



International Labour Office



The 9th ASEAN Forum on Migrant Labour
Indonesia National Tripartite Preparatory Workshop
“Better Quality of Life for ASEAN Migrant Workers through Strengthened Social Protection”

**“Civil Society contribution to implement
key recommendations of the
3rd – 8th ASEAN Forum on Migrant Labour”**

21st September 2016
Sinapan Samydorai
Task Force on ASEAN Migrant Workers





 MYANMAR

 THAILAND

 CAMBODIA

 SINGAPORE

 INDONESIA

 LAOS

 VIETNAM

 MALAYSIA

 PHILIPPINES

 BRUNEI DARUSSALAM

PRINCIPLES

MIGRANT WORKERS ARE NOT COMMODITY

**Respect, Promote, Realize the Fundamental
Principles and Rights at Work - ILO Core Labour
Standards for all workers**

<http://www.ilo.org/dyn/normlex/en/f?p=1000:12000:0::NO::>

At the minimum, all ASEAN Member States, must ratify the ILO labour standards – right to organise, right to collective bargaining,



ASEAN FACTS 2014

- Total Population: 615 Million
- Working Pop: now more than 350 million
- Migrant Workers: 15 million.
Based within ASEAN: 6.5 million
- Working pop in poverty: About 56 %
 - Earn US\$2 per day: 119.2 million
 - Earn less than US\$1 per day: 28.8 million
- Working pop in Informal work with no employment contract and social protection: 60%
- Most ASEAN countries are planning to provide decent jobs and adequate social protection measures and social security. ASEAN Countries with minimum wage in the range of US\$100 – 200 includes Cambodia, Laos, Myanmar, and Vietnam.



ASEAN FORUM ON MIGRANT LABOUR (AFML)



What CSO do to implement key AFML Recommendations?



CLUSTERING OF RECOMMENDATIONS

To date, there are 104 recommendations made at the 8 AFML

➤ The extensive nature and various themes of the different AFMLs require that the recommendations be **clustered** to facility tracking and monitoring (ILO AFML).

➤ ***7 Clusters are as follows:***

1. Information sharing, dissemination and public information campaigns
2. Collection, sharing and analysis of data
3. Effective return and reintegration strategies
4. Facilitative access for complaints and grievance mechanisms
5. Promotion of cooperation, partnerships, information exchanges and meaningful involvement of CSO & among all stakeholders
6. Regulation of overseas recruitment
7. ***Supervision of the term of employment (working conditions)***



CLUSTER 1: INFORMATION SHARING

- **Information sharing, dissemination and public information campaigns regarding overseas work, including costs at all stages and working conditions information for sending countries and positive perception of migrant workers**
- **Massive** campaigns at the grassroots / village level
- Production of campaign materials that are **easy to read, understand, in their own language, and appealing** to potential migrants
- Use of **alternative media**, particularly social media



CLUSTER 1: INFORMATION SERVICES

- Cambodia and Thailand the CSOs are active in providing information services eg Map community radio (Chiang Mai).
- Cambodia CSO are promoting awareness campaigns on safe migration, targeting prospective migrants, return migrants, family, community, public in general, and other stakeholders and networks.
- Laos the CSO & LFTU jointly provide information about employment opportunities at home and abroad and how to migrate in a safe and legal way
- The CSO in ASEAN Countries promote information services through various channels including brochures, radio, TV, social media, and websites in the local languages.



5th AFML Recommendation

CSO promote and monitor Ratification of Core Labour Standards

	FOA/CB		Forced Labour		Discrimination		Child Labour	
Country	Conv. 87	Conv. 98	Conv. 29	Conv. 105	Conv. 100	Conv. 111	Conv. 138	Conv. 182
Brunei							2011	2008
Cambodia	1999	1999	1969	1999	1999	1999	1999	2006
Indonesia	1998	1957	1950	1999	1958	1999	1999	2000
Lao			1964		2008	2008	2005	2005
Malaysia		1961	1957	den.	1997		1997	2000
Myanmar	1955		1955				?	2013
Philippines	1953	1953	2005	1960	1953	1960	1998	2000
Singapore		1965	1965	den.	2002		2005	2001
Thailand			1969	1969	1999		2004	2001
Viet Nam			2007		1997	1997	2003	2000

CLUSTER 3: RETURN AND REINTEGRATION

- Effective return and reintegration strategies including sustainable alternatives for migrant work
- Provision of **alternative livelihood** programs that **empower** migrants and serve as **therapy** for distressed migrant returnees
- Philippines Development Action for Women Network (DAWN)
Handloom-Weaving (shawls and scarves, etc.)



