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A photograph showing two women and a child in a rural setting. One woman is wearing a face mask. They are standing near a wooden structure with laundry hanging in the background.

► Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community

Thematic background paper for
the 13th ASEAN Forum on Migrant Labour

TRIANGLE in ASEAN
International Labour Organization (ILO)
Regional Office for Asia and the Pacific

Supported by



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Foreword

In early 2020, the COVID-19 pandemic emerged, challenging much of what we knew about work, international mobility and life overall. Among the most affected globally, and in the ASEAN region, were migrant workers, who faced unprecedented challenges at all stages of the migration cycle. These ranged from cessation in deployment, layoffs and labour rights violations in countries of destination, to difficulties in returning home and reintegrating. In many cases, migrant workers also bore the brunt of higher-than-average COVID-19 infection rates, mostly due to limited opportunities for social distancing at work, in their accommodation, and during transport.

In the midst of the devastating impacts of COVID-19 on migrant workers, it was significant that Viet Nam, as the 2020 Chair of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Labour (ACMW), chose to focus the discussions at the 13th ASEAN Forum on Migrant Labour (AFML) on the theme “Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community”. The 13th AFML, held on 10 and 12 November 2020 in Hanoi, Viet Nam, and online, served as an important platform for tripartite-plus sharing of experiences on the impacts of COVID-19 on migrant workers and ongoing responses, and for joint crafting of recommendations for better preparedness for future crises such as a pandemic, an economic crisis

or natural disasters. The recommendations of the 13th AFML are an important statement by regional governments, employers’ organizations, workers’ organizations and civil society organizations on joint priorities for mitigating COVID-19 impacts on migrant workers and addressing the pre-existing deficits in their protection that have been exposed by the pandemic.

This report was prepared by the ILO TRIANGLE in ASEAN programme as a thematic background paper to inform discussions at the 13th AFML. It builds on discussions concerning the COVID-19 impacts on migrant workers and ongoing responses during eight national-level preparatory meetings held in the run up to the 13th AFML in July–August 2020, as well as on relevant ILO research published since the start of the pandemic.

At the time of publication of this background paper, COVID-19 is far from over. The pandemic continues in the ASEAN region, with each new wave pushing the prospects for returning to (a new) normal in labour migration further and further into the future. The recommendations put forward in this thematic background paper, and at the 13th AFML itself, remain valid in guiding the region through this challenging time.

I congratulate Viet Nam for choosing this pertinent and timely theme for the 13th AFML, and overall for the successful conclusion of its year as the ASEAN Chair.



Ms Chihoko Asada-Miyakawa
Assistant Director-General and
Regional Director for Asia and the Pacific

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This background paper was prepared by Anjali Fleury, independent consultant; Marja Paavilainen, Senior Programme Officer, TRIANGLE in ASEAN, ILO; and Nilim Baruah, Senior Migration Specialist, ILO. The report was commissioned as a technical background paper to inform discussions at the 13th ASEAN Forum on Migrant Labour (AFML) on “Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community” hosted by the Government of Viet Nam on 10 and 12 November 2020 in Hanoi, Viet Nam, and online.

The background paper was developed with thanks to inputs by the ILO TRIANGLE in ASEAN team, including Anna Engblom, Anna Olsen, Andreas Schmidt, Veth Vorn, Vongtavanh Sayavong, and Wai Hnin Po, as well as Rex Varona of the ILO-UN Women Safe and Fair programme and Thi Mai Thuy Nguyen of the ILO Law 72 project. In addition, important contributions were provided by participants in the national preparatory meetings organized in Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Thailand and Viet Nam in the lead up to the 13th AFML. Contextual and technical input

from representatives of governments, employers' and workers' organizations, civil society and international organizations during these meetings greatly benefitted the development of this paper.

A draft version of this paper was presented and shared at the 13th AFML. After the 13th AFML the paper was consulted upon with the ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers through the ASEAN Secretariat. The authors thank the governments of Cambodia, Myanmar, Singapore and Viet Nam for useful inputs and corrections provided.

The 13th AFML was co-organized by the Ministry of Labour, Invalids and Social Affairs, Viet Nam, together with the ASEAN Secretariat, ILO's TRIANGLE in ASEAN programme, the International Organization for Migration, UN Women, and the Taskforce on ASEAN Migrant Workers. The TRIANGLE in ASEAN programme is a partnership between the Australian Department of Foreign Affairs and Trade (DFAT), Global Affairs Canada (GAC), and the ILO.

Contents

▶ Foreword	i
▶ Acknowledgments	ii
▶ Abbreviations and acronyms	v
▶ 1. Introduction and background	1
▶ 2. The 13th ASEAN Forum on Migrant Labour	2
▶ 3. The COVID-19 pandemic in the ASEAN region	5
▶ 4. Sub-theme 1: Impact of COVID-19 on migrant workers and responses in ASEAN	7
4.1. Health risks and access to healthcare	7
4.2. Access to information about COVID-19	12
4.3. Employment, work permits and conditions of work	14
4.4. Social protection and emergency relief	17
4.5. Housing	22
4.6. Return and reintegration	25
4.7. Outmigration and remigration	30
▶ 5. Sub-theme 2: Cohesive and responsive labour migration policy for future preparedness in ASEAN	35
5.1. Emergency preparedness planning	35
5.2. Strengthening labour migration governance	38
5.3. Enhancing wage protection and improving wages	40
5.4. Improving housing	41
5.5. Extending migrant workers' social protection	43
5.6. Ensuring protection of all migrant workers	44
5.7. Access to up-skilling and re-skilling	44
▶ 6. Key considerations and recommendations going forward	45
▶ Bibliography	48

Lists of figures

Figure 1. Migrant workers provided with PPE in destination	8
Figure 2. Knowledge of action to take if one suspects COVID-19 infection, self-reported	13
Figure 3. Migrant workers in destination who received social security compensation for unemployment/retrenchment	17
Figure 4. Job-related reasons for migrant workers' return to selected countries of origin	25
Figure 5. Returnee migrant workers who quarantined (self-quarantine or institution)	28
Figure 6. Migrant returnees who reported problems in quarantine	28
Figure 7. Short-term plans of returnee migrant workers to selected countries of origin	31
Figure 8. Long-term plans of Myanmar returnee migrant workers	31

Lists of tables

Table 1. Reported cumulative cases of COVID-19 by country, as of 7 November 2020	6
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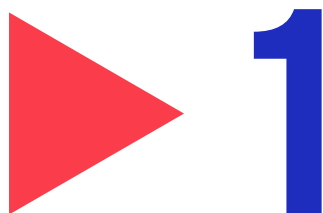
Lists of boxes

Box 1. Past AFML themes	4
Box 2. Migrant workers' mental health risks	11
Box 3. Impact of COVID-19 on women migrant workers	16
Box 4. Emergency support provided through the ILO's Migrant Worker Resource Centres	20
Box 5. Decline in remittances	21
Box 6. Singapore's response to COVID-19 in migrant workers' housing	23
Box 7. Migrant workers' return and reintegration in Myanmar	26
Box 8. Government of Indonesia Decree: The Implementation of the Placement of Indonesian Migrant Workers during the Period of Adaptation to New Habits	33
Box 9. The impact of COVID-19 on recruitment agencies	34
Box 10. ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)	37
Box 11. IOM Migrants in Countries in Crisis Initiative	38

Abbreviations and acronyms

ACE	ASEAN Confederation of Employers
ACMW	ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
AFML	ASEAN Forum on Migrant Labour
AKAP	Abot Kamay ang Pagtulong sa OFWs (Philippines)
AMMPO	Asosasyon ng mga Makabayang Manggagawang Pilipino Overseas
ASEAN	Association of Southeast Asian Nations
AWARE	Association of Women for Action and Research (Singapore)
Cebu Declaration	ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
CERP	COVID-19 Economic Relief Plan (Myanmar)
COVID-19	coronavirus disease 2019 (also known as “novel coronavirus”)
CSO	civil society organization
CTUM	Confederation of Trade Unions of Myanmar
DIILM	Developing Internal and International Labour Migration Governance
DILEEP	Department of Labor and Employment Integrated Livelihood and Emergency Employment Program (Philippines)
DOLE	Department of Labor and Employment (Philippines)
EPS	Employment Permit System (Republic of Korea)
FTE	full time equivalent
HEF	Health Equity Fund (Cambodia)
HOME	Humanitarian Organization for Migration Economics (Singapore)
IOM	International Organization for Migration
LEO	Labour Exchange Office (Myanmar)
MCO	movement control order (Malaysia)
MERS	Middle East Respiratory Syndrome
MICIC	Migrants in Countries in Crisis Initiative
MOHR	Ministry of Human Resources (Malaysia)
MOLIP	Ministry of Labour, Immigration and Population (Myanmar)

MOLVT	Ministry of Labour and Vocational Training (Cambodia)
MOU	memorandum of understanding
MRC	Migrant Worker Resource Centre
MTF	Multi-Ministry Task Force (Singapore)
MTUC	Malaysian Trades Union Congress
NSSF	National Social Security Fund (Cambodia)
OFW	Overseas Foreign Worker (Philippines)
OSH	occupational safety and health
PhilHealth	Philippine Health Insurances Corporation
PPE	personal protective equipment
PSWS	Persatuan Sahabat Wanita Selangor (Malaysia)
SARS	Severe Acute Respiratory Syndrome
SOCISO	Social Security Organisation (Malaysia)
TESDA	Technical Education and Skills Development Authority (Philippines)
WAO	Women's Aid Organisation (Malaysia)
WHO	World Health Organization



Introduction and background

This thematic background paper was prepared to inform and guide the discussions of the 13th ASEAN Forum on Migrant Labour (AFML). The AFML is an annual multi-stakeholder forum of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW). The AFML aims to promote and protect migrant workers' rights, and serves as a platform to discuss, share experiences and build consensus on migrant worker issues committed under the 2007 ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers ("Cebu Declaration") and the 2017 ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers

("ASEAN Consensus"). Each AFML concludes with the adoption of recommendations that advance the provisions of the Cebu Declaration and the ASEAN Consensus. The AFML brings together tripartite-plus stakeholders, such as governments, employers' organizations, workers' organizations and civil society organizations (CSOs) from the ten Member States of the Association of Southeast Asian Nations (ASEAN)¹, to discuss labour migration governance issues across the region. The AFML is supported by: the ASEAN Secretariat; the ILO, through its TRIANGLE in ASEAN programme;² the International Organization for Migration (IOM); UN Women; and the Taskforce on ASEAN Migrant Workers.

1 ASEAN comprises ten Member States: Brunei Darussalam; Cambodia; Indonesia; the Lao People's Democratic Republic; Malaysia; Myanmar; the Philippines; Singapore; Thailand and Viet Nam.

2 The TRIANGLE in ASEAN programme is a partnership between the Australian Department of Foreign Affairs and Trade (DFAT), Global Affairs Canada (GAC) and the ILO.



2

The 13th ASEAN Forum on Migrant Labour

The 13th AFML was hosted by the Government of Viet Nam, as the 2020 Chair of ASEAN and the ACMW, and was held on 10 and 12 of November 2020 in Hanoi, Viet Nam, and online. A draft version of this paper was distributed for discussion during the 13th AFML.

Each AFML carries a theme and sub-themes selected by the current Chair. The overall theme of the 13th AFML was “**Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community**”, and included the following two sub-themes:

► **Sub-theme 1: Impact of COVID-19 on migrant workers and responses in ASEAN**

Discussions on this sub-theme analysed the impacts of COVID-19 on migrant workers and current ongoing responses in the ASEAN region. Particular focus was on health risks facing migrant workers and their access to

healthcare; access to information; labour rights, and access to justice; social protection, and access to relief/income support; and return and reintegration support.

► **Sub-theme 2: Cohesive and responsive labour migration policy for future preparedness in ASEAN**

Discussions on this sub-theme focused on lessons learned from the COVID-19 pandemic to define how labour migration governance needs to be strengthened in ASEAN to improve resilience for a future crisis, disaster or pandemic. Particular focus was on improving housing and wages; extending social assistance and social security to migrant workers; emergency and pandemic preparedness planning; access to up-skilling and re-skilling; and developing guidelines for labour migration management in the new normal (deployment, placement, work place).

The 13th AFML theme aligned with Viet Nam's overall 2020 ASEAN chairpersonship theme **"Cohesive and Responsive"**, in which "Cohesive" reflects the need to enhance ASEAN unity and solidarity, economic integration, and ASEAN awareness and identity, and to work toward a "people-centered" community. Meanwhile, "Responsive" underlines the importance of promoting ASEAN proactiveness, creativity and capacity in response to opportunities and challenges brought about by rapid changes in the regional and global landscape (Ahn 2019). This ASEAN chairpersonship theme took on new meaning and importance when the coronavirus disease 2019 (COVID-19) pandemic swept across the ASEAN region in early 2020.

Discussions at the 13th AFML was an important step in implementing the **Joint Statement on Response to the Impact of Coronavirus Disease 2019 (COVID-19) on Labour and Employment** that was adopted at the virtual Special Meeting of ASEAN Labour Ministers on 14 May 2020. The Special Meeting adopted a Joint Statement that highlighted the "determination and commitment of ASEAN Member States, in the spirit of a Cohesive and Responsive ASEAN, to remain united and to act jointly and decisively to control the spread of the disease while mitigating its adverse impact, safeguarding the people's well-being and maintaining socio-economic stability" (ASEAN 2020). The Joint Statement recognized, among other issues, the risks that migrant workers face,

and specifically agreed to regional cooperation and the following actions, among others:

- ▶ Endeavour to provide that all workers, including migrant workers, laid off or furloughed by employers affected by the pandemic are compensated appropriately by the employers and eligible to receive social assistance or unemployment benefits from the government where appropriate, in accordance with the laws, regulations and policies of respective ASEAN Member States (article 2).
- ▶ Provide appropriate assistance and support to ASEAN migrant workers affected by the pandemic in each other's country or in third countries, including effective implementation of the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, working towards their health, well-being and safety as well as facilitating their movement and reuniting them with their families (article 4).

In addition to the commitments made in the Cebu Declaration, ASEAN Consensus and the Joint Statement on Response to the Impact of Coronavirus Disease 2019 (COVID-19) on Labour and Employment, the discussions at the 13th AFML built upon **recommendations adopted at the past AFML sessions** (see box 1).



► **Box 1. Past AFML themes**

1st AFML	2018	Institutionalization of the AFML
2nd AFML	2009	ASEAN Declaration on migrant workers: Achieving its commitment
3rd AFML	2010	Enhancing awareness and information services to protect the rights of migrant workers
4th AFML	2011	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
5th AFML	2012	The protection and promotion of the rights of migrant workers: Towards effective recruitment practices and regulations
6th AFML	2013	Enhancing policy and protection of migrant workers through data sharing, and adequate access to the legal and judicial system during employment, including effective complaints mechanism
7th AFML	2014	Towards the ASEAN Community by 2015 with enhanced measures to protect and promote the rights of migrant workers
8th AFML	2015	Empowering the ASEAN Community through protection and promotion of the rights of migrant workers
9th AFML	2016	Better quality of life for ASEAN migrant workers through strengthened social protection
10th AFML	2017	Towards achieving decent work for domestic workers in ASEAN
11th AFML	2018	Digitalisation to promote decent work for migrant workers in ASEAN
12th AFML	2019	Future of work and migration



▶ 3

The COVID-19 pandemic in the ASEAN region

The World Health Organization (WHO) declared the COVID-19 outbreak a Public Health Emergency of International Concern on 30 January 2020, and a pandemic on 11 March 2020 (WHO 2020). The ASEAN Member States were among the first ones to be affected by COVID-19, after China, and each of them have since then felt the devastating impacts of the pandemic on the health, well-being and livelihoods of their people, including migrant workers.

