Organizations (CSOs) like the Mawk Kon Local Development Organization, Carelink, Northern Shan State Baptist Convention, the Foundation for Education and Development (FED), and the Future Light Centre (FLC) provide information, advice, and other necessary support for potential migrants, as well as integration assistance for returning migrant workers.

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Para. 21. The Sending State, in close coordination with the Receiving State, will organise a predeparture orientation/ education programme, including human and labour rights, general working and living conditions, laws, policies, regulations, culture, norms, and practices of the Receiving State, avenues of assistance in the Receiving State and such other matters as will enable them to comply with administrative or other formalities of the Receiving State.

In **Cambodia**, the Ministry of Labour and Vocational Training issued the Prakas No. 046 dated 13 February 2013 on the Recruitment Process and Pre-Departure Orientation Training. The Pre-Departure Orientation curriculum was developed in 2010 and updated in 2015. The Ministry of Labour and Vocational Training and Private Recruitment Agency conduct Pre-Departure Orientation to migrant workers. Additionally, National Union Alliance Chamber of Cambodia (NACC), the Cambodian Labour Confederation (CLC) and the Center for Alliance of Labor and Human Rights (CENTRAL) also disseminate pre-departure information to migrant workers at the Boarder-Checkpoint prior to exit.

Examples of pre-departure sessions delivered by MRCs in **Cambodia** include community level financial literacy trainings to potential migrant workers provided by the Prey Veng MRC, which reached a total of 1,890 participants in 2024 (801 women). Local stakeholders from government and non-government agencies were also trained using financial literacy training materials developed by the ILO and the SaverAsia mobile app. The MRC also disseminated the dispute resolution guideline to migrant workers, service providers, and other relevant stakeholders to raise awareness of the tools and mechanisms available, and to increase access to dispute resolution services.

In **Indonesia**, the Executive Office of President in partnership with Ministry of Manpower (MOM) and Indonesian Migrant Workers Protection Agency (BP2MI) developed A guideline on Pre Employment Seminar Orientation (PEOS) in 2024. The guideline covers standard requirements, procedures and regulation for safe and regular migration; things to prepare when going to work overseas; defining personal goals and plan; social, cultural and labour rights of migrant workers; prevention of trafficking in persons; standard methodology and guidance in conducting PEOS at village level; and how to conduct training of trainers for those delivering the PEOS trainings.

► **Table 2. Pre-departure training programmes in ASEAN countries of origin**

Country	Provider	Beneficiaries	Contents
Cambodia	Ministry of Labour and Vocational Training	2023 –2024: 95,130 (W: 38,139)	Recruiting and preparing for work abroad, including regulations, working and living conditions, geography and culture, money management, seeking support services in the host country, and repatriation.
	Association of Cambodian Recruitment Agencies (ACRA)	2022–2024: 430 (W: 126)	Preparing for employment, do's and don'ts, culture and environment, laws and regulations, industrial and sectors of work, travelling and arrival, working in destination countries, labour rights, health and hygiene, returning, safety and support services, and so on.
Indonesia	Indonesian Migrant Workers Protection Agency (BP2MI)	January – August 2022: 101,113	Labour laws and regulations, sociocultural aspects in countries of destination, COVID-19 health measures.
Lao People's Democratic Republic	Department of Employment Recruitment agencies	Year 2022= 55,146 Year 2023= 108,403 Year 2024= 68,892	Documents required for safe migration, culture in country of destination, the rights and responsibilities of migrant workers in the workplace, assistance provider information, working environment, and financial literacy (including remittance transferal).

Country	Provider	Beneficiaries	Contents
Myanmar	Department of Labour training centre in Yangon	Not available	The Pre-Departure Orientation Course in Yangon provides workers with essential knowledge about their rights, responsibilities, and legal frameworks in destination countries, helping them understand local laws, cultural norms, and living conditions to protect themselves from exploitation and ensure a positive overseas experience. Deliver trainings to migrant workers on safe migration and labour rights within communities of origin. The uses the ILO standard curriculum, as well as other information, education and communication materials relating to migrant workers, migration practices, human trafficking and labour rights and laws.
	Mawk Kon Local Development Organization		
	Foundation for Education and Development		
	Confederation of Trade Unions Development		
	Carelink		
	Future Light Center		
	Tanintharyi Karen Peace Support Initiative		
	Three Good Spoons Organization (TGS)		TGS provides safe migration and skill training for migrant domestic worker on various knowledge topics including OSH, personal hygiene, self-care, and mental health, financial literacy, labour rights of domestic workers including employment contract and negotiation skills, forced labour, C.189 and C.190,¹ and digital literacy.
Philippines	Overseas Workers' Welfare Administration CSOs Private recruitment agencies	Not available	Pre-departure orientation seminars cover seven modules: 1. Migration realities; 2. Destination country profile; 3. Employment contract; 4. Health and safety; 5. Financial literacy; 6. Available government programmes and services for Overseas Filipino Workers (OFWs); 7. Travel procedures and tips.

Country	Provider	Beneficiaries	Contents
Thailand	Overseas Employment Administration Division, Department of Employment, Ministry of Labour	Not available	
Viet Nam	Provincial Departments Ministry of Labour, Invalids and Social Affairs Center of Overseas Labour (COLAB) Viet Nam General Confederation of Labour Recruitment agencies	Not available	Labour rights and responsibilities, labour laws and regulations in destination countries, support services, and complaint mechanisms.

¹ C.189 = ILO Domestic Workers Convention, 2011 (No. 189); C.190 = ILO Violence and Harassment Convention, 2019 (No. 190).

4th AFML

Recommendation 2. Conduct post-arrival orientation programmes in receiving countries, performed by the government, employers, trade unions, civil society, that adopts a rights-based approach in orientating both migrant workers, employers and government – to understand what their rights and responsibilities are.

Post-arrival orientation is less readily available for migrant workers in the ASEAN region. **Singapore** requires all work permit holders, except those from Malaysia, to attend a one-day Settling-in Programme designed to familiarise migrant workers with Singapore. It covers topics including social norms, employment rights and responsibilities, local laws and available support channels (MOM n.d.). The **Philippines** remains the only country of origin to systematically offer post-arrival orientation seminars for its workers in destination countries. In 2024, this included providing the opportunity for migrant workers to join the seminars through the Facebook Live platform.

Singapore is the only country in ASEAN that provides pre-employment orientation to employers of migrant workers. In Singapore, first time migrant domestic workers continue to attend a one-day Settling in programme, while first time employers of domestic workers must attend the Employers’ Orientation Programme before hiring.

► Table 3. Post-arrival orientation programmes for migrant workers in countries of destination

Country	Provider	Beneficiaries	Contents
Brunei Darussalam	Recruitment agencies	Not available	Post-arrival orientation will depend on the services provided by the employment agency. Post-arrival orientation will include a briefing on the job description, employer's details, work-related information including employment contracts, and trainings.
Lao People's Democratic Republic	1. Ministry of Labour and Social Welfare; 2. Ministry of Foreign Affairs; 3. Ministry of Public Security; 4. recruitment agencies; 5. employers.		
Philippines (held in multiple countries of destination)	Selected Migrant Workers Offices (MWOs) Note: Not all MWOs provide post-arrival orientation programmes	Not available	Post-arrival orientation programmes cover country of destination laws and culture, rights, and obligations of OFWs, complaint mechanisms, and support services provided by the Philippines Government.
Singapore	Migrant Workers' Centre (MWC) and accredited training providers on behalf of the Ministry of Manpower	No available	Settling-in Programme covers employment rights and responsibilities, social norms in Singapore, complaint mechanisms.
Thailand	Department of Employment at the Post-Arrival and Reintegration Centres	Not available	Labour laws and regulations, socio-cultural aspects in countries of destination.

2.2.2. Skills training and skills recognition

Skills training and recognition has been a feature of AFML recommendations every year since the 10th AFML. Migrant workers' right to equal treatment with nationals in respect of training is established in the ILO Migration for Employment Convention (Revised), 1949 (No. 97). AFML recommendations include promoting the establishment of skills training programmes and certification systems, but also improving understanding of the skills in demand by the labour market, as well as establishing systems that accurately match skills to jobs. Migrant workers' access to skills training and recognition in ASEAN countries of destination is presented in Table 4 below.

Skills recognition for migrant workers has been attracting increasing attention among ASEAN stakeholders in the past few years, which led to the development and adoption of the ASEAN Declaration on Skills Mobility, Recognition and Development for Migrant Workers in 2024 (see box 2). Implementation of this declaration requires concentrated effort to revise policies and practices at the country and bilateral levels, as pathways for middle-skilled labour migration within ASEAN are currently scarce, and migrants have limited access to skills development and recognition. One positive example is that **Cambodia** and **Thailand** completed the technical phase of a multi-year pilot on bricklaying and plastering and signed a Mutual Recognition of Skills (MRS) Technical Assessment Report in September 2023. These MRS arrangements are still to be linked to labour migration MOUs and policies to enable migrant workers to benefit from them. Separately, in 2024, a Skills Mobility Partnership (SMP) in the construction sector was piloted between Cambodia and Thailand, with support from the IOM, whereby pre-migration technical skills training was delivered to 24 migrant workers in line with their job placement in Thailand. The multi-stakeholder initiative involved aligning standards between the Thailand Professional Qualifications Institute (comparable to the skill standard of the Ministry of Labour of Thailand) and the Technical and Vocational Education Training (TVET) under the Ministry of Labour and Vocational Training in Cambodia.

In **Singapore**, opportunities for skills development include the Centre for Domestic Employees and Healthcare Academy partnership to develop a pilot programme on eldercare trainings for migrant domestic workers. The pilot training programme aims to equip migrant domestic workers with the necessary knowledge to support and care for the elderly effectively. The training programme is conducted in the migrant domestic worker's native languages including Myanmar language and Bahasa Indonesia, to ensure that they can better understand and relate to the content. The Agency for Integrated Care also curates Basic Eldercare Courses that equips caregivers, including migrant domestic workers, with the skills to care for and manage elderly persons' activities of daily living. The

Philippines Embassy in Singapore also worked with the Technical Education and Skill Development Authority (TESDA) and the Philippines' Technical Vocational Education and Training Authority to successfully conduct the 2024 Overseas Assessment Program (OAP), which provided 232 Filipino migrant workers with the opportunity to gain certification and enhance their skills in caregiving, healthcare services, bread and pastry production, food and beverages services, and cookery. Reports indicate that migrant domestic workers in Singapore can earn 10 per cent more if they have certified skills (Metteo and Tang 2024).

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Para. 47. ASEAN Member States will collaborate in promoting human resources and skills development of migrant workers.

► Table 4. Migrant workers' access to skills training and recognition in ASEAN countries of destination

	Brunei Darussalam	Malaysia	Singapore	Thailand
Do migrant workers have access to skills training leading to technical qualifications as per the country of destination skills standards?	Yes	No	Yes	Partly
Can migrant workers get overseas technical qualifications recognized?	Yes	No	Decided by professional bodies where relevant	No
Do migrant workers have access to skills assessment and recognition, such as recognition of prior learning?	Yes	No	Yes	Partly

15th AFML

Recommendation 4. Promote policies to improve skills development, mutual recognition of skills and skills matching for migrant workers in consultation with social partners and other stakeholders.

ASEAN stakeholders also strengthened their commitment to providing opportunities for skills development training in countries of origin before migration. Migrant workers' access to skills training and recognition in ASEAN countries of origin is presented in Table 5 below. In the **Philippines**, the government agency mandated for skills development has established the "TESDA sa Barangay" programme, which maximizes skills training access at the community level. Scholarship grants have also been increased and rationalized to make them more accessible to qualified trainees. The development of training regulations for new/emerging sectors and the review of existing ones have likewise been prioritized to align the Philippine curriculum with regional/global standards.

In **Cambodia**, the National Action Plan to implement the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2023–2025) includes provisions on promoting skills development,

recognition of prior learning and accreditation of migrant workers. It also promotes the engagement of the private sector in the recognition and accreditation of skills of returning migrant workers. As part of a pilot on recognition of prior learning, a total of 100 returning Cambodian migrant workers with skills in construction, electrical wiring and plumbing went through technical and vocational education and training (TVET), as well as a recognition of prior learning assessment process involving hands-on construction work practice, particularly in electrical skills, and an assessment of their skills, qualifications and experience. The focus on reintegration is also evident in **Viet Nam**, where Party Directive No. 20 includes a provision to adopt policies to support training and to foster professional, vocational and language skills and resources upon returning to Viet Nam and re-entering the domestic labour market.

On a smaller scale, skills training has been delivered in **Myanmar** to aspirant migrant workers by trade unions and civil society. Examples include the provision of computer skills training and bricklaying and electrician skills training by the Confederation of Trade Unions Myanmar, a number of trainings including services such as food & beverage and housekeeping training provided by Parami Development Network and the delivery of training on domestic work and soft skills by Three Good Spoons. Skills training has also been provided to returning migrants through partnerships with organizations such as Myanmar Creative University and May Yu Thanlwin, with support from the IOM, covering areas like cooking, flower arrangement, make up, customer service management and construction.

► **Table 5. Migrant workers' access to skills training and recognition in ASEAN countries of origin**

	CAM	IND	LAO	MYR	PHL	VTN
Can migrant workers get overseas technical qualifications recognized upon return?	No	No	Yes	No	Yes	No
Do migrant workers have access to skills assessment and recognition, such as recognition of prior learning upon return?	Yes	No	Yes ¹	No	Yes	No

¹ Availability is limited.

► **Box 2. ASEAN Declaration on Skills Mobility, Recognition and Development for Migrant Workers**

The ASEAN Declaration on skills mobility, recognition and development for migrant workers in ASEAN has been developed under Lao People's Democratic Republic's leadership. The Declaration, adopted in 2024, establishes at its outset, the intention of ASEAN Member States to develop and strengthen admission and labour migration policies to enable labour migration at all skills levels in accordance with labour market requirements of both countries of origin and destination. The Declaration establishes a framework for ASEAN cooperation on: enhancing migrant workers' access to skills development and skills recognition; enabling mobility of migrant workers at all skills levels (elementary, medium-skilled and high-skilled) within ASEAN; and promoting a whole-of-society approach and forging stronger cross-border collaboration for mutual recognition of skills in countries of origin and destination. The Declaration is supplemented by a Checklist to assess current policies and practices in ASEAN Member States and measure progress over time.

2.3. Cluster C – Access to complaint mechanisms and legal support

2.3.1. Access to complaint mechanisms for migrant workers

The need to establish accessible channels for women and men migrant workers to report exploitation and abuse has been highlighted in recommendations from multiple AFMLs. Complaint mechanisms were a particular focus of the 6th AFML, which specifically made recommendations that complaint mechanisms be transparent, gender-responsive and widely communicated. Specifically, there is a need for systems that enable cross-border claims and efficient and quick access to remedies.

Government-run complaint mechanisms are available for migrant workers in all ASEAN Member States though their effectiveness and accessibility vary. Complaint mechanisms available for migrant workers in ASEAN are presented below in Table 6. In **Cambodia**, research undertaken in 2022 found that the formal administrative migrant worker complaint mechanism established in 2013 under Prakas No. 249 on the complaint receiving mechanism for migrant workers was having positive impacts for workers. Challenges remained, however, particularly in relation to the accessibility of the complaint mechanism for migrant workers in an irregular situation and the time taken to review complaints (ILO 2022b). In the National Action Plan to implement the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2023–2025), Cambodian stakeholders included commitments to strengthening the complaint mechanism. Building the capacity of the relevant authorities to be able to address the complaints of migrant workers was also addressed in Cambodia, with capacity development on the dispute resolution mechanism, with a focus on fisheries and seafood processing, provided to the Secretariat of the Provincial Committee for Counter Trafficking in Persons, Technical Provincial Departments-Agency, Provincial Administrators, District Governors, Commune Councils, and Commune Police in four three provinces.

In **Myanmar**, Complaints Mechanism Centres have been opened in Nay Pyi Taw and Yangon to receive complaints and provide 24/7 services. Additionally, complaints are received and addressed through labour exchange offices, labour attachés, Myanmar embassies, licensed overseas employment agencies, Migrant Worker Resource Centres (MRCs), media, social organizations, NGOs and INGOs.

In **Brunei Darussalam**, the Department of Labour has several complaint mechanisms, which include in-person complaints counters and also a dedicated hotline service to ensure that migrant workers can easily report issues related to working conditions, such as hours of work, wages and benefits, and any other contract violations or mistreatment. Additionally, a dedicated unit within the Department of Labour has been assigned to handle migrant worker complaints, providing timely responses and ensuring transparent follow-up. Complaints can be submitted online via the National Labour Management System.

5th AFML

Recommendation 17: Establish effective complaint mechanisms in ASEAN Member States that should be widely disseminated to and accessible by migrant workers with legal aid and assistance.

In **Malaysia**, the Government has announced new steps to improve the handling of migrant workers' complaints. This is to improve the process of receiving and managing complaints, particularly for migrant workers residing in dormitories (Miwil 2024). Positive developments include also the 2022 ruling of the Court of Appeal that made clear that the Labour Court could not decline to hear claims for unpaid wages by undocumented migrant workers (Vinothaa 2022).

In the **Lao People's Democratic Republic**, the revision of the three-ministry Manual on the management and protection of migrant workers Permission for Foreign Workers to Work in the Lao People's Democratic Republic under the Ministry of Labour and Social Welfare, the Ministry of Foreign Affairs and the Ministry of Public Security, includes a diagram on labour dispute resolution. Ministerial Agreement No. 1050 and Decree No. 245 broadly

outline a system for dispute resolution that offers parties access to a government-administered mediation process by the MOLSW. However, the process is very lengthy and involves three levels of required mediation, with the complaint being heard at district, provincial, and ministerial level. Only if this series of mediation attempts fails to resolve the case can the complaint be heard by the People's Court. The lengthy process reduces practical accessibility of this system for dispute resolution (ILO 2023b).

► **Table 6. Complaint mechanisms for migrant workers in ASEAN**

Country	Authority	Number of Complaints
Brunei Darussalam	Department of Labour, Ministry of Home Affairs	Not available
Cambodia	Ministry of Labour and Vocational Training	2022-2024: 78 cases (76 resolved, 2 under the process)
	Association of Cambodian Recruitment Agencies	Not available
Indonesian	Indonesian Migrant Workers Protection Agency (BP2MI)	Not available

Country	Authority	Number of Complaints
Lao People's Democratic Republic	Ministry of Labour and Social Welfare, Department of Labour Management and Provincial Labour and Social Welfare Departments Ministry of Public Security Lao Federation of Trade Unions Lao Women's Union Lao National Chamber of Commerce and Industry	Not available
Malaysia	Labour Department and Industrial Relations Department Enforcement team, Council for Anti-Trafficking in Persons	Not available
Myanmar	Department of Labour within the Ministry of Labour	Not available
Philippines	Department of Migrant Workers (DMW) Overseas Worker Welfare Administration Department of Social Welfare and Development (DSWD) Migrant Workers Office (MWO), Department of Foreign Affairs (DFA)	Not available
Singapore	Tripartite Alliance for Dispute Management (Step 1) Employment Claims Tribunal (Step 2) Tripartite Alliance for Fair and Progressive Employment Practices Ministry of Manpower	Not available
Thailand	Department of Employment Department of Labour Protection and Welfare (DLPW)	In the year 2022, the Ministry of Labour received 1,584 complaints from foreign workers and skilled migrant workers. At the DLPW, there were 803 notifications about wages, 526 times about severance pay, and 322 complaints about holidays, leave and breaks for employees.
Viet Nam	Department of Overseas Labour (DOLAB)	Not available

2.3.2. Legal support services

AFML recommendations related to strengthening legal support commonly refer to the role of labour attachés and consular services in providing access to legal support for migrant workers. The roles that MRCs, governments and civil society play in the provision of legal support are also noted, as is the importance of cross-border coordination and protecting the rights of migrant workers who stay in countries of destination while legal disputes are settled.

Legal support services for migrant workers are available throughout ASEAN, in countries of origin and destination (see box 3). In **Thailand**,

access to legal support was enhanced through the expansion of the Migrant Worker Assistance Centres. This is of particular note, as legal support is often only available through non-government actors – and therefore the strengthening of government legal support to migrant workers is of significance. Legal support provided to migrant workers in Thailand led to a successful strategic litigation case (Rosso factory) that affirmed that section 64 of the Royal Ordinance Concerning the Management of Employment of Foreign workers in Thailand, B.E. 2560 (2017) cannot be

used as a justification for the use of short-term contracts and the evasion of payment of benefits due to migrant workers. Instead, the workers should be signing employment contracts and be entitled to notice or severance pay where the contract is terminated. In Singapore, migrant workers can seek free basic legal advice and information at the Free Legal Clinic, an initiative jointly organized by the Law Society of Singapore Pro Bono Services Office and the Migrant Workers Centre (MWC). See Table 7 below for a listing of government and non-government organizations providing legal support to migrant workers in ASEAN countries of origin and destination.

ASEAN Consensus

Para. 42(a). The Receiving State will facilitate migrant workers with access to legal recourse and assistance, including language interpretation if necessary, when they become victims of discrimination, abuse, exploitation and/or violence in accordance with the national laws, regulations, and policies.