RETURN AND REINTEGRATION

- Socio-Economic Cooperation for Returned Filipino Women Migrants and their Children at the Development Action for Women Network (DAWN)."



Cluster 4: Access to complaint mechanism

- **Complaints mechanisms strengthened** with translation services through interpreters and forms in the migrant workers' language; development of standard operating procedures; capacity building and awareness raising among CSO networks to ensure complaints procedures.
- Development of **regional CSO guidelines, common complaint forms, and tools on the establishing and monitoring of standards of complaints mechanisms (Work in progress).**
- **More sharing of experiences among CSO in AMS.**



**POST 6TH AFML REGIONAL CONSULTATION WORKSHOP
MAPPING EXISTING COMPLAINT MECHANISM
26-27 MAY 2014, BANGKOK, THAILAND**

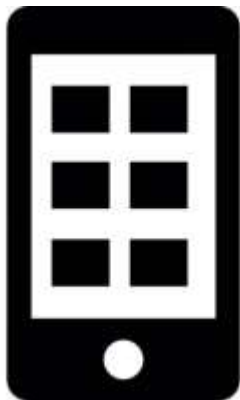


POST 6TH AFML GMS CONSULTATION WORKSHOP
CSO GOOD PRACTICES ON COMPLAINT MECHANISM
15-16 AUGUST 2014, PHNOM PENH, CAMBODIA



CLUSTER 4: COMPLAINTS AND GRIEVANCE MECHANISMS

- **Facilitative access for complaints and grievance mechanisms for both sending and receiving countries**
- **Provide all necessary assistance** for migrant workers in distressed, suffering abuses, their term of employment violated ..etc
- **Dedicated hotline** and response system for migrant grievances



SUPPORT MIGRANT TO FILE COMPLAINTS AND ORGANISE TO PROTECT THEIR RIGHTS

- **Workers filing complaints are supported and assisted (CSO: Malaysia, Singapore, Thailand, Philippines, Cambodia)**
- **Support Migrant Domestic Workers to know their labour rights(CSO: Philippines, Singapore)**
- **Facilitate access of migrant workers into trade unions and associations (Malaysia/Cambodia, Thailand)**



CLUSTER 5: COOPERATION AMONG STAKEHOLDERS

- Promotion of cooperation, partnerships, information exchanges and meaningful involvement among all stakeholders in both sending and receiving countries
- Maintaining a healthy and interactive working environment among multiple sectors



REGIONAL COOPERATION EFFORTS AMONG CIVIL SOCIETY

COOPERATION AMONG TFAMW AND SAPA CSO NETWORKS:

Solidarity for ASEAN Peoples' Advocacy (SAPA)

ASEAN Civil Society Conference / ASEAN Peoples Forum (ACSC/APF)
(SAPA - Forum Asia, TFAMW, ..etc) to promote a people-centred ASEAN and
Solidarity among People to achieve decent working and living conditions, respects
for all human rights – labour and migrant workers rights!



REGIONAL COOPERATION EFFORTS AMONG CIVIL SOCIETY
ASEAN CIVIL SOCIETY CONFERENCE / ASEAN PEOPLE'S FORUM



Thematic Workshop of ASEAN Civil Society Conference / ASEAN Peoples Forum (ACSC/APF 2016) - Regular Regional workshops on migration issues - TFAMW facilitated workshops and invites national CSO to co-organize the workshops.

Labour and Migrant Workers Rights: Enhancing the Protection and Promotion of Labour, Women Domestic Workers, and Migrant Workers Rights

The Workshop was held on 4 August 2016, Dili, Timor-Leste and attended by more than 50 participants.