Globally, the pandemic is not only causing a catastrophic health crisis but also a worldwide economic crisis. Countries are experiencing health, economic and financial challenges, as well as challenges related to education, housing, public

safety and psychosocial needs, among other issues (ILO 2020a). It is estimated that the crisis may result in a global income reduction of US\$2 trillion, halve global growth, and increase global unemployment by 25 million. Employment in the host economies of Asian migrant workers contracted significantly. In Asia and the Pacific, the total working hour losses for the second quarter of 2020 were estimated by the ILO at 15.2 percent or 265 million FTE (full time equivalent) jobs. In the Arab States, the estimate was a decline of 16.9 per cent or 10 million FTE jobs. For the third quarter of 2020 there was an estimated decline in working hours of 10.7 per cent for Asia and the Pacific and 12.4 per cent for the Arab States (ILO 2020b).³

3 All figures on losses in working hours are compared against the last quarter of 2019.

At the time of the 13th AFML, several months after the start of the pandemic, the ASEAN Member States are all at different stages in battling the COVID-19 infection and its socio-economic impacts. As of 7 November 2020, Indonesia and the Philippines had experienced the highest numbers of COVID-19 infections. Infection numbers in Singapore were also relatively high, fortunately, with very few fatalities. Myanmar was experiencing a sharp increase infections and fatalities. In global comparison, however, many countries in the region have been relatively successful in containing the virus outbreak. See the table below.

► **Table 1. Reported cumulative cases of COVID-19 by country, as of 7 November 2020**

Country	Infections	Fatalities
Brunei Darussalam	148	3
Cambodia	294	–
Indonesia	429 574	14 442
Lao PDR	22	–
Malaysia	38 189	279
Myanmar	59 277	1 376
Philippines	391 809	7 461
Singapore	58 047	28
Thailand	3 830	60
Viet Nam	1 213	35

Lao PDR = Lao People's Democratic Republic; – = nil.

Source: WHO, n.d.

As the COVID-19 pandemic swept through the ASEAN region in early 2020, ASEAN governments implemented **containment measures**, such as border restrictions and lockdowns, to control the spread of the pandemic. For example, the Government of Malaysia instated a movement control order (MCO) on 18 March 2020, which temporarily closed the borders and non-essential businesses and included a nationwide ban on mass gatherings (ILO 2020c). The Government of Myanmar enforced bans on large events, including festivities for its annual water festival, and interprovincial travel was restricted. Cinemas

and entertainment venues were shut down and gatherings of more than four people were banned (ILO 2020d). In September 2020, interprovincial travel in Myanmar was stopped again, and all townships in Yangon were issued stay at home orders. From the onset, Singapore screened and quarantined all travelers entering the country, and later implemented other movement restriction measures to contain COVID-19, including a Circuit Breaker period and its phased approach to resuming activities safely (Phases 1 to 3)⁴ (Carroll 2020). Similarly, the Government of Brunei Darussalam implemented a travel ban, restrictions on public gatherings, closures of places of worship, and encouraged remote work and physical distancing (Khan 2020). Cambodia required general foreign travelers to provide a deposit for tests, travel and quarantine costs, to buy health insurance, and to quarantine for 14 days upon entry into the country, and to stay a state facility if a positive test existed among the group of travelers (ILO 2020e).

The 10 million international migrants residing in the ASEAN region at the outset of the pandemic, half of whom are women (UNDESA 2019), are among the most affected by the COVID-19 pandemic and the resulting containment measures.



4 More information on these efforts can be found at: <https://www.gov.sg>.



▶ 4

Sub-theme 1: Impact of COVID-19 on migrant workers and responses in ASEAN

Sub-theme 1 discusses the impacts of COVID-19 on migrant workers and ongoing responses in the ASEAN region. Particular focus is on: health risks facing migrant workers and their access to healthcare; access to information; labour rights, work permits and conditions of work; social protection and emergency relief; return and reintegration; as well as outmigration and remigration during COVID-19.

4.1. Health risks and access to healthcare

Exposure to COVID-19 infection

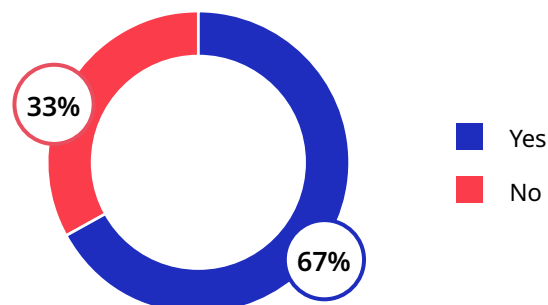
Women and men migrant workers are overrepresented among those who have become

infected with COVID-19 in many ASEAN countries. For example, in Singapore, migrant workers compose 37 per cent of the workforce (ILO 2018, but as of 13 August 2020, they comprised 90 per cent, or 52,516, of the country's total COVID-19 cases (Han 2020)). In Malaysia, migrant workers constitute 15 per cent of the workforce (ILO 2018, but as of 6 August 2020, foreigners constituted 30 per cent of the total confirmed COVID-19 cases for the country (CodeBlue 2020)). In the Philippines, as of 4 August 2020, repatriated Overseas Filipino Workers (OFWs) accounted for 4.5 per cent of total recorded infections (5,050 out of total 112,593) and 0.6 per cent of total recorded deaths (13 out of 2,115) (Philippines, DOH 2020). In addition, 9,607 cases and 693 deaths were recorded among OFWs abroad in 71 countries and territories (de Guzman 2020).

There are multiple reasons for migrant workers' overrepresentation among the infected. First, migrant workers may be disproportionately exposed to COVID-19 due to the nature of their work. Many migrant workers work in sectors classified as "essential services",⁵ where employees were required to report to work even during the strictest lockdown measures. These include (among others) the healthcare sector, logistics, transport, maintenance and construction. One example of such work in essential services is the manufacturing of medical rubber gloves in Malaysia, where issues with working conditions, lack of social distancing and non-compliance with the government Movement Control Order (MCO) have been reported (ILO 2020c). Domestic workers are also exposed to COVID-19 infection when taking care of sick members of the employer household (ILO and UN Women 2020a).

Overall, many migrant workers lack access to personal protective equipment (PPE), such as masks, and have limited ability to distance themselves at work, or during transit to work, and limited opportunities to wash their hands frequently. The ILO (2020f) conducted a rapid assessment survey in March–April 2020 to better understand the impact of COVID-19 on migrant workers in ASEAN. This rapid assessment, which interviewed 309 ASEAN migrant workers in seven ASEAN countries,⁶ found that 33 per cent of respondents currently working in destination countries were not provided PPE by their employers. This differed by country, and in Thailand 57 per cent did not have basic PPE of masks and hand sanitizer. For the impact of COVID-19 on women migrant workers, see box 3: "Impact of COVID-19 on women migrant workers".

► **Figure 1. Migrant workers provided with PPE in destination (%) (n=123)**



Source: ILO 2020f.

Second, migrant workers may also be at increased risk of COVID-19 infection in their housing. Many migrant workers in the ASEAN region, for instance in construction or manufacturing, live in employer-provided accommodations, which are often crowded, making it difficult to ensure social distancing. For example, Singapore experienced a rapid spread of COVID-19 in migrant worker housing starting in April 2020 (ILO 2020g). A survey carried out by a local CSO in Singapore, the Humanitarian Organization for Migration Economics (HOME), found that a majority of the 101 migrant workers surveyed were unlikely to maintain even 1 metre of distance from others in employer-provided dormitories, and 57 per cent reported inadequate soap or hand sanitizer for washing their hands (ILO 2020f). Since the start of the outbreak, the Singapore Government has put in place multiple measures to address and contain spread of COVID-19 in migrant workers' dormitories. See box 6: "Singapore's response to COVID-19 in migrant workers' housing". Similarly, in Malaysia, clusters of COVID-19 infection were found in migrant housing and in a construction site (ILO 2020c).

5 Among others, Malaysia and Singapore issued detailed lists of essential services that were allowed to operate during the lockdown measures, under strict conditions. See: Malaysian Ministry of Human Resources (MOHR), "Frequently Asked Questions (FAQ's) on Movement Control Order", 24 March 2020; and Singapore list of essential services, available at: <https://covid.gobusiness.gov.sg/essentialservices/>.

6 The rapid assessment was carried out through ILO-supported Migrant Worker Resource Centres (MRCs) and civil society organizations partnering with the ILO in seven countries in ASEAN. Respondents included: migrants who started recruitment processes that stalled; migrants who migrated after the pandemic began; migrants in destinations with and without work; and migrant returnees. Of the 309 ASEAN migrant workers surveyed, 131 were in countries of destination (Malaysia, Singapore and Thailand in ASEAN, and also Hong Kong (China), Saudi Arabia and United Arab Emirates, among others), and 178 were in countries of origin (Cambodia, Indonesia, Myanmar, the Philippines and Viet Nam). Of those interviewed in origin countries, 15 per cent were potential migrants who had started the recruitment processes, and 85 per cent were returnees.

Third, migrant workers have been put at risk of contracting COVID-19 in immigration detention facilities, where social distancing and access to soap, water and PPE are challenging. This was seen with new infection clusters arising in detention centres after large-scale arrests of migrant workers in early May in Malaysia (ILO and UN Women 2020b). The arrests were criticized by the United Nations in Malaysia, the Malaysian Bar, and dozens of Malaysian civil society groups, who issued statements to call for a moratorium on arrests and deportations of irregular migrants, and to alternatives to detention, for instance non-custodial and community-based alternatives (ILO 2020c; ILO and UN Women 2020b). Similarly, reports indicate the spread of COVID-19 in Thailand Immigration Detention Centres. The Government of Thailand arrested 2,498 foreign nationals who had overstayed their visas before the border closure or who attempted to enter Thailand during the border closure (ILO 2020e). Fourth, those migrant workers who have made the difficult journey to return home have finally risked infection in quarantine centres. In ASEAN, all countries of origin have established quarantine centres for returning migrant workers (see section 4.5 for more details).

In addition to their physical health, migrant workers' mental health has been at risk during the COVID-19 pandemic, lockdown measures and quarantine. See box 2: "Migrant workers' mental health risks" for details.



ILO guidance states that workers should be provided information and appropriately trained on OSH measures, and the costs of preventive and protective equipment to minimize occupational risks shall not be borne by the workers. In the case of COVID-19, employers must adapt OSH standards to include PPE, such as masks and gloves, and ensure hand sanitizer, soap and water are provided, and encourage appropriate distancing. Workers, in turn, are responsible for cooperating with OSH measures. Employers are encouraged to communicate with employees about safety and health measures, including the new COVID-19 measures and ongoing changes in the workplace. It is important that information is communicated in languages and methods accessible and understood by migrant workers. For jobs where it is possible, a shift to remote or flexible working arrangements can support the safety and health of workers. Tailored measures should be included for sectors with higher risks, such as in the health sector and domestic work (ILO 2020h). See also box 3: "Impact of COVID-19 on women migrant workers".

Access to testing and treatment

The first priority in the COVID-19 crisis should be to save lives through reduced transmission and treatment for those infected, as well as by ensuring the protection of healthcare workers. Most ASEAN countries provide free COVID-19 testing and treatment to migrant workers. However, some migrant workers have faced real or perceived risks and barriers to accessing testing and treatment compared to nationals.

Free COVID-19 testing and treatment for migrant workers has been provided by the governments of Brunei Darussalam, Singapore and Thailand, and initially, Malaysia. In Singapore, the Government had earlier committed to bear the full costs of testing and treatment for all migrant workers – no different from local workers. In the early phase of the outbreak, the Government of Singapore had limited movements of healthcare workers to within a single institution, except in special circumstances, to prevent any cross-institutional spread of the virus. In order to conserve capacity and to focus on handling the pandemic, provision of health services was further limited to only those considered essential during the Circuit Breaker period. Some observers note that this led to scaling

back of operations at some clinics, which may have hampered early detection of COVID-19 within the migrant community (Geddie and Aravindan 2020). Notwithstanding this, emergency and essential healthcare remained accessible to all, including migrant workers. By 9 Dec 2020, all healthcare worker movement restrictions were lifted.

In Thailand, the Government extended eligibility of its Universal Healthcare Coverage Scheme to all migrants regardless of migration status in 2001 and to migrants' spouses and children since 2005 (UN Women 2020a). During COVID-19, the Government further granted national and foreign COVID-19 patients, regardless of status, access to the Universal Coverage for Emergency Patients, which provides medical treatment within 72 hours and financial protection against health expenses by enabling treatment at private and state hospitals free of charge (ILO 2020i; 2020j; 2020e). The Government of Brunei Darussalam conducted free random testing of migrant workers (Khan 2020).

In Malaysia, the Government announced in March that migrants, including undocumented workers, refugees and asylum-seekers, would be provided with free testing and treatment for COVID-19. The Government also repeatedly provided assurances that migrants would not be arrested nor requested to provide documents as a part of the testing process. This policy was, however, reversed on 29 April with an announcement by the Defence Minister that all undocumented migrants found in enhanced movement control order (EMCO) areas across the country would be placed in detention centres or special prisons gazetted by the Home Ministry (ILO 2020c). The UN in Malaysia expressed concern that fear of arrest and detention may push vulnerable migrant groups further into hiding and prevent them from seeking treatment, with negative consequences for their own health and creating further risks of COVID-19 spreading to others (*New Straits Times* 2020).

On 4 May, the Government of Malaysia further announced that all migrant workers are required to undergo COVID-19 swab tests at the cost of their employers to be allowed to return to work. The Malaysian Employers Federation (MEF) voiced its objection to this policy, as it put additional burden on already struggling companies. On 5 May, the Government announced that the costs of

COVID-19 screening can be covered by the Social Security Organisation (SOCSO) for those migrant workers who contribute to SOCSO (ILO 2020c). Migrant domestic workers, however, are excluded from contributing to SOCSO and thus do not qualify for subsidized COVID-19 screenings. While documented migrant workers are required to be screened for COVID-19 before resuming work, national workers are not required to do so (ILO and UN Women 2020b).



All ASEAN countries, including countries of origin and destination, have provided additional government funding into their health systems through their COVID-19 stimulus packages (ILO 2020i). In countries of origin this has also benefited returning migrant workers. In the Philippines, the Government allocated funds to increase social protection for vulnerable workers as well as increase stocks of COVID-19 tests and health equipment (ILO 2020k). The Philippine Health Insurance Corporation (PhilHealth) provided US\$583 million in advance to accredited hospitals as an interim reimbursement mechanism to allow hospitals to respond adequately to the increased demand. PhilHealth packages also included COVID testing, referral and isolation packages in response to the pandemic. The Government of Viet Nam funded quarantining, testing and treatment of positive COVID-19 cases, and Viet

Nam's Social Health Insurance members were covered for COVID-19 treatment (ILO 2020i). The Lao People's Democratic Republic appointed over 800 medical staff from government and private hospitals as well as medical teams in the Lao People's Armed Forces to address COVID-19, and trained thousands of local health workers on infectious disease prevention (ILO 2020l).

The Government of Cambodia covered more than 2 million workers, including approximately 93,000 informal workers, with the National Social Security Fund (NSSF) of the Ministry of Labour and Vocational Training (MOLVT). The NSSF is in charge of registering and issuing the membership cards of the Health Equity Fund (HEF) and in charge of all expenditures related to healthcare

service provision for informal workers through the HEF system. The HEF is financed by the national budget, with free medical care services under the Health Care Scheme. Cambodia also provided free COVID-19 counseling, testing, and treatment to the public, whether national or foreign, with costs covered by its Ministry of Health (ILO 2020b). In Myanmar, private benefactors have set up and equipped quarantine healthcare facilities to accommodate several thousand patients with COVID-19 infections.

In addition to COVID-19 testing and treatment, the pandemic has also increased migrant workers' need for services to support mental health risks, including in cases of violence and harassment. See box 2: "Migrant workers' mental health risks".

► Box 2. Migrant workers' mental health risks

An ILO study on public attitudes towards migrants found that even before the pandemic public attitudes towards migrant workers were generally not positive. The global pandemic may have further exacerbated these attitudes. Now, migrants may be additionally stigmatized as bringing the virus from their travels, even when returning to their home communities (ILO and UN Women 2020a). Negative public attitudes can encourage discrimination, exploitation and violence against migrant workers, and can result in fewer migrant workers accessing services (ILO and UN Women 2020b). If stigma is associated with contracting COVID-19, individuals may be reluctant to get tested and seek treatment, risking their own health as well as the health of others. Awareness raising and campaigns in workplaces and in the public may help individuals receive support without discrimination or stigmatization.