► **Box 3. Providers of legal support for migrant workers in ASEAN Member States, by type of provider**

Country	Government	Private Sector	Trade Union	Civil Society
Brunei Darussalam	✓			
Cambodia	✓	✓	✓	✓
Indonesia	✓		✓	
Lao PDR	✓		✓	✓
Malaysia	✓		✓	✓
Myanmar	✓	✓	✓	✓
Philippines	✓			
Singapore	✓	✓	✓	✓
Thailand	✓		✓	✓
Viet Nam	✓			

► **Table 7. Legal support to migrant workers in ASEAN**

Country	Legal support provider	Type	Funding source
Brunei Darussalam	Department of Labour	24/7 hotline (provide consultation / advice)	Government
	Embassy and Consulate Legal Assistance	Assistance Representation	Respective embassy and High Commission
Cambodia	Ministry of Labour and Vocational Training	Government	Government budget
	Provincial Departments of Labour and Vocational Training	Government	Government budget
	National Employment Agency Job Centre	Government	Government and ILO
	Association of Cambodian Recruitment Agencies (ACRA)	Private sector	Membership fees and supported by the ILO to developed Code of Conduct and monitoring and evaluation
	Migrant Worker Resource Centres (MRCs)	Government/trade union/CSO	Supported by the ILO, IOM and UN Women
	Cambodian Labour Confederation	Trade union	Supported by the ILO
	Legal Support for Children and Women	CSO	Supported by the ILO
	National Union Alliance Chamber of Cambodia	Trade union	Supported by the ILO
	Phnom Srey Organization for Development	CSO	Supported by the ILO
	Center for Alliance of Labour and Human Rights (CENTRAL)	CSO	Supported by the ILO
	Gender and Development for Cambodia	CSO	Supported by the ILO
Indonesia	Indonesian Migrant Workers Protection Agency (BP2MI)	Government	Government budget
	Ministry of Manpower	Government	Government budget
	Ministry of Foreign Affairs	Government	Government budget
	Serikat Buruh Migran Indonesia (Indonesian Migrant Workers' Union, SBMI)	Trade Union	

Country	Legal support provider	Type	Funding source
Lao People's Democratic Republic	Ministry of Labour and Social Welfare	Government	Government budget
	Provincial Departments of Labour and Social Welfare	Government	Government and ILO
	Provincial Lao Federation of Trade Unions	Trade union	Government and ILO
	Village Focus International	CSO	Supported by the ILO
	The Asia Foundation	INGO	USAID
Malaysia	Malaysia Trades Union Congress	Trade union	Supported by the ILO
	Migrant Care	CSO	Supported by the ILO
	Our Journey	CSO	Supported by the ILO
	Persatuan Sahabat Wanita Selangor (Selangor Friends of Women Association)	CSO	Supported by the ILO
	Tenaganita	CSO	n/a
Myanmar	Department of Labour	Government	Government Budget
	Confederation of Trade Unions Myanmar	Trade union	Supported by the ILO
	Mawk Kon Local Development Organization	CSO	Supported by the ILO
	Northern Shan State Baptist Convention	CSO	Supported by the ILO
	Agency for Basic Community Development	CSO	MWI Australia
	Foundation for Education and Development	CSO	Supported by the ILO
	Three Good Spoons	CSO	Supported by the ILO
	Future Light Center	CSO	Supported by the ILO
	Carelink	CSO	Supported by the ILO
	Tanintharyi Karen Peace Support Initiative	CSO	Supported by the ILO

Country	Legal support provider	Type	Funding source
Philippines	Department of Migrant Workers (DMW)	Government	Government budget
	Department of Foreign Affairs via the Assistance to National Programme	Government	Government budget
	Migrant Workers Office	Government	Government budget
	Overseas Worker Welfare Administration (OWWA)	Government	OWWA Fund (members' contributions)
Singapore	Ministry of Manpower	Government	Government budget
	Migrant Workers' Centre	Trade union	n/a
	Centre for Domestic Employees and Singapore National Trades Union Congress	Trade union	Partly supported by the ILO
	Singapore National Employers Federations	Private sector	n/a
	Humanitarian Organization for Migrant Economics (HOME)	CSO	Supported by the ILO
Thailand	Department of Labour Protection and Welfare	Government	Government budget
	Migrant Worker Assistance Centres (MWACs)	Government	Government budget
	MAP Foundation	CSO	Supported by the ILO
	Human Rights and Development Foundation (HRDF)	CSO	Supported by the ILO
	Foundation for Labour and Employment Promotion (FLEP)	CSO	Supported by the ILO
	Fishers' Rights Network	Trade union	Supported by the ILO
	State Enterprises Workers' Relations Confederation	Trade union	Supported by the ILO
	Migrant Working Group	CSO	Supported by the ILO
	Labour Rights Foundation	CSO	Supported by the ILO
Viet Nam	Ministry of Labour, Invalids and Social Affairs	Government	Government budget

2.4. Cluster D – Other support services

Improving the ability of migrant workers to access information and support throughout their migration experience has been identified as critical in many of the AFML recommendations. Many recommendations centre around the development of one-stop initiatives or service centres that are able to provide information to aspirant migrants and facilitate complaint mechanisms and assistance for migrants in destination countries or upon return. Recommendations also speak to the use of hotlines as an access point for support services, as well as the need to establish cross-sectoral referral mechanisms so that migrants who access migration services are able to get referred to the specialist service they may require.

The role of labour attachés and consular services in supporting migrant workers is integral to many recommendations, which seek to enhance the function of these positions for the purposes of certifying employment contracts, providing access to complaint mechanisms and coordinating with other services.

Increasingly, the role of the digital space has featured in the AFML recommendations. This includes the use of digital technology to improve the online processing of migration documents, the use of online recruitment and admission to increase efficiency and transparency of the process, and also the use of digital wage payments. The need to ensure data privacy and security has also been highlighted.

7th AFML

Recommendation 7. One-stop services and migrants resource centres should be set up in all ASEAN Member States and integrated at local, national and regional levels to ensure better protection mechanisms for men and women migrant workers. In this regard, hotline numbers should be attended 24 hours, available in languages understood by migrant workers, and should provide referral systems to other services required by migrant workers. Migrants resource centres operated by the governments, employers' organizations, workers' organizations and civil society organizations should provide support services and on-site protection for migrant workers and be well coordinated among all stakeholders.

► Box 4. ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations and its Guidelines

The ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations and its Guidelines were adopted at the 42nd and 43rd ASEAN summits, respectively, spearheaded by the ASEAN Chair Indonesia. The ASEAN Declaration calls for the inclusion of migrant workers and their families in crisis preparedness plans, response and recovery frameworks in ASEAN, and facilitates their timely access to sustained safety, healthcare, psychosocial support, social protection, livelihood support and return and reintegration support in crises. Particularly significant is the commitment to cooperate and coordinate among ASEAN Member States to extend humanitarian assistance to migrant workers and to their family members irrespective of their legal status. The ASEAN Guidelines provide general principles and operational guidance for stakeholders in strengthening migrant workers' and their families' resilience and in ensuring their protection in the context of crisis preparedness, response and recovery in the region.

2.4.1. Support services including hotlines, one-stop service centres and Migrant Worker Resource Centres (MRCs)

Migrant Worker Resource Centres (MRCs), job centres and one-stop centres were active across the region, providing information and outreach to migrants throughout their migration. These are run by government and civil society. In the Lao People’s Democratic Republic, for example, information services were delivered through six MRCs and additional job centres. The **Lao People’s Democratic Republic** additionally established the Integrated Migrant Assistance Centre, which was opened in July 2024 at the First Lao–Thai Friendship Bridge, providing services on post-migration orientation and employment opportunities. In **Myanmar**, MRCs run by Labour Exchange Offices, CSOs and Trade Unions offered information and legal support for returning migrants and their families. Crucially, MRCs provide legal support for migrant workers who seek to resolve complaints and receive due wages, compensation or other legal remedies in cases of abuse, exploitation or fraud. Increasingly, the sustainability of service centres and MRCs is strengthening, with a particular example being the Migrant Worker Assistance Centres (MWACs), which are operated and resourced by **Thailand’s** Ministry of Labour in close coordination with CSO partners, in particular the Human Rights and Development Foundation (HRDF) (see box 5 for more details). MRCs are often accessed directly, or by referral, through hotlines. ASEAN stakeholders run a comprehensive array of hotlines through government departments, trade unions and civil society organizations, as listed in table 8.

► **Box 5. Thai Migrant Worker Assistance Centres**

With the aim of increasing migrant workers’ access to justice, Thailand’s Ministry of Labour established Migrant Worker Assistance Centres (MWACs) in ten provinces in 2016. These centres are operated and resourced by the Ministry of Labour. In 2022, with ILO support, the Department of Employment met with the CSO Human Rights and Development Foundation (HRDF) to discuss their commitment to improve the MWACs and to replicate the “Mae Sot Model”. The “Mae Sot Model” refers to the successful interagency collaboration between the MWAC and NGOs (particularly HRDF) in Mae Sot, Thailand. This model has led to the development of a digital platform for handling migrant workers’ complaints effectively by multiple agencies. This was followed by a “Workshop on migrant workers assistance for Migrant Workers Assistance Centres and networks” hosted by the Central Employment Registration and Workers Protection Division of the Department of Employment, Ministry of Labour. Participants included personnel from all MWACs and civil society partners. In order to improve the quality of MWAC services, the civil society network Migrant Working Group developed standard operating procedures (SOPs) for MWAC officials. These SOPs and the “Mae Sot Model” were discussed and shared. The Ministry of Labour is planning to extend MWACs to another 20 provinces with the largest numbers of migrant workers.

► **Table 8. Examples of hotlines in ASEAN countries of origin and destination**

Country	Legal support provider
Brunei Darussalam	Labour Department’s hotline (+673 729 8989)
Cambodia	► Ministry of Labour and Vocational Training Hotlines: 1297 and 1286 ► 25 MRCs operated by the Municipal/Provincial Departments of Labour and Vocational Training ► Hotline operated by the Department of Employment and Manpower

Country	Legal support provider
	▶ Group Telegram for migrant workers ▶ Anonymous complaint box of MLVT ▶ Hotlines operated by Cambodian embassies ▶ Legal Support for Children and Women (LSCW) free anti-trafficking hotline
Indonesia	▶ BP2MI Call Centre 24-hour hotline ▶ Labour Issues: 67730466 and 68942799 ▶ Indonesian embassy hotlines
Lao People's Democratic Republic	▶ Lao Federation of Trade Unions 1512 hotline ▶ Lao Women's Union 1362 hotline ▶ Anti-Trafficking Department under Ministry of Public Security provide 24/7 hotline
Malaysia	Hotlines operated by Tenaganita; MWG; North–South Initiative; and the Bar Council Legal Aid Centres
Myanmar	▶ Migration Division – 067 3430442 and 067 3430183, dolmigration@gmail.com ▶ Complaint mechanism (Department of Labour): Nay Pyi Taw: +95 67 3430184 and +95 67 3430284, Yangon: +95 1 650089 and +95 1 650197, dolmigrationcomplaint@gmail.com ▶ Labour Attaché Office, Bangkok, Thailand: +66 9488 45 484, +66 6522 06952, +66 8156 24311, +66 6609 18022 (Viber), labourattacheofficebkk@gmail.com ▶ Labour Attaché Office, Ranong, Thailand: +66 6522 06 951, +66 8156 28563 (Viber) ▶ Labour Attaché Office, Mae Sot, Thailand: +66 6522 06 953, +66 6522 06 953 (Viber) ▶ Labour Attaché Office, Chiang Mai, Thailand: +66 990 592 352 ▶ Labour Attaché Office, Malaysia: +60 18 2877 327, labourattache.malaysia@gmail.com ▶ Labour Attaché Office, Republic of Korea: +82 10 3799 4690, +82 2 790 3848 (Office), +82 2 790 3849 (Fax), labourattache.korea@gmail.com ▶ Labour Attaché Office, Japan: +81 3 6277 2423 (Office), +81 3 3477 7394 (Fax), labour@myanmar-embassy-tokyo.net ▶ Myawaddy MRC (09 899 829 553), ▶ Hpa Ann MRC (09 899 829 552), ▶ Maw La Myaing MRC (09 899 829 559) ▶ Yangon MRC (09 403 900 929) ▶ Pa Thein MRC (09 899 829 560) ▶ Sittwe MRC (09 255 458 027) ▶ Magway MRC (063 202 5019)

Country	Legal support provider
	► Myit kyi Na MRC (09 406 754 488) ► Tachileik MRC (09 406 754 477) ► Myeik MRC (09 406 754 466) ► Aung Lan MRC (069 200 011) ► Dawei MRC (059 234 83, 059 210 42) ► Kyaingtong MRC (09255386472, 084 23943) ► Taung Gyi MRC (081 2121126) ► Loikaw MRC (083 210 75) ► Kyaukse MRC (066 503 40) ► Mandalay MRC (02 403 6943) ► Meiktila MRC (064 230 48) ► Myingyan MRC (09 977 220 854 , 066 304 88) ► Hinthadha MRC (044 210 52) ► Three Good Spoons – MRC Yangon – 09 769707175 09 758381400
Philippines	► DMW 24-hour hotline 8-722-11-44, 8-722-11-55 ► Overseas Workers Welfare Administration 24/7 Hotline 1348
Singapore	► Ministry of Manpower migrant domestic worker hotline ► Migrant Workers' Centre (MWC) 24-hour helpline – MWC officers assist migrant workers who call in using native languages ► Centre for Domestic Employees 24-hour toll free helpline staffed by native speakers ► Humanitarian Organization for Migration Economics (HOME) hotline
Thailand	► Department of Employment 1506 hotline ► Department of Labour Protection and Welfare 1546 hotline ► Foundation for Labour and Employment Promotion (FLEP) hotline for migrant workers ► Ministry of Social Development and Human Security 1300 ► MAP Foundation Migrant Line
Viet Nam	► VOA Hotline, Department of Overseas Labour (DOLAB) 24/7 Hotline

2.4.2. Labour attachés and consular support services

AFML recommendations have recognized the importance of labour attachés and consular assistance in monitoring the conditions of migrant workers as well as providing direct support. Across the region, States strengthened their consular presence and support for migrant workers. **Eight ASEAN countries have labour attachés around the world, including 26 labour attachés stationed in other ASEAN countries.** In particular, **Cambodia** increased the number of labour attachés in countries of destination, as did **Thailand**. Table 9 contains a list of the labour attachés currently assigned from ASEAN States.

ASEAN Consensus

Para. 11: Migrant workers have the right to file their grievances with the relevant authorities of Receiving States and/or seek assistance from their respective embassies, consulates, or missions located in Receiving States.

► **Table 9. ASEAN countries with labour attachés**

Country	No. of labour attachés	Countries/territories of assignment
Cambodia	8	Thailand (3), Japan (1), Malaysia (2), Republic of Korea (2)
Indonesia	12	Brunei Darussalam, Hong Kong (China), Jordan, Kuwait, Malaysia, Qatar, Republic of Korea, Saudi Arabia (2), Singapore, the Syrian Arab Republic, United Arab Emirates, Taiwan (China)
Lao People's Democratic Republic	1	Thailand
Malaysia	4	India, Indonesia, Singapore, and Switzerland
Myanmar	10	Malaysia (2), Japan (1), Republic of Korea (1) and Thailand (6)
Philippines	38	Australia, Bahrain, Brunei Darussalam, Canada (2), Czechia, Germany, Greece, Hong Kong (China), Israel, Italy (2), Japan (2), Jordan, Kuwait, Lebanon, Macao (China), Malaysia, New Zealand, Oman, Qatar, Republic of Korea, Saudi Arabia (4), Singapore, Spain, Switzerland, Taiwan (China) (3), United Arab Emirates (2), United Kingdom and United States (2)
Thailand	13	Brunei Darussalam, Germany, Hong Kong (China), Israel, Japan, Malaysia, the Philippines, Saudi Arabia (2), Singapore, Switzerland, Taiwan (China) (2) and United Arab Emirates.
Viet Nam	6	Japan, Malaysia, Republic of Korea, Saudi Arabia, Taiwan (China) and United Arab Emirates.

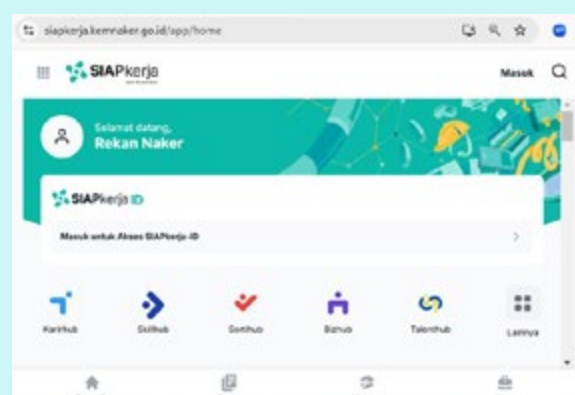
2.4.3. Digital services

The 11th AFML focused on digitalization to promote decent work for migrant workers in ASEAN. Recommendations including providing support, including funding, to digital services to meet the needs of migrant workers. This need became increasingly urgent during COVID-19, which saw ASEAN stakeholders accelerating plans to transfer information and services to online platforms. In the past two years, several new digital services have come online.

In **Cambodia**, a digital tracking system to monitor the progress of labour migration application documentation was launched in 2024. This has led to greater transparency and efficiency of the process of regular migration. By using the online system, recruiters are able to see at what stage of the process the documentation is, and provide more accurate advice on timescales as a result. In turn, this has helped recruiters to address the complaint that the regular migration route is more time-consuming than irregular alternatives.

► Box 6. Indonesia's online information and services portal

Indonesia has launched SIAPkerja (Ready to Work), a comprehensive online service platform with links to different information and service pages, including a skills hub, information services and recruitment services.



Digital solutions have also been used to address financial inclusion and the cost of remittances. In October 2023, the Ministry of Labour and Social Welfare and the Bank of the **Lao People's Democratic Republic** signed a MoU to facilitate remittances through formal channels from Lao workers abroad. Lao workers abroad face difficulties in opening local bank accounts and remitting their money to the Lao People's Democratic Republic. Therefore, many rely on informal channels, as recent ILO research on the Lao–Thailand migration channel has shown. The announcement of the MoU followed formal agreements, for example, between the Republic of Korea's GLN International, a global payment network company, and the Banque Pour Le Commerce Extérieur Lao. The MoU between the Ministry of Labour and Social Welfare and the Bank of the Lao People's Democratic Republic also aims to “monitor and regulate the transfer of funds and introduce appropriate management policies if necessary”.

16th AFML

Recommendation 3. Digitalise recruitment, deployment and admission processes with clear timelines for each step and with consideration of national laws and regulations of ASEAN Member States, data privacy and protection of migrant workers' rights. In this regard, digital literacy support for those who may face challenges in using digital platforms shall be provided.

The **Philippines** has been piloting a DWM (Department of Migrant Workers) mobile app - OFW Pass. The app is designed to serve as an identification tool, as it will contain official identification data that can interact with government systems in countries of destination. The app is currently in a pilot test run in ten countries.

In **Brunei Darussalam**, several digital services are available to enhance support for migrant workers, including providing comprehensive information for migrant workers through its website, including information on their rights, work regulations and legal resources. In 2023, the Department of Labour also launched the National Labour Management System, which is designed to improve recruitment and placement of workers by streamlining the application process

and improving access for employment agencies and employers to recruit migrant workers. Mobile banking apps and digital remittance services are now available, allowing migrant workers to send money home securely, with features like low transaction fees and fast transfers. Brunei Darussalam ensures that all platforms guarantee data security through encryption, verified employers and user-friendly interfaces to make these services safe for all migrant workers.

In **Singapore**, digital services include the FWMOMCare App, which contains features that make it convenient for migrant workers to seek help from the Ministry of Manpower or find out more information on issues affecting migrant workers. The app also provides the ability to report an unsafe workplace practice and other employment rights infringements.

2.5. Cluster E – Labour migration policies and processes and fair recruitment

AFML recommendations regularly refer to the need to strengthen labour migration policy, including bilateral instruments, to improve access to regular migration channels, to promote gender-responsive processes that ensure women have access to safe and regular migration, and to introduce measures that enable workers to change employment or move from temporary to longer-term labour migration programmes.

Alongside improving mobility are recommendations related to regulating recruitment procedures and costs. Many of the recommendations relate to reducing the time and costs of regular recruitment by streamlining systems, including through use of online and digital platforms. Recommendations related to costs particularly recommend that States work towards the prohibition of recruitment fees and related costs. Recommendations also specifically address systems for licensing recruitment agencies and promoting ethical practices.

2.5.1. Labour migration laws, policies or processes

Labour migration policies and practices are at the focus of countless AFML recommendations. These call for, among others, evidence-based migration policies and simplified or streamlined migration processes. Across the region, the majority of ASEAN Member States have policies that address labour migration, either as a net country of origin or a net country of destination. Since 2022 there have been some key updates to these policies. New labour migration law and policies in the ASEAN region 2022-2024 are presented below in Table 10.

Cambodia's National Action Plan (NAP) to Implement the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2023–2025), adopted on 25 January 2023, is the first NAP adopted among ASEAN Member States to implement the 2017 ASEAN Consensus. Important commitments made in the NAP include, among others, “moving towards a system where no recruitment costs and fees are paid by workers”.

Viet Nam adopted the Law on Contract Based Overseas Workers 2020 (Law No. 69) in 2020. Five sub-laws came into force in January–February 2022. In addition, Viet Nam Communist Party Directive No. 20 addresses enhancing pathways for regular migration and prioritizing migration to destinations with higher wages and better labour protections. Directive No. 20 recognizes the importance of reducing fees and costs charged to migrant workers, including by making fees more transparent and by enhancing inspection of recruitment agencies to ensure effective law enforcement (see box 7 for more).

In **Indonesia**, a significant development was the establishment of the Ministry on Protection of Indonesian Migrant Workers (KP2MI) on 21 October 2024. Transitioning the former Indonesian Migrant Workers Protection Agency (BP2MI) into a full ministry underscores the Indonesian government's commitment to enhancing the protection and support of Indonesian migrant workers. The new Ministry will have a comprehensive range of responsibilities, including policy formulation, promotion, placement, protection, and empowerment of Indonesian migrant workers.

Illustrating the changing dynamics in the region, **Lao People's Democratic Republic** has taken steps to improve management of labour migration coming into the country. In 2022 the government revised the Manual on the Management and Protection of migrant workers for Foreign Workers ("Three-ministries Manual"). Management of migrant workers working in Lao People's Democratic Republic is under the management of the Ministry of Labour and Social Welfare (quotas and work permits), the Ministry of Foreign Affairs (working visas) and the Ministry of Public Security (stay permits).

► **Table 10. New labour migration law and policies in the ASEAN region 2022-2024**

Country	Labour migration law or policy
Cambodia	► The Cambodia National Action Plan to Implement the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2023–2025)
Indonesia	► Presidential Regulation No. 130 of 2024 Strengthening Governance and Protection of Indonesian Migrant Workers ► Government Regulation No. 22 of 2022 Regarding Placement and Protection of Crews of Migrant Trading Vessels and Crews of Migrant Fishing Vessels in Indonesia (June 2022).
Lao People's Democratic Republic	► Law on Employment No. 37/NA ► Ministerial Agreement No. 1050 on the Establishment and Management of Employment Service Enterprises ► Ministerial Agreement No. 2330/MOLSW on dispatching and management of Lao seasonal workers in the Republic of Korea ► Regulation of the Lao Employment Business Agency Association (January 2024)
Philippines	► Republic Act No. 11641, Department of Migrant Workers Act ► Magna Carta for Filipino Seafarers (September 2024). ► Circular No. 7 Constituting the Technical Working Group for Overseas Filipino Migrant Fishers Concerns (October 2024).
Thailand	► Ministerial Regulation on Labour Protection in Sea Fisheries in Thailand (March 2022).
Viet Nam	► Prime Minister's Decision No. 40 on the Fund for Overseas Employment Support ► Decree No. 12 Stipulating sanctions for administrative violations in the fields of labour, social insurance, and overseas manpower supply by contract

► **Box 7. Viet Nam Directive No. 20-CT/TW on labour migration**

Over the past 20 years, the Communist Party of Viet Nam has adopted two Directives on labour migration. These are highly important, as they provide the strategic direction for the implementation and development of any labour migration-related laws, policies and programmes on labour migration in Viet Nam. In 2022, the Government of Viet Nam started a process towards developing a third Directive to guide labour migration policy in the context of Viet Nam's evolving international outlook and in the support for the implementation of the 13th National Party Congress Resolution on Socio-Economic Development Plan (2021–2030). With inputs from a range of stakeholders, including the ILO, the new Directive No. 20-CT/TW on labour migration was adopted in 2022, addressing several key weaknesses of the earlier directives, including references to the importance of enhancing the development impacts of migration and ensuring increased protection of migrant workers' rights. The Directive discusses enhancing pathways for regular migration and prioritizing migration to destinations with higher wages and better labour protections, and

recognizes the importance of reducing fees and cost charged to migrant workers, including by making any fees charged more transparent and enhancing inspection of recruitment agencies to ensure effective law enforcement. The Directive also requires relevant government departments to improve information exchange and data collection.