- The workshop exchange information/experiences on protection and promotion of the rights of women migrant workers from Philippines (DAWN, Ms.Carmelita). East Timorese Migrant Workers (KSTL, Mr.Zito), and experience of migrant workers in Singapore (Think Centre, Mr. Soe Min Than)
- Participant exchange ideas on promotion of the migrant workers' rights and advocacy on protection of migrant workers in Southeast Asia.

ACSC/APF PLENARY 4: ASEAN BODIES ANCHORING PEOPLE AT ITS CORE INTRODUCTION TO *ASEAN FORUM ON MIGRANT LABOUR (AFML)*

SINAPAN SAMYDORAI SHARED THE ILO VIDEO ON AFML AND MAKE PRESENTATION ON THE AFML, AND SHARED INFORMATION ON THE STATUS OF THE DRAFT ASEAN FRAMEWORK INSTRUMENT ON THE PROTECTION AND PROMOTION OF THE RIGHTS OF MIGRANT WORKERS.

THERE WERE MORE THAN 500 CSO PARTICIPANTS – INCLUDING 300 FROM AMS.



2009 TFAMW CSO PROPOSAL ON PORTABLE SOCIAL PROTECTION

- 2009 TFAMW CSO Proposal on the ASEAN Framework Instrument on the Protection and Promotion of the Rights of the Migrant Workers includes the following recommendation on Social Security and Social Protection:

167. the development of a **regional system of portable “migrant social security and health insurance”** to support the provision of a standard package of basic health and social services to migrant workers.

The provisions of this package would have to be negotiated, but it should contain elements of preventative as well as curative care, access to public hospitals, ... etc



2009 TFAMW CSO PROPOSAL ON PORTABLE SOCIAL PROTECTION

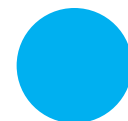
- 168. An **important element of an economically integrated ASEAN** will be **systems of social protection devised for migrant workers to ensure they are not deprived of social security** as a result of extended periods of time working outside their home country.
 - *ASEAN and its member governments should conduct research, possibly with technical support and assistance from the ILO, on the feasibility of bilateral and multilateral **social security agreements that cover migrant workers and their families.***
 - *This research could focus on both **the mechanisms and the substantive content** of possible future bilateral and multilateral **social security agreements between sending and receiving countries***
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ASEAN MOVING FORWARD ON PORTABLE SOCIAL PROTECTION

- **2007 ASEAN Declaration** on the Protection and Promotion of the Rights of the Migrant Workers
- **2009 TFAMW CSO Proposal** on the ASEAN Instrument on the Protection and Promotion of the Rights of the Migrant Workers
- **2013 ASEAN Declaration** on Strengthening **Social Protection**
- **2015 Regional Framework and Action Plan**

- **Senior Labour Officials Meeting (SLOM)**
Work Plan (2016-2020) includes Strengthened **social protection** systems

- **ASEAN Committee on Migrant Workers (ACMW) *Work Plan (2016-2020)*** includes social protection for migrant workers: Focus on **study on portability of social security** for migrant workers across ASEAN Member States



NATIONAL CSO RECOMMENDATIONS: PORTABLE SOCIAL SECURITY AND GREATER SOCIAL PROTECTIONS

- Non-discrimination against migrant workers to be covered by social protection available in the receiving countries.
- Social security coverage must be inclusive of all workers, national and migrants, in all sectors
- Promote bilateral agreement between sending and receiving countries to ensure that migrant workers' benefits will be ensured through cross-border collaboration
- Ensure migrants can fully receive all benefits as they contribute to Social Security
- Searchable database (with bio data) to trace and confirm migrants identity to overcome issues of name changes or name similarities
- Social Protection covers: Sickness, Work Injury, Medical Care, Old Age, Invalidity, Survivors, Family, Maternity, and Unemployment.



MIGRANT WORKERS: DECENT WORK, SOCIAL PROTECTION, AND PROTECTION OF RIGHTS





ASEAN : A COMMUNITY OF OPPORTUNITIES



Thank you

TF-AMW

Task Force
On ASEAN
Migrant Workers