The COVID-19 pandemic has increased stress and disrupted social and protective networks, while also restricting access to support services addressing violence, harassment, stress and mental health. Violence and harassment, including domestic violence, can increase due to forced and cramped cohabitation amid heightened stress, fears and economic challenges (UN Women 2020a). In previous crises and pandemics, women

experienced heightened levels of sexual, intimate partner and other forms of violence, exploitation and abuse. Similarly, the COVID-19 pandemic has heightened these issues, and globally there has been an increase in violence and harassment at home and in communities (ILO and UN Women 2020a).

Increases in violence can occur in women migrant workers' own homes. Lockdown restrictions or other measures to contain the pandemic have resulted in increased violence in workplaces as well. Risk of workplace violence, abuse and exploitation may increase among migrant domestic workers who often live with their employers and may face increased isolation during lockdown measures (ILO and UN Women 2020a). In addition to the home serving as a workplace for domestic workers, the home has now become a workplace for many more workers as they work remotely, which requires specific OSH measures and the recognition that workers may experience higher risks of violence and harassment during the pandemic (ILO 2020h). These needs should be addressed properly with resources and support. In general, workers may be experiencing more stress and have higher psychosocial needs during the pandemic and may require additional support.

► **Box 2. (cont.)**

Quarantine and restrictions on movement, while beneficial for reducing transmission of the virus, limit access to social networks and legal and support services, which are necessary in cases of violence and harassment or labour rights violations, which may have increased during the pandemic (ILO and UN Women 2020a). Individuals facing violence are then confined to living with perpetrators of abuse and violence due to mobility restrictions and reduced access to support services (UN Women 2020a).

Hotlines have indicated an increase in calls. In Singapore, the Association of Women for Action and Research (AWARE) Women's Helpline reported a 33 per cent increase in violence-related calls in February 2020 compared to the same month the previous year. The Talian Kasih hotline in Malaysia similarly reported an increase of 57 per cent during the country's MCO. Malaysia's Women's Aid Organisation (WAO) also reported an increase of 40 per cent in violence-related calls (ILO and UN Women 2020b; 2020a). While hotlines are helpful during periods when physical access to services is restricted, an ILO–UN Women study reported that among key destination countries for ASEAN migrant workers, 50 per cent of employers do not allow domestic workers to access mobile phones during work hours, which limits their ability to

seek help or support if facing violence, exploitation or abuse (ILO and UN Women 2019). Irregular migrants may also fear arrest or detention if they seek help (ILO and UN Women 2020b).

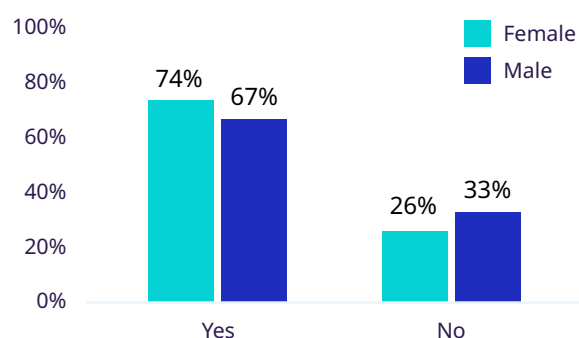
Mental health services are needed as the crisis is resulting in increased anxiety and depression (ILO 2020n), as well as heightened levels of violence. Sadly, in some cases the impact of COVID-19 has led to suicides among migrant workers. Reasons reported for the suicides included difficulty in finding employment and income, job termination, and challenges in accessing basic needs, like food. Mental health services should remain accessible, even if through modified means such as by telephone and hotlines. Support may also include shelters and psychosocial support. Unfortunately, with limited resources during the pandemic, some reproductive health services or services responding to violence have been diverted to address other pressing concerns. However, access to these services can be life-saving for many (ILO and UN Women 2020a). During lockdown periods, or under mobility restrictions, exceptions should be granted for those in urgent need of access to services, for instance shelters, without risk or penalty for traveling to access these services (ILO 2020c).

4.2. Access to information about COVID-19

Migrant workers may face challenges in accessing COVID-19 information for a variety of reasons, including lack of information in languages they understand and lack of access to technology and social media. Some migrant workers may not have access to a phone or the internet. Furthermore, returning migrant workers may be unaware of policies and responses if they return to rural areas that lack connectivity (ILO and UN Women 2020a). Language barriers and navigating bureaucracies that may be experiencing closures during the

pandemic can also be challenging for migrant workers who are seeking information and support regarding work authorizations, permits and visas during the crisis (UN Women 2020a). Geographical access is also important, for instance to persons in rural areas or workers on plantations or on fishing boats. Migrant domestic workers may be difficult to reach, and sharing information with domestic workers may require tailored efforts. Information shared with migrant workers should include, for instance, information about symptoms, prevention and response measures; self-quarantine measures in households and migrant worker dormitories; when to seek help from the hospital; and hospital locations and systems for accessing healthcare.

► **Figure 2. Knowledge of action to take if one suspects COVID-19 infection, self-reported (%) (n=244)**



Source: ILO 2020f.

The ILO rapid assessment survey on COVID-19's impact on ASEAN migrant workers found that 98 per cent of migrant worker respondents reported having information about COVID-19, and 93 per cent found the information useful. Information was largely shared by friends, social media and messaging tools, local news, and brochures. The same survey found that 88 per cent of respondents (90 per cent of women and 83 per cent of men) understood the symptoms of COVID-19 and could recall the most common symptoms. Relatedly, 91 per cent of respondents understood how to prevent COVID-19 transmission, and were able to explain preventive measures, such as hygiene and physical distancing. However, respondents were less confident with knowing what to do when someone may have COVID-19, with women 74 per cent responding positively and men only 67 per cent (figure 2). The most common actions were to report to a doctor or health clinic, inform local authorities, and self-isolate and keep at a distance from others (ILO 2020f).

Many stakeholders in the ASEAN region have taken action to raise migrant workers' awareness of COVID-19. For example, the Indonesian Ministry of Manpower engages labour attachés to advocate

for WHO protocols for migrant workers in countries of destination (ILO 2020o), and the Government of Myanmar disseminated information on COVID-19 through multiple media platforms, including loudspeakers, pamphlets, mobile messages, and a free app (ILO 2020d). The Government of the Lao People's Democratic Republic established a hotline to provide information and advice to the public (ILO 2020l). The Government of Cambodia put into place communication measures to share information with the public (and specifically workers) on risks, prevention and social distancing (ILO 2020m), and provided a national hotline for information on preventative measures as well as reporting suspected COVID-19 cases and to provide follow-up (ILO 2020e). The Government of Brunei Darussalam also provided information on COVID-19 online and through SMS authentication (ILO 2020p). The Government of Viet Nam implemented its app Colab Sos, which aims to provide information, guidance and warnings related to COVID-19 for migrants in countries of destination. The Government of Viet Nam is also coordinating with Television of Viet Nam, the Viet Nam News Agency, and other mass media and press to disseminate information to migrant workers abroad about regulations, medical warnings, prevention measures and travel advisories (Viet Nam 2020). In Malaysia, the Ministry of Human Resources (MOHR) established a hotline for both employers and employees regarding OSH (ILO 2020q), and provided information on labour laws and its MCO regulations (ILO 2020c).

Trade unions, civil society and community-based organizations have also played a key role disseminating information to migrant workers. See box 4 on "Emergency support provided through the ILO's Migrant Worker Resource Centres". In Thailand, the IOM also released "[Tips for Migrant Workers Whose Job Is Affected by the COVID-19 Pandemic](#)" in English, Khmer, Lao, Myanmar, and Thai, as well as "[Tips for Employers of Domestic Workers](#)" in English and Thai.



4.3. Employment, work permits and conditions of work

As a result of the pandemic, employment in the host economies of Asian migrant workers contracted significantly. In Asia and the Pacific, the total working hour losses for the second quarter of 2020 are estimated by the ILO at 15.2 percent or 265 million FTE (full time equivalent) jobs. For the third quarter of 2020 there was an estimated decline in weekly working hours of 10.7 per cent for Asia and the Pacific.

Loss of employment

In the ASEAN region, migrant workers largely work on fixed-term and temporary employment contracts, and during the pandemic may be the first to be retrenched. In **Malaysia**, the Frequently Asked Questions about the Movement Control Order issued by the MOHR in March stated that if businesses must lay-off employees, foreign employees should be terminated first (ILO 2020c). Since then, closures have been reported, for example, in the garment and apparel sector, causing unemployment among migrant workers (ILO 2020c). Overall, Malaysia was estimated to lose 951,000 jobs, 68 per cent of which are low-skilled (MIER 2020). An IOM (2020e) rapid assessment survey conducted among returning migrant workers in **Myanmar** found that 50 per cent of men migrant workers and 42 per cent of women migrant workers reported having lost their jobs due to COVID-19.

Migrant workers have been largely excluded from job retention and income and unemployment relief measures implemented by governments in ASEAN (see more in section 4.4). Job creation, job-matching and alternative employment measures for migrant workers should be encouraged to maintain economic stability and to ease into recovery post-crisis. These measures could include, for instance, increasing or linking workers to opportunities in the healthcare sector (ILO 2020r), or hiring retrenched workers to produce masks and other necessary protective equipment to address the crisis (UN Women 2020a).

Extension of work permits

Loss of employment often also means loss of work permits for migrant workers. This leaves migrant workers vulnerable to irregularity, and subsequently arrest and detention. As migrant workers try to maintain work permits and documentation and struggle to find opportunities in the current labour market, they may be desperate to accept work, regardless of the nature and form of recruitment. This could result in employment with poorer terms and conditions, lower wages, higher recruitment fees and costs, unsafe working conditions, and heightened risks of exploitation and irregularity (ILO 2020a).

Generally, countries in the region have offered visa extensions or amnesties and other similar measures to support migrants remaining in the country. The Government of **Thailand** provided relief measures to allow registered migrant workers and their family members to remain

temporarily in the country, without a fine, if their visa expired during the pandemic period. The Department of Employment of Thailand's Ministry of Labour estimated that 1.2 million work permits of migrant workers and their families were renewed or approved by 30 June 2020 (ILO 2020j). These measures have been continually extended, through to the time of the 13th AFML (ILO 2020e). The Government of **Singapore** similarly extended all expiring work visas for migrant workers between three and five months. The Government also made clear that employers must continue to pay their workers and provide for their upkeep or repatriation, even if they are unable to find work. To enable employers to meet these obligations, the Government provided financial support through rebates or levy waivers.

The Government of **Malaysia** offered a 25 per cent reduction in foreign workers' levy payments by all companies with work permits expiring between April through December 2020. This reduction, however, does not apply to domestic workers (ILO 2020q). Under the Employment Permit System (EPS) of the **Republic of Korea**, migrant workers have three months in which to seek and switch jobs. However, during the pandemic, the Republic of Korea extended job-seeking periods expiring after 28 February until 30 April 2020 (Viet Nam 2020). It is estimated that 40,000 Cambodian migrant workers in the Republic of Korea have expired contracts. The Government of Cambodia reported that in coordination with the Government of the Republic of Korea, Cambodian migrant workers with expired contracts can apply for jobs in the agriculture and fishery sectors. Migrant workers in those industries are able to continue working for one to three months even with expired contracts (David 2020).

Working conditions

Employers facing economic and financial challenges during the pandemic may transfer their financial burdens to their employees by reducing, withholding, not paying, or irregularly paying wages and benefits. Other labour violations may include denial of entitlements, workplace discrimination, or lack of occupational safety and health measures, including PPE, such as masks

and hand sanitizer (ILO 2020a; 2020f; ILO and UN Women 2020b).

The ILO (2020f) rapid assessment survey on COVID-19 impacts on migrant workers included reports of migrant workers working in destination countries experiencing coercion, withheld documents, being unable to refuse work, threats of retrenchment or violence, and possibly forced labour. The rapid assessment found that among migrant respondents employed in countries of destination, 32 per cent experienced employment challenges or abuses related to COVID-19. Among migrant respondents who were unemployed in countries of destination, 43 per cent experienced employment challenges or abuses related to COVID-19. Challenges and abuses included (but were not limited to): coercion and inability to refuse work during lockdown; pressure to take unpaid or sick leave; passports and legal documents being held by the employer; threats of contract termination; wage insecurity or non-payment of wages; and threats, harassment or violence, especially among women migrant workers.

One of the COVID-19-related problems most cited by respondents participating in the ILO rapid assessment was wage violations. While some of the returnee respondents reported being paid in full before leaving their employment in countries of destination, many others experienced deferred, reduced, or non-payment of wages and contract termination. In **Singapore**, during the Circuit Breaker period, the Government issued an advisory providing guidance on the payment of salaries for employers with migrant workers residing in dormitories, including dormitories gazetted as isolation areas. Under this advisory, employers must continue to pay foreign workers in dormitories their salaries during this period. To ensure that migrant workers receive their salaries, these employers were also required to pay salaries electronically. To support employers in their obligations, the Government provided financial support through rebates or waivers of levies.

Labour rights violations have also been reported in essential services jobs, where migrant workers have continued to work throughout the lockdown periods. For example, in the **Malaysian** medical

rubber gloves manufacturing sector, migrant workers producing the gloves have reportedly experienced labour violations related to non-compliance with Movement Control Order rules, social distancing, occupational safety and health, working hours, forced labour, and living conditions. Malaysia supplies 67 per cent of the global demand for rubber gloves, a necessity for the medical field during the global pandemic (ILO 2020c).

Access to remedies

Many organizations have continued to provide legal aid to migrant workers who have faced unfair dismissal or labour rights violations during the COVID-19 pandemic. For example, the Malaysian

Trades Union Congress (MTUC) has assisted migrant workers with many cases of unfair termination, unpaid wages, poor living conditions, workers forced to work in non-essential jobs, and workers' uncertainty with employment status as a result of limited contact with employers (ILO 2020c). The Migrant Worker Resource Centers (MRCs) supported by the ILO are sources of support for migrant workers throughout Cambodia, the Lao People's Democratic Republic, Malaysia, Myanmar, Singapore, Thailand and Viet Nam. The MRCs provide support through information and counseling for potential and current migrant workers and their families, trainings, and legal aid when migrant workers experience labour violations (ILO, n.d.-a). See box 4.

► Box 3. Impact of COVID-19 on women migrant workers

Pre-existing inequalities and social and systemic barriers exacerbate the effects of the pandemic and highlight a disproportionate impact on certain groups and populations (IRP 2020). Women migrant workers already face multiple forms of discrimination and violence, including gender-specific limitations in the labour market and in migration policies, as well as economic and social discrimination based on race, ethnicity, nationality, age, migration status or other sex- or gender-associated characteristics.

Women, including women migrant workers, are highly represented in many sectors that have been hard hit by the global pandemic, including accommodation and food services, manufacturing, and wholesale and retail trade. Many women, and women migrant workers, also work in essential services like health, social services and agriculture, among others critical sectors (ILO and UN Women 2020a). Estimates indicate that 41 per cent of women are employed in sectors at high risk of job losses and declines in working hours, compared to 35 per cent of men (ILO 2020n).

Domestic workers, who are largely women, are often not covered under labour law protections and are at risk of labour contract violations. For live-in migrant domestic workers, losing their employment also results in losing their place to live at a time when travel to return home is restricted, financially challenging and poses health risks (UN Women 2020a).

During the pandemic, domestic workers are likely to experience longer work hours, with fewer days off, especially due to mobility restrictions, and a lack of social protection and health and sickness benefits. Domestic workers may not be allowed to go outside during their leisure time, as their employers are afraid of them bringing the virus home. This can reduce women migrant workers' access to essential support services and may increase their exposure to violence. Labour rights violations experienced by domestic workers are harder to detect as labour inspectors generally do not inspect private homes (UN Women 2020a; 2020b; ILO and UN Women 2020b).