2.5.2. Memoranda of understanding signed by ASEAN Member States

There were 21 new memoranda of understanding (MOUs) signed between and with ASEAN Member States in the two-year period (see table 11). Six of these MOUs are related specifically to occupations in the care sector, including domestic work, healthcare and nursing. Only five of the MOUs are related to intra-ASEAN migration, with the majority of MOUs being made with States outside of the region.

In **Cambodia**, the ban on migration for domestic work to Malaysia was lifted, and in 2023 a key MOU with Malaysia was agreed for Cambodian domestic workers migrating to Malaysia, meaning domestic workers no longer face a legal barrier to migration.

The governments of **Cambodia** and **Thailand** are negotiating a bilateral agreement on the employment of Cambodian migrant fishers in Thailand. The ILO provided technical support for the 1st meeting between the two governments.

► **Table 11. New Memoranda of Understanding signed by ASEAN Member States since January 2022**

	Country	Date of MOU	Title/content of MOU
1	Bangladesh and Brunei Darussalam	October 2022	Memorandum of Understanding Between the Government of His Majesty the Sultan And Yang Di-Pertuan of Brunei Darussalam and the Government of the Republic of Bangladesh on the Employment / Recruitment of Bangladeshi Workers
2	Timor Leste and Brunei Darussalam	November 2023	Memorandum of Understanding between the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam and the Government of the Democratic Republic of Timor-Leste on the Employment / Recruitment of Timor-Leste Workers
3	Cambodia and Malaysia	March 2023	Memorandum of Understanding between the Government of Malaysia and the Government of the Kingdom of Cambodia on the Recruitment and Employment of Workers
4	Cambodia and Malaysia	March 2023	Memorandum of Understanding between the Government of Malaysia and the Government of the Kingdom of Cambodia on the Recruitment and Employment of Domestic Workers
5	Indonesia and Malaysia	April 2022	MOU on the employment and protection of Indonesian domestic migrant workers in Malaysia
6	Indonesia and Saudi Arabia	11 August 2022	Technical Arrangement on Pilot Project

	Country	Date of MOU	Title/content of MOU
7	Lao People's Democratic Republic and Republic of Korea	March 2022	IT skills training for potential migrant workers
8	Lao People's Democratic Republic and Republic of Korea	2022	The Seasonal Worker Program between the Lao People's Democratic Republic and the Republic of Korea
9	Lao People's Democratic Republic and Japan	July 2022	Memorandum of Cooperation on sending skilled workers to Japan
10	The Shan State, the Republic of the Union of Myanmar, and the Dehong, Yunnan Province, the People's Republic of China	January 2024	Memorandum of Understanding on Labour Cooperation
11	The Republic of the Union of Myanmar and the Lao People's Democratic Republic	October 2024	Memorandum of Understanding on Labour Cooperation
12	Philippines and Yukon, Canada	March 2022	Employment and protection of Filipinos under the Yukon Nominee Programme
13	Philippines and Germany	June 2022	Recruitment of Filipino healthcare professionals
14	Philippines and Alberta, Canada	October 2022	Recruitment of Filipino nurses
15	Philippines and Vienna, Austria	July 2023	Recruitment of Filipino nurses
16	Philippines and Vienna, Austria	October 2023	Recruitment of professionals and skilled workers
17	Philippines and Singapore	August 2024	Recruitment of Healthcare Workers
18	Philippines and Croatia	October 2024	Cooperation in the Field of Labour Market

	Country	Date of MOU	Title/content of MOU
19	Thailand and Saudi Arabia	March 2022	MOU on the export of Thai labour including provisions for safe working conditions Agreement on domestic labour recruitment between the Thai Ministry of Labour and the Saudi Arabian Ministry of Human Resources and Social Development
20	Thailand and Republic of Korea	August 2022	MOU between Thailand's Ministry of Labour and the Republic of Korea's Ministry of Employment and Labor, relating to the Employment Permit System (EPS) for sending Thai workers to the Republic of Korea
21	Viet Nam and Japan	June 2022	MOU on special visa for Vietnamese migrant workers in Japan
22	Viet Nam and Malaysia	March 2022	MOU on the Recruitment, Employment and Repatriation of Workers
23	Viet Nam and Australia	March 2022	MOU to provide support for Vietnamese citizens to participate in the Australian Agriculture Visa Programme

2.5.3. Supporting migrant workers' rights to stay, extend their visa or change their employer

AFML recommendations have addressed the flexibility of migration schemes through the right to change employers, and by promoting the ability to move from temporary to long-term labour migration programmes.

16th AFML

Recommendation 11. Consider introducing options for moving from temporary labour migration to longer-term labour migration programmes.

2.5.4. Specific gender-sensitive and responsive policies, strategies and practices

ASEAN stakeholders have recognized through AFML recommendations the need to ensure that labour migration policy and practice is gender-responsive. There has been some key strengthening in this regard in the two-year period during 2022 - 2024. This is particularly so in **Malaysia**, where the Anti-Sexual Harassment Act 2022 set the legal definition of sexual harassment and established a tribunal that hears sexual harassment cases. In addition, the Employment Act 1955 (amended 2022) includes a notice to raise awareness on sexual harassment and prohibits discrimination in employment. The provision on discrimination is wide in scope and, as a

result, has the potential to include discrimination on the basis of gender and/or migration status. Malaysia also incorporated protective provisions specific to migrant domestic workers in the 2022 Malaysia-Indonesia MOU on the employment and protection of Indonesian domestic migrant workers in Malaysia. These include provisions stating that the worker does not bear any cost related to their employment and that they be registered in the Indonesia social security programme before their departure to Malaysia.

In **Thailand**, on 31 April 2024, the Government introduced the revised Ministerial Regulation No. 15 B.E. 2567 (2024) governing domestic work (equally covering migrants and nationals). Ministerial Regulation No. 15 extends the following rights to domestic workers, among others: national minimum wage; an eight-hour work day with

additional one-hour rest; educational leave for youth; a 98-day maternity leave; protection from termination upon pregnancy; and prohibition from wage deductions (see box 8 below for more information)

Other examples of gender-sensitive practices were seen in **Myanmar**, where the Three Good Spoons MRC was established specifically for domestic workers, and in **Cambodia**, where the Gender and Development for Cambodia (GADC) in collaboration with other MRCs provides women-specific services. In Cambodia, Association of Cambodian Recruitment Agencies (ACRA) has provided a two-day training workshop for private recruitment agencies on “Gender Equality, Women Empowerment, and Prevention of Discrimination, Violence and Harassment”.

In **Thailand**, in 2024, notable progress was made on increasing implementation of maternity protection in companies under the Seafood Good Labour Practice (GLP) programme. With expanded attention to the extant but not fully implemented legal prohibitions against pregnancy testing for migrant women prior to recruitment in seafood processing factories, the practice has been largely eliminated by member companies of the Thai Tuna Industry Association and Thai Frozen Food Association.

► **Box 8. Thailand’s new regulation for domestic workers**

On 30 April 2024, the Thai Cabinet approved the new Ministerial Regulation No. 15 Governing the Working Conditions for Domestic Workers. The Ministerial Regulation was adopted following many years of advocacy from key stakeholders, including Foundation for Labour and Employment Promotion (FLEP) – HomeNet Thailand and the affiliated Network of Domestic Workers in Thailand (NDWT), as well as following a legal review process that started in 2018, with the support of the ILO.

Ministerial Regulation No. 15 extends a number of important protections to domestic workers that they were previously excluded from, and that had been advocated for. These include:

- Minimum wage;
- Eight-hour work day and one-hour rest (in addition to the eight-hour work day);
- 30 days paid leave for youth to attend education and training;
- Maternity leave up to 98 days, whereof 45 work days are paid, for each pregnancy; and
- Prohibition to terminate women employees on the grounds of pregnancy.

While there are still issues to be resolved before domestic workers have all the same rights as other workers, including importantly access to social security (under Thailand’s Social Security Act), the new Ministerial Regulation brings Thailand’s legal framework closer in line with the ILO Domestic Workers Convention, 2011 (No. 189).

2.5.5. Regulation of recruitment agencies and recruitment fees and costs

The 5th AFML focused on the protection and promotion of the rights of migrant workers, towards effective recruitment practices and regulations. Recommendations from that AFML addressed the need to abolish intermediaries and develop licensing systems. At the 16th AFML, stakeholders agreed on recommendations to promote policies, regulations and measures to work towards the prohibition of recruitment fees and related costs chargeable to migrant workers, such as an affordable employer-paid model for recruitment fees and related costs.

All ASEAN Member States have legislation to license and regulate recruitment agencies.

Legislation to license and regulate recruitment agencies and recruitment costs in ASEAN is presented below in Table 12. In the **Lao People's Democratic Republic**, Agreement No. 1050 on the Management of Employment Service Enterprises was adopted in 2022. The Agreement sets out clear guidance on the elimination of worker-borne fees. It requires that employment service enterprises cover the cost of most fees associated with recruitment of migrant workers, including documentation, travel, training, food and accommodation. It also prohibits these enterprises from charging "workers employment service fees". This standard can be considered in line with the ILO's Private Recruitment Agency Convention, 1997 (No. 181). More broadly, the Agreement regulates the activities of private employment agencies, including in relation to licensing, recruitment practices, rights and obligations, penalties for violations and dispute resolution mechanisms.

Despite these updates to the legislative framework, considerable gaps in enforcement remain. The extent to which the prohibition of charging of recruitment service fees to migrant workers is understood and being followed by stakeholders is unclear, and there are strong indications that more training and awareness raising are needed on the new rules (ILO 2023b).

The Agreement No. 1050 also includes in section 10 details on monitoring and inspection of recruitment agents. The inspections include the recruitment activities, and the follow up and assistance provided to workers. There are three forms of inspection:

1. Regular inspections, which are inspections carried out according to a plan on a regular basis and with a fixed schedule;
2. Inspections with advanced notice, which are unplanned inspections carried out, when necessary, by notifying the target in advance; and
3. Unannounced inspections, which are urgent inspections where the target enterprise is not notified in advance.

The Agreement is also strengthened and supported by the Employment Act (2023), which includes provisions on the recruitment of migrant workers and prohibitions including the dispatching of Lao labourers to work abroad illegally. In **Myanmar**, the legal ceilings for recruitment costs were updated in 2023 and are enforced, but only if workers have lodged a complaint.

In **Viet Nam**, the strengthening of the labour migration governance framework also strengthened commitments to the regulation of recruitment and the charging of fees. Viet Nam Communist Party Directive No. 20 CT/TW provides for ensuring the publicity and transparency of fees and for reducing costs and fees for workers working abroad. Labour inspectors may impose administrative penalties on recruitment agencies (as per article

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Para. 51. ASEAN Member States will license, regulate, and supervise public and private recruitment agencies with a view to eliminating recruitment malpractices and to ensuring compliance with the law, regulations, and policies of the respective ASEAN Member States. In doing so, ASEAN Member States will adopt effective measures to eliminate malpractices in the recruitment system.

16 of Law No 69 and Decree No. 28/2020/ND-CP25) in case of any recruitment-related violations. Decree No. 12 (2022) spells out a detailed series of violations and related sanctions, and includes the imposition of fines of 45–60 million dong (US\$2,000–US\$2,650) for operating without a valid licence (art. 7) and fines of 50–75 million dong (US\$2200–US\$3,300) for deception of migrant workers (art. 8). Other possible sanctions include the suspension of licenses, relief and mitigation measures (such as requiring the return of illegally collected fees to migrant workers), and revoking of licenses. In addition, labour inspectors may report and file recruitment-related violations for criminal investigation by the Public Security/police and the Judiciary (ILO 2022c). Decree No. 112, which came into force in 2022, also removed the payment of deposits to certain labour markets in the Americas, South-East Asia, the Middle East and Taiwan (China) (offshore fishing industry), and increased the grounds for the revocation of service enterprises' licences – including charging brokerage commissions to workers and engaging in deceitful advertising.

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Recommendation 5. Promote policies, regulations and measures to work towards the prohibition of recruitment fees and related costs chargeable to migrant workers such as an affordable employer-paid model for recruitment fees and related costs, and lower costs of passports, visas, work permits and other essential documents issued by governments in both sending and receiving states, and publication of those costs for transparency.

In **Brunei Darussalam**, the Ministry of Home Affairs, through the Department of Labour, on 21 January 2023, set a price ceiling on recruitment costs for recruiting domestic workers at a rate not exceeding 2,000.00 Brunei dollars. In Brunei Darussalam, policy supports zero cost migration, as stated in section 20 of the Employment Agencies Order 2004, which specifies that agencies shall not charge or receive any form of fees, remuneration, profit or compensation. In accordance with this, employment agency license conditions state that the licensee shall not require or cause the migrant employee to bear all or part of the cost associated with their upkeep and maintenance of welfare. Additionally, employers cannot deduct workers' salaries to pay any fees that are not authorized or listed under section 45 of the Employment Order 2009.

► **Table 12. Legislation to license and regulate recruitment agencies and recruitment costs in ASEAN**

Country	BRN	CAM	IND	LAO	MAL	MYA	PHL	SING	THAI	VIET
Does the country have laws, decrees, rules or regulations on licencing and regulating recruitment agencies?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Do these national standards prohibit charging workers higher than legal maximum fees?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁸	Yes
Do these national standards prohibit charging any fee to workers?	Yes	No	No	Yes	No	No	No	No	Yes	No

8 This applies for migrant workers residing in Thailand, however not for Thai migrant workers.

Codes of Conduct for recruitment agencies are in practice in all net countries of origin in ASEAN (see table 13). In **Cambodia**, work was undertaken to strengthen the role and use of the Code of Conduct for Cambodian Recruitment Agencies through an assessment pilot. Through guidance from a tripartite committee, assessment criteria were established in the form of a self-assessment checklist. The pilot comprises 30 recruitment agencies who will complete the self-assessment checklists. This process will be supported by in-person meetings and physical inspections.

In the **Lao People's Democratic Republic**, the nation's first ever industry body representing private employment agencies was established in 2024 in the form of the Lao Employment Business Association (LEBA). The association aims to raise the business standards for its members to ensure fair recruitment, particularly for migrant workers. Notably, no Code of Conduct has been developed yet for LEBA members.

In June 2023, the DMW in the **Philippines** issued the "2023 Rules and Regulations Governing the Recruitment and Deployment of Land-based Filipino Workers". This replaces, revises and shortens the "2016 POEA Revised Rules Governing the Recruitment and Employment of Land-based OFWs". In both the 2016 and the 2023 rules, private recruitment agencies are required to employ at least one welfare desk officer/counsellor in its office to monitor and resolve worker problems and complaints at the job site.

► **Table 13. Codes of conduct for recruitment agencies in ASEAN**

Country	Code of conduct	Responsible organization
Cambodia	Code of Conduct for Cambodian recruitment agencies	Association of Cambodian Recruitment Agencies (ACRA)
Indonesia	Operational Standards for Indonesian Migrant Worker Placement Companies	ASPATAKI
Myanmar	Code of Conduct for the Members of Myanmar Overseas Employment Agencies Association	Myanmar Overseas Employment Agencies Association (MOEAA)
Philippines	Covenant of Ethical Conduct and Good Practices of Overseas Employment Service Providers	The Philippine Association of Service Exporters Inc (PASEI)
Singapore	Best Practices for Placement of Migrant Domestic Workers	Association of Employment Agencies (Singapore)
Viet Nam	Viet Nam Association of Manpower Supply Code of Conduct	Vietnamese Association of Manpower Supply (VAMAS)

► **Box 9. The Lao People's Democratic Republic strengthens recruitment regulation**

Following the adoption of Decree No. 245 on the Sending of Lao Migrant Workers Abroad in 2020, Lao People's Democratic Republic adopted Agreement No. 1050 on the Management of Employment Service Enterprises in 2022. Agreement No. 1050 set out clear guidance on the elimination of worker-borne fees. It requires that employment service enterprises cover the cost of most fees associated with recruitment of migrant workers, including documentation, travel, training, food and accommodation. It also prohibits these enterprises from charging “workers employment service fees”. This standard can be considered in line with the ILO's Private Recruitment Agency Convention, 1997 (No. 181).

The third step in this new legal framework came in 2024 with the adoption of the Lao Employment Service Association. Under the auspices of this law followed the establishment of the Lao Employment Business Association (LEBA), the nation's first ever industry body representing private employment agencies. The LEBA is tasked with playing several key roles in improving recruitment practices:

- To represent employment agencies in government policy meetings;
- To promote labour force development;
- To educate its members to operate in accordance with the Association's regulations and relevant national laws;
- To collect and share data on labour market needs domestically and abroad; and
- To strengthen the capacity of its members through collaboration.

2.5.6. Personnel assigned to inspect/monitor recruitment

In **Cambodia**, interventions were undertaken to strengthen the practice of recruitment agencies and to ensure that regulation of agencies is enforced. At the provincial level, the Provincial Departments of Labour and Vocational Training in Kampong Cham, Kampot, Prey Veng and Battambang in collaboration with the Secretariat of the Provincial Committee for Counter Trafficking, developed Provincial Action Plans on Migration and Trafficking. The Plans include priorities on monitoring and reporting on capacity-building for local officials and migrant beneficiaries, labour inspection and monitoring of recruitment, and law enforcement (in line with national planning on countering cybercrime and scamming issues). The Plans also promote the use of the complaint mechanisms and greater accessibility to job and employment information for migrant returnees.

The work of the labour inspectorate in **Viet Nam** is governed by Law No. 56 on labour inspection (Law No. 56/2010/QH12) and Decree No. 03/2024/NĐ-CP dated 11 January 2024 (which replaces Decree No. 110/2017/ND-CP), and includes inspection of recruitment agencies. Ministerial Decision No. 1638/QĐ-LĐTBXH (2017) spells out further that the Department of Overseas Labour (DOLAB) in the Ministry of Labour, War Invalids and Social Affairs is tasked with “providing guidelines and monitoring the implementation of the Government's and ministry's regulations applied to Vietnamese working overseas under contract”. Decision No. 398/QĐ-BLĐTBXH dated 03 April 2024 also confirms DOLAB's function in this regard.

► Table 14. Comparative size of personnel assigned to inspect/monitor recruitment in ASEAN Member States

	BRU	CAM	IND	LAO	MAL	MYA	PHIL	SING	THAI	VIET
No. of licensed recruitment agencies as of Sept 2024	101	111	466	48	n/a	269	n/a	n/a	n/a	n/a
Workers recruited for work abroad by year (annual flow)	Approx 60 210 workers recruited (both new and existing) to work in the private sector and 4 151 (new) for private households in 2023.	60 067 (2023) 31 691 (August 2024)	200 761 (2022) 274 964 (2023)	55 000 (2022) 108 000 (2023) 60 000 (2024)	n/a	536,189	n/a	n/a	n/a	n/a
Foreign workers (inflows)	n/a	n/a	n/a	32 731 (2022) 27 127 (2023) 6 160 (2024)	n/a	n/a	n/a	n/a	n/a	n/a
No. of regulatory personnel assigned to inspect/ monitor	59	28 updated as of 2024	n/a	At least 20	n/a	n/a	n/a	n/a	n/a	n/a

2.6. Cluster F –Labour protection and decent conditions of work

A critical subject for AFML recommendations is labour protection and ensuring decent conditions of work. Many recommendations on this address the coverage of the labour law protection, in particular recommending coverage is extended to informal sectors. AFML recommendations also address the use of employment contracts, the need for wage protection, adequate housing and living conditions, and occupational safety and health. Access to organizing and collective bargaining can be key to workers being able to claim their own rights, and this is recognized in the recommendations related to freedom of association. Ensuring that workers are safe is also reflected in recommendations that address the right to access communication and that address compliance and the enforcement of laws.

► Box 10. Indonesia strengthens the labour rights of migrant fishers

Indonesia introduced Government Regulation No. 22 of 2022 extending the protections of Law No. 18 of 2017 concerning Protection of Migrant Workers to those working at sea. In particular, the new law focuses on crews of commercial ships and fishing vessels. The Regulation was introduced in reflection of the important contribution of the fishing industry to the region's food security, and the need to address labour conditions on fishing vessels. Specifically, the Regulation introduces important changes such as the harmonization of the issuing of permits to private recruitment agencies under the Ministry of Manpower (replacing the overlapping authorities that existed previously) and better alignment between Indonesia's placement scheme and standards set by ILO Work in Fishing Convention, 2007 (No. 188).

2.6.1. Extension of labour law protection to unprotected sectors

ASEAN stakeholders particularly made progress in making commitments to extend labour law protection to migrant fishers and seafarers. In **Indonesia**, Government Regulation No. 22 of 2022 on Placement and Protection of Migrant Fisher and Ocean Ship Crew extends the protections provided under Law No. 18 of 2017 Concerning the Protection to Migrant Workers to those working at sea, specifically focusing on the crews of commercial ships and fishing vessels. In **Thailand**, the Department of Labour Welfare and Protection issued a regulation to set out guidelines for labour inspection and criminalization of offenders pursuant to the Ministerial Regulation on Labour Protection in Sea Fisheries Work. The Ministerial Regulation sets out key guidelines on various issues, including authorizing a multidisciplinary team to coordinate when an offence involves labour trafficking, forced labour or the use of child labour, in order to implement the national referral mechanism for the protection of trafficking survivors. In **Viet Nam**, Circular No. 21 detailing a number of articles of the Law on Vietnamese Guest Workers which came into force in 2022 details the minimum conditions and contents to be included in labour supply contracts, with explicit reference to meeting the minimum standards of the Maritime Labour Convention 2006, as amended (MLC, 2006).

In the **Philippines**, the Department of Migrant Workers developed and adoption of the Magna Carta for Filipino Seafarers on 23 September 2024 with the ILO support. The new legislation will significantly impact the coverage of migrant fishers under the Rules and Regulations of the Department of Migrant Workers, enabling an expansion of labour protections and support services through inclusion of fishers under the definition of seafarers.

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Para. 36(c). The Receiving State will regulate the employment of migrant workers by ensuring that clear employment terms and conditions, such as wages, employment benefits, working conditions, health and safety, employment dispute mechanisms and repatriation are provided in national laws, regulations, contracts of employment, or other appropriate documentation.