Women migrant workers in the informal economy are generally excluded from contribution-based social insurance schemes, which are important safety nets especially during this global crisis besides providing access to healthcare. Due to closure of schools and childcare services, women migrant workers have also gained additional care responsibilities at home (UN Women 2020a).

These additional barriers faced by women migrant workers require gender-responsive policies and programmes. COVID-19 prevention measures and protection responses must also ensure accessibility and the inclusion of women migrant workers and their families.



4.4. Social protection and emergency relief

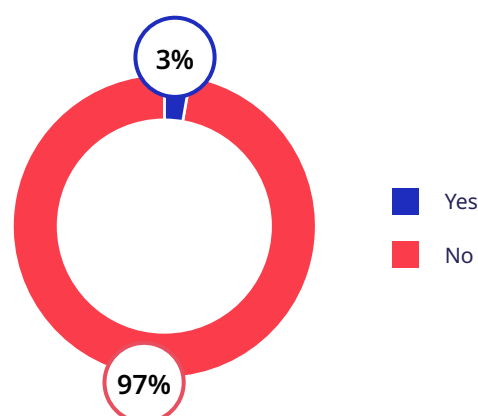
Many ASEAN governments have sought to mitigate the multidimensional impact of the COVID-19 pandemic by introducing job-related social protection measures, including unemployment benefits, income relief and wage subsidies, adopting economic stimulus packages, and supporting businesses to retain jobs. However, in very few instances are migrant workers covered in these measures in countries of destination. Migrant workers are generally excluded from COVID-19 cash transfer schemes, wage subsidies and other special measures, and their social protection is often inferior to that of local workers (ILO 2020r). This has led to a humanitarian crisis among migrant populations, many of whom now struggle and face food insecurity without an income or access to relief measures or social protections in countries of destination. Migrant workers' families in countries of origin also face food insecurity and are struggling without remittances, which many rely upon. See box 5.

Social protection

In ASEAN countries of destination, migrant workers have been largely excluded from unemployment benefits, income relief and wage subsidies implemented by governments. One exception has been formal sector migrant workers in Thailand who are eligible for unemployment insurance benefits. Singapore has also been supporting employers in retaining and fulfilling their

obligations to their migrant employees, including levy support (rebates/waivers), with particular focus on firms in the construction, marine shipyard and processing sectors. The ILO rapid assessment survey on impacts of COVID-19 on ASEAN migrant workers found that 97 per cent of respondents in destination countries had not accessed any social security support.

► **Figure 3. Migrant workers in destination who received social security compensation for unemployment/retrenchment (%) (n=59)**



Source: ILO 2020f.

It has been reported that migrant workers without income or social security support, such as government relief packages for informal sector workers, are unable to maintain livelihoods and are in need of food assistance (ILO 2020f). Similarly, due to lack of social protection many migrant workers in Malaysia and Thailand rely on emergency support for their basic survival (see below).

ASEAN countries of origin have expanded social protection for their overseas and returning migrant workers during the COVID-19 pandemic. During the COVID-19 crisis, the **Philippines** Overseas Workers Welfare Fund, established in 1977, has provided Overseas Filipino Workers (OFWs) a one-time cash assistance of US\$200 (ADB 2020). The Overseas Workers Welfare Fund has collected almost half a billion US dollars in fees over decades yet is still dangerously depleting its funds during this pandemic, which could have long-term implications for its future services (Abella 2020). To further assist migrant workers, the Government of the Philippines also offers support through its Overseas Workers Welfare Administration, including hotlines and help desks which share information and advisories, as well as temporary shelter and food for stranded OFWs, financial assistance for OFWs returning home, and a livelihood grant to reintegrate permanently in the Philippines.

The Philippines is also providing financial assistance to vulnerable households through specialized microfinancing loans and loan restructuring. Overseas workers who were affected by COVID-19 travel restrictions are also provided cash aid (ILO 2020k). In addition, in response to COVID-19, the Philippines Department of Labor and Employment (DOLE) provided cash assistance to overseas Filipino workers through its Abot Kamay ang Pagtulong sa OFWs (AKAP) programme. In June 2020, assistance was provided to more than 140,000 OFWs through AKAP (ILO 2020s), and by 28 July, DOLE reported AKAP had benefited over 220,000 OFWs. The AKAP programme considerations resulted from inputs from tripartite stakeholders (ILO 2020k). In addition, the DOLE Integrated Livelihood and Emergency Employment Program (DILEEP) provides income support to informal workers, including returning OFWs, with emergency employment or livelihoods.

In **Myanmar**, the Government released in April 2020 its COVID-19 Economic Relief Plan (CERP), in which it extended the period of healthcare, medicine and travel benefits from six months to one year from the date of unemployment for eligible members of the social security system. A special temporary measure was announced that members of the social security system would receive 40 per cent of their wages (ILO 2020d). In terms of job creation, the plan proposed labour-intensive infrastructure projects especially for returning migrants



The Government of **Cambodia** introduced an economic stimulus package that offers support to workers. Cambodia expanded its social protection programmes to support poor households with cash transfers. Low-paid workers whose jobs were suspended or lost were allowed to delay loan payments, and borrowers working in specific sectors were able to restructure their loans (ILO 2020m). The Cambodian National Committee for Crisis and Emergency Response on COVID-19 committed to a cash subsidy programme to support those most vulnerable since February 2020 until now. This support is available to migrant workers' families, with appropriate identification (ILO 2020e).

In **Viet Nam**, the Government provided cash transfers to poor and near-poor households. Workers that lost their jobs but were ineligible for unemployment insurance or workers without contracts were provided income security support. Similarly, financial support was also provided to workers on unpaid leave or experiencing reduced working hours (ILO 2020t).

The Government of **Indonesia** expanded its conditional cash transfer programme (ILO 2020o) and increased funding for its Affordable Food Program intended to help households purchase staple foods. Its stimulus package also provided additional financial support to low-income households for a six-month period (ILO 2020i). The Indonesian Ministry of Foreign Affairs also provided 3,000 aid packages to its migrant workers in Malaysia and is preparing to send another 3,000 packages (KNOMAD 2020).

Migrant workers' lack of access to social protection in countries of destination may be counterproductive to the governments' efforts to contain the COVID-19 infection. Offering income security during sickness, or sickness benefits, enables sick workers to self-isolate and take precautions in the workplace without fear of losing income. As a result, workers are less likely to pass the virus in the workplace and are more likely to be tested and seek care. Social protection measures such as family leave and care policies and benefits are also particularly important during a pandemic crisis, as workers (especially women migrant workers) may need to provide care to infected family members (ILO 2020i).

Food aid and emergency relief

Exclusion of migrant workers from unemployment benefits, income relief and wage subsidies in ASEAN countries of destination, has led to a humanitarian crisis among the migrant populations. Many of migrant workers rely on food relief provided by governments, trade unions and CSOs to survive. Emergency responses by government, trade unions and CSOs in countries of origin have also been crucial in assisting returning migrant workers.

In **Malaysia**, many migrant workers have relied on emergency support for their basic survival. The Government of Malaysia has offered food provisions since April 2020, including through

CSOs and its officials. However, concerns were raised that food provision by some government officials could lead to disclosure of undocumented migrant workers and result in raids, ultimately leading to mistrust and difficulty in reaching these migrants. Complementing government support, the Malaysian Trades Union Council (MTUC) and CSOs, such as Tenaganita, Persatuan Sahabat Wanita Selangor (PSWS), and Our Journey, are also providing food and support to migrant workers, and especially undocumented migrant workers (ILO 2020c). In addition to food and PPE, migrant workers who lost their jobs due to COVID-19 but are unable to return to their home countries are provided transportation and accommodations (ILO 2020u). Community-based groups such as Asosasyon ng mga Makabayang Manggagawang Pilipino Overseas (AMMPO) have also collaborated with CSOs to provide food assistance, hand sanitizers, masks, vitamin C, and cash assistance to migrant workers and migrant domestic workers (ILO 2020s). The CSO Tenaganita provides a 24-hour hotline and shelter for migrant workers. However, migrant workers in the manufacturing sector, in domestic work and in remote areas, such as in the plantation sector, have been harder to reach with these emergency support measures. In **Thailand**, the Migrant Working Group reported receiving requests from as many as 200,000 migrant workers for assistance with face masks, hand sanitizers and dried food (ILO 2020e).



► **Box 4. Emergency support provided through the ILO's Migrant Worker Resource Centres**

The ILO supports a network of 62 Migrant Worker Resource Centres (MRCs) in Cambodia, Indonesia, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. MRC services are delivered through partnerships with government institutions, trade unions and CSOs, and provide a range of services in countries of origin and destination. MRCs provide a space for workers to find information on migrating for work, ask questions and lodge complaints. Counseling is provided through outreach activities, meetings, online and over the phone. Information is also disseminated through broadcasts on local radio and television, job fairs and seminars on safe migration in schools, vocational training centres and in the community.

This network of MRCs has responded to the COVID-19 crisis by providing emergency support to migrant workers negatively affected by the pandemic, including food, PPE, hygiene items, other basic necessities, and pandemic-related information.

In **Myanmar**, MRCs run by trade union and CSO partners have provided emergency support to returning migrant workers at border crossings and in returning migrants' communities. Since 23 March, 80,027 migrants have received assistance from Confederation of Trade Unions of Myanmar (CTUM) and CSOs supported by the ILO, including the Mawk Kon Local Development Organization, Future Light Centre, Foundation for Education and Development, Samaritan's Purse, and Northern Shan Baptist Convention. The assistance, delivered

in collaboration with local authorities, included providing returning migrants with basic PPE, such as masks, hand gel and soap, as well as care packages including water, sanitary pads and snacks. The organizations also provided food aid to quarantine facilities, transportation, and legal assistance for migrants with unclaimed benefits or recruitment and labour cases. The Yaung Chi Oo Workers Association also supported 50 internal migrant garment workers who lost their jobs to now produce face masks, 3,000 of which were recently donated to the Yangon Regional Government. CTUM and CSO partners also distributed information on COVID-19 prevention to returning migrants and their communities. These relief efforts are supported by the ILO's Developing Internal and International Labour Migration Governance (DIILM) project and the TRIANGLE in ASEAN programme (ILO 2020d).

In **Thailand**, the ILO's MRC partners, such as the Foundation for Human Rights and Development, MAP Foundation, Migrant Worker Group, Myanmar Migrant Network, Pattanarak Foundation, and DISAC have provided emergency support and support packages with hygiene items, food and information on COVID-19 prevention in local languages (ILO 2020v). In **Cambodia**, MRCs provided returning migrant workers with migration counselling and information on COVID-19, including distancing and prevention measures, as well as food supplies and sanitation items (ILO 2020w). MRCs in Cambodia also provided posters and leaflets on prevention and protection from COVID-19.



► **Box 5. Decline in remittances**

Remittances to Asia are estimated to fall by at least US\$31.4 billion, or 11.5 per cent, according to the Asian Development Bank. The Philippines is expected to experience the steepest decline in South-East Asia, with remittances estimated to fall over 20 per cent (ADB 2020). Cambodian households have already experienced a decline of nearly 10 per cent in remittances from the Republic of Korea and Japan in the first half of 2020 compared to the year before (Sarath 2020). An IOM rapid assessment survey of returning migrant workers found that 65 per cent of households in Myanmar were not receiving remittances as a result of the pandemic. Only 10 per cent reported receiving the same amount of remittances compared to before the pandemic. Approximately 60 per cent of respondents reported being in debt and two-thirds stated their debt had worsened due to the pandemic (IOM 2020a).

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Due to COVID-19-related lockdowns, shorter business hours, social distancing, and closures of many remittance service providers, the ability to digitally transfer remittances has increased in importance. From February to March 2020, WorldRemit reported a 40 per cent increase in new customers sending virtual remittances to the Philippines (ADB 2020). With increased reliance on digital transfers, migrant workers lacking digital literacy or access to digital services are limited in their abilities to remit funds. Banks often have higher exchange rates and fees and require documentation, like passports, to utilize money transfer services (ILO and UN Women 2020b). Irregular migrant workers are often unable to access formal transfer services and banks, and thus are also limited in mechanisms to remit money home to their families (UN Women 2020a). Poor and irregular migrants are less likely to have access to digital services like bank accounts, payment cards and mobile wallets. Furthermore, the recipient households may not have access to these financial services (KNOMAD 2020). This results in an additional barrier for the most vulnerable migrants, such as poorer or irregular migrants, in sending money back home. The fees required to send remittances home may also be a barrier for migrants. While some remittance service providers have waived fees at this time, the measures are temporary.

Remittances offer an economic lifeline to many families and provide a means to reduce poverty and increase access to health services and other important needs (KNOMAD 2020). Remittances serve as a form of social protection for some families that do not readily have access to other forms of social protection or welfare. As a result, families without other forms of support are most at risk if remittances cease (UN Women 2020a).



4.5. Housing

As we have seen magnified during the pandemic, the lodgings for many migrant workers are not adequate, and living conditions do not favour social distancing.

The ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2018) recognizes “migrant workers have the right to adequate or reasonable accommodation”. The ILO Workers’ Housing Recommendation, 1961 (No. 115), states as a general principle: “[T]he competent authority should, in order to ensure structural safety and reasonable levels of decency, hygiene and comfort, establish minimum housing standards in light of local conditions and take appropriate measures to enforce these standards” (Para. 19).

While Singapore’s efforts to contain the virus were successful early on, a surge occurred with 75 per cent of new cases affecting migrant workers in employer-provided dormitories. More than 200,000 migrant workers in Singapore live in 43 licensed dormitories (KNOMAD 2020). Dense living conditions with communal shared facilities have led to, or at least significantly contributed to, the spread of the virus in migrant dormitories. Transient Workers Count Too (TWC2), a CSO in Singapore, reported in early

April that, based on the building code, dormitory operators pack migrant workers into a dormitory room with a minimum floor area of 90 sqm for 20 persons (Ling 2020). This translates to 4.5 sqm per person, including the space for toilets and showers. Further, an earlier ILO publication (Napier-Moore and Sheill 2016) described the sub-standard living conditions of migrant workers in the construction sector in Thailand.⁷ The study noted that workers housing in Thailand lacked regulatory oversight.

In Malaysia, the Health Director-General had in May pointed out that cramped and congested living conditions for foreign workers could have led to the spread of COVID-19 among them, and said employers may have only focused on workplace conditions instead of their employees’ housing conditions as well (Lim 2020). New regulations titled Employees’ Minimum Standards of Housing, Accommodations and Amenities (Accommodation and Centralized Accommodation) Regulations 2020 and were gazetted by the Government on August 28.

The COVID-19 pandemic has highlighted the importance of providing migrant domestic workers with decent living conditions that respect their privacy, as required under the ILO Domestic Workers’ Convention, 2011 (No. 189).

⁷ In company-provided housing families frequently live together in rooms just big enough to fit two mats on the floor at night. Thin metal sheeting separates each family’s rooms. The study also found that an acute lack of privacy in bathing areas.

► **Box 6. Singapore's response to COVID-19 in migrant workers' housing**

In Singapore, as of 13 August 2020, migrant workers living in dormitories comprised 90 per cent, or 52,516, of the country's total COVID-19 cases (Han 2020). CSO and media reports highlighted crowded and unsanitary living conditions in the dormitories (Ling 2020). Following this out-break in the beginning of April, the Ministry of Manpower formed an Inter-Agency Taskforce to ensure the well-being of migrant workers living in dormitories during this period. Singapore's Senior Minister and Coordinating Minister for National Security, Teo Chee Hean, was advising this Taskforce. Among others, the Taskforce deployed nearly 200 Forward Assurance Support Teams (FAST) on the ground at migrant worker dormitories to address the situation in three phases:

- **Phase 1 – To get the basics right:** The Taskforce provided for the immediate needs of the dormitory residents, and addressed their concerns. These included establishing an effective safe distancing regime, with education materials provided to the workers and their employers. Workers were also provided with catered food, Wi-Fi access and SIM cards so that they could keep in touch with family and friends, and with reusable masks and care packs. The Taskforce also worked with employers to ensure their workers continued to receive their salaries.
- **Phase 2 – To put in place an effective medical care operation:** This included deploying strong medical support for dormitory residents, with forward deployed medical teams. On-site and regional medical facilities were set-up to ensure that those unwell or displaying symptoms of acute respiratory infections could receive appropriate and timely medical treatment. A 24/7 "Care Line" operated by volunteer foreign workers was also set up to support workers' mental health during the pandemic.
- **Phase 3 – To get the recovery right:** This involved efforts to house recovered workers in suitable accommodation and minimizing the risks of recurring transmissions. In doing so, the Government still monitored the health

conditions of the workers and took prompt action as necessary.