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Recommendation 8. Promote transition from informal employment, such as in agriculture, fishery and domestic work, to formal employment to ensure labour rights protection of migrant workers in those sectors.

The protection of migrant workers in the informal domestic work sector was also strengthened. In particular, in **Thailand** in 2024, the Cabinet approved Ministerial Regulation No. 15 Governing the Working Conditions for Domestic Workers (see box 8). The Ministerial Regulation extends a number of important protections to domestic workers that they were previously excluded from, and that had long been advocated for. These include: minimum wage; eight-hour work day and one-hour rest (in addition to the eight-hour work day); 30 days paid leave for youth to attend education and training; maternity leave up to 98 days (with 45 work days paid), for each pregnancy; and prohibition to terminate women employees on the grounds of pregnancy.

► Box 11. ASEAN Guidelines on the Placement and Protection of Migrant Fishers

In October 2024, the ASEAN Guidelines on the Placement and Protection of Migrant Fishers was adopted. The Guidelines seek to elaborate a set of guiding principles for ASEAN Member States on the policies, institutional mechanisms, programmes and services required for the placement and protection of migrant fishers in line with the principles of ASEAN Consensus and other ASEAN Frameworks and taking reference from international labour standards, as relevant. They will act as a guide to ASEAN Member States and all concerned stakeholders for elaboration of comprehensive policies, strategies and action frameworks at the national, bilateral and regional levels on the placement and protection of migrant fishers. They will strengthen partnerships and cooperation among ASEAN Member States and other key stakeholders for the placement and protection of migrant fishers throughout the migration cycle; and continuously and proactively encourage governments, employers, recruitment agencies, employers' organizations, workers' organizations, civil society, private and multi-national entities and other stakeholders to incorporate the Guidelines into their efforts to protect migrant fishers.

2.6.2. Decent wages and wage protection

One of the recommendations of the 14th AFML was that laws be reviewed to ensure equitable protection of migrant workers in relation to wage protection and minimum wage coverage. In 2023, **Brunei Darussalam** introduced the Employment (Minimum Wage) Order. This Order is being implemented in phases and aims to establish a baseline wage that can ensure employees' financial protection, work productivity and motivation. The Order is applicable to both women and men migrant workers in Brunei Darussalam. To further safeguard wage protection, compliance with the Minimum Wage Order is monitored through employment contracts and inspections. These measures ensure that migrant workers receive fair and timely wages as stipulated under the Order. Migrant workers' right to equal treatment with nationals in respect of remuneration, hours of work, overtime arrangements, holidays with pay, among others, is established in the ILO Migration for Employment Convention (Revised), 1949 (No. 97).

2.6.3. Housing and living conditions

The 14th AFML paid particular attention to housing as part of its focus on the themes of recovery and labour migration in the post-pandemic future in ASEAN. Since then, **Malaysia** has introduced and implemented the revision of the Employees' Minimum Standards of Housing, Accommodations and Amenities Act (2020). In **Singapore**, initiatives have been taken to improve the living conditions for migrant workers. This has included the Ministry of Manpower building and owning two new purpose-built migrant worker dormitories that seek to promote innovations in public health resilience. In addition, the Foreign Employee Dormitories Act was expanded to cover worker dorms housing seven or more workers, intended to bring more migrant worker dorms under beds instead of only those with at least 1,000 beds, which increased the licensing rules. number of regulated dormitories from about 50 to 1,500. To strengthen public health resilience, the Ministry also imposed higher living standards (e.g., higher living space, room occupancy cap) for new dormitories approved from Sep 2021. There is a transition plan to upgrade existing dormitories to interim standards by 2030 and to the new standards by 2040. Migrant workers' right to equal treatment with nationals in respect of accommodation is established in the ILO Migration for Employment Convention (Revised), 1949 (No. 97).

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Para. 16. Migrant workers have the right to adequate or reasonable accommodation subject to national laws, regulations and policies of the Receiving State.

2.6.4. Occupational safety and health

Occupational safety and health (OSH) was a key theme of the 8th AFML, with recommendations specific to integrating OSH into pre-employment training; developing OSH guidelines; and ensuring awareness and capacity of relevant stakeholders. In **Brunei Darussalam**, SHENA is the national regulatory authority responsible for implementing a gender-neutral approach to OSH compliance and enforcement that is applicable equally to all workers, regardless of gender or migrant status. On 18 March 2024, SHENA organized a Women's Empowerment Forum in conjunction with International Women's Day, with the objective of focusing on the safety and health of women in the workplace. The Forum sought to promote inclusivity as well as recognize hazards specific to women workers so as to ensure that the necessary risk controls are in place in workplaces.

In **Indonesia**, the Local Marine Affairs and Fisheries and Local Manpower and Transmigration organized trainings on occupational safety and health (OSH) to government officials, vessel owners and fishers with the ILO's support. In the **Philippines**, the ILO in collaboration with the Department of Labor and Employment unveiled the "Safety and Health at Sea" board game in November 2023. The game is a strategic tool designed to provide a fun and engaging way of equipping workers in the fishing sector with sector-specific knowledge of occupational safety and health.

2.6.5. Access to trade unions, initiatives to organize workers

AFML recommendations regularly recognize the right of migrant workers to organize. The 7th AFML in particular recommended that measures should be taken to facilitate men and women migrant workers' access to trade unions and migrant workers associations, particularly those in sectors where workers are not organized. Several interventions were taken by ASEAN stakeholders to increase the organizing of workers and improve their access to trade unions. Migrant workers' right to equal treatment the ILO Migration for Employment Convention (Revised), 1949 (No. 97). Migrant workers' access to trade unions in ASEAN countries of destination is presented below in Table 15.

In **Thailand**, the Fishers' Rights Network (FRN) is reaching out to fishers through visits to jetties, boats, fishers' homes, phone calls, Facebook chats and other communication mediums to recruit new members and provide health and safety trainings. The outreach focused on migrant fishers in Songkhla, Ranong, Chumphon, Trat and Kuraburi provinces. As a result, FRN were able to recruit 1,061 new members (all men) in 2024, bringing its total membership to over 5,500 migrant workers across Thailand.

In **Cambodia**, the Cambodian Labour Confederation (CLC) is organizing potential and returned migrant workers as new trade union members. They promote the benefits of trade union membership, as well as the possibility of joining FRN's membership should they decide to migrate into Thailand's fishing sector. In 2023, the CLC registered 47 migrant worker returnees engaged in informal work, providing them with trade union membership. Migrant returnees now regularly receive information, assistance and support from the Prey Veng MRC, which is operated by CLC. During the second half of 2023, CLC undertook a drive to unionize workers through their MRC work, with 139 new members joining the union.

In **Malaysia**, progress was made towards greater access to organizing and unionizing through the adoption of the Trade Unions (Amendment) Act 2024, which removed the limitation of trade unions to particular establishments, trades, occupations or industries.

Specific initiatives to support migrant domestic workers and other women migrant workers to form and join trade unions or migrant workers associations are ongoing in many countries. In Myanmar, domestic workers – including migrant domestic workers – have established the country's first domestic worker association (see box 12). The women's group, which Three Good Spoons has been nurturing, formalized this year into a membership-based association: the Myanmar Domestic Workers Association. Migrant workers' access to trade unions in ASEAN countries of destination is presented below in Table 15.

In **Thailand**, HomeNet continue to actively enrol women domestic workers into the Network of Domestic Workers in Thailand (NDWT), a membership-based organization of Thai and migrant domestic workers. By 2022, the NDWT had a total of 699 paying members, including 369 Thai, 326 Myanmar and 4 Lao members. Activities in 2022 included a training of trainers on facilitation skills, leadership, organizing and non-discrimination. Twenty women migrant domestic worker leaders participated, built skills and created a work plan for continued organizing and networking. Informal organizing is also demonstrated in the construction sector in Chiang Mai, Thailand, through a migrant worker group named "Ruam Raeng Ruam Jai" (translated as "Solidarity") with facilitation support of MAP Foundation. Their committee comprises migrant leaders from four construction campsites who have collectively formulated a work plan in which the chairmanship rotates among the leaders in the four sites, and they are working to equip leaders with the skills needed to address members' concerns and expand membership to include workers from more construction campsites in Chiang Mai.

In **Cambodia**, Gender and Development for Cambodia conducts face-to-face meetings among returned women migrant workers, their family members, prospective women migrant workers and local authorities about the value of migrant workers. Before the groups were organized, women migrant workers shared that "they are just workers. They don't have any value. It's their fate to meet unkind employers and key ringleader while they work abroad." This sense of low self-esteem resulted from being treated with disrespect and experiencing exploitation and discrimination. After meeting and receiving support, the women and their families gain self-esteem and understand the importance of their work, including the value of the remittances that they send to support their families, communities and nation as a whole.

► Box 12. Myanmar's Domestic Workers Association

The newly born Myanmar Domestic Workers Association is taking steps to empower current members to take on responsibilities of recruiting new members, sharing knowledge and strategizing on how best to advocate for domestic workers' rights at home and abroad. From the 15 founding members of a women's group, the Association actively expanded its membership through knowledge-sharing sessions and networking activities. Within a year, it grew to 50350 members and established a network of Myanmar domestic workers, not only in Myanmar, but also migrants who are currently in Thailand, Singapore, Cambodia and Indonesia. In October 2023, the Association held its first association meeting, where the members developed the Terms of Reference of the Association and the organizational structure, as well as elected their leaders. Members are committed to building a strong and active association that will support and empower domestic worker peers. With a broader base of members, the Association aims

at representing more voices in advocating for their rights in more systematic and strategic fashion.

"I have been working as a domestic worker for several years. Initially, I was unaware that I had any labour rights. ... Through our association, we can collectively advocate for domestic work to be recognized as work that is entitled to protection and respect, and together we can have our voices heard." Kay Zin Nwe, a domestic worker and a founding member of the Myanmar Domestic Workers Association

The Myanmar Domestic Worker Association has already run trainings and held discussions on laws and policies that protect or exclude domestic workers from labour rights and social security. The Association has trained participants on international standards, especially the Domestic Workers Convention, 2011 (No.189), as well as the Violence and Harassment Convention, 2019 (No. 190). Ms Bridjit Thu, the chair of the Association, said, *"It is never easy to establish a labour organization, but it is harder to organize domestic workers. The lack of recognition of domestic work as work with entitlements to legal protections makes us more vulnerable. ILO Convention 189 provides decent work for domestic workers. We want our employers to respect the ILO Convention and provide our labour rights. Also, our skills should be recognized and there should be more skills trainings for young domestic workers, particularly for those migrating to new environments."*

As well as providing technical support and trainings, members of the Association are able to be networked in destination countries. Association members report that being part of this larger support network breaks the isolation and relieves the stress. The Association and the larger network of organizations provide a safety net in times of trouble and provide opportunities to meet, relax and have fun with other migrants.

► **Table 15. Migrant workers' access to trade unions in ASEAN countries of destination**

	Brunei Darussalam	Malaysia	Singapore	Thailand
National laws on freedom of association and collective bargaining	Trade Union Act 1961	Trade Unions (Amendment) Act 2024; Industrial Relations Act 1967	Trade Unions Act 1940	Labour Relations Act, B.E. 2518 (1975)
Are migrant workers allowed to join trade unions?	Yes	Yes	Yes ⁹	Yes
Are migrant workers allowed to hold leadership positions in trade unions?	No restriction	Situational	No ¹⁰	No
Are migrant workers allowed to form their own trade unions?	No restriction	No	No	No

⁹ Migrant workers are not explicitly mentioned in the respective national laws but are included, in principle, under the law's definition of "worker and employee" and are thus covered in relevant Articles or sections unless stated otherwise.

¹⁰ Trade Unions Act Section 31(3) provides that "no person who is not a citizen of Singapore shall act as an officer of a trade union or any branch thereof unless the prior written approval of the Minister has been obtained".

2.7. Cluster G – Access to healthcare and social protection

Migrant workers' right to equal treatment with nationals in respect of social security and medical care is established in the ILO Migration for Employment Convention (Revised), 1949 (No. 97). AFML recommendations related to access to healthcare address the need for healthcare systems to be inclusive and non-discriminatory in granting access to all workers, including migrant workers and undocumented workers. Healthcare should cover physical, sexual and reproductive, mental and psychosocial care. AFML recommendations also address fair and non-discriminatory treatment in and access to social protection for migrant workers, encouraging equitable treatment between migrant and national workers. Extension of social protection benefits to migrant workers is also covered in recommendations related to the portability of social security benefits, which is understood as the ability of social security benefits to be transferred to and accessed by migrant workers upon return to their home countries, should they be entitled to them in accordance with the national laws, regulations and policies of the Sending and Receiving States.

2.7.1. Access to healthcare

In **Singapore**, a focus on improving accessibility and affordability of primary and preventive health services arose out of interventions implemented as a result of the COVID-19 pandemic. In 2022, the Ministry of Manpower set up the Primary Healthcare System for migrant workers to improve migrant workers' access to affordable primary care. Under the Primary Care Plan (PCP), employers are required to purchase the PCP for all migrant workers who work in the construction, marine shipyard and processing sectors, and those staying in dormitories. For migrant workers who are not part of the mandated group, employers may choose to enrol them under the PCP for better protection and peace of mind against unexpected medical expenses. Under the PCP, employers pay a fixed annual rate and migrant workers pay a maximum fee of \$5 for each visit to the clinic.

2.7.2. Access to social protection and emergency income support

In **Viet Nam**, one of the outcomes of the labour migration governance revisions that were adopted in 2022 was the adoption of Prime Minister's Decision No. 40 on the Fund for Overseas Employment Support. This provides new support for Vietnamese migrant workers and increases the maximum amount of support for migrant workers in various situations, including migrant workers:

- who terminate their contracts due to maltreatment, forced labour, threats to life or health, or sexual harassment;
- who are subject to a workplace accident or illness;
- who are dismissed following a force majeure event or employer downsizing;

The Fund also provides support for migrant workers to pursue legal claims against employers, job training activities for workers who have returned to Viet Nam, and assistance for workers' families if the worker is missing or deceased. In addition the Fund provides support for workers to fund the costs of legal advice and representation

In **Indonesia**, Ministerial Decree No. 4 of 2023 on Social Security for Indonesian Migrant Workers strengthens three employment security programmes to ensure that workers are able to access social security benefits before, during and after their migration. New benefits include financial assistance for prospective migrant workers, and assistance to migrant workers who experience physical violence, as well as additional social security benefits for workers involved in work-related accidents, those who have died and those who stop working due to old age.

2.7.3. Extension of social protection to migrant workers

Significant progress was made to extending social protection to migrant workers in Malaysia, with the extension of the Employees Social Security Act 1969 and the Employment Insurance System Act 2017 to cover migrant domestic workers. In September 2024 this included the expansion of Social Security Organization (PERKESO) benefits to foreign workers under the Invalidity and Survivor Benefit Scheme. The Invalidity Scheme under PERKESO offers comprehensive 24-hour coverage to employees, encompassing situations of disability or death arising from any cause unrelated to their employment. Benefits provided under this scheme include invalidity pension, invalidity grant, contract-attendance allowance, survivors' pension, funeral benefits, facilities for physical/vocational rehabilitation and dialysis, and education benefits (see box 13). In a significant move towards inclusivity, as of 1 July 2024, all foreign workers employed in Malaysia are now mandated to be covered under this scheme, a benefit previously restricted to national employees under the age of 60.

10th AFML

Recommendation 9. Strengthen social protection legislations to extend the coverage of social security and health insurance for domestic workers.

► Box 13. Expansion of PERKESO in Malaysia

Malaysia's Social Security Organization, known as PERKESO, manages three schemes:

1. the Employment Injury scheme, providing benefits and services on workplace accidents;
2. the Employment Insurance scheme, providing income replacement on unemployment; and
3. the Invalidity and Survivors' scheme.

In 2019 coverage under the Employment Injury scheme was extended to foreign workers. Effective July 2024, the Invalidity and Survivors' scheme has also been extended to include migrant workers. This extension has several benefits. At an individual and family level, it provides a safety net for migrant workers and their families. If a migrant worker passes away or suffers from a disease that reduces their earnings capacity by at least two thirds, they are now covered under PERKESO's invalidity and survivors' benefits schemes. This alleviates the financial burden on their families. Another benefit is the fact that all workers, regardless of nationality, are treated equally – this creates a level playing field and reduces the administrative burden for employers. At the national level, providing social security coverage to migrant workers strengthens the stability and productivity of the workforce, which will be increasingly important to Malaysia as its society ages and its reliance on migrant workers increases.

2.7.4. Portability of social protection

Interest in and engagement on the portability of social protection has been on the increase among ASEAN stakeholders since the 9th AFML in 2016. Adoption of the ASEAN Guidelines on Portability of Social Security Benefits for Migrant Workers in ASEAN in 2024 signifies strong consensus among ASEAN Member States on the importance of portability of social security benefits, but progress at the country and bilateral levels remains limited. So far, no social security agreements have been signed between ASEAN Member States; though the **Philippines** has signed 16 bilateral social security agreements with countries outside ASEAN. A recent concrete example of progress in this regard is the Social Insurance Agreement signed by **Viet Nam** and the Republic of Korea, intended to support the portability of social protection. Prime Minister Decision 436/QĐ-TTg dated 25 April 2023 sets out the adoption and implementation plan of the agreement between Viet Nam and the Republic of Korea on social protection. The social security agencies of Indonesia and Malaysia have signed a bilateral Memorandum of Cooperation on administrative cooperation on social security for migrant workers.

► Box 14. ASEAN Guidelines on Portability of Social Security Benefits for Migrant Workers in ASEAN

The ASEAN Guidelines on Portability of Social Security Benefits for Migrant Workers in ASEAN were adopted in 2024 building on the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN. The Guidelines have the primary aim of guiding negotiations for binding fully fledged social security agreements covering all five social security coordination principles for the protection of social security rights of migrant workers. The Guidelines are structured around the principle that bilateral or multilateral social security agreements are important tools to coordinate social security systems between two or more countries. This coordination is possible even between countries with different social security systems. The objective is not to harmonize two or more social security systems, but simply to coordinate between them. The Guidelines provide specifics on equitable treatment between nationals and non-nationals; the framework for eligibility or maintaining of benefits to social security entitlement; maintenance of rights to payment of benefits; and withdrawal and transfer of payments between social security funds. The Guidelines seek to address the challenges that migrant workers face in accessing, transferring or maintaining social security, recognizing the role that social security has in promoting inclusive growth in ASEAN.

2.8. Cluster H – Return and reintegration policies and programmes

The need to establish effective and rights-based return and repatriation programmes is a feature in many AFML recommendations, as well as the need to ensure that there are repatriation services and programmes for workers upon return, including employment services.

Support to returnee migrant workers is provided for in the legislation of countries of origin (see table 16). In the **Lao People's Democratic Republic**, for instance, article 5 of Decree No. 245 provides that the procedures to place Lao workers abroad shall be carried out in line with specific principles, including in relation to return and reintegration to the community and the creation of favourable conditions for returning workers to access employment opportunities within the country. It also provides that the duty of the Ministry of Labour and Social Welfare is to encourage returning workers to upgrade their skills and pass on their knowledge to support socio-economic development.

Direct support to returning migrants continues to be provided by a range of actors. In the Philippines, this includes CSOs such as the Development Action for Women Network (DAWN), which assists women migrant returnees, survivors of gender-based violence and trafficking, and members of their families through provision of psychosocial services (counselling, group work activities and therapeutic workshops) and economic services (skills trainings on sewing and handloom weaving). Also in the Philippines, returnee migrant workers can access TESDA's reintegration programmes designed to help upgrade their skills or learn new skills for local or international employment. These programmes are valuable for workers who need to meet new qualifications in changing labour markets abroad. The Balik-Trabaho Program, also run by TESDA, aims to retool returning migrant workers by providing additional training or certification to help them transition back into local employment or prepare them for redeployment abroad.

ASEAN Consensus

Para. 26. The Sending State will develop a comprehensive reintegration programme for returned migrant workers and their families as well as an employment programme for returned migrant workers taking into account their skills obtained overseas.

In **Cambodia**, private recruitment agencies are required to officially notify the Cambodian Embassy or representative mission in the receiving country as well as the Ministry of Labour and Vocational Training at least 30 working days prior to each repatriation by clearly specifying the number and name of workers and the time and border gates where the workers will enter Cambodia. This system has been effectively implemented in accordance with the Standard Operating Procedures on Reintegration Referrals for Cambodian Migrant Workers.

7th AFML

Recommendation 18. Support programmes, including job counselling, market-oriented skills development and/or entrepreneurship training, should be provided for returning migrant workers, and documentation of acquired competencies and experiences provided by employers should be introduced where feasible to support better career opportunities of men and women migrant workers in their countries of origin

► **Table 16. Reintegration legislation, programmes and services in ASEAN countries of origin**

	Cambodia	Indonesia	Lao PDR	Myanmar	Philippines	Viet Nam
Are reintegration provisions incorporated in national migration legislation and policy frameworks?	Yes, in the Policy on Labour Migration for Cambodia 2019-2023 and National Employment Policy 2015-2025	Yes, in Law No. 18/2017 on the Protection of Indonesian Migrant Workers	Yes, Decree No. 245	Yes, in the 2nd Five Year National Plan of Action on the Management of International Labour Migration	Yes, in the 1995 Migrant Workers and Overseas Filipinos Act ¹¹	Yes, Law No. 69, and Party Directive No. 20
Are reintegration programmes and services available for returnee migrant workers?	Yes, these programmes include technical and vocational skills trainings and recognition, financial and entrepreneurship skills training, and employment and skills development referrals for returning migrant workers.	Yes	No	Yes	Yes	No

Lao PDR = Lao People's Democratic Republic

11 Also enhanced as national policy and the implementing mechanism of "full-cycle reintegration programme" under the new Dept of Migrant Workers (R.A. 11641).

2.9. Cluster I – Collecting, sharing and analysing labour migration data

AFML recommendations address the need to collect, analyse and share sex-disaggregated labour and migration data in order to inform evidence-based labour migration policies. Regular sharing of information and trends on labour markets, compliance, OSH and social protection can ensure that good practices are shared and that challenges can be addressed.

Across ASEAN, the number of sex-disaggregated datasets continued to grow. In 2023, submissions of sex-disaggregated datasets by ILMS focal points in ASEAN Member States showed an increase in completion rate from 57.6 per cent in 2022 to 58.1 per cent of in 2023. This is the result of continued capacity-building of labour migration statistic focal points at the regional and national level. In **Cambodia**, efforts focused on building institutional capacity. The Ministry of Labour and Vocational Training and Ministry of Planning's National Institute of Statistics jointly conducted a three-day training workshop in January 2023 on International Labour Migration Statistics and Labour Migration Analysis for the officials in charge of labour migration statistic at the Ministry.