As of 19 August 2020, all migrant worker dormitories in Singapore were cleared of COVID-19. The Taskforce was succeeded by the Assurance, Care and Engagement (ACE) Group, a new division within the Ministry of Manpower that will continue the Taskforce's work to enable Singapore's dormitories to be more resilient and prevent new health threats to its migrant worker populations.

The ACE Group will provide ASSURANCE to all migrant workers, dormitory staff and operators that their well-being will be taken care of. It will also provide CARE for workers through a comprehensive medical support plan, and make health services more accessible to migrant workers. In addition, it will enhance ENGAGEMENT with workers and other stakeholders to foster stronger partnerships with Singaporeans, workers' groups, employers and dormitory operators. The formation of the ACE group builds on the Ministry of Manpower's ongoing efforts to care for migrant workers in Singapore, who are an integral part of Singapore's workforce.

This sentiment was also reflected in Singapore Prime Minister's address to the nation (10 April 2020), where he acknowledged the contribution of migrant workers and reiterated the Singapore Government's support to providing for their well-being:

► We are paying close attention to the welfare of the foreign workers. They came to Singapore to work hard for a living, and provide for their families back home. They have played an important part building our HDB flats, Changi Airport, MRT lines. We have worked with their employers to make sure they will be paid their salaries, and can remit money home. We will provide them with the medical care and treatment that they need.

► **Box 6. (cont.)**

Further the Prime Minister, noted: “the task force has deployed Forward Assurance and Support Teams in all the dorms. These teams work closely with the dorm operators and can respond quickly to the workers’ essential needs. They are setting up medical facilities and triage clinics, bringing in supplies and food, and managing the logistics and housekeeping” (*The Straits Times* 2020).

During this period, the Government also regularly engaged the High Commissions and Embassies based in Singapore through calls and letters, particularly those with affected migrant workers, to update them on the situation.

Migrant workers’ housing is regulated under the Foreign Employee Dormitory Act, 2015. The Ministry of Manpower’s housing inspectorate department under the foreign manpower management division oversees migrant worker accommodation in Singapore. Since the COVID-19 outbreak, the Government has also committed to improving housing standards for migrant workers. It is putting in place a major programme to build additional dormitories with higher standards over the coming months and years:

- In the short to medium term, additional space will be created to house around 60,000 workers through Quick Build Dormitories, temporary fitting of currently unused state properties, and additional Construction Temporary Quarters.
- In the longer term, there are plans for new purpose-built dormitories to house up to 100,000 workers to replace the short- to medium-term housing. All the new dormitories will have amenities like minimarts, indoor recreation facilities and

well-spaced-out blocks to ensure good ventilation (Singapore 2020). Workers living in these purpose-built dormitories will also have ready access to medical care and support.

There have also been concerns about migrants’ mental health during prolonged periods of isolation in dormitories and movement restrictions. The Ministry of Manpower has clarified that workers are not to be kept in indefinite quarantine. All dormitory residents are tested as part of a dormitory clearance process. Close contacts of positive cases who tested negative are quarantined and then subsequently re-tested. This process is repeated for each cohort until every individual in the cohort tests negative through one quarantine cycle (that is, 14 days). This same procedure is applied across all cohorts. Due to this, some dormitories or blocks have had to undergo multiple cycles of testing, and it has taken a while longer for the quarantine to be lifted.¹

Beyond immediate mental health support, a multi-stakeholder taskforce called Project Dawn, comprising representatives from the Ministry of Manpower, government psychologists, the Institute of Mental Health, and two CSOs – the Migrant Workers’ Centre and HealthServe – was set up to develop a comprehensive support ecosystem to manage the mental health of migrant workers. At the core of Project Dawn’s framework is a seven-point strategy to strengthen migrant workers’ understanding of and resilience towards mental health, ensure at-risk migrant workers are identified early, and enable appropriate access to care services, including counselling and post-intervention support.

¹ Email correspondence between Nilim Baruah, ILO, and the Ministry of Manpower on 2 September 2020.

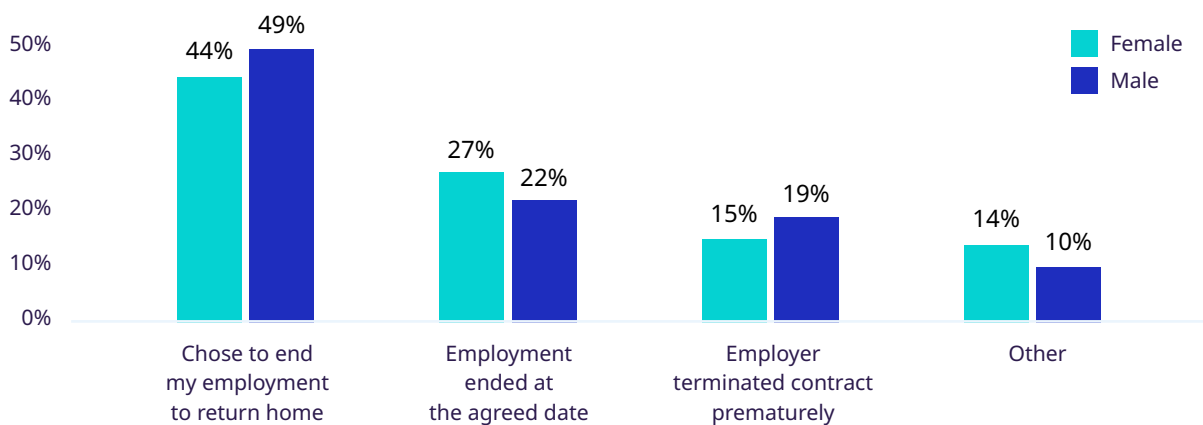
4.6. Return and reintegration

The COVID-19 pandemic and the announcement of border closures and lockdown measures have driven many migrant workers in ASEAN to return to their home countries since early March. Reports from Cambodia, the Lao People's Democratic Republic and Myanmar indicate that at least 260,000 migrant workers returned to these countries by mid-April 2020, many from Thailand (ILO 2020x). By 28 June, a total of 162,000 migrants had returned to Indonesia (Santoso and Arandito 2020). By 17 June, the Lao People's Democratic Republic received 119,401 documented returns, mostly from Thailand, and by 6 August, 141,710 migrants returned to Myanmar through border

checkpoints, with the majority returning from Thailand (IOM 2020a). Estimates vary on the numbers and proportion of women and men migrant returnees (ILO and UN Women 2020a).

A combination of factors has motivated migrant workers' return, including the fear of a worsening COVID-19 situation, job losses or expected job losses, or expiration of work permits. Some migrants also rushed home before important holidays, such as local water festivals (ILO 2020d). The ILO rapid assessment found that 47 per cent of the returnees left jobs because they chose to, and 24 per cent had a contract that was due to end. However, 16 per cent had employers who permanently or temporarily ended the contract prematurely (ILO 2020f). See figure 4.

► **Figure 4. Job-related reasons for migrant workers' return to selected countries of origin¹ (%) (n=132)**



¹ Countries of origin for this figure include Cambodia, Indonesia, Myanmar, the Philippines and Viet Nam.

Source: ILO 2020f.



However, particularly in the Middle East, many migrant workers who wanted to return were unable to go home due to travel restrictions. Some of those who returned home within the region faced difficulties on the way. Migrant workers interviewed for the ILO rapid assessment cited transportation costs, as well as waiting times at border points that are higher than usual. Some 93 per cent of the returnees reported that they quarantined at home or in a state-mandated institution upon return (ILO 2020f).

Return assistance

In many cases, governments coordinated to support returning migrants. For example, the Embassy of Myanmar in Thailand requested migrant workers wishing to return to register online, and together with the Thai Government arranged buses to transport them to the border (see box 7 for details). The Government of Myanmar also arranged relief flights for citizens stranded in other countries (including students, professionals, migrant workers and religious pilgrims) and for Myanmar seafarers onboard cruise ships. However, many more seafarers are still stranded

globally (ILO 2020d). The Philippines Department of Foreign Affairs repatriated 115,793 sea-based and land-based migrants between February through July 2020 (Philippines, DFA 2020). By early May, 40,000 Thai nationals had been repatriated from Malaysia (ILO 2020c).

Some governments have encouraged their overseas workers to remain in countries of destination. The Government of Cambodia requested migrant workers remain in the countries of destination, though some reports indicated that migrant workers returning from the Republic of Korea in spite of mandatory quarantine orders (ILO 2020e). The Government of Viet Nam issued a notice on 21 March 2020 directing its citizens abroad to restrict their return, but in cases of necessity for return to register with Vietnamese diplomatic missions and consulates to coordinate the registration of their return. The Government of Viet Nam required recruitment agencies to provide a review, synthesis and report of migrants working abroad, particularly those at risk of infection of COVID-19, as well as a list of returned migrant workers and those expected to return by the end of 2020 (Viet Nam 2020).

► Box 7. Migrant workers' return and reintegration in Myanmar

An emergency decree closing the border between Thailand and Myanmar was announced for 24 March 2020. During the week of 22 March, there was a sudden return of tens of thousands of workers returning from Thailand and re-entering Myanmar at all border crossings, official and unofficial. Early on, quarantine facilities in Myanmar were limited and reached capacity, resulting in many returning migrants quarantining at home.

Recognizing the need for more formal measures, the Government of Myanmar made an appeal to migrants to delay their return, initially to 15 April and later extended to 30 April to allow time to set up quarantine facilities in government schools and training centres across the country. At the same time, Thailand implemented a national lockdown, restricting inter-provincial travel, which resulted in most migrants being unable to reach the borders (ILO 2020d; 2020f).

In April, only a few migrants were able to return from Thailand because of restrictions on inter-provincial travel and border closures. Returns continued on 22 May, when borders partially reopened (ILO 2020y). In an attempt to make the second phase of migrant

returns to Myanmar more organized, in May 2020 Myanmar embassies requested migrants wishing to return to apply online. Within a few days of the request, 16,000 migrants applied and the number continued to increase. Thailand and Myanmar secured arrangements for buses to transport migrants to the border. Myanmar embassies collected the names of migrants wishing to return to Myanmar and facilitated migrant returns by providing logistical and organizational assistance. Government ministries and departments received the returning migrants, and the Labour Exchange Office with MRCs and CSO-run Migrant Centres supported by the ILO and IOM actively provided assistance to incoming migrants. Assistance to migrants was also coordinated through COVID-19 response teams. The returns took place at the end of May, and Myanmar organized social distancing, collecting migrants' details, and transferring migrants to quarantine facilities in their home communities. In May, the Myanmar Ministry of Health and Sports ordered COVID-19 tests for all Myanmar nationals arriving from foreign countries. Travel into the country remained restricted, with no commercial flights in or out of the country (ILO 2020d).

► **Box 7. (cont.)**

By 6 August, 141,710 migrants had returned to Myanmar through border checkpoints, with the majority returning from Thailand, and 9,392 Myanmar nationals returned via relief flights (IOM 2020a). The actual figures are likely higher, as returning migrant workers also used unofficial border crossings, and hence are not reflected in official data (ILO 2020v).

Across Myanmar, over 10,000 quarantine facilities were established, though the number was expected to decrease after the expected opening of schools. The quarantine facilities along the Thailand–Myanmar border initially required a 14-day quarantine, which was later extended to 21 days in the facility followed by seven days in home quarantine (ILO 2020d; 2020f). Quarantine facilities, transportation to migrant workers' home towns and testing facilities were available to most migrants (ILO 2020y).

With the support of international organizations and local partners, returning migrant workers were provided with financial support, shelter, transportation, meal assistance and legal aid. Returning migrants were provided food assistance, hygiene kits, and items such as masks, gloves and hand sanitizer, as well as prevention supplies like

PPE and quarantine items like tarpaulins, sleeping mats and bedding, towels, toiletries, mosquito nets, flashlights, and telephone top-up cards. Dignity kits were also provided to returning women migrants. In addition to health screenings, quarantine facilities also provided psychosocial support (IOM 2020b).

Meanwhile, awareness-raising campaigns shared information on COVID-19 through social media and loudspeakers. Materials were provided to reduce the risks of COVID-19 as well as to reduce stigma (IOM 2020b).

The Ministry of Labour, Immigration and Population is compiling detailed information on the skills and employment plans, including re-migration plans, of all returning migrants to further assist them. The Government of Myanmar's COVID-19 Economic Relief Plan (CERP), released in April 2020, focuses on measures to mitigate the economic impact of the global pandemic. While the Plan does not directly refer to migration, under its Goal 3 – Easing the Impact on Labourers and Workers – it addresses overseeing labour-intensive community infrastructure (ILO 2020d).



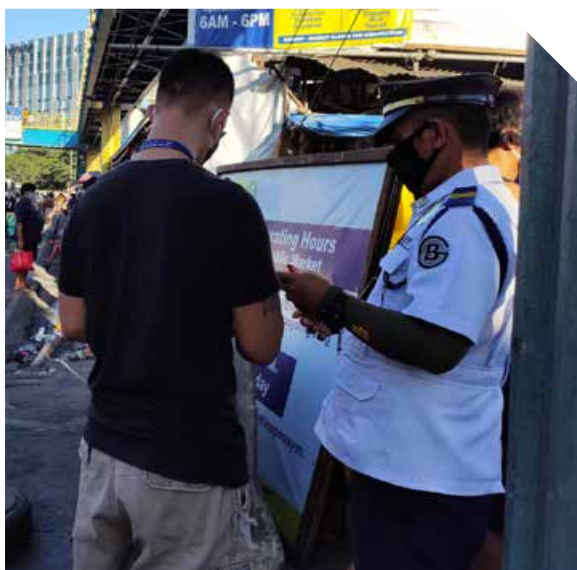
Deportations

Some migrant workers have also returned home due to deportation. For example, in Malaysia, COVID-19 outbreaks in immigration detention centres have prompted deportations. On 8 May, 400 Myanmar workers were deported from Malaysia after spending months in immigration centres, with 13 of these workers having tested positive for COVID-19 (ILO 2020c). On 11 May, a further 391 Myanmar nationals were deported, including four who tested positive for COVID-19. In early June, the Government of Malaysia announced that it aimed to deport 3,000 migrants in its 11 immigration detention centres back to Myanmar (Htwe 2020). The migrant workers deported from Malaysia were required to pay for the costs themselves (Chanvirak 2020).

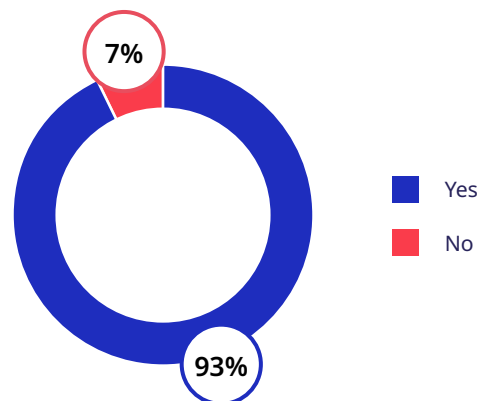
In early May, the Government of Malaysia carried out arrests of hundreds of undocumented migrant workers in central Kuala Lumpur who were residing in buildings with identified clusters of COVID-19 infections. Arrested migrant workers were placed in immigration detention centres to wait for deportation. Concerns were expressed by the UN in Malaysia, the Malaysian Bar and a coalition of 62 civil society organizations (CSOs) on this action (ILO 2020c). The UN in Malaysia statement recommended the Government to implement as a matter of priority non-custodial and community-based alternatives to detention, and where relevant to avoid immigration detention all together. The statement also noted that overcrowded conditions in immigration detention centres carry a high risk of increasing COVID-19 infection among both detainees and staff (*New Straits Times* 2020)

Quarantine

Within ASEAN, all countries of origin established quarantine centres for returning migrant workers. ILO rapid assessment survey interviews with 122 returnees found that 93 per cent of migrant workers quarantined either in a government facility or at home following their return. While some respondents appreciated the quarantine centres, others experienced food shortages, high temperatures within the facilities, shared drinking glasses and crowded sleeping areas. Others reported difficulty sleeping and other impacts on their mental health (ILO 2020f).