In **Brunei Darussalam**, the Department of Labour continues to collect census data on both local and foreign workers in the private sector (excluding private household services such as domestic workers) under the Employment Information Act 1974. This includes gender-disaggregated data, which helps track the gender composition of the workforce. The Department of Labour also handles the approval of licensing of foreign workers employment, providing some insight into labour migration numbers.

In 2023, **Indonesia's** BP2MI published their Migrant Worker Placement Data Project for 2024–2026. The analysis provides an overview of future predictions for the placement of Indonesian migrant workers based on gender categories, ten countries of placement and other categories.¹² BP2MI also publish updated data on the placement and protection of Indonesian migrant workers on their website, ensuring transparency.¹³

ASEAN Consensus

Para. 53. ASEAN Member States will facilitate information sharing through development or strengthening of their respective database and information systems on matters relating to migrant workers, for the purpose of enhancing policies and programmes concerning migrant workers in both Sending and Receiving States.

2.10. Cluster J – Multi-stakeholder cooperation

AFMLs have recommended that ASEAN Member States align their laws with international standards and ratify specific international human rights and labour standards. In support of multi-stakeholder cooperation, the recommendations address the need to actively engage and consult stakeholders from government and employers', workers' and civil society organizations in developing, implementing, amending and monitoring labour migration governance.

2.10.1. ACMW activities under the ASEAN Consensus Action Plan

At the regional level, the ACMW continued to implement activities from its updated Action Plan 2018–2025 to Implement the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. In the 2022–2024 period, the ACMW started and completed 12 activities under the Action Plan. See Table 17 below for information on completed and ongoing ACMW activities under the Action Plan 2018–25 to implement the ASEAN Consensus.

The ACMW has taken an active role in developing regional standards and thematic policy guidance on labour migration, building on the commitments made in the Cebu Declaration and ASEAN Consensus. Key thematic ASEAN instruments adopted in 2022–2024 include:⁷

¹² The project report is available at: <https://drive.google.com/file/d/1iNR5dJSnkwalSfHrUzK8FdRXrU3BPzIU/view>

¹³ Available at: <https://bp2mi.go.id/statistik-penempatan>.

- ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN (2022) and its Guidelines¹⁴ (2024)
- ASEAN Declaration on The Placement and Protection of Migrant Fishers¹⁵ (2023) and its Guidelines⁹ (2024)
- ASEAN Declaration on the Protection of Migrant Workers and Family Members in Crisis Situations⁹ (2023) and its Guidelines⁹ (2023)
- Vientiane Declaration on Skills Mobility, Recognition and Development for Migrant Workers⁹ (2024) and its Checklist⁹ (2024)

The AFML remains an important space for tripartite plus dialogue involving representatives of governments, employers, workers, and civil society organizations on information sharing and exchange of views to support the implementation of the Cebu Declaration and ASEAN Consensus.

See boxes 3, 4, 11 and 14 for details, and section 1.1 for an overview.

► **Table 17. Completed and ongoing ACMW activities under the Action Plan 2018–25 to implement the ASEAN Consensus**

Activity	Period	Country	Status
Sharing good practices on employers' education	2024	Brunei Darussalam	Ongoing
15th AFML: Resumption of Labour Migration and Regional Cooperation	2022	Cambodia	Completed
16th AFML: Enhancing the effectiveness of legal pathways for labour migration in ASEAN	2023	Indonesia	Completed
17th AFML: Care work and labour migration in ASEAN	2024	Lao People's Democratic Republic	Ongoing
ASEAN Declaration on protection of migrants in crisis	2023	Indonesia	Completed
ASEAN Guidelines on protection of migrants in crisis	2022-2023	Indonesia	Completed
Workshop on labour protection of migrant workers through forum on labour inspection	2023	Indonesia	Completed
ASEAN Guidelines on portability of social security benefits	2023–2024	Cambodia	Completed
ASEAN Declaration on skills mobility, recognition and development for migrant workers	2024	Lao People's Democratic Republic	Ongoing
Capacity building for labour attachés	2024	Philippines	Ongoing
Regional dialogue to develop a master plan on return and reintegration	2024	Philippines	Ongoing
ASEAN Guidelines on the Placement and Protection of Migrant Fishers	2024	Indonesia	Completed

14 Developed with technical support from the ILO.

15 Developed with technical support from the ILO and IOM.

2.10.2. Other regional consultative processes

The ASEAN Member States are also actively participating in the Global Compact for Safe, Orderly and Regular Migration (GCM) and in regional cooperation through the Abu Dhabi Dialogue and the Colombo Process.

The GCM is a comprehensive framework, developed under the auspices of the United Nations, that addresses all dimensions of international migration in a holistic manner. **Cambodia, Indonesia, the Philippines and Thailand** are among the Champion Countries of the GCM, actively supporting the implementation of the GCM by generating key insights, lessons learned and positive practices that can be shared in dedicated spaces and with other Member States. The first Asia-Pacific GCM regional review was convened in March 2021 followed by the first International Migration Review Forum (IMRF) in May 2022 and led to the adoption of a Progress Declaration that highlighted Member States' commitment to the rights and dignity of migrant workers across all sectors. In 2024, a series of subregional and country-level GCM consultations were organized to evaluate the GCM's implementation, achievements, challenges and emerging opportunities in preparation for the second Asia-Pacific GCM Regional Review in February 2025 and the second IMRF in 2026.

The Abu Dhabi Dialogue (ADD) was established in 2008 as a forum for dialogue and cooperation between Asian countries of labour origin and destination. Member States include countries from the Gulf Cooperation Council and in Asia, including **Indonesia, Malaysia, the Philippines, Thailand, and Viet Nam**, as well as observers from international organizations, the private sector and civil society. In February 2024, the ADD held its Senior Officials Meeting and 7th Ministerial Consultation to review its milestones under Pakistan's chairmanship (2022–2023). The ADD also engages in international forums, notably in the IMRF.

The Colombo Process (CP) is a regional consultative process involving 12 Asian countries that are major countries of origin, including **Cambodia, Indonesia, the Philippines, Thailand, and Viet Nam**. In January 2024, with support from the IOM as the Colombo Process Secretariat together with ILO and UN Women, Member States developed a series of policy briefs showcasing significant achievements and progress in four thematic priority areas: (i) Mutual Recognition of Skills and Qualifications; (ii) Fostering Fair and Ethical Recruitment; (iii) Faster, Cheaper, and Safer Remittance Processes; and (iv) Pre-departure Orientation and Empowerment. These reports also propose a series of recommendations for a more robust and gender-responsive labour migration governance. In November 2024, under the leadership of the Government of India (2024–2026), the Colombo Process convened joint meetings of its Thematic Area Working Groups to assess progress on workplan implementation and strategic priorities. The outcomes of these meetings will shape discussions at the Senior Officials Meeting in 2025.

2.10.3. Ratification and implementation of international labour standards

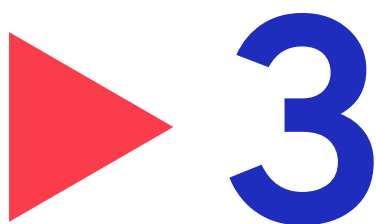
Between 2022 and 2024, there were seven ratifications of international labour standards by five ASEAN Member States (see table 18). This included the **Philippines**, which became the 38th country in the world, and the first in Asia, to ratify the Violence and Harassment Convention, 2019 (No. 190). Convention No. 190 is the first international labour standard to comprehensively address violence and harassment in the world of work. The Convention affirms the fundamental right of individuals to a workplace free from violence and harassment, offering protection to all individuals in the workforce, including interns, apprentices and those with employer duties or authority. This protection extends across various sectors, including public and private, formal and informal economies, and urban and rural areas.

► **Table 18. Ratification of international labour standards since January 2022**

No.	Country	Date	International Convention
1	Brunei Darussalam	June 2023	Forced Labour Convention, 1930 (No. 29)
2	Brunei Darussalam	June 2024	Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
3	Lao People's Democratic Republic	July 2022	Occupational Safety and Health Convention, 1981 (No. 155)
4	Lao People's Democratic Republic	July 2022	Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
5	Malaysia	March 2022	Protocol of 2014 to the Forced Labour Convention, 1930
6	Philippines	December 2023	Violence and Harassment Convention, 2019 (No. 190)
7	Thailand	June 2024	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

2.10.4.Mechanisms to strengthen employers’, workers’ and civil society organizations’ engagement in social dialogue processes with government

In **Cambodia**, the Cambodia National Action Plan to Implement the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2023–2025) was adopted on 25 January 2023 following a tripartite plus consultative process that included the Association of Domestic Workers. The tripartite plus stakeholder consultations involved both in-person meetings and text review of the document.



Successes and challenges in implementing AFML recommendations

In the previous biennial period, much of the efforts of ASEAN stakeholders was necessarily focused on policy and interventions that enabled mobility and protected labour migrants in the context of COVID-19. In the post-COVID-19 environment, labour migration governance priorities continue to be informed by lessons learned – in particular the use of digital tools and platforms – while also responding to new migration dynamics, including the pull of migration outside of ASEAN.

Information dissemination and campaigns

Information dissemination and campaigns focused on how migrants can access safe and regular migration opportunities and on how to identify fair recruitment practices. ASEAN stakeholders used a variety of methods to communicate with aspirant migrants and their families, including physical leaflets in Cambodia, social media campaigns in Indonesia and face-to-face events in Myanmar. Larger events were also arranged across the region with the aim of promoting the rights of migrant workers. Public perception and societal norms continue to influence how migrant workers are perceived and treated. Creating campaigns that humanize migrant workers and increase familiarity and empathy towards them can make a big difference in influencing changes in policy and practice.

Pre-departure and post-arrival orientation, skills training and recognition

Pre-departure and post-arrival orientation were delivered by a range of stakeholders. In some AMS, commitments to these processes have been reinforced through policy updates and programme revisions. In others, the introduction of online platforms and support from diplomatic missions has further expanded access to post-arrival orientation, enabling more migrant workers to benefit from these services.

Skills recognition for migrant workers has been attracting increasing attention among ASEAN stakeholders in the past few years, which led to the development and adoption of the ASEAN Declaration on Skills Mobility, Recognition and Development for Migrant Workers in 2024. Its implementation will require concentrated effort to revise policies and practices at the country and bilateral levels, as pathways for middle-skilled labour migration within ASEAN are currently scarce, and migrants have limited access to skills development and recognition. Recent progress includes initiatives to advance mutual recognition of skills in key sectors and strengthen cooperation on workforce development, particularly in care-related roles. Despite these steps, implementing

the ASEAN Declaration remains challenging and will require policy and practice adjustments at both national and bilateral levels.

Access to complaint mechanisms and legal support

Complaint mechanisms are in place for migrant workers across ASEAN, but continued investment is needed to ensure that migrant workers know how to access these mechanisms and that they function efficiently, providing access to justice and legal support. Initiatives include strengthening operational processes and improving information dissemination to ensure migrant workers are aware of these services and can use them confidently. While progress is evident, continued collaboration and investment will help ensure these mechanisms deliver timely and fair outcomes for all workers. x

Other support services

MRCs and hotlines continue to serve as critical entry points for migrant workers to access support and services. These are used by aspirant migrant workers and by migrant workers and their families during migration and on return. These are increasingly connected to and supported by the services provided by labour attachés and other consular services, which were also strengthened in the biennial period, with Cambodia and Thailand both increasing the number of attachés that they have abroad. Digital services in particular, have become a staple of service delivery and support to migrant workers. ASEAN stakeholders are increasingly using digital tools to enable efficient and transparent recruitment and placement, as seen in Cambodia and Brunei Darussalam. Digital tools are also being used increasingly to facilitate quick and cost-efficient remittance, as seen in the Lao People's Democratic Republic. The Philippines is also demonstrating how digital tools can be used to confirm the identity of migrant workers in destination countries, which in turn will enable easier access to services in these countries.

Labour migration policies and processes and fair recruitment

ASEAN stakeholders continue to strengthen their policy commitments to labour mobility in the region and to fair recruitment. National level policy was strengthened in Cambodia and Viet Nam. Bilaterally, 21 agreements were adopted between ASEAN States or by ASEAN States and countries outside the region, demonstrating the continued need for labour mobility in and from the region. Recognizing the different needs and experiences of women and men in migration, ASEAN stakeholders took specific measures to adopt gender-sensitive policies and practices, including in Malaysia, where the law was strengthened to recognize and respond to sexual harassment, and in Thailand, where a law was introduced to better protect migrant domestic workers.

Efforts to address fair recruitment included commitments and practices to eliminate worker-borne fees in the Lao People's Democratic Republic, Viet Nam and Brunei Darussalam. Strategies to strengthen fair practices in recruitment were also seen through the assessment of the Code of Conduct for Cambodian Recruitment Agencies, the establishment of the first private employment agency business association in Lao People's Democratic Republic, and the reaffirmation of the role of the Department of Overseas Labour in monitoring recruitment in Viet Nam. It continues to be the case, however, that regular migration is more likely to cost more and take longer than migrating through irregular channels. This speaks to a need to make regular migration the cheaper and most efficient route to securing safe and decent work.

Labour protection and decent conditions of work

ASEAN stakeholders have continued to implement recommendations related to the provision of stronger labour protection and decent conditions of work, particularly by extending protections to workers in the informal sector. This has been seen in the strengthening of access to labour rights for migrant fishers and seafarers in Indonesia, Thailand and Viet Nam, and also the strengthening of labour protection for domestic workers in Thailand. Decent work has also been strengthened through improved wage protection and occupational safety and health in Brunei Darussalam, and better housing in Malaysia and Singapore. Recognizing the role that organizing and collective bargaining can have in the protection of labour migrant rights, efforts to organize workers in the domestic work and construction sectors have been seen with particular note in Myanmar. Migrant workers continue to face lower wages and higher risk of forced labour and trafficking.

Access to healthcare and social protection

ASEAN stakeholders took measures to improve access to healthcare and social protection for migrant workers in a number of ways. Access to healthcare was strengthened in Singapore. While in Viet Nam and Indonesia, the systems to provide emergency relief to migrant workers were strengthened. In Malaysia, progress was made in expanding PERKESO coverage to migrant workers, including domestic workers, through the national employment insurance system.

Adoption of the ASEAN Guidelines on Portability of Social Security Benefits for Migrant Workers in ASEAN in 2024 signifies strong consensus among ASEAN Member States on the importance of portability of social security benefits, but progress at the country and bilateral levels remains limited. So far, no social security agreements have been signed between ASEAN Member States. Recent achievements include the Social Insurance Agreement signed by Viet Nam and the Republic of Korea, intended to support the portability of social protection.

Return and reintegration policies and programmes

Progress towards implementing recommendations on return and reintegration have covered various aspects, but access to support services remains a challenge. In Lao People's Democratic Republic, the revision of the law has increased commitment to returning migrants. In the Philippines, however, continued efforts are underway to provide services to returning migrants to ensure they can convert their experiences into positive opportunities back home.

Collecting, sharing and analysing labour migration data

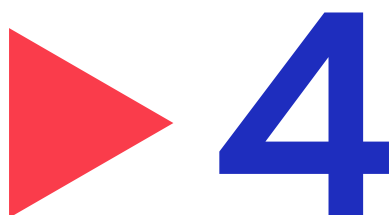
Regional efforts to improve measurement of labour migration are led by the ILO through its work to collect statistical data from ASEAN Member States into the International Labour Migration Statistics Database in ASEAN. While progress has been made over years, data gaps remain. Examples of progress at the country include: improving methods to collect data, as seen in Brunei Darussalam; methods to build institutional capacity on data collection and analysis, as seen in Cambodia; and the sharing of labour migration data, as seen in Indonesia.

Multi-stakeholder cooperation

The ACMW is active in driving labour migration policymaking in the region through significant projects and the development of regional instruments. A total of four new ASEAN Declarations and three new ASEAN Guidelines were developed and adopted on topics including portability of social security benefits; skills mobility, recognition, and development; deployment and protection of migrant fishers; and protection of migrant workers and their families in crisis situations. ASEAN Member States are also actively participating in regional cooperation through platforms related to the GCM, the Abu Dhabi Dialogue and the Colombo Process. Across ASEAN, there were seven ratifications of ILO Conventions and Protocols, including on forced labour, occupational safety and health, violence and harassment, and tripartite consultation. The use of tripartite and multistakeholder cooperation was demonstrated in Cambodia through the consultative approach taken to develop the National Action Plan to implement the 2017 ASEAN Consensus.

Gender-responsive policies and practices

Over the years, there have been increasing policies and practices across ASEAN countries that are gender-sensitive and responsive. Going forward to enhance ASEAN's commitment to advance gender equality and empowerment of women agenda, Member States together with employers', workers' and civil society organizations are to join forces in reviewing policies and programmes that specifically addressing the different needs and concerns of migrants of all genders. Promising practices include raising awareness and building capacity of officials assisting migrant workers to provide gender-responsive information, services, and other support as seen in Philippines could be further enhanced and replicated.



Next steps for the AFML

The momentum and commitment of ASEAN stakeholders to implementing the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers is clear. Across all areas of labour migration, efforts can be seen to improve policy, strengthen access to safe and regular migration, build a skilled migrant labour force, and provide social and labour protection for all workers. Yet, there remain areas where further attention is needed to turn the recommendations of the AFMLs into practice.

Areas for continued focus by ASEAN stakeholders and further consideration at upcoming AFMLs include:

1. Strengthen fair recruitment practices, such as policies on and regulation of recruitment fees, moving to zero recruitment fees.
2. Develop approaches to skills recognition and certification where relevant, in particular for sectors of work where workers are recruited for elementary occupations but are employed as medium-skilled workers, including construction and domestic work.
3. Continue the discussions towards identifying systems that enable social protection portability, on a bilateral and also a multilateral basis.
4. Build opportunities to move from temporary labour migration to longer-term labour migration, including through the certification or recognition of skills.
5. Strengthen the labour and social protection of migrant workers in the informal sector, ensuring that comprehensive labour and social protection is afforded to all workers, regardless of migration status or sector of work.
6. Ensure the effective right to organize for migrant workers, especially those in the informal sector and care workers, and enable their representation in labour migration policymaking.

Addressing concerns of gender inequality in accessing regular migration pathways more systematically through interlinked transformative approaches which include: enhancing institutional capacity to ensure gender-responsive law and policies; increasing the data collection and use of quality gender data on migration; and supporting women's machineries to engage in in regional and national policy discussion.

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Appendix A.

List of respondents

Brunei Darussalam	Department of Labour, Ministry of Home Affairs
Cambodia	Ministry of Labour and Vocational Training Association of Cambodian Recruitment Agencies (ACRA) Legal Support for Children and Women (LSCW) Gender and Development for Cambodia (GADC) Cambodian Labour Confederation (CLC) National Union Alliance Chamber of Cambodia (NACC)
Indonesia	Ministry of Manpower Migrant Committee – APINDO
Lao People's Democratic Republic	The Ministry of Labour and Social Welfare Winrock International ASEAN-ACT
Malaysia	Malaysian Employers Federation
Myanmar	Department of Labour Confederation of Trade Unions Myanmar Three Good Spoons
Philippines	Department of Labor and Employment Associated Labor Unions (ALU)-TUCP Philippine Migrants Rights Watch Life Haven
Singapore	Migrant Workers' Centre, Singapore
Thailand	Employers Confederation of Thailand Foundation for Labour and Employment Promotion (Homenet Thailand) MAP Foundation
Viet Nam	No responses were received from Viet Nam

Appendix B.

Clustering and subcategories for the 3rd – 16th AFML Recommendations

Clustering of the 3rd – 16th AFML Recommendations

AFML #	Rec #	Narrative
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A. Information dissemination and campaigns

1. Information dissemination to migrant workers and their families
2. Information campaigns targeting general public

A1. Information dissemination to migrant workers and their families

3rd	1	Strengthen information and services to better protect women and men migrant workers and ensure decent and productive work in conditions of freedom, equity, security and human dignity. Provide opportunities for migrants to realize their labour rights in line with legislation of the ASEAN Member States, the ILO Fundamental Principles and Rights at Work, and their basic human rights protected by the UN and international Conventions, particularly CEDAW and CRC, and in the spirit of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.
3rd	2	Ensure that information services are more accessible to women and men migrants and reflect their specific and diverse needs. Pursue the use of varied delivery channels for pre-employment, pre-departure and on-site information, including schools and training institutions, migrant community representatives, the media and public information campaigns. Continually assess the quality and reach of information services for migrant workers and the capacity of service providers to meet these needs.
3rd	5	Actively engage and consult stakeholders from government, employers' and workers' organizations, and civil society organizations in developing and implementing information campaigns and services for women and men migrant workers at all stages of the migration cycle.

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|------------|----|--|
| 3rd | 6 | The ASEAN Secretariat, national and regional stakeholders and international organizations should facilitate the sharing of good practices in the provision of information and services , promote the development and use of user-friendly information materials between and among ASEAN states and increase migrant workers' ease of access to and understanding of publicly available information on laws, guidelines and other information materials produced by governments of sending and receiving states. The ASEAN Member States, the ASEAN Secretariat, stakeholders, the UN and international organizations should continue to cooperate in providing opportunities for capacity building and confidence building of stakeholders at national and regional levels. |
| 5th | 8 | Ensure availability of information to the public on recruitment and emigration procedures and costs (such as fees, visa, passport, work permit, health examination, and pre-departure and post-arrival trainings/orientation) as well as the costs that should be shouldered by migrant workers and recruitment agencies in order to raise the awareness of potential migrant workers and communities, especially those in the rural areas and among women. |
| 5th | 9 | Ensure that information of recruitment and emigration procedures and costs is regularly updated and widely disseminated to and accessible by the public through the appropriate media (such as TV, radio, newspapers, mobile phones, and internet) and with the involvement of returned migrant workers, tripartite partners and civil society. |
| 5th | 12 | Disseminate information to the public on various recruitment options that are available in the country (such as private and public recruitment agencies, direct recruitment where applicable, and list of registered/ licensed recruitment agencies. |
| 5th | 19 | Optimize the potential and role of returning migrant workers in information sharing with the communities on gender differential migration experiences, recruitment costs, agencies and practices, and emigration procedures. |
| 7th | 14 | National legislations, policies, rules and regulations concerning employment and labour migration should be accessible and well informed to men and women migrant workers , workers' organizations, employers' organizations, and other stakeholders. In particular, immigration information and visa application procedure should be widely disseminated to migrant workers with the support of Labour Attachés and Embassies. |
| 7th | 15 | Recruitment policies and procedures should be streamlined and well informed to migrant workers and stakeholders, including through one-stop services and migrants resource centres at national and local levels. |
| 7th | 17 | Briefings for and assistance to the families of migrant workers should be provided to enable them in coping with the challenges of overseas employment. |
| 8th | 7 | Raise awareness of migrant workers on the role and purpose of labour inspection through information in languages understandable to migrant workers to ease their fear of reporting or making complaints, and provide contact information in relevant government departments and embassies. |

- | | | |
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| 9th | 9 | Provide information on social protection including available schemes, rights and obligation, to migrant workers during pre-employment, pre-departure, post-arrival orientation seminars and during the employment, in a language understandable to migrant workers. |
| 13th | 6 | Information of COVID-19 related migration, labour, health and safety policies should be accessible to migrant workers in languages understood by them and, where possible, electronically. Responses to COVID-19 and other potential pandemic in future should be included in the occupational safety and health policies at the workplace to ensure better protection of all workers including migrant workers. |
| 14th | 8 | Ensure all public communications related to labour and COVID-19 pandemic management are accessible and understood by migrant workers in their languages through the use of competent translation and interpreters, where available and practical, to improve the communication competency in the health care of migrant workers. Governments and similar bodies are responsible to inform employers, who will provide accurate and timely information pertaining to COVID-19 and related policies to migrant workers through digital access, where available. |
| 16th | 2 | Establish integrated information systems to ensure clarity and transparency, prevent misinformation and make regular migration channels attractive and accessible through one-stop integrated services for migrant workers; |

A2. Information campaigns targeting general public

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| 4th | 4 | Collect and disseminate factual information through the media and other channels on the contributions of migrant workers to the economy and society in host countries. |
| 4th | 5 | Carry out joint efforts in ASEAN Member States to present a positive image of migrant workers with various stakeholders e.g. migrant workers and their associations, academia, youth and student groups, tripartite parties, by using various means such as TV, commercials, exhibitions, radio talk shows, cultural performances , and the commemoration of International Migrants Day. |
| 10th | 1 | Recognise domestic workers as workers and remove outdated terminologies that diminish the dignity of domestic workers . Towards this end, ASEAN Member States should progressively move towards inclusion of domestic workers in their labour and social legislations. |
| 10th | 15 | Increase public awareness and strengthen commitment of relevant parties to protect the rights of migrant domestic workers and recognise their contributions. |
| 13th | 5 | Provide access of migrant workers, especially domestic migrant workers and laid-off migrant workers, to mental health support and services. Stigmatization, xenophobia, and discrimination against migrant workers , especially those infected by COVID-19, should be addressed through, among others, public campaigns . |

B. Pre-departure and post-arrival orientation, skills training and recognition

1. Pre-departure and post-arrival orientation
2. Skills training and skills recognition

B1. Pre-departure and post-arrival orientation

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| 4th | 1 | Deliver comprehensive pre-departure education in sending countries, not only about culture and social norms , but also working and living conditions, reality of migration including financial implication, laws and procedures, rights of migrant workers, among others. |
| 4th | 2 | Conduct post-arrival orientation programmes in receiving countries, performed by the government, employers, trade unions, civil society, that adopts a rights based approach in orientating both migrant workers, employers and government – to understand what their rights and responsibilities are. |
| 7th | 16 | The pre-employment, pre-departure and post-arrival orientation programmes should be conducted, mandatory and free of charge for all men and women migrant workers, involve stakeholders, and the quality of curriculum should continuously be improved and include cultural orientation and rights and obligations of men and women migrant workers and employers. |
| 8th | 1 | Integrate and/or strengthen OSH training and materials in pre-employment, pre-departure and post-arrival orientation programmes which should be contextual to occupational areas, compulsory, comprehensive, available in languages understandable to employers and migrant workers, free of charge for migrant workers as far as possible, and provided in a timely manner. |
| 10th | 10 | Provide standardized education and information on safe migration, including pre-employment, pre-departure, on-site and return orientation, at no cost to the migrant domestic workers and their families, including essential information on labour laws, social protection, and access to remedies regarding compensation for occupational injuries, death or exploitation. |
| 10th | 11 | The Receiving States to ensure pre-employment orientation to employers of migrant domestic workers , and promote good practices in the employment of domestic workers. |
| 11th | 2 | Promote the use of digital tools, such as smart devices and social media, in training or job matching of migrant workers, including: pre-departure and post- arrival information programmes ; dissemination of information; and skills upgrading and certification. |
| 12th | 1 | Improve pre-departure and post-arrival orientation/training programmes through cooperation of social partners to support integration of migrant workers with the locals, especially on life skills (e.g. financial literacy, language proficiency), national labour laws and regulations of the Receiving States, as well as issues and rights of migrant workers. |
| 15th | 12 | Ensure migrant workers' financial literacy or knowledge on financial management through pre-departure and post-arrival orientations , and facilitate safe and low-cost remittances through access to banking systems and other financial services. |

B2. Skills training and skills recognition

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| 4th | 6 | Undertake a regional study on the programmes of skills trainings, pre-departure and post-arrival orientations , and return and/or reintegration support offered by ASEAN Member States. |
| 5th | 20 | Encourage the recognition of the skills of migrant workers through certification / testimonial of employment , including employment history, experiences, skills and language, by employers and other entities where applicable. |
| 10th | 14 | Promote the establishment of skills training programmes and certification systems to promote professionalization and upward mobility of domestic workers. Likewise, competency standards should be developed for different domestic work roles, such as cook, cleaner, gardener, child and eldercare providers. In this regard, the ILO Regional Model Competency Standard for Domestic Workers could be promoted in the region. |
| 11th | 2 | Promote the use of digital tools, such as smart devices and social media, in training or job matching of migrant workers, including: pre-departure and post-arrival information programmes; dissemination of information; and skills upgrading and certification . |
| 12th | 12 | Improve and share relevant labour market information to guide migrant workers on relevant skills to acquire and to support evidence-based migration policies and responses, including on development priorities and skills in demand in the receiving states; skill levels of migrant workers in the sending states; job opportunities across labour markets; required travel and work documents; and prevailing laws and procedures. |
| 12th | 13 | Support the employability of migrant workers in the future of work through promotion of: <ul style="list-style-type: none"> ► Access of migrant workers to skilling, re-skilling and up-skilling opportunities especially on digital skills and soft skills; ► Responsiveness of vocational training programmes to new skills requirement; ► Development of skill standards and classification of jobs such as for domestic work and care work; ► Certification of skills and prior learning by employers and TVET and higher education institutions; ► Skills recognition systems by governments, employers and TVET and higher education institutions to be less cumbersome and more effective; ► Gender equality in employment and trainings including in non-traditional sectors and occupations; and ► Awareness and willingness of migrant workers to enhance their skills. |
| 13th | 10 | Strengthen the employability of migrant workers who lost their jobs due to the pandemic through improving their access to available re-skilling and up-skilling programmes , including digital literacy, public employment programmes, job placement and skills certification and recognition, with due consideration to the needs and realities of women migrant workers. |

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| 14th | 13 | Upskill and reskill migrant workers at all stages of migration to ensure their competencies, including digital literacy, would remain relevant amidst the changing demands of labour markets. Skills development of migrant workers is the responsibilities of governments, employers and workers. Explore further efforts to improve skills certification and recognition in countries of origin and countries of destination to enhance migrant workers' abilities to contribute to social and economic development. Governments to incentivise employers to invest in upskilling, reskilling, and skills development through tax incentives and other measures. |
| 15th | 4 | Promote policies to improve skills development, mutual recognition of skills and skills matching for migrant workers in consultation with social partners and other stakeholders. |
| 16th | 9 | Promote opportunities and systems for skills development, certification and recognition which will support better job matching and improve remuneration equivalent to the skills levels of migrant workers; |

C. Access to complaint mechanisms and legal support

1. Access to complaint mechanisms, including administrative, judicial and alternative dispute settlement
2. Legal support services
3. Inter-country collaboration in handling complaints cases
4. Right to stay

C1. Access to complaint mechanisms, including administrative, judicial and alternative dispute settlement

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| 3rd | 3 | Provide accessible channels for women and men migrant workers to report and seek redress for violations of rights and terms and conditions of employment, and promote the implementation of the national legislation and international commitments. |
| 5th | 17 | Establish effective complaint mechanisms in ASEAN Member States that should be widely disseminated to and accessible by migrant workers with legal aid and assistance. |
| 6th | 9 | Develop and strengthen the existing complaint mechanisms for migrant workers in ASEAN Member States that are transparent, accessible and simplified during recruitment, employment and in case of termination and deportation. In this regard, it is important to ensure that the integrity of complaints be carefully examined. |
| 6th | 10 | Ensure that complaint mechanisms are gender sensitive and responsive to the vulnerability of migrant workers. |
| 6th | 12 | Ensure that information of the availability of such service centres and complaint mechanisms is disseminated to migrant workers and their families through appropriate communication channels, such as, electronic and print media, migrant workers resource centres, information outreach programmes, pre-departure trainings, pre-employment orientation seminar, and diplomatic missions. |

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| 6th | 14 | Dispute resolutions, mediation, and other alternative dispute settlement mechanisms should be fully explored before administrative or judicial litigation processes. |
| 6th | 19 | Promote sharing of experiences and information among ASEAN Member States in implementing their respective complaint mechanisms through stock taking of the processes in handling grievances of migrant workers. |
| 6th | 20 | Consider developing regional guidelines and tools on the establishment of key aspects and standards of complaint mechanisms for migrant workers. |
| 8th | 10 | Strengthen complaint mechanisms on OSH and employment conditions violation to include improved accessibility of the mechanisms, speedy settlement process, confidentiality of the source of information, protection from employers' reprisal, support to stay and, where applicable, work in the Receiving States while complaints are being processed, and investigation without the presence of employers, in language understandable to migrant workers, and preferably by women labour inspectors in cases of women migrant workers. |
| 8th | 15 | Improve mechanisms of claiming and payment of workers' compensation benefits in a timely manner, even after returning to their countries of origin, through effective procedure to verify the beneficiaries; assistance of embassies/ labour attaché, trade unions and civil society organizations; and provision of clear information on OSH protection, workers' compensation, and the beneficiaries, for example through an employment contract. |
| 11th | 4 | Support inter-agency coordination , where relevant, in developing accessible digital feedback and complaint and grievance-handling mechanisms for migrant workers. These mechanisms should: authenticate valid feedback; track the progress of the response including remedy; and be referred to the relevant support service providers. |
| 13th | 3 | Ensure decent wages of migrant workers and protect their wages in time of pandemic through effective complaint mechanisms and support services . In this regard, the complaints on wages and grievances, claims and labour disputes of migrant workers who lost their jobs due to the pandemic should be investigated and handled immediately and, where possible, prior to returning home without increasing health risks due to a prolonged stay. |
| 14th | 5 | Ensure speedy remedies for wage and benefits violations and other labour and recruitment-related violations , which the migrant workers can access before, during and after employment, including legal services and remediations across borders via improved interagency coordination. Facilitate returning migrant workers' access to recovery of unpaid wages and other benefits, including through enhanced international and bilateral coordination mechanisms, more effective legal assistance to migrant workers and support from trade unions and civil society. |
| 15th | 10 | Where lacking, provide fair and non-discriminatory treatments to migrant workers and improve protection of their rights to access social protection, wage protection, safe and healthy work and living conditions, and access to justice in line with the relevant ILO Conventions ratified by ASEAN Member States, especially those in domestic work, agriculture, fishing, and informal economy. |

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| 3rd | 4 | Strengthen and raise the visibility of labour attachés and consular staff in collecting and providing information, and responding to rights violations against women and men migrant workers. This should be achieved through close engagement with the migrant community and employers, and in cooperation with authorities of the host countries. |
| 4th | 16 | Provide access to legal support and essential services, including consular services, for migrant workers and members of their families. |
| 6th | 11 | Support the development of “ one-stop ” service centre for migrant workers that among others, facilitate access to complaint mechanisms and assistance , including interpretation and free legal counselling/referral , in collaboration with all stakeholders including migrant communities, workers’ and employers’ organizations, and CSOs to ensure that the service are accessible to migrant workers. |
| 10th | 13 | Improve capacity and provide adequate human and financial resources for consular and labour services of embassies or foreign missions and migrant resource centres to support migrant domestic workers including access to complaint mechanism, justice and redress. |

C3. Inter-country collaboration on protection, justice and enforcement

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| 6th | 15 | Ensure timely notification and communication between the countries of destination and origin on judicial cases of migrant workers and extend cooperation to provide access to migrant workers to file cases for violation of rights in the country that the violation took place. |
| 6th | 16 | Promote inter-country trade unions collaboration to support migrant workers in case of complaints . |
| 7th | 8 | Referral systems between countries of origin and destination should be set up and function well and assistance of the embassies should be provided to ensure compensations and benefits are duly paid to migrant workers in a timely manner, even after returning to their countries of origin, including health care and treatment for long-term effects of occupational injuries and diseases. A regional study be undertaken with all stakeholders to explore challenges and policy gaps of reintegrating migrant workers with disabilities upon their return to their countries of origin. |
| 7th | 19 | Cooperation between the countries of origin and destination in providing assistance to migrant workers with health concerns should be strengthened in order to ensure access to treatment and relevant social welfare services. |
| 8th | 15 | Improve mechanisms of claiming and payment of workers’ compensation benefits in a timely manner, even after returning to their countries of origin , through effective procedure to verify the beneficiaries; assistance of embassies/ labour attaché, trade unions and civil society organizations; and provision of clear information on OSH protection, workers’ compensation, and the beneficiaries, for example through an employment contract. |

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| 13th | 12 | Increase cross-sectoral referral mechanisms and collaboration to strengthen national policy framework for protection of migrant workers in time of pandemic . Protection of women migrant workers and victims of gender-based violence during the pandemic and their access to coordinated essential services should be strengthened. The heightened risks of forced labour and human trafficking during the pandemic and post pandemic recovery should be addressed. |
| 14th | 5 | Ensure speedy remedies for wage and benefits violations and other labour and recruitment-related violations, which the migrant workers can access before, during and after employment, including legal services and remediations across borders via improved interagency coordination. Facilitate returning migrant workers' access to recovery of unpaid wages and other benefits, including through enhanced international and bilateral coordination mechanisms , more effective legal assistance to migrant workers and support from trade unions and civil society. |
| 16th | 15 | Strengthen cross-border cooperation, joint law enforcement and referral systems to ensure the safe and regular movement of migrant workers, protect them from malpractices and digital scams in recruitment, smuggling and trafficking, and prevent the criminalisation of victims. ASEAN Member States to collaborate when ASEAN migrant workers are in urgent needs of protection, rescue and evacuation in times of crisis. |

C4. Right to stay

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| 7th | 12 | Workers filing complaints should be given support to stay within the country of destination while complaints are being processed . In this regard, migrant workers and migrant workers' representatives should be provided with appropriate and timely assistance including protection from employers' reprisal while filing complaints. |
| 10th | 8 | In case of legal dispute, migrant domestic workers should have the right to stay and work in the Receiving States until the legal or labour cases are settled in accordance with national laws and regulations. |
| 14th | 10 | Protect workers whose contracts expire but who cannot go back by providing them with a free short-term visit pass or special pass and moratorium on sanctions on overstayers, allowing them to work in the same or other industries, pending their repatriation during the COVID-19 pandemic. Provide safe and cost-free return mechanisms for migrant workers who wish to return home. |

D. Other support services

1. Service centres
2. Labour attaches and consular services
3. Digital services

D1. Service centres

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| 5th | 10 | Develop affordable "one-stop-centre" services , such as online portal, in sending countries that are widely informed to and accessible by migrant workers. |
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| 6th | 11 | Support the development of “ one-stop ” service centre for migrant workers that among others, facilitate access to complaint mechanisms and assistance , including interpretation and free legal counselling/referral , in collaboration with all stakeholders including migrant communities, workers’ and employers’ organizations, and CSOs to ensure that the service are accessible to migrant workers. |
| 6th | 12 | Ensure that information of the availability of such service centres and complaint mechanisms is disseminated to migrant workers and their families through appropriate communication channels, such as, electronic and print media, migrant workers resource centres, information outreach programmes, pre-departure trainings, pre-employment orientation seminar, and diplomatic missions. |
| 7th | 7 | One-stop services and migrants resource centres should be set up in all ASEAN Member States and integrated at local, national and regional levels to ensure better protection mechanisms for men and women migrant workers. In this regard, hotline numbers should be attended 24 hours, available in languages understood by migrant workers, and should provide referral systems to other services required by migrant workers. Migrants resource centres operated by the governments, employers’ organizations, workers’ organizations and civil society organizations should provide support services and on-site protection for migrant workers and be well coordinated among all stakeholders. |
| 10th | 13 | Improve capacity and provide adequate human and financial resources for consular and labour services of embassies or foreign missions and migrant resource centres to support migrant domestic workers including access to complaint mechanism, justice and redress. |
| 13th | 12 | Increase cross-sectoral referral mechanisms and collaboration to strengthen national policy framework for protection of migrant workers in time of pandemic. Protection of women migrant workers and victims of gender-based violence during the pandemic and their access to coordinated essential services should be strengthened . The heightened risks of forced labour and human trafficking during the pandemic and post pandemic recovery should be addressed. |
| 16th | 2 | Establish integrated information systems to ensure clarity and transparency, prevent misinformation and make regular migration channels attractive and accessible through one-stop integrated services for migrant workers ; |

D2. Labour attaché and consular services

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| 3rd | 4 | Strengthen and raise the visibility of labour attachés and consular staff in collecting and providing information, and responding to rights violations against women and men migrant workers. This should be achieved through close engagement with the migrant community and employers, and in cooperation with authorities of the host countries. |
| 4th | 16 | Provide access to legal support and essential services, including consular services , for migrant workers and members of their families. |
| 5th | 16 | Enhance the functions of labour attachés and consular officials in ASEAN Member States to verify information of job offers and employment contracts , as feasible, in receiving countries. |

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| 6th | 13 | Ensure and strengthen the roles of labour attachés, embassies, and consular officials to include support services on availing of complaint mechanisms for migrant workers. |
| 7th | 9 | Labour attachés should be well trained and adequately supported to provide effective on-site protection . Gender balance amongst labour attachés should be by and large proportionate to the composition of male and female migrant workers. |
| 7th | 14 | National legislations, policies, rules and regulations concerning employment and labour migration should be accessible and well informed to men and women migrant workers, workers' organizations, employers' organizations, and other stakeholders. In particular, immigration information and visa application procedure should be widely disseminated to migrant workers with the support of Labour Attachés and Embassies . |
| 10th | 13 | Improve capacity and provide adequate human and financial resources for consular and labour services of embassies or foreign missions and migrant resource centres to support migrant domestic workers including access to complaint mechanism, justice and redress. |
| 15th | 13 | Strengthen labour attaché and consular support services to migrant workers in Receiving States through deployment of competent personnel, provision of adequate resources, and coordination with organisations providing legal support, counselling, and shelter for migrant workers. |

D3. Digital services

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| 11th | 2 | Promote the use of digital tools, such as smart devices and social media, in training or job matching of migrant workers, including: pre-departure and post-arrival information programmes ; dissemination of information; and skills upgrading and certification . |
| 11th | 6 | As migrant workers are at various levels of readiness to benefit from digitalisation, and not all services may benefit from digitalisation , maintain existing avenues while building workers' capacity to benefit from digitalisation. |
| 11th | 7 | Coordinate efforts between stakeholders in developing digital services for migrant workers , to avoid unnecessary duplication and to ensure clarity of avenues, including effective referral pathways for migrant workers. |
| 11th | 8 | Governments and other relevant stakeholders should consider providing support, such as funding, to digital services that meet the needs of migrant workers , such as remittance, financial services, and social protection. Migrant workers should not bear the costs of the development of these services. |
| 11th | 9 | All stakeholders should educate migrant workers on the availability of digital services ; cyber security; and risks of false information, through appropriate media platforms such as information campaigns and pre-departure/post-arrival training. |
| 11th | 10 | Content providers and owners of digital platforms should ensure that information provided is accurate , and undertake efforts to eliminate misinformation through measures such as online information verification and regular fact-checks. |

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| 11th | 12 | Recognising the importance of data privacy and security , introduce and strengthen robust protection frameworks that secure the collection, use, and sharing of data, such as legal provisions or guidelines. |
| 11th | 13 | Ensure that digital platforms for migrant workers are migrant-centred, accessible and user-friendly . This includes, where appropriate, adopting measures such as visual and audio messaging; simplified interfaces, and migrant workers' local languages. As users, migrant workers should also be empowered and actively involved in the creation and enhancement of these platforms via consultation and user feedback. |
| 11th | 14 | Enhance capacity in the development and utilisation of digital platforms through research and sharing of progressive practices; collaboration with relevant stakeholders; and introducing appropriate training, including strengthening digital literacy for all target stakeholders. |
| 11th | 15 | Raise awareness on the benefits of leveraging technology in inclusive and sustainable growth in the future of work, e.g. through green efforts. |
| 13th | 9 | Maximize digital technology in the online processing of migrant workers' immigration and employment documents, and ensure its accessibility to migrant workers to reduce physical contacts in time of pandemic. |
| 15th | 7 | Strengthen the enforcement of prohibition and sanction of illegal recruitment, contract substitution and other unfair practices through effective monitoring and labour inspection systems. Digitalisation of recruitment and migration processes should be promoted to support safe and transparent labour migration process. |
| 16th | 3 | Digitalise recruitment, deployment and admission processes with clear timelines for each step and with consideration of national laws and regulations of ASEAN Member States, data privacy and protection of migrant workers' rights. In this regard, digital literacy support for those who may face challenges in using digital platforms shall be provided. |
| 16th | 4 | Enhance the support of governments and financial institutions in promoting digital wage payments for migrant workers. The government should ensure that migrant workers in elementary occupations are provided with no less than the minimum wage in accordance with the laws and regulations of the receiving states; |

E. Effective labour migration policies and fair recruitment

1. Labour migration policies
2. Regulation and enforcement of recruitment procedures and costs
3. Regulation and licensing of recruitment agencies