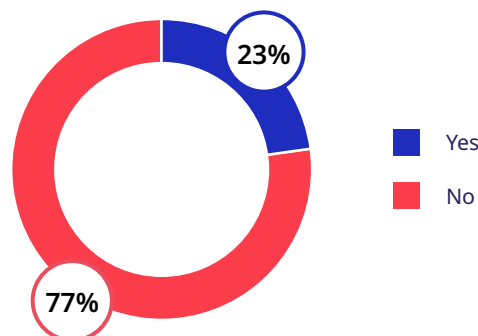


► **Figure 5. Returnee migrant workers who quarantined (self-quarantine or institution) (%) (n=122)**



Source: ILO 2020f.

► **Figure 6. Migrant returnees who reported problems in quarantine (%) (n=91)**



Source: ILO 2020f.

Cambodia mandated a 14-day quarantine and established an estimated 75 state-supervised quarantine facilities in line with WHO protocols and requiring physical distancing and appropriate hygiene (ILO 2020e). In the Philippines, migrants are required to take three COVID-19 tests and remain in quarantine facilities until receiving health clearance. Psychosocial counseling and full medical and transportation assistance are provided. After the completion of their quarantine, the Philippines also facilitates return of repatriated OFWs to their hometowns during the lockdown (ILO 2020s). In the Lao People's Democratic Republic, 27,000 returning migrants underwent quarantine between April and June 2020 (ILO 2020f). For information on quarantine in Myanmar, see box 7.

During quarantine, some governments provided additional support. The PhilHealth COVID-19 package provides financial support to persons in quarantine. In Singapore, during the Circuit Breaker period, the Government issued an advisory providing guidance on the payment of salaries for employers with migrant workers residing in dormitories, including dormitories gazetted as isolation areas. Under this advisory, employers must continue to pay foreign workers in dormitories their salaries during this period. To ensure that migrant workers receive their salaries, these employers were also required to pay salaries electronically. To support employers in their obligations, the Government provided financial support through rebates or waivers of levies. The Government of Viet Nam also offers financial support through a daily food allowance for all infected individuals in quarantine, with the funds differing depending on whether quarantine takes place inside or outside of their home (ILO 2020i). The Lao Government's Ministry of Labour and Social Welfare distributed food, PPE and hygiene items to returning migrant workers in quarantine. Lao recruitment agencies also provided cash support to support onward travel costs after quarantine (ILO 2020z). The Government of Viet Nam is coordinating with authorities in the countries of destination to ensure that Vietnamese migrant workers are provided with medical check-ups, quarantine and treatment in case of infection or suspected infection of COVID-19, and to ensure contracts and salaries as well as residence and contract periods are extended during this period, or that workers may depart legally and safely (Viet Nam 2020).

Reintegration

Upon return to the country of origin, many migrant workers are struggling to reintegrate and find employment in the local labour markets affected by COVID-19. Returning migrants are also have faced stigma and have even been refused re-entry to their hometowns due to fears of COVID-19 (Abella 2020). For instance, many returning Lao workers arrived as prevention and mitigation measures, such as workplaces closures, occurred, thereby making it difficult for the returning migrants to find work (ILO 2020i). Furthermore, due to limited labour opportunities,

the competition for jobs is even higher (ILO 2020d). Similarly in Cambodia, returnee migrant workers will likely face difficulty finding jobs, especially given that the Cambodian tourism and garment sectors have been significantly impacted by the pandemic. Some research indicates that women migrant workers returning to Cambodia are likely to have a harder time finding jobs, and relatedly, three times more women than men indicate plans to re-migrate (ILO 2020e).



The Government of the Philippines has continued to host several interventions and projects for returning migrant workers during the COVID-19 pandemic. Support is provided through proactive job-matching, competency assessment and certification, skills upgrading, telecommuting and e-commerce-friendly jobs, and has enhanced financial and livelihood assistance for online enterprises, e-commerce, agriculture and entrepreneurial endeavors (ILO 2020s). The Philippines Technical Education and Skills Development Authority (TESDA), through its Scholarship Programs, also support displaced workers with free online courses for upskilling and reskilling (ILO 2020i). TESDA is also encouraging its garment training schools to train sewing face

masks, and other programmes to produce hand sanitizers and disinfectants (ILO 2020k). TESDA announced on 30 July that it will put desks for Overseas Filipino Workers (OFWs) in regional and provincial centres, where focal persons will assist returning OFWs in accessing training services. The TESDA Online Program (TOP) is ongoing and continues to provide scholarships for OFWs. TOP currently offers 71 free online skills trainings. As of 30 July, 56,000 returned OFWs or their families have applied to join the trainings (Arayata 2020; Nazario 2020).

The ASEAN Committee on Migrant Workers (ACMW) has established a set of guidelines on effective return and reintegration. The ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers were finalized after the multi-stakeholder ASEAN Workshop on Reintegration Programmes for Returning Migrant Workers in August 2019, and are currently waiting for endorsement by the ASEAN Senior Labour Officials Meeting (SLOM). The steps outlined in the guidelines are also useful in developing reintegration programmes and services during a crisis like the COVID-19 pandemic. Government and partners assisting migrant workers in their reintegration through decent work opportunities in their countries of origin will result in better functioning labour markets and allow workers to have more options in their migration decision (ILO 2020a).

Local CSOs are delivering entrepreneurship skills trainings for returning women migrant workers and providing access to information and counselling services in Cambodia, the Lao People's Democratic Republic and Myanmar with support from UN Women's Safe Migration, Skills Development and Enhanced Job Placement in Cambodia, the Lao People's Democratic Republic, Myanmar and Thailand (PROMISE) project. Recognizing that women migrant workers can be key drivers for building back better, the PROMISE project, in partnership with Atikha Overseas Workers and Communities Initiative, Inc., is providing economic empowerment for returned women migrant workers to respond to their emerging needs.

4.7. Outmigration and remigration

COVID-19 lockdown measures and travel restrictions stopped the deployment of migrant workers, and many who had already paid high recruitment fees were left waiting for deployment in their home countries. Now as countries of origin and destination start to slowly reopen labour migration, many governments and other stakeholders in the ASEAN region are reconsidering migration procedures to better protect the health and well-being of migrant workers and the local population.

Delayed deployment

Travel restrictions put in place to control the COVID-19 pandemic have caused many governments in the ASEAN region to restrict or stop deployment of workers. Subsequently, potential migrants are struggling, as they may have already paid fees and costs related to recruitment and deployment but are still unable to take up their employment abroad (ILO 2020a). In Myanmar, the Ministry of Labour, Immigration and Population, Department of Labour (MOLIP), states/regions, the Department of Labour, Labour Exchange Offices (LEOs) and MRCs are handling complaints raised by migrant workers (or their families) whose migration plans were cancelled due to the impact of pandemic. Trade unions are also providing legal assistance to affected prospective migrant workers. In Cambodia, the Ministry of Labour and Vocational Training has stated that recruitment agencies must compensate recruited trainees and migrant workers who are no longer able to migrate due to COVID-19 measures.

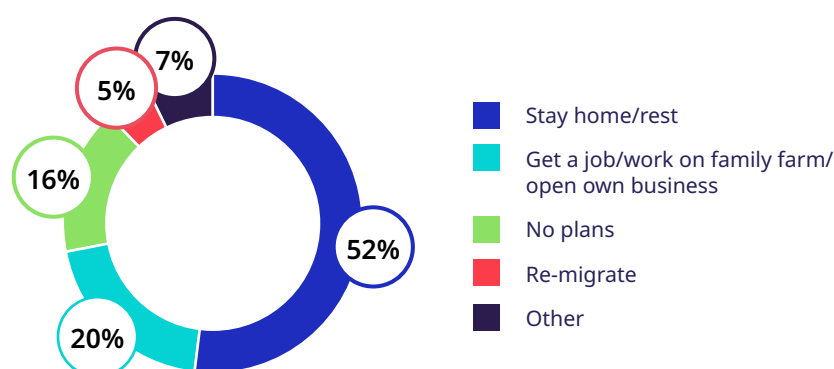
The unavailability of regular migration channels during the pandemic may make more migrant workers seek unregulated recruitment processes and irregular channels, which increases their risks of additional costs, deception, trafficking, or exploitative or abusive conditions (ILO 2020a). If migrants do migrate or re-migrate at a later time, they may still need to undergo quarantine, the expenses of which will add to the migration costs.

Remigration

ILO's rapid assessment survey carried out in March–April 2020 found that in the short-term, the majority (52 per cent) of returning migrant workers wanted to stay home and rest. Among the respondents, 20 per cent planned to find employment, open their own business, or work on the family farm. Another 16 per cent of the respondents reported not yet having plans (ILO 2020f). Respondents in Myanmar were also surveyed on their long-term plans. Among the Myanmar respondents, 58 per cent of returning migrant workers planned to re-migrate in the long term, compared to 28 per cent

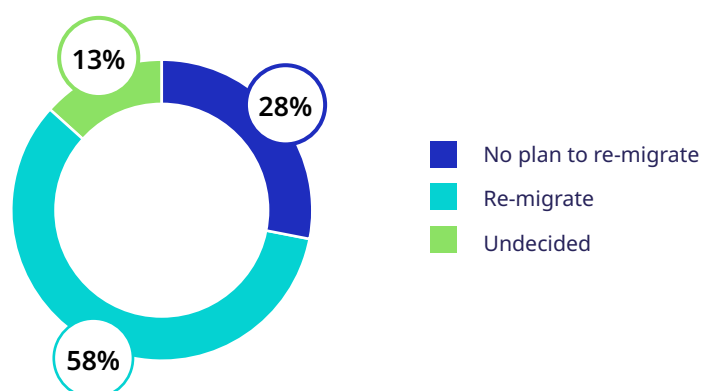
reporting not wanting to migrate again and 13 per cent remaining undecided on re-migration. Among the Myanmar respondents, 67 per cent of men planned to re-migrate, compared to 50 per cent of women (ILO 2020f). According to an IOM (2020e) rapid assessment survey, among returning Myanmar migrants, 62 per cent planned to re-migrate, of whom two-thirds planned to do so as soon as possible, and 80 per cent were planning to re-migrate to the same location. The Government of Myanmar is collecting detailed information from all returning migrants, such as information regarding their skills and plans to find employment in Myanmar or plans to re-migrate (ILO 2020d).

► **Figure 7. Short-term plans of returnee migrant workers to selected countries of origin¹ (%) (n=128)**



¹ Countries of origin for this figure include Cambodia, Indonesia, Myanmar, the Philippines and Viet Nam.
Source: ILO 2020f

► **Figure 8. Long-term plans of Myanmar returnee migrant workers (%) (n=89)**



Note: Due to rounding, the percentages in this figure do not add up to 100 per cent.
Source: ILO 2020f.

Some governments in the ASEAN region have adopted special policies on the deployment of migrant workers during the COVID-19 pandemic. The **Philippines** Memorandum Circular No. 08 (2020) on Close Monitoring and Assistance to OFWs and Seafarers Affected by the COVID-19 specifically orders recruitment agencies to monitor and report on the impacts of COVID-19 on migrant workers. Complementing this memorandum is Memorandum Circular No. 07 (2020) on Additional Guidelines on [Philippine Overseas Employment Administration] POEA Transactions and OFW Departures during the Enhanced Quarantine and National State of Calamity brought about by COVID-19. New measures requiring minimum health standards were put into place when deployment restarted.

The Government of **Indonesia** issued a decree on The Implementation of the Placement of Indonesian Migrant Workers during the Period of Adaptation to New Habits in July 2020. This decree most importantly states that prospective or current migrant workers may not be charged for application of health protocols in placement process or for destination countries' health protocol policies. For more information on the decree see box 8.

The **Thailand** Centre for COVID-19 Situation Administration announced specific groups for entry into Thailand, including memorandum of understanding (MOU) migrants from Myanmar, Cambodia and the Lao People's Democratic Republic (IOM 2020a). On 22 May 2020, Thailand's Department of Labour issued a letter to the Myanmar Overseas Employment Agency Federation on restarting recruitment procedures beginning after 31 May for Myanmar workers seeking employment in Thailand. According to the letter, migrants require health certificates and will undergo health checks at the border. Overseas employment agencies are required to follow the regular recruitment process, including a demand letter from employers indicating the number of migrant workers requested, a clear commitment that migrant workers will receive an employment contract and begin employment within 60 days of

deployment, and a commitment to follow COVID-19-related instructions from the Government of Thailand (ILO 2020d). Thailand's Ministry of Interior issued re-migration requirements including a fit-to-travel certificate, a COVID-19 test, written consent to a 14-day quarantine upon arrival, and proof of health insurance covering US\$100,000 for COVID-19 treatment (IOM 2020c). However additional costs related to these requirements should not be charged to, or otherwise borne by, workers or jobseekers (ILO 2019a).

Recruitment

Recruitment agencies have also been affected by the COVID-19 crisis and many have sought to adapt to the related limitations. In an ILO survey of 54 recruitment agencies in the Philippines, 78 per cent of respondents partially or fully ceased operations. The recruitment agency respondents believed that even after travel restrictions are lifted it could take one to six months to recover operationally (ILO 2020a). See box 9. Recruitment agencies may adapt to current pandemic limitations by: moving online and through digital means; recruiting nationally, either national workers or migrant workers already within the country of destination; and preparing for recruitment once restrictions are eased.

Oversight and inspection of recruitment agencies may be guided by the ILO General Principles and Operation Guidelines for Fair Recruitment and the Private Employment Agencies Convention, 1997 (No. 181), particularly as the pandemic may cause delays and additional costs. This includes ensuring that additional costs (for example testing and quarantine) are not charged to migrant workers, and that restitution of any recruitment-related costs and fees are returned to migrant workers who were unable to deploy due to the pandemic. Specific recruitment channels that bring workers into essential sectors must maintain OSH standards and potentially offer opportunities for visa extensions or even regularization for migrant workers (ILO 2020a).

► **Box 8. Government of Indonesia Decree: The Implementation of the Placement of Indonesian Migrant Workers during the Period of Adaptation to New Habits**

On 29 July 2020, the Ministry of Manpower of the Government of Indonesia enacted Decree No. 294 of 2020, concerning the Implementation of the Placement of Indonesian Migrant Workers during the Period of Adaptation to New Habits. The decree aims to accelerate national economic recovery amid the COVID-19 pandemic by reopening opportunities for prospective Indonesian migrant workers to be placed and work in countries of destination while continuing to promote and protect the rights of migrant workers with regard to health protocols. This follows Decree No. 151 of 2020 concerning Temporary Suspension of Placement of Indonesian Migrant Workers, which was a direct response to COVID-19.

Decree No. 294 focuses on Indonesian migrant workers placed by implementers of placement, placed by companies for their own interests, individual Indonesian migrant workers, and commercial ship crew and fishing ship crew on foreign-flagged vessels.

The decree provides guidance to service providers regarding: coordinating with a task force; the provision of information at each stage of migration; standard operating procedures; a monitoring tool instrument; health protocols for the place of service and for the migrant workers themselves; and travel requirements. The decree focuses on protective measures, starting from the processes of pre-employment, during employment, and post-employment or repatriation by engaging different stakeholders. Pre-employment protection includes, among others, the completeness of

required documents of prospective Indonesian migrant workers, comprehensive training, clear licensing of Indonesian Migrant Worker Placement Companies, accredited training institutions, and health examinations. The decree references protection during employment to be provided by engaging the labour attaché, technical staff, Head of Manpower, or foreign service officials in charge of manpower, and/or representatives of the Republic of Indonesia abroad in the supervision of Indonesian migrant workers in the destination countries of placement. The post-employment protection is pursued by facilitating repatriation, empowering the returnee Indonesian migrant workers, and social reintegration efforts.