E1. Labour migration policies

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| 5th | 1 | <p>Adhere to the following principles in promoting and protecting the rights of migrant workers:</p> <ul style="list-style-type: none"> ► Universal human rights and fundamental principles and rights at work must continue to apply to migrant workers; ► Transparency, accountability and affordability should be practiced throughout the entire cycle of migration process; ► Vulnerability issues of migrant workers in the entire cycle of migration process should be addressed comprehensively through wide coverage of labour and social laws in all types of employment including those in vulnerable sectors; ► Migration policies, strategies and practices should be made gender responsive and cater to the specific needs of female migrant workers especially in vulnerable sectors of labour; ► Mainstreaming of migration and migrant worker issues in community level activities, especially those in the rural areas, of poverty alleviation, women's empowerment and development plans and programmes in ASEAN Member States. |
| 8th | 11 | <p>Ensure the inclusion of OSH, employment conditions and, where possible, roles of labour inspection and labour attaché in bilateral and multilateral memorandum of understanding (MOU) concerning migrant workers to promote OSH preventive measures and to ensure legal protection of migrant workers in time of OSH and employment conditions violation.</p> |
| 10th | 4 | <p>Promote the negotiation for bilateral memorandum of understanding and/or labour and social security agreements for migrant workers, including domestic workers, that are compatible with international labour standards in consultation with relevant stakeholders and social partners.</p> |
| 12th | 7 | <p>Promote the use of technology to better govern labour migration; facilitate easy access to job opportunities, recruitment, and skills training; and protect the rights of migrant workers.</p> |
| 12th | 10 | <p>Reduce irregular migration by improving access to regular channels of migration and raising awareness of migrant workers on the risks of undocumented migration.</p> |
| 12th | 11 | <p>Promote gender responsive, non-discriminatory policies and practices to ensure women migrant workers' access to safe and regular migration pathways; remove gender pay gap; and a victim-centred approach to all forms of violence and sexual harassment in the workplace.</p> |
| 12th | 12 | <p>Improve and share relevant labour market information to guide migrant workers on relevant skills to acquire and to support evidence-based migration policies and responses, including on development priorities and skills in demand in the receiving states; skill levels of migrant workers in the sending states; job opportunities across labour markets; required travel and work documents; and prevailing laws and procedures.</p> |

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| 14th | 11 | Assess the opportunities for regional or bilateral collaboration mechanisms for labour mobility to resume during the recovery period and fair and ethical deployment of migrant workers in the post pandemic and enhance the effectiveness of legal pathways for labour migration. Labour mobility may be facilitated in line with labour market requirements, and the formal channels be streamlined to reduce time and cost. |
| 15th | 1 | Promote inclusive and sustainable economic measures that will accelerate availability of decent work and resumption of labour migration in the region . Fair opportunities to employment should be given to all migrant workers regardless of gender, disabilities, nationality, race, belief and social status. |
| 15th | 5 | Streamline and simplify migration processes to make regular migration channels accessible and effective for migrant workers and employers. Work towards integrated medical check-up of migrant workers required only once in the Sending States or Receiving States. |
| 16th | 1 | Simplify and streamline migration processes to better protect and promote the rights of migrant workers by working towards elimination of administrative hurdles to make regular migration channels easier, faster, affordable, and accessible for migrant workers such as removing unnecessary duplication of medical tests; |
| 16th | 8 | Make regular pathways more equitable and inclusive to migrant workers by addressing discrimination, violence and restrictions based on the grounds of gender, disabilities, age, and parental status; |
| 16th | 11 | Consider introducing options for moving from temporary labour migration to longer-term labour migration programmes; |
| 16th | 14 | Promote a whole-of-government and whole-of-society approach to ensure policy coherence across all sectors and levels of government concerning the placement and protection of migrant workers . In this regard, capacity building and technical assistance to be provided at local level to enhance the effectiveness and accessibility of legal pathways in cooperation with relevant stakeholders; |

E2. Regulation and enforcement of recruitment procedures and costs

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| 5th | 2 | Develop transparent, standardized and simplified recruitment procedures and set ceiling costs , including those that should be covered by employers and job seekers, with regard to recruitment and emigration costs in ASEAN Member States that should be widely disseminated to the public, especially those in the rural areas, with the participation of recruitment agencies and other stakeholders, which would promote the use of regular channels by migrant workers. |
| 5th | 3 | Promote close coordination and dialogues of the Ministry of Labour/Manpower with other relevant line agencies towards coherent procedures, clearances and processes with the view to simplifying and streamlining these to reduce time and costs to migrant workers. |
| 5th | 4 | Regulation of recruitment procedures and costs and streamlining of emigration procedures should be considered as part of bilateral agreements between sending and receiving countries which should be publicized to and accessible by the public, recruitment agencies and other stakeholders. |

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| 5th | 6 | Initiate a regional compendium of existing good practices of measures among ASEAN Member States to reduce recruitment costs and implement effective recruitment and emigration procedures and monitoring. |
| 5th | 18 | Promote meaningful involvement of and partnerships with tripartite partners, the private sector (such as transport companies medical clinics, and commercial banks), civil society and communities at national and regional levels towards reducing recruitment costs and in monitoring recruitment agencies and practices. |
| 5th | 21 | Encourage continuous discussions on specific issues of reducing recruitment costs and streamlining emigration procedures at all levels where possible with the involvement of governments, tripartite partners and civil society and with the ASEAN Inter-Parliamentary Assembly (AIPA). |
| 7th | 15 | Recruitment policies and procedures should be streamlined and well informed to migrant workers and stakeholders, including through one-stop services and migrants resource centres at national and local levels. |
| 11th | 1 | Digitalise, where appropriate, the recruitment, placement, employment, and return and reintegration processes , such as providing one-stop digital platforms and e-documentation, to support easier, more efficient, less costly and transparent labour migration. |
| 12th | 4 | Take measures for safe and fair recruitment of migrant workers, and recruitment fees and related costs are reduced, with the view of eventually not charging to migrant workers. |
| 12th | 7 | Promote the use of technology to better govern labour migration; facilitate easy access to job opportunities, recruitment , and skills training; and protect the rights of migrant workers. |
| 13th | 4 | Consider that fees related to recruitment and redeployment , including additional costs for COVID-19 testing, quarantine and health insurance, should not be charged to migrant workers in accordance with the ILO General Principles and Operational Guidelines for Fair Recruitment. In line with this, migrant workers who paid recruitment fees and were not deployed should be reimbursed. In this regard, regulations and monitoring of the practices of recruitment agencies should be strengthened. |
| 13th | 9 | Maximize digital technology in the online processing of migrant workers' immigration and employment documents , and ensure its accessibility to migrant workers to reduce physical contacts in time of pandemic. |
| 14th | 15 | Work towards ensuring that (a) recruitment fees, visa renewal fees, and any COVID-19 associated costs in all stages of the recruitment cycle are regulated, transparent and not be charged to migrant workers seeking new employment in the new normal and that (b) fair recruitment principles* need to be made clear and are operationalised through national legislations, bilateral and multilateral agreements, and employment contracts to safeguard migrant workers from the aforementioned costs. |

* As per ILO's General Principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs, ILO Convention No. 181, and in line with the Global Compact for Safe, Orderly and Regular Migration (GCM), Objective 6.

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| 15th | 6 | Promote safe, fair and ethical recruitment amidst reopening of labour migration with proper guidance and monitoring by Sending and Receiving States, social partners and other stakeholders. Recruitment fees and related costs should be regulated, transparent, and reduced. Steps should be taken towards no recruitment fees and related costs to be paid by migrant workers in line with the ILO General Principles and Operational Guidelines for Fair Recruitment and with the support of ILO and IOM, as necessary. |
| 16th | 3 | Digitalise recruitment, deployment and admission processes with clear timelines for each step and with consideration of national laws and regulations of ASEAN Member States, data privacy and protection of migrant workers' rights. In this regard, digital literacy support for those who may face challenges in using digital platforms shall be provided; |
| 16th | 5 | Promote policies, regulations and measures to work towards the prohibition of recruitment fees and related costs chargeable to migrant workers such as an affordable employer-paid model for recruitment fees and related costs, and lower costs of passports, visas, work permits and other essential documents issued by governments in both sending and receiving states, and publication of those costs for transparency; |

E3. Regulation and licensing of recruitment agencies

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| 4th | 3 | Raise awareness and build capacity of public and private recruitment agencies, local authorities and all stakeholders in sending and receiving countries in the delivery and monitoring of recruitment and placement services , and different forms of direct hiring of migrant workers to ensure greater protection of migrant workers' rights. |
| 5th | 11 | Abolish intermediaries in recruitment practices other than registered/licensed recruitment agencies in ASEAN Member States which would contribute to the affordability of recruitment costs and elimination of malpractices. |
| 5th | 13 | Regulate recruitment agencies and practices by laws, regulations and policies that clearly define the migration cost structures in ASEAN Member States. |
| 5th | 14 | Effectively monitor recruitment agencies and practices in ASEAN Member States with clear mechanisms, heavy penalties for infringements and positive ratings for ethical recruitment agencies. In this regard, communities, tripartite partners, civil society and other stakeholders should be involved towards effective monitoring. |
| 5th | 15 | Develop and implement a licensing system of recruitment agencies and, where applicable, an accreditation system of foreign employers of direct recruitment agencies to effectively monitor their practices in ASEAN Member States. |
| 6th | 17 | Ensure, where possible, the joint accountability of employers and recruitment agencies in case of migrant workers' complaints when the recruitment agencies are responsible for recruiting and placing workers abroad. |
| 7th | 10 | Recruitment agencies should be capacitated , where relevant, in securing better package of remunerations and benefits of migrant workers including minimizing or eliminating fees to be charged to migrant workers. |

- 10th** 12 **Promote fair recruitment practices** and simplify the recruitment and placement processes through measures such as a standard recruitment agreement, reduction of recruitment fees, transparency and effective regulation of recruitment agencies. In this regard, private recruitment agencies should adhere to ethical codes of conduct.

F. Labour protection and decent conditions of work

1. Strengthen labour laws and extend its coverage
2. Employment contracts
3. Wage protection
4. Adequate housing and living conditions
5. Occupational Safety and Health (OSH)
6. Organizing, trade union rights
7. Right to change employers
8. Right to communication and access to mobile phones
9. Compliance, enforcement

F1. Strengthen labour laws and extend its coverage

- 5th** 1 Adhere to the following principles in promoting and protecting the rights of migrant workers:
- Universal human rights and fundamental principles and rights at work must continue to apply to migrant workers;
 - Transparency, accountability and affordability should be practiced throughout the entire cycle of migration process;
 - Vulnerability issues of migrant workers in the entire cycle of migration process should be addressed comprehensively through wide coverage of labour and social laws in all types of employment including those in vulnerable sectors;
 - Migration policies, strategies and practices should be made gender responsive and cater to the specific needs of female migrant workers especially in vulnerable sectors of labour;
 - Mainstreaming of migration and migrant worker issues in community level activities, especially those in the rural areas, of poverty alleviation, women's empowerment and development plans and programmes in ASEAN Member States.
- 10th** 1 Recognise domestic workers as workers and remove outdated terminologies that diminish the dignity of domestic workers. Towards this end, ASEAN Member States should progressively move towards **inclusion of domestic workers in their labour and social legislations**.
- 10th** 3 **Align national laws and policies with international instruments** related to labour migration and domestic work, taking into account different contexts of ASEAN Member States.

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| 11th | 3 | Encourage further efforts in using technology in enforcing migrant worker rights , such as timely and accurate payments of wages and benefits; organising of migrant workers; labour inspections; access to justice; and cross-border dispute settlements. |
| 12th | 8 | Promote transition from informal employment, such as in agriculture, fishery and domestic work, to formal employment to ensure labour rights protection of migrant workers in those sectors. |
| 14th | 14 | Review national labour laws and policies to cater for new work environments and to holding governments accountable , as necessary, to ensure equitable protection of migrant workers with respect to labour rights including, job security, wage protection, working conditions and minimum wage coverage (in countries implementing minimum wage policies), especially migrant workers in sectors that are currently excluded from these protections, and their responsiveness to the current and future changes in labour markets. Updated and new legislations should be evidence-based, respect fundamental rights of migrant workers in accordance with the relevant ILO and UN instruments and be communicated effectively to stakeholders. Enhance the capacities of labour inspection and adopt human-centred approach in order to better respond to the specific challenges posed by the pandemic. |

F2. Employment contracts

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| 7th | 1 | Employment contracts should be standardized by the national labour laws, based on core labour standards and in line with Article 22 of the ILO's Migration for Employment Recommendation (Revised). 1949 (No. 86). |
| 7th | 2 | Standard employment contracts should stipulate clear terms and conditions of employment, rights and responsibilities of men and women workers and employers, including in vulnerable and hard-to-reach sectors such as fishing, domestic work and construction work, and grievance mechanisms including contact information and legal systems to file complaints. Employment contracts should be written in language understood by migrant workers, and signed by employers and workers prior to departure. Copies of employment contracts should be provided to migrant workers. |
| 7th | 3 | ASEAN guidelines/framework of standard employment contracts should be developed with inputs from the countries of origin and destination, social partners, CSOs and migrant workers associations and by taking into account the prevailing national labour laws of ASEAN Member States. |
| 7th | 4 | Substitution of employment contracts and issuance of sub-standard employment contracts should be eliminated. Non-compliance by employers should be duly penalized and recorded in the databases of ASEAN Member States in accordance with the national laws and regulations. Where employment contracts are issued by a third party, as permitted by laws, they should be closely monitored to ensure meeting the required standards. |
| 10th | 5 | Promote the adoption of a standard national employment contract or proper documentation, with clear terms of employment for migrant domestic workers, consistent with international labour standards, that is recognised and enforceable in both the Sending and Receiving States, and made available in the language of the migrant domestic worker. The standard contract should clearly specify the rights and responsibilities of both migrant domestic workers and their employers, job description, and work conditions; and adopt non-discriminatory gender-sensitive language. |

- 12th** 6 Ensure migrant workers are provided with **clear and transparent contracts** or proper documentation with terms and conditions of employment in a language they understand based on national legislation and policies, taking references from relevant international labour standards and Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- 16th** 6 Ensure documented migrant workers in all sectors enjoy comprehensive protection of their rights, including provision of **gender-responsive and human rights-based standard employment contract or proper documentation** for their work without substitution or duplication, where applicable, social protection, rights to join trade unions and associations, right to health services including sexual and reproductive healthcare, support services including essential services for victims of gender-based violence, and access to justice and legal remedies. Protect the basic human rights of all migrant workers regardless of their legal status.

F3. Wage protection

- 4th** 17 Recommend the following specific responsibilities and roles with respect to return and reintegration and sustainable alternatives for migrant workers:
- (a) Responsibilities of sending countries:
- Policies and strategies should be established to look after the return of migrant workers, e.g. "State Policy on the Reintegration of Migrant Workers";
 - Provide comprehensive training to migrant workers for preparation before return as a part of pre-departure orientation; and
 - Follow up / monitoring system of the returnees, particularly on their livelihood and reintegration.
- (b) Responsibilities of receiving countries:
- Prior to the return of migrant workers, receiving countries should have specific programmes for the returnee, e.g. training and introduction of entrepreneurship to migrant workers who are interested, counselling, among others;
 - Provision of proof of employment by the employers; and
 - **Ensure that migrant workers receive decent wage and no unlawful wage deduction**, decent and safe working condition and workplace environment, and compliance with international human rights and labour standards.
- 13th** 3 Ensure **decent wages** of migrant workers and **protect their wages in time of pandemic** through effective complaint mechanisms and support services. In this regard, the complaints on wages and grievances, claims and labour disputes of migrant workers who lost their jobs due to the pandemic should be investigated and handled immediately and, where possible, prior to returning home without increasing health risks due to a prolonged stay.

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| 14th | 5 | Ensure speedy remedies for wage and benefits violations and other labour and recruitment-related violations , which the migrant workers can access before, during and after employment, including legal services and remediations across borders via improved interagency coordination. Facilitate returning migrant workers' access to recovery of unpaid wages and other benefits, including through enhanced international and bilateral coordination mechanisms, more effective legal assistance to migrant workers and support from trade unions and civil society. |
| 14th | 14 | Review national labour laws and policies to cater for new work environments and to holding governments accountable, as necessary, to ensure equitable protection of migrant workers with respect to labour rights including, job security, wage protection , working conditions and minimum wage coverage (in countries implementing minimum wage policies), especially migrant workers in sectors that are currently excluded from these protections, and their responsiveness to the current and future changes in labour markets. Updated and new legislations should be evidence-based, respect fundamental rights of migrant workers in accordance with the relevant ILO and UN instruments and be communicated effectively to stakeholders. Enhance the capacities of labour inspection and adopt human-centred approach in order to better respond to the specific challenges posed by the pandemic. |
| 15th | 10 | Where lacking, provide fair and non-discriminatory treatments to migrant workers and improve protection of their rights to access social protection, wage protection, safe and healthy work and living conditions , and access to justice in line with the relevant ILO Conventions ratified by ASEAN Member States, especially those in domestic work, agriculture, fishing, and informal economy. |
| 16th | 4 | Enhance the support of governments and financial institutions in promoting digital wage payments for migrant workers. The government should ensure that migrant workers in elementary occupations are provided with no less than the minimum wage in accordance with the laws and regulations of the receiving states; |

F4. Adequate housing and living conditions

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| 14th | 3 | Enable and enforce effective social distancing during recruitment, deployment, repatriation, at work, in housing , and during transportation for all workers by allocating more resources and effective planning in the work cycles across all sectors and industries, where possible. Industries must ensure all workers have access to appropriate Personal Protection Equipment (PPE) without cost according to work environment. Workers shall strive to adhere to and comply with all SOPs as implemented by the authorities and agreed policies implemented by the employers at the workplace, transportation and accommodation . |
| 14th | 4 | Strengthen minimum safety and health standards for workplaces and housing , where necessary, for migrant workers with sufficient spaces for social distancing and access to medicine and food, in alignment with international and regional standards . Take measures for effective implementation of such standards, including through supporting labour inspectors and training for employers and migrant workers. |

- 14th** 7 In case of workplace closures or “sealing” due to COVID-19, **ensure that migrant workers’ quarantine facilities are safe and humane, and allow social distancing**, and are equal to quarantine facilities provided to local population. Ensure migrant workers’ access to adequate health care, including psychological support, food, water, basic income support and essential services and integrated gender-based violence support during such closures.

F5. Occupational safety and health (OSH)

- 7th** 6 **Occupational safety and health (OSH)** should be improved through OSH trainings and provision of personal protective equipment, where applicable, by employers at the worksite upon arrival of migrant workers and on a regular basis thereafter, as well as availability of disaggregated OSH data and analysis.
- 8th** 1 Integrate and/or strengthen **OSH training and materials** in pre-employment, pre-departure and post-arrival orientation programmes which should be contextual to occupational areas, compulsory, comprehensive, available in languages understandable to employers and migrant workers, free of charge for migrant workers as far as possible, and provided in a timely manner.
- 8th** 2 Develop **OSH guidelines**, including on access to employment injury benefits, which should be available in languages understandable to employers and migrant workers, and ensure implementation by employers.
- 8th** 3 Promote **OSH prevention culture** in the workplace through continuous improvement on OSH trainings and equipment, provision of OSH guidelines; information materials and instructions in languages understandable to employers and migrant workers; sensitivity to women workers’ needs; positive encouragement through awards to employers with inclusive OSH programmes; awareness raising through conventional and social media and other means by civil society, trade unions, and employers’ organizations; and promotion of hotline number to migrant workers.
- 8th** 4 Strengthen **OSH policy implementation** through awareness-raising on OSH among stakeholders, including governments, employers and workers, and clear actions taken for non-compliance by employers including on the provision of OSH training and measures to minimize OSH risks, statutory working hours, working environment and employment conditions and, where applicable, accommodation for migrant workers.
- 8th** 5 Encourage the formation of an **OSH committee and/or management system at enterprise level** with the involvement of migrant workers or trade union.
- 8th** 6 Strengthen **OSH policy implementation** by the labour department in coordination with other relevant government agencies (health and foreign affairs) and stakeholders (embassies/labour attaché, trade unions, employers’ organizations, overseas placement agencies, civil society organizations) within and across ASEAN Member States.
- 13th** 2 Improve safety and health standards at the **workplace and employer-provided housing for migrant workers** including hygiene, sanitation living conditions, and Personal Protective Equipment (PPE) as preventive measures to reduce migrant workers’ exposure to the COVID-19 infection. In this regard, minimum standards for decent living conditions of live-in domestic workers that respect their safety and privacy should be ensured.

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| 13th | 6 | Information of COVID-19 related migration, labour, health and safety policies should be accessible to migrant workers in languages understood by them and, where possible, electronically. Responses to COVID-19 and other potential pandemic in future should be included in the occupational safety and health policies at the workplace to ensure better protection of all workers including migrant workers. |
| 14th | 3 | Enable and enforce effective social distancing during recruitment, deployment, repatriation, at work, in housing, and during transportation for all workers by allocating more resources and effective planning in the work cycles across all sectors and industries, where possible. Industries must ensure all workers have access to appropriate Personal Protection Equipment (PPE) without cost according to work environment . Workers shall strive to adhere to and comply with all SOPs as implemented by the authorities and agreed policies implemented by the employers at the workplace, transportation and accommodation. |
| 14th | 4 | Strengthen minimum safety and health standards for workplaces and housing, where necessary, for migrant workers with sufficient spaces for social distancing and access to medicine and food, in alignment with international and regional standards. Take measures for effective implementation of such standards, including through supporting labour inspectors and training for employers and migrant workers. |
| 15th | 10 | Where lacking, provide fair and non-discriminatory treatments to migrant workers and improve protection of their rights to access social protection, wage protection, safe and healthy work and living conditions , and access to justice in line with the relevant ILO Conventions ratified by ASEAN Member States, especially those in domestic work, agriculture, fishing, and informal economy. |

F6. Organizing, trade union rights

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| 7th | 11 | Measures should be taken to facilitate access of men and women migrant workers into trade unions and associations , particularly those in sectors where workers are not organized. |
| 7th | 20 | Workers' organizations in ASEAN Member States should strengthen their cooperation for effective protection mechanisms for migrant workers. |
| 10th | 17 | Foster opportunities and an enabling environment for migrant domestic workers' voices to be heard through migrants' associations, workers' organisations , and civil society organisations in accordance with national laws and regulations. |
| 12th | 9 | Promote migrant workers' voice and representation in collective bargaining and social dialogue by ensuring their freedom of association . |
| 15th | 14 | Respect the right of migrant workers to freedom of association by not denying or limiting their right to join trade unions, wherever they are. |

- 16th** 6 Ensure documented migrant workers in all sectors enjoy comprehensive protection of their rights, including provision of gender-responsive and human rights-based standard employment contract or proper documentation for their work without substitution or duplication, where applicable, social protection, **rights to join trade unions and associations**, right to health services including sexual and reproductive healthcare, support services including essential services for victims of gender-based violence, and access to justice and legal remedies. Protect the basic human rights of all migrant workers regardless of their legal status;

F7. Right to change employers

- 10th** 7 National policies of the Receiving States concerning migrant domestic workers should allow for **greater flexibility in changing employers**.
- 15th** 8 Support **flexibility of work permits and post-employment stay period to allow migrant workers to legally change employers** in Receiving States subject to the national laws, regulations, and registry systems of Sending and Receiving States. Strengthen support for migrant workers who lost jobs in time of pandemic and other crises, for example through unemployment benefits.
- 16th** 6 **Allow migrant workers to change employers** by notifying the previous employers and renewal of work permits while residing in the receiving states as well as to modify conditions with minimal administrative burden, in accordance with the laws, regulations and policies of the sending and receiving states;

F8. Right to communication and access to mobile phones

- 11th** 11 Ensure that all migrant workers are accorded the **right to information and communication**, such as **ownership; access; and reasonable usage to mobile phones or other ICT gadgets**. More attention should be placed on isolated and vulnerable workers, including increasing connectivity in hard-to-reach places.