Importantly, the decree also states that prospective and current Indonesian migrant workers may not be charged as a result of the application of health protocols in the placement process, or in the application of destination countries' health protocol policies when the Indonesian migrant workers arrive and are in the destination countries of placement. The decree also takes into account the challenges and special needs of women migrant workers, the majority of whom work as domestic workers, medical workers and healthcare professionals.

Lastly, the decree provides guidance on reporting, monitoring, and evaluation, and concludes with template examples of implementation of the decree protocols and response planning for service providers.



► **Box 9. The impact of COVID-19 on recruitment agencies**

A recent report by the IOM indicates key challenges faced by recruitment agencies and migrant workers in Asia due to COVID-19. As a result of the pandemic, many recruitment agencies have experienced delays, postponements, and cancellations of recruitment, deployment and job opportunities, which has resulted in financial burdens for the agencies. Recruitment agencies in the Philippines and Viet Nam cited delays in visa applications, health examinations, medical clearance, pre-departure orientation and other services due to COVID-19 measures and closures. Agencies in countries of destination, like Thailand, were similarly impacted due to COVID-19 measures and border closures, as well as postponements, cancellations and fewer job orders by employers. Recruitment agencies struggled to maintain business and experienced financial burdens. In the Philippines, recruitment agencies are required to cover the costs of migrants' food, accommodation, and transportation in their return to their hometowns, even amid travel bans, quarantines and other challenges in returning to their homes.

Migrant workers also experienced challenges with stalled recruitment or COVID-19-related restrictions upon arrival in destination countries, wage insecurity and restrictions during employment, and challenges with reintegration in countries of origin. In Thailand, migrant workers faced increased recruitment costs to cover COVID-19 measures, such as disease-screening and quarantine requirements. In Cambodia, migrant workers that had incurred debt to migrate were unable to deploy or repay their debts due to COVID-19. Recruitment agencies in Thailand reported that some migrant workers chose not to deploy due to fears of being stranded during the pandemic, and others left their jobs due to fears of infection and border closures. Other migrant workers in Thailand were not provided information or a choice concerning new employment conditions that occurred as a result of COVID-19. One recruitment agency in Thailand reported that approximately 1,500 migrant workers experienced a reduction in working hours. Others moved to different positions, and still others were forced to resign or forgo compensation and their legal rights. Most migrant workers were not provided adequate information, as information was largely shared in Thai. A Viet Nam recruitment agency noted that migrant workers waiting to return home risked falling into irregular status due to expired visas. Migrants were reported to be stranded in Thailand and willing to pay higher rates for their return home.

During the pandemic, some recruitment agencies, however, did assist migrant workers through monitoring and disseminating information, negotiating with employers for migrant worker protections, attempting to maintain employment opportunities, and providing direct support, including PPE, transportation, food and quarantine accommodation. A recruitment agency in Thailand sent Thai translators to help inform migrant workers about COVID-19-related measures and supported employers in translating information disseminated to migrant workers. Another recruitment agency in Thailand assisted workers in negotiating for their rights and entitlements. Recruitment agencies in the Philippines provided hotlines, social media, and online systems to receive complaints, and similarly, agencies in Cambodia provided information on COVID-19 through social media. To assist stranded migrants with expired visas, an agency in Viet Nam engaged with business partners and governments.

In spite of this support, the IOM report finds that recruitment agencies were not prepared with emergency plans or strategies to cope with the pandemic, and were unable to assist even migrant workers experiencing rights violations due to poor power dynamics and weak communication with employers. Furthermore, the report finds that collaboration among governments, the private sector and civil society, as well as support and guidance from governments to migrant workers and recruitment agencies could have been better. Some governments were reliant on recruitment agencies to coordinate and provide support, but did not provide sufficient guidance. Recruitment agencies in Cambodia and the Philippines expressed that they were unable to unilaterally provide resources and information needed by migrant workers during the pandemic, ultimately resulting in gaps in protection.

International recruitment agencies are both impacted and can provide solutions to adapting to crises such as COVID-19. The ILO General Principles and Operational Guidelines for Fair Recruitment provide 13 principles and operational guidelines outlining the responsibilities of governments, enterprises and public employment services, including labour recruiters and employers. These guidelines and crisis planning and preparedness can lay the foundation for ensuring fair recruitment during this and future crises.



▶ 5

Sub-theme 2: Cohesive and responsive labour migration policy for future preparedness in ASEAN

Sub-theme 2 analyses lessons learned from COVID-19 pandemic to define how labour migration governance needs to be strengthened in ASEAN to improve resilience for a future crisis, disaster or pandemic. Particular focus is placed on emergency preparedness planning; strengthening labour migration management; improving housing, wages and other conditions of work; extending social protection; and promoting access to re-skilling and up-skilling. Looking into policies and practices in these areas will help the ASEAN region to realize a cohesive and responsive labour migration policy for future preparedness in ASEAN.

5.1. Emergency preparedness planning

The 4th AFML recommended in 2011 establishment of emergency preparedness plans as follows:

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 (Recommendation 10) (ASEAN 2011).

It is now more important than ever to implement this recommendation. In addition to the company and embassy levels, emergency preparedness planning for migrant workers should be done at the national, bilateral and regional levels. While national efforts are critical to address any crisis, the COVID-19 pandemic has shown that regional or global crises cannot be overcome if regional and global efforts are not aligned. A key principle in preparedness and recovery efforts is greater regional and global solidarity (IPR 2020).

In the Joint Statement of ASEAN Labour Ministers on Response to the Impact of Coronavirus Disease 2019 (COVID-19) on Labour and Employment, adopted on 14 May 2020, the ASEAN Labour Ministers agreed, with regional solidarity, to continue to strengthen cooperation on addressing the impact of COVID-19 on labour and employment. The Joint Statement, which recognizes the vulnerability of migrant workers, tasked the ASEAN Senior Labour Officials to undertake joint efforts to promote preparedness of labour and employment policies to address the adverse impacts of potential pandemics, economic crises or natural disasters in the future. It further noted that the joint collaboration shall be planned in the ASEAN Labour Ministers' Work Programme 2021–2025. Therefore, it is timely to define actions towards an emergency preparedness plan for migrant workers in the Action Plan 2021–2025 of the ASEAN Committee on Migrant Workers (ACMW), which is a subsidiary body of the ASEAN Labour Ministers.

One example of a national preparedness plan in ASEAN is Singapore's Disease Outbreak Response System Condition framework, which shows the current disease situation and provides general guidelines on what needs to be done to prevent and reduce the impact of infections. The framework was established after the 2003 Severe Acute Respiratory Syndrome (SARS) crisis and the 2009 H1N1 influenza crisis to coordinate and mobilize across government agencies under

the Homeland Crisis Executive Group. In January 2020, Singapore also established an Inter-agency Taskforce to address the COVID-19 crisis. As a result of this preparedness and coordination, Singapore was able to quickly confirm and address cases of COVID-19 and quarantine and trace infected persons. However, the highly infectious nature of the COVID-19 virus and pre-symptomatic and asymptomatic transmission led to clusters of infections in migrant workers' dormitories. Based on the experiences with COVID-19, the Government is reviewing the standards in migrant workers' dormitories, with the aim of improving the public health resilience and living conditions at these dormitories. See box 6 above for further details.

Development of an ASEAN emergency preparedness plan for migrant workers can learn from international standards and guidelines on resilience and crisis response. For example, the ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), recognizes the importance of employment and decent work in promoting peace, preventing situations of crisis resulting from conflict and disasters, enabling recovery and reinforcing resilience, and emphasizing the need to ensure respect for all human rights and the rule of law, including respect for fundamental principles and rights at work and international labour standards (see box 10). The IOM's Migration Crisis Operational Framework covers humanitarian activities and migration management services (see box 11).

Building a rights-based, human-centred, intersectional, gender-responsive and inclusive approach requires mutual support and responsible actions by all stakeholders. For an effective approach to ensure future preparedness in ASEAN, a cohesive and responsive approach is needed. The participation of governments, employers' organizations, workers' organizations, civil society, and the voices of migrant workers themselves improves ownership and galvanizes action towards planning, implementing and monitoring recovery and resilience (ILO 2020n; 2020h).

► **Box 10. ILO Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)**

The Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) provides a phased and comprehensive strategic approach towards crisis recovery and resilience. The response includes:

- stabilizing livelihoods and income through immediate social protection and employment measures;
- promoting economic recovery for employment and decent work opportunities and socio-economic reintegration;
- promoting sustainable employment and decent work, social protection and social inclusion, sustainable development, the creation of sustainable enterprises (in particular small- and medium-sized enterprises), the transition from the informal to the formal economy, a just transition towards an environmentally sustainable economy and access to public services;
- conducting employment impact assessments of national recovery programmes;
- providing guidance and support to employers to enable them to take effective measures to identify, prevent, mitigate and account for how they address the risks of adverse impacts on human and labour rights in their operations, or in products, services or operations to which they may be directly linked;

- promoting social dialogue and collective bargaining;
- building or restoring labour market institutions, including employment services, for stabilization and recovery;
- developing the capacity of governments, including regional and local authorities, and the capacity of employers' and workers' organizations; and
- taking measures, as appropriate, for the socio-economic reintegration of persons who have been affected by a crisis, including through training programmes that aim to improve their employability.

The approach advises governments to also quickly:

- seek to ensure basic income security, in particular for persons whose jobs or livelihoods have been disrupted by the crisis;
- develop, restore or enhance comprehensive social security schemes and other social protection mechanisms, taking into account national legislation and international agreements; and
- seek to ensure effective access to essential healthcare and other basic social services, in particular for population groups and individuals who have been made particularly vulnerable by the crisis.

Source: ILO 2020h.



► Box 11. IOM Migrants in Countries in Crisis Initiative

IOM's Migrants in Countries in Crisis (MICIC) Initiative recognizes that while migrants are resilient and resourceful, they face additional vulnerabilities during crises, including language barriers, mobility restrictions, irregular status, lack of identity or travel documents, limited social networks, isolation, discrimination, and heightened risks of violence, among other risks. In addition, the MICIC (n.d.) notes that in past crises migrants were often left behind in preparedness, relief or recovery systems. Following a consultative process during 2015–16, the MICIC Initiative developed "Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster". The Guidelines include 10 principles, 15 guidelines and a repository of good practices to serve as guidance to stakeholders at the local, national, regional and international levels, including States, the private sector, civil society, and international organizations. The Guidelines apply to migrants present in a country experiencing conflict or natural disaster, and address each stage of crisis management – crisis preparedness, emergency response and post-crisis action. The Guidelines are as follows:

Crisis preparedness:

1. Track information on conflicts and natural disasters, and their potential impact on migrants.
2. Collect and share information on migrants, subject to privacy, confidentiality, and the security and safety of migrants.

3. Empower migrants to help themselves, their families and their communities during and in the aftermath of crises.
4. Incorporate migrants in prevention, preparedness and emergency response systems.
5. Involve migrants in contingency planning and integrate their needs and capacities.
6. Communicate effectively with migrants.
7. Establish coordination agreements in advance to leverage strengths and foster trust.
8. Build capacity and learn lessons for emergency response and post-crisis action.

Emergency response:

1. Communicate widely, effectively and often with migrants on evolving crises and how to access help.
2. Facilitate migrants' ability to move to safety.
3. Provide humanitarian assistance to migrants without discrimination.
4. Establish clear referral procedures among stakeholders.
5. Relocate and evacuate migrants when needed.

Post-crisis action:

1. Address migrants' immediate needs and support migrants to rebuild their lives.
2. Support migrants' host communities.

Source: MICIC 2016.

5.2. Strengthening labour migration governance

Experiences in the ASEAN region, Gulf Cooperation Council (GCC) countries (where many Asian workers reside), and elsewhere have demonstrated that migrant workers are among the more at-risk groups during the COVID-19 pandemic. Some of these vulnerabilities reflect structural weaknesses in the model of labour migration that is followed

by most countries in Asia, with one or two exceptions. The migrant worker admission and employment model implemented in Asia and in the GCC countries is based on relatively liberal entry, restricted rights and limited sojourn.

The relatively liberal entry has brought benefits to many, including migrants and their families, employers and economies. However, a system of restricted rights has inflicted poor living and working conditions on many migrants; has been

faulted for low wages; and has contributed to high migration costs for many workers. Even if migrants double what they were earning before migration, wages for migrant workers in countries of destination are low. A statutory minimum wage and robust workers' organizations are key to addressing this.

As we have seen magnified during the pandemic, the lodgings for many migrant workers are not adequate. Going forward, fair wages, equal treatment in social protection and decent living conditions for women and men migrant workers should be key considerations when admitting migrants and during their employment. This includes the recognition of domestic work as work, as well as putting top priority on safety from violence for women through quality essential services (shelters, hotlines, counselling, health and law enforcement).

The COVID-19 pandemic, travel restrictions and temporary halt in migrant workers' deployment have forced governments and other stakeholders in both countries of origin and destination in ASEAN to rethink their labour migration policies. For countries of origin, the key questions include: how do we better protect and support our outgoing migrant workers to ensure the humanitarian crisis caused by COVID-19 will not repeat itself? For countries of destination the key questions are: how do we keep our economy, society and essential services going with the limited availability of a migrant labour force? And, on the other hand, how many migrant workers do we need in the country to optimize employment for both the local and migrant labour forces? Further, how do we build back better, recognizing the contributions that migrant workers make? For example, as noted earlier, both Singapore and Malaysia have announced plans or laws to improve housing.

Some countries have already started reviewing their labour migration policies to restart recruitment and improve protection of migrant workers. See examples from Indonesia, Philippines and Thailand in section 4.7 above. Key measures to include in the revised deployment policies should include prohibition of charging recruitment fees or related costs to migrant workers or jobseekers, and improving coordination and collaboration between host country and home country authorities,

including labour attachés stationed in the host country.

In countries of destination, monitoring for labour market needs will be essential in effective matching of labour shortages in both the short and long terms (ILO 2020r). This will require comprehensive sex- and age-disaggregated data that is timely, reliable and of high-quality. In some instances, the pandemic has resulted in labour shortages in sectors that depend on the availability of migrant workers, especially in essential services, including healthcare (KNOMAD 2020). At the same time, however, unemployment among the local workforce may make finding employment more difficult for migrant workers. For example, Thailand's National Economic and Social Development Council estimates 8.4 million workers risk losing their jobs, which will make it far difficult for migrant workers to find employment (ILO 2020e).

The COVID-19 crisis has also highlighted the need for allowing migrant workers who have lost their jobs to legally take up new employment in the country of destination. ASEAN countries of destination should move towards greater flexibility in their labour migration policies and programmes concerning employment changes by migrant workers, particularly in sectors where the worker is already employed and for occupations where there is a recognized labour shortage. This will lead to greater rights protection, efficiency within labour markets, and better management of migration (Kouba and Baruah 2019b).



5.3. Enhancing wage protection and improving wages

Widespread problems with wage and benefits non-payment, delay or reduction experienced by migrant workers during the COVID-19 crisis (ILO 2020a) have highlighted the urgent need to improve wage protection for migrant workers. Similarly, the lack of access to decent housing points in general to low wage levels that do not allow, in any case, the renting of suitable accommodation.

Migrant workers have benefitted from minimum wages in Malaysia and Thailand, and from mandatory electronic wage transfers in GCC countries and in Thailand (sea fisheries). Wage protection systems prevent underpayment by requiring employers to pay workers' wages electronically via authorized financial institutions in order to make payments transparent and traceable. While these systems have undeniably provided for greater stability in wage payments, limitations still exist in the form of lack of effective enforcement in cases of breach, and limited coverage of domestic workers (ILO 2020aa). A recent review of the Qatar wage protection system found that a substantial proportion of eligible workers are still not covered, particularly within small enterprises, and that the severity of violations are not captured. Penalties to deter violators are also limited (ILO 2019c).