F9. Compliance, enforcement

- 7th** 5 Governments should take and enhance measures and allocate resources to protect and promote the rights of migrant workers including regularly conduct **labour inspection**, including in vulnerable and hard-to-reach sectors and workplaces (e.g. fishing, mining, forestry, agriculture, and domestic work), training for labour inspectors and set up multi-sectoral joint task forces for labour inspection. The ILO Convention No. 189 and its accompanying Recommendation No. 201 provide guidance on labour inspection for domestic workers.
- 8th** 8 Strengthen **labour inspection** for decent employment and working conditions and OSH through capacity building and enhanced number of labour inspectors including women labour inspectors, setting up gender responsive and multidisciplinary teams for labour inspection, adequate resources for periodic inspections to vulnerable and hard-to-reach sectors and workplaces (e.g. fishing, mining, forestry, agriculture, and domestic work); and cooperation with employers' organizations, trade unions, civil society organizations and other relevant entities in hard-to-reach sectors.

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| 8th | 9 | Strengthen the role of labour attaché by providing them with OSH trainings, and promoting their gender responsiveness, access to information, referral systems with the labour inspection and relevant authorities of the Receiving States, and regular dialogue platforms with migrant workers. |
| 10th | 6 | Strengthen labour inspection and other compliance mechanisms to progressively extend the coverage to include individual households of the employers of domestic workers. Likewise, migrant domestic workers' access to complaint mechanisms should be ensured. |
| 11th | 3 | Encourage further efforts in using technology in enforcing migrant worker rights , such as timely and accurate payments of wages and benefits; organising of migrant workers; labour inspections; access to justice; and cross-border dispute settlements. |
| 11th | 5 | Develop and improve labour migration information systems to facilitate the identification of errant employers and recruitment/employment agencies and transparency of recruitment costs. Where appropriate, encourage the sharing of information between relevant parties, including inter-agency and inter-government collaboration, while prioritising data privacy and security. |
| 12th | 5 | Protect the rights of workers in the supply chain through promotion of corporate social responsibility of private sector which would support sustainability of business and as customers are increasingly becoming more inclined to companies with ethical practices. |
| 14th | 1 | Support and acknowledge responsible employers in their positive efforts to ensure continuing employment for workers and their access to vaccinations and social protections provided by governments. |
| 15th | 7 | Strengthen the enforcement of prohibition and sanction of illegal recruitment, contract substitution and other unfair practices through effective monitoring and labour inspection systems. Digitalisation of recruitment and migration processes should be promoted to support safe and transparent labour migration process. |

G. Access to health care and social protection

1. Access to health care including mental health services
2. Non-discriminatory treatment in social protection
3. Extending migrant workers' social protection
4. Portability of social protection

G1. Access to health care including mental health services

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| 13th | 1 | Ensure access of all migrant workers in all sectors to health care , including COVID-19 testing and treatment, emergency relief measures, income support, social protection, and unemployment benefits, where applicable, of the Receiving States and/or Sending States. Implementation of the recommendations of Thailand's study on portability of social security benefits for migrant workers should be expedited. Furthermore, fear of sanctions for immigration violation should be delinked from health concerns of migrant workers. |
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- 13th** 5 Provide **access of migrant workers**, especially domestic migrant workers and laid-off migrant workers, to **mental health support and services**. Stigmatization, xenophobia, and discrimination against migrant workers, especially those infected by COVID-19, should be addressed through, among others, public campaigns.
- 13th** 12 Increase cross-sectoral referral mechanisms and collaboration to strengthen national policy framework for protection of migrant workers in time of pandemic. **Protection of women migrant workers and victims of gender-based violence during the pandemic and their access to coordinated essential services should be strengthened.** The heightened risks of forced labour and human trafficking during the pandemic and post pandemic recovery should be addressed.
- 14th** 2 Grant and promote **equal access of migrant workers to COVID-19 testing, vaccines, healthcare, and rehabilitation** regardless of migration status to enable all workers to return to work or continue to work safely. Proof of vaccination should be provided to all migrant workers including those who return home. Cost for COVID-19 testing, vaccines, quarantine, healthcare, and rehabilitation should be covered by government. Migrant workers who are arrested and detained for immigration-related offences should similarly receive emergency healthcare as necessary. Furthermore, fear of sanctions for immigration violation should be delinked from health concerns of migrant workers.
- 14th** 9 **Reform national health care systems**, where appropriate, sustained by adequate budget allocation, to be **more inclusive and non-discriminatory** in recognition of the contribution made by all workers, including migrant workers, during the pandemic including effective access to emergency healthcare to migrant workers with undocumented status. This must respect basic privacy rights and include removing stigma-driven policies towards all infectious diseases and the **inclusion of mental health care as an essential component**.
- 15th** 2 Strengthen national laws, policies, and regulations to help migrant workers and their families cope with and build resilience as concerns the pandemic and other crises. Inclusive social protection measures and **health care coverage, including but not limited to mental health and psychosocial support**, should be provided to mitigate the adverse impacts of pandemic and other crises on migrant workers and their families.
- 16th** 6 Ensure documented migrant workers in all sectors enjoy comprehensive protection of their rights, including provision of gender-responsive and human rights-based standard employment contract or proper documentation for their work without substitution or duplication, where applicable, social protection, rights to join trade unions and associations, **right to health services including sexual and reproductive healthcare**, support services including essential services for victims of gender-based violence, and access to justice and legal remedies. Protect the basic human rights of all migrant workers regardless of their legal status;

G2. Non-discriminatory treatment in social protection

- 8th** 14 Encourage **non-discrimination** on access to health care and provision of workers' compensation for occupational injuries, diseases, disabilities and casualties irrespective of occupational areas, nationality and status of migrant workers.

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| 9th | 1 | Promote equal treatment between nationals and non-nationals in accessing nationally defined social protection in ASEAN Member States. |
| 9th | 2 | Take measures as appropriate to adopt and implement in each ASEAN Member State a progressive plan, with a clear timeframe, towards ensuring equitable access to social protection for migrant workers keeping in mind the following priorities: working injury insurance, medical care, sickness and maternity benefits, old-age, invalidity and survivors' pensions and death benefits. |
| 9th | 6 | Remove discriminatory practices in labour and social protection laws, immigration policies, and administrative obstacles that prevent migrant workers' access to social protection benefits (e.g. with regard to domestic workers). |

G3. Extending migrant workers' social protection

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| 9th | 3 | Take into account the need to provide social protection to migrant workers' families, including but not limited to migrant workers' children's access to education. |
| 9th | 4 | Provide all migrant workers and their family members' access to emergency health care . |
| 9th | 5 | Review relevant national laws in view to extend access to social protection to migrant workers. |
| 9th | 8 | Include applicable and gender-responsive social protection provisions in written employment contracts or other appropriate written document in a language understandable to migrant workers. |
| 9th | 10 | Strengthen capacity building, awareness and education programmes for policy makers and other stakeholders as well as sharing of knowledge and good practices among ASEAN Member States on social protection for migrant workers. |
| 9th | 13 | Support implementation of ASEAN Declaration on Strengthening Social Protection and its Regional Framework and Action Plan particularly with reference to extending social protection coverage to all migrant workers through inter-sectoral cooperation of SLOM and Senior Officials Meeting on Social Welfare and Development (SOMSWD). Recommendations of the 9th AFML should be submitted by SLOM to SOMSWD as the focal point for inter-sectoral cooperation on social protection at ASEAN level. |
| 9th | 14 | Engage multi- and cross-sectoral stakeholders including governments, employers' organisations, workers' organisations, civil society organisations, private sectors and migrant communities in raising awareness and implementing social protection for migrant workers as relevant. |
| 10th | 9 | Strengthen social protection legislations to extend the coverage of social security and health insurance for domestic workers . |
| 12th | 2 | Promote the affordability and coverage of social security for migrant workers especially healthcare, occupational injury benefits, invalidity schemes and social pension in line with the ILO Convention 102. |

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| 14th | 6 | Extend government emergency income support measures and gender-responsive support services to all migrant workers , including those with children and single parents, whose income has been affected by job loss, lockdowns and other COVID-19 control measures in destination countries. Ensure returning migrant workers' access to emergency income support and credit services in countries of origin, including reintegration and support services. Strengthen migrant worker resource centres to provide such services to migrant workers. |
| 14th | 12 | Extend social protection, including sickness benefits and government provided unemployment benefits or basic income security, during the pandemic or another crisis to all migrant workers in all sectors of the economy , and ensure migrant workers' equitable access to social protection, healthcare and social security benefits. Collaborate to explore portability of social protection benefits for migrant workers in the region. Data collection and dissemination mechanisms on social protection of migrant workers should be strengthened to inform policymakers, respect privacy and be harmonised regionally. |
| 15th | 2 | Strengthen national laws, policies, and regulations to help migrant workers and their families cope with and build resilience as concerns the pandemic and other crises. Inclusive social protection measures and health care coverage, including but not limited to mental health and psychosocial support, should be provided to mitigate the adverse impacts of pandemic and other crises on migrant workers and their families. |
| 15th | 10 | Where lacking, provide fair and non-discriminatory treatments to migrant workers and improve protection of their rights to access social protection , wage protection, safe and healthy work and living conditions, and access to justice in line with the relevant ILO Conventions ratified by ASEAN Member States, especially those in domestic work, agriculture, fishing, and informal economy. |

G4. Portability of social protection

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| 4th | 15 | Develop bilateral and multilateral agreements for portability of the social security benefits and better implementation of existing schemes. |
| 9th | 12 | Explore and assess the feasibility of developing bilateral or regional agreements or arrangements on portability of social protection for migrant workers between Sending States and Receiving States, either as a specific agreement and/or include in Memorandum of Understanding or Bilateral Labour Agreement. |
| 9th | 15 | Ensure timely remittance of social protection contributions and benefits to migrant workers and their families that are due to them. |
| 9th | 16 | Promote and support exchange of information and good practices on social protection and portability of social security for migrant workers within ASEAN as well as other regions. |
| 10th | 4 | Promote the negotiation for bilateral memorandum of understanding and/or labour and social security agreements for migrant workers, including domestic workers , that are compatible with international labour standards in consultation with relevant stakeholders and social partners. |

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| 12th | 3 | Promote greater access of migrant workers to social security in line with relevant international agreements such as the principles of the ILO Convention 118, including through bilateral or multilateral agreements , as necessary, to facilitate portability of social security benefits . |
| 13th | 1 | Ensure access of all migrant workers in all sectors to health care, including COVID-19 testing and treatment, emergency relief measures, income support, social protection, and unemployment benefits, where applicable, of the Receiving States and/or Sending States. Implementation of the recommendations of Thailand's study on portability of social security benefits for migrant workers should be expedited. Furthermore, fear of sanctions for immigration violation should be delinked from health concerns of migrant workers. |
| 15th | 11 | Accelerate portability of social security benefits that migrant workers are entitled to through multilateral or bilateral social security agreements. Development of such agreements should involve social partners and other stakeholders. |

H. Inclusive return and reintegration policies and programmes

1. Return and reintegration policies
2. Reintegration services and programmes
3. Emergency preparedness plans

H1. Return and reintegration policies

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| 4th | 9 | Ensure as much as possible that mass/group deportation will not take place . |
| 4th | 11 | Ensure that sustainable economic reintegration policies and strategies are evidence-based, market-demanded, need-based and gender sensitive. |
| 4th | 12 | Ensure that return and repatriation programmes are effective, sustainable, and rights based, and with the involvement of tripartite partners and civil society organizations. |
| 4th | 14 | Set up of ASEAN Guidelines on Effective Return and Reintegration . |

- 4th** 17 Recommend the following specific responsibilities and roles with respect to return and reintegration and sustainable alternatives for migrant workers:
- (a) Responsibilities of sending countries:
- **Policies and strategies should be established to look after the return of migrant workers**, e.g. “State Policy on the Reintegration of Migrant Workers”;
 - Provide comprehensive training to migrant workers for preparation before return as a part of pre-departure orientation; and
 - Follow up / monitoring system of the returnees, particularly on their livelihood and reintegration.
- (b) Responsibilities of receiving countries:
- Prior to the return of migrant workers, **receiving countries should have specific programmes for the returnee**, e.g. training and introduction of entrepreneurship to migrant workers who are interested, counselling, among others;
 - Provision of proof of employment by the employers; and
 - Ensure that migrant workers receive decent wage and no unlawful wage deduction, decent and safe working condition and workplace environment, and compliance with international human rights and labour standards.
- 6th** 18 Ensure adequate arrangements in case of **return and repatriation** to be shouldered by the employers.
- 7th** 8 Referral systems between countries of origin and destination should be set up and function well and assistance of the embassies should be provided to ensure compensations and benefits are duly paid to migrant workers in a timely manner, even after returning to their countries of origin, including health care and treatment for long-term effects of occupational injuries and diseases. A regional study be undertaken with all stakeholders **to explore challenges and policy gaps of reintegrating migrant workers with disabilities** upon their return to their countries of origin.
- 15th** 15 Strengthen cooperation between Sending and Receiving States to **ensure safe and dignified return** of migrant workers and their families already residing with them, and provide comprehensive reintegration programmes through skills training, recognition of prior learning, job matching and other measures in collaboration with stakeholders.

H2. Reintegration services and programmes

- 4th** 7 Improve the availability of **employment services to the returned migrant workers**, including voluntary psychosocial counselling (before and upon return), gender sensitive reintegration, access to resources, and legal aid. Such services should also include information, advice, training, loans, placement, health, and interpretation/ translation service. These services should be made available/extended to the family members of migrant workers left behind.
- 4th** 8 Provide **incentives to the returned migrant workers**, e.g. the absence of penalty for the irregular migrants, tax exemption of import duties for tools and equipment to be used by migrant workers.

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| 7th | 18 | Support programmes, including job counselling, market-oriented skills development and/or entrepreneurship training , should be provided for returning migrant workers, and documentation of acquired competencies and experiences provided by employers should be introduced where feasible to support better career opportunities of men and women migrant workers in their countries of origin |
| 13th | 7 | Strengthen migrant workers' return and reintegration programmes with adequate resources. In doing so, special attention to be given to stranded and repatriated migrant workers during pandemic crises including extending to migrant workers in countries of transit and points of entry during deployment and return. If detention facilities are used as the last resort, safety and health standards should be ensured. |
| 15th | 15 | Strengthen cooperation between Sending and Receiving States to ensure safe and dignified return of migrant workers and their families already residing with them, and provide comprehensive reintegration programmes through skills training, recognition of prior learning, job matching and other measures in collaboration with stakeholders. |

H3. Emergency preparedness plans

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| 4th | 10 | In case of mass returns of migrant workers in emergencies, contingency plans should be prepared at company and embassy levels with the participation of migrant workers. For this purpose, assistance/contingency funds which cover repatriation costs need to be set up at national level. Formulation of national disaster preparedness plans shall be in consultation with and with the participation of migrant workers and migrant organizations. |
| 13th | 8 | Integrate rights-based and gender responsive protection of migrant workers and their families* into national and regional pandemic and emergency preparedness plans. Consultation with migrant workers' associations, trade unions, employers' organisations and civil society is key to ensure cohesive and responsive policies and plans.

* In the case of Receiving States, families refer to those who are already residing with migrant workers. |

I. Collecting, sharing and analysing labour migration data

1. Collection and sharing of labour migration data
2. Harmonizing collection of labour migration data
3. Collection and sharing of data on labour markets, compliance, OSH and social protection

I1. Collection and sharing of labour migration data

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| 5th | 7 | Sharing existing sex-desegregated data and information on labour migration , job availabilities and employment conditions in accordance with the labour laws of ASEAN Member States that are useful to facilitate effective deployment of migrant workers. |
| 6th | 1 | Encourage development and strengthening of inter-agency collaboration efforts, including the designation of a lead agency, to collect, analyse, share and harmonize labour migration data at the national level. |

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| 6th | 2 | A regional and updated database on labour migration is called for ASEAN Member States, social partners and CSOs recognize the importance of sharing labour migration data and support the development of a labour migration database to be piloted in ASEAN with the technical and financial assistance, including capacity building, of international and other organizations. |
| 6th | 6 | Endeavour to have a regular exchange of labour migration data between countries of destination and origin to ensure coherence of such data |
| 10th | 16 | Promote collection and sharing of standardised labour migration data disaggregated by sex and occupations including migrant domestic work . |
| 13th | 11 | Support the recovery of labour migration flows in the new normal by strengthening and sharing available disaggregated data, including gender, on labour migration and labour markets , using standardised definitions, while maintaining confidentiality of personal information. |
| 16th | 12 | Collect and utilise accurate and disaggregated data on migrant workers to inform evidence-based labour migration policies by improving and investing in the data collection, analysis, management and dissemination capacities. Promote unification of national databases and data exchange on migrant workers between sending and receiving states while respecting privacy and data protection; |

12. Harmonizing collection of labour migration data

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| 6th | 3 | Consider developing an ASEAN Framework on Labour Migration Statistics with common definitions to ensure the comparability of data within ASEAN . |
| 6th | 5 | With reference to the Technical Meeting on ASEAN International Labour Migration Statistics Database organized by the ILO on 4 November 2013 in Bangkok, Thailand, the Forum supports the initiative for setting up a Working Group on International Labour Migration Statistics , which should meet on a regular basis. |
| 6th | 7 | <p>Consider the following data sets, among others, for the collection, analysis, and sharing to include:</p> <ul style="list-style-type: none"> ► Inflows, outflows and stocks of migrant workers, disaggregated, where possible, by sex, country of origin, age, level of qualification, industry, occupation ► Data on remittances ► Information on recruitment channels, licensed agencies, fees and costs ► Labour market information, including available and in-demand jobs and skills ► Data on occupational safety and health ► Data on salaries and benefits of migrant workers ► Data on returning migrants ► Bilateral labour migration flows in ASEAN (to monitor implementation of AEC) ► Data on the families of migrant workers in the countries of origin and destination ► Nature and incidence of complaints filed ► Data on irregular migrants and trafficking of persons, where possible. |

6th 8 Develop guidelines and a compendium of **good practices on data collection, analysis and sharing.**

I3. Collection and sharing of data on labour markets, compliance, OSH and social protection

6th 4 Promote regular exchange and updating of **labour market information, analysis of trends and patterns.**

8th 12 Improve collection and sharing, where available, on **disaggregated statistical data on OSH related injuries, diseases and casualties** (e.g. occupational areas, types of injury, country of origin, age and gender), share best practices, and undertake research on causes of injuries and casualties for improved OSH policies, training, and enforcement.

8th 13 Improve data collection on reported cases on **non-compliance with employment standards** such as contract substitution and non-payment of salaries. Efforts should be made for timely access to information on the progress of complaints filed.

9th 7 Strengthen national and regional **database on social protection programmes**, including data on migrant workers, disaggregated by gender and migration status as needed.

9th 11 Identify **knowledge gaps** on portability of social protection for migrant workers from existing studies to be addressed in future studies. Ensure that findings and recommendations of the studies are widely disseminated to all relevant stakeholders and sectors.

15th 9 **Collect and publish statistical data as relevant on the flow of outgoing and incoming migrant workers** and labour market demands in Receiving States to match the skills of migrant workers and support labour-responsive skills development programmes in Sending States.

15th 16 Document and share **best practices of ASEAN Member States on the recovery of labour migration for mutual learning** including researches on post-COVID-19 health conditions of migrant workers and the implication on work safety.

J. Multi-stakeholder cooperation

1. Ratification and implementation of international labour standards and development of regional standards
2. Tripartite plus social dialogue

J1. Ratification and implementation of international labour standards and development of regional standards

4th 13 Encourage a speedy development of an ASEAN instrument on the protection and promotion of the rights of migrant workers that includes the family members of all migrant workers in its coverage. The instrument shall comply with the international human rights and labour standards and be legally binding;

5th 5 Encourage the ratification of the ILO Private Employment Agencies Convention, 1997 (No.181) and ILO Domestic Work Convention, 2011 (No. 189) and **alignment of national labour laws and legislations with international instruments** by all ASEAN Member States.

- 10th** 2 Adopt progressive national plans which include feasibility study and gap analysis to **support the ratification process of the ILO Conventions** No. 189 (domestic workers), 97 (migration for employment), 143 (migrant workers (supplementary provision)), 181 (private employment agencies), and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and subsequently ensure effective implementation and monitoring of the compliance of the ratified Conventions.

J2. Tripartite plus social dialogue

- 3rd** 5 Actively **engage and consult stakeholders from government, employers' and workers' organizations**, and civil society organizations in developing and implementing information campaigns and services for women and men migrant workers at all stages of the migration cycle.
- 7th** 13 **Employers' and workers' organizations in close cooperation with civil society organizations** should be engaged through institutionalized dialogues in the development, implementation, amendment, and/or monitoring of gender responsive labour migration policies and programmes in ASEAN Member States.
- 10th** 18 Continue and strengthen the practices of **tripartism and social dialogue** at national level in formulation and review of laws and policies on protection of domestic workers.
- 10th** 19 Promote **cooperation among governments, employers' organisations, workers' organisations, and civil society organisations** at bilateral and regional levels towards achieving decent work for migrant domestic workers in ASEAN.
- 15th** 3 **Promote cooperation between Sending and Receiving States** or, where applicable, develop or review Memoranda of Understanding (MOU) or Bilateral Labour Agreements (BLA) with stakeholders participation, including migrant workers' representatives, to revitalise labour migration and ensure occupational safety and health, secure and decent work and living conditions, access to social protection, access to justice and grievances redress mechanisms, and protection from forced labour, discrimination, violence and harassment especially for women migrant workers.
- 16th** 13 Call for more **dialogue and collaboration among the governments, employers', workers' and civil society organisations** in ASEAN on skills development, skills recognition and jobs matching to promote mutual understanding on the skills needs and requirements from the various industries in the receiving states while taking into consideration the skills shortages in sending states;

► Labour migration governance in ASEAN

A review of the implementation of recommendations from the 3rd to 16th ASEAN Forums on Migrant Labour

The AFML is an open platform for the review, discussion, and exchange of ideas and best practices among governments, workers' organizations, employers' organizations, and civil society actors on key issues facing migrant workers in ASEAN. Importantly, each year, the AFML adopts a set of recommendations on the specific topic discussed, aimed to advance the implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.

This report is the seventh in a series of progress review background papers, biennially prepared by the ILO's TRIANGLE in ASEAN programme, that track the progress of ASEAN stakeholders in implementing recommendations adopted at previous AFMLs. This paper was presented at the 17th AFML held on 13-14 November 2024 in Vientiane, Lao People's Democratic Republic. It reviews progress in implementing past AFML recommendations from January 2022 until October 2024.

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