International labour standards guarantee all migrant workers – irrespective of their immigration status – equality of treatment with respect to rights arising out of past employment as regards remuneration, social security and other benefits. These also include severance pay, employment injury benefits, compensation in lieu of any holiday entitlement, and reimbursement of any social security contributions (ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), Art. 9(1); and Migrant Workers Recommendation, 1975 (No. 151), Paras 8(3) and 34(1)). It is essential to guarantee these principles in national labour laws, and to ensure that these rights are not undermined by immigration laws requiring swift repatriation of workers whose work permits have expired or were cancelled due to job loss.

All migrant workers, irrespective of their immigration status, must also be able to seek redress for wage-related violations. They shall have the possibility of presenting their case to a competent body, either themselves or through a representative, in case of dispute about the rights arising out of past employment as regards remuneration, social security and other benefits (ILO Convention No. 143, Art. 9(2); and Recommendation No. 151, Paras 8(4) and 34(2)). Experiences during the COVID-19 pandemic have starkly shown that these rights are not yet realized for all migrant workers in ASEAN.

Ensuring that international labour standards – for instance, in relation to wages, benefits and access to insurance – are in place *before* a crisis will result in more positive labour migration outcomes in general and fewer negative impacts *during* a crisis. Maintaining decent work through international labour standards before a crisis enables a human-centred and cooperative approach to managing the crisis and recovery efforts, and prevents further deterioration in employment and labour conditions during and following a crisis (ILO 2020ab). If migrant workers receive fair wages, they will be more resilient to economic shocks and crises.

The ILO Minimum Wage Fixing Convention, 1970 (No. 131), describes in Article 3 the elements to be taken into consideration in determining the level of minimum wages. These are:

- (a) the needs of workers and their families, taking into account the general level of wages in the country, the cost of living, and relative standards of other social groups; and
- (b) economic factors, including the requirements of economic development, levels of productivity and the desirability of attaining and maintaining a high level of employment.

As per the Convention, ratifying countries are to create or maintain the necessary machinery to set the minimum wage and adjust it from time to time. Minimum wage coverage is for all groups of wage earners whose terms of employment are such that coverage would be appropriate. Countries in Asia and the Pacific that have ratified the Convention include Australia, Japan, Malaysia, Nepal, the Republic of Korea and Sri Lanka. Further, other

countries having a minimum wage in the ASEAN region include Thailand.

Singapore does not implement a minimum wage but has in place a “progressive wage model” whose purpose is to increase the wages of workers through upgrading skills and improving productivity. It targets the cleaning, security and landscape sectors. The coverage is, however, limited to citizens and permanent residents only.

Most South Asian countries and the Philippines have unilaterally stipulated minimum referral wages for workers proceeding overseas. The Philippines (US\$400) and Sri Lanka (US\$300) have a single rate regardless of the country of destination and sector, which is perhaps easier to monitor; while India and Nepal have defined different rates depending on destination, occupation and skill level (ILO 2020aa).

Besides administratively set minimum wages (in a tripartite setting or where the public authority plays a main role), collective bargaining among social partners is a vital means to set fair wages for workers. This highlights the importance of social dialogue, increased membership of migrant workers in trade unions and robust workers’ and employers’ organizations. The coverage of workers in collective bargaining agreements in the ASEAN region is low.



5.4. Improving housing

The right to an adequate standard of living stipulated in international human rights law includes the right to housing. As noted earlier, the ASEAN Consensus also stipulates that migrant workers have the right to adequate or reasonable accommodation. The ILO Workers’ Housing Recommendation, 1961 (No. 115), advises in Paragraph 12(1): “it is not generally desirable that employers should provide housing for their workers directly, with the exception of cases in which circumstances necessitate that employers provide housing for their workers.” This caution bears out in light of employer restrictions on workers, but unless wages improve, migrant workers typically cannot afford rental accommodation, particularly in cities; thus, employer-provided accommodation is common in the region (Napier-Moore and Sheill 2016).

Clusters of COVID-19 infections in migrant workers’ housing in Singapore and Malaysia have highlighted the need to establish and strengthen minimum specifications on the nature and standards of the accommodation and facilities provided to migrant workers by their employers. The accommodations must include basic utilities – including water, sanitation, food, storage and heat – as well as quarantine areas that offer health, sanitation and logistics support (ILO 2020r).

ILO Recommendation No. 115 provides guidance on workers’ housing. The Recommendation offers housing standards in relation to:

- ▶ the minimum space per person or family;
- ▶ supply of safe water;
- ▶ adequate sewage and garbage disposal systems;
- ▶ appropriate protection against heat, cold, damp, noise, fire and disease-carrying animals and insects;
- ▶ adequate sanitary and washing facilities, ventilation, cooking and storage facilities and natural and artificial lighting;
- ▶ a minimum degree of privacy, both between individual persons within the household and for the members of the household against undue disturbance by external factors; and
- ▶ suitable separation of rooms devoted to living purposes from quarters for animals.

Where housing accommodation for workers is collective, the competent authority should establish housing standards providing, as a minimum, for:

- ▶ a separate bed for each worker;
- ▶ separate accommodation of the sexes;
- ▶ adequate supply of safe water;
- ▶ adequate drainage and sanitary conveniences;
- ▶ adequate ventilation and, where appropriate, heating; and
- ▶ common dining rooms, canteens, rest and recreation rooms and health facilities, where not otherwise available in the community.

As noted in section 4.6, for employer provided accommodation, Malaysia introduced new regulations on workers' housing and amenities at the end of August 2020. Since the COVID-19 outbreak the Government of Singapore has also been putting in place a programme to build additional dormitories with higher standards over the coming months and years. While these initiatives indicate progress, it would be helpful to study applicable standards and the laws and practices in the ASEAN region on employer-provided accommodation in comparison with other destination countries in Asia and the Pacific, and to undertake tripartite consultations to develop regional guidelines.

It is reported by Singapore's Ministry of Manpower that the new infrastructure specifications that will be piloted in the new Quick Build Dormitories (QBDs) in Singapore will include living space per resident of at least 6 sqm (not including shared facilities), which is up from the current living space per resident of at least 4.5 sqm (including shared facilities). There will be one toilet, bathroom and sink to every five beds, an improvement from every 15 beds currently. There will also be more isolation beds (Gov.sg 2020). Drawing on the experiences from the QBDs and feedback from stakeholders such as public health experts, employers, dormitory operators and workers, the Government is conducting a review on the improved standards to be applied to future new dormitories, while keeping in mind that every new disease outbreak may be different in nature. In addition to infrastructure, the Government is exploring new processes and practices in dormitory management that can be

adopted to improve infection prevention and control. Existing dormitories will also be required to progressively upgrade to higher standards over a few years.

Based on the specifications piloted in the Quick Build Dormitories, the President of the Dormitory Association of Singapore expects building costs for new dormitories to double, along with a 50 percent increase in operating costs (Ng and Seow 2020). The Government has reported that it is consulting employers and dormitory operators to work out a fair solution to help them through this transition period, to ensure a stable housing supply and that the gradient in bed rental prices remains gradual.

In Malaysia under the new regulations, the floor area for the sleeping area has been set at not less than 3.6 square meters for each employee, which is quite small and comparable to that of seafarers on board vessels. Sanitary conveniences are set at 15 persons for one bathroom and toilet, which does not appear adequate.

Along with the development of standards and guidelines, the enforcement of regulations is critical. There should be sufficient deterrence to compel employers and dormitory operators to comply with the laws. Further, the dormitories should not be deemed public spaces in the law (such as in Singapore) so that the personal space of workers is not infringed (HOME 2015).

It is important to also regulate minimum standards for living conditions for live-in domestic workers. The ILO Domestic Workers' Convention, 2011 (No. 189), requires that live-in domestic workers need to have decent living conditions that respect their privacy. The Domestic Workers Recommendation, 2011 (No. 201), further provides that accommodation provided to domestic workers should include a separate, private room that is suitably furnished, adequately ventilated and equipped with a lock, the key to which should be provided to the domestic worker. Domestic workers shall also have access to suitable sanitary facilities, shared or private, and have adequate lighting and, as appropriate, heating and air conditioning in keeping with prevailing conditions within the household.



5.5. Extending migrant workers' social protection

Social protection measures are a critical component of crisis preparedness and response. Globally, 55 per cent of the world's population remains unprotected by social insurance schemes; ultimately leaving a gap in protection and risking further marginalization and vulnerability during crises (ILO 2020n). In ASEAN, the COVID-19 pandemic has in particular exposed the challenges faced by migrant workers, as they are often left out of formal policy and social protection measures (UN 2020a). Therefore, extension of migrant workers' social protection is a key measure in improving migrant workers' resilience against future crises.

The 9th AFML in 2016 adopted 16 recommendations on extending social protection for migrant workers and working towards the portability of migrant workers' social security within ASEAN. The COVID-19 crisis has highlighted the urgency of implementing these recommendations. The principle of promoting equal treatment between nationals and non-nationals in accessing nationally defined social protection in ASEAN Member States (Recommendation 1, 7th AFML) is crucial, and should also cover employment insurance coverage.

While ASEAN's Member States have made significant progress in expanding the social security coverage of migrant workers in the last 10–20 years, a study published by the ILO in 2018 found that migrant workers remain among the least

protected in the region and that effective access to social protection remains a challenge for a large majority in ASEAN. Migrant workers often work in economic sectors that are not covered by social security or where compliance is poorly enforced, or in small businesses that are excluded from social protection. For example, domestic workers are excluded from social protection in many countries. In some cases, social protection for migrant workers is provided through separate schemes that provide protection that is less beneficial in comparison with those that are available to other groups (Marius 2018). To improve migrant workers' resilience to future crises and emergencies, it is imperative to extend migrant workers' social protection and to realize equal treatment between nationals and non-nationals.

According to the ILO 2018 study, Thailand and the Lao People's Democratic Republic are the only countries in ASEAN where non-nationals are covered under unemployment insurance (Marius 2018). The COVID-19 pandemic has highlighted the importance of extending unemployment insurance to cover migrant workers, especially in times of crisis or emergency.

Going forward, a combination of unilateral, bilateral and multilateral interventions is needed to enhance migrant workers' access to social security in ASEAN. To help migrant workers in ASEAN to meet the eligibility criteria for certain social security benefits, in particular long-term benefits, arrangements for the portability of social security should be set up between countries of origin

and destination. There is also a need to better regulate the superimposition of immigration law on social security entitlements to ensure that migrant workers have adequate time to claim and finalize social security benefit payments upon termination of employment (Marius 2018).

5.6. Ensuring protection of all migrant workers

While various measures need to be taken to reduce irregular migration in the region, including making the formal channels for labour migration work better, during the pandemic undocumented workers have been subject to detention in unsafe conditions. As noted in the UN in Malaysia's statement of 2 May 2020, the fear of arrest and detention may push these vulnerable population groups further into hiding and prevent them from seeking treatment, with negative consequences for their own health and creating further risks concerning the spread of COVID-19 to others (*New Straits Times* 2020). Therefore, it is essential to delink fear of sanctions for immigration violations and the health concerns of migrants.

The UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) stipulates:

Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment (Art. 28).

ILO Convention No. 143, while calling for all necessary and appropriate measures to suppress clandestine movements of migrants for employment and illegal employment of migrants, including against the concerned organizers and employers, also grants all migrant workers the right to payment of remuneration, social security and other benefits arising out of past employment and to seek redress for wage claims (Art. 9). The

Convention also states that migrant workers who have resided legally in the territory for the purpose of employment shall not be regarded as in an illegal or irregular situation by the mere fact of their loss of their employment (Art. 8).

With respect to the latter, as noted in section 4.3 above, some countries of destination in the region have offered visa extensions or amnesties and other similar measures to support migrants remaining in the country.

5.7. Access to up-skilling and re-skilling

The COVID-19 crisis has changed the way that we work and learn in an unprecedented way. Skills sets for many jobs have changed, especially as more and more goods and services are provided and purchased online. The "new normal" after the COVID-19 is unlikely to look like the "old normal". In this digital transformation it is essential to ensure that migrant workers have access to up-skilling and re-skilling to be able to operate in the "new normal" workplaces. More efforts are needed to promote women and men migrant workers' access to technology and to build their capacity to meaningfully use technology and to contribute to the digital economy.

The 11th AFML recommended that all stakeholders should educate migrant workers on the availability of digital services; cyber security; and the risks of false information, through appropriate media platforms such as information campaigns and pre-departure/post-arrival training (11th AFML, Recommendation 9). Further, the 12th AFML recommended supporting the employability of migrant workers in the future of work through promotion of migrant worker access to skilling, re-skilling and up-skilling opportunities on digital skills and soft skills. Vocational training programmes should also be responsive to new skills requirements (12th AFML, Recommendation 13). In the new normal, implementing these recommendations is more important than ever before.



▶ 6

Key considerations and recommendations going forward

As we have seen in the review above in this background paper, for a variety of reasons, migrant workers are among the more at-risk groups during the COVID-19 pandemic. To fully protect their health and labour rights during the pandemic, and to build back better, the following recommendations may be considered by ASEAN Member States and stakeholders. Gender-responsiveness should be taken into consideration when translating these recommendations into practice.

Sub-theme 1: Impact of COVID-19 on migrant workers and responses in ASEAN

1. **Disseminate information about COVID-19 to migrant workers** through accessible and appropriate channels and languages and in a gender-responsive manner. Awareness-raising campaigns and media targeting the general public should also be undertaken to increase recognition of the contribution of women and men migrant workers, and to tackle discrimination and stigmatization to improve social cohesion.

2. **Ensure all migrant workers' access to emergency medical care, including COVID-19 testing and treatment as required.** Delink fear of sanctions for immigration violations and the health concerns of migrants.
3. **Reduce migrant workers' exposure to COVID-19 infection at work and in employer-provided housing** by enabling social distancing, hand-washing and access to PPE, and strictly following and enforcing government infection control measures.
4. **Encourage job retention, remote and flexible work arrangements, alternative employment, and job creation for women and men migrant workers.** Allow laid off migrant workers to change employers without losing their immigration status through easing the renewal or extension of contracts, visas, work permits, and other documentation.
5. **Make sure that retrenchments of migrant workers are not made on discriminatory grounds.** In case of retrenchment, ensure that migrant workers, including irregular migrant workers, receive pay, social security and other benefits arising from past employment.
6. **Ensure migrant workers' access to legal remedies for wage violations and other labour rights abuses,** even in times of crisis. This should include access to legal aid and representation, and ensuring that migrant workers who are forced to return to their country of origin can still continue their cases and resolve disputes. Establish cross-sectoral referral mechanisms and collaboration between labour and women ministries to enhance national policy frameworks and implementation for effective protection, including ensuring access of women migrants to support services and integrated gender-based violence support in the time of crisis.
7. **Include migrant workers in COVID-19-related social protection and emergency relief measures, including income support.** Adapt administrative procedures to expedite processing social protection claims and the disbursement of benefits. Migrants should not be prevented access due to status, legal or other documentation requirements, language, culture or other barriers.
8. **Partner with workers' organizations, CSOs and migrant communities to distribute emergency relief,** including food, PPE, hygiene items, other basic necessities, and pandemic-related information, to ensure that these reach the more at-risk migrant worker populations. Special effort should be made to reach irregular migrants, migrant domestic workers, and migrants employed in the informal economy.
9. **Ensure the availability and accessibility of low or no cost remittance services,** including digital services, during crises. In addition, in case migration costs are being borne by workers and there are financial services for migration costs, the financial sector should consider rescheduling – or placing a moratorium on – loan repayments and debt from migration.
10. **Assist returns and reintegration to countries of origin during crises.** Ensure gender-responsive quarantine facilities are available and follow adequate safety measures. Incorporate returning migrant workers into reintegration programmes as well as national social assistance programmes. Governments and employers are to facilitate the voluntary return of migrants during the crisis.
11. **Consider a moratorium on arrests and detention of migrant workers,** or at minimum, alternative options to detention. If used, detention facilities should always maintain full and gender-responsive safety and health measures.
12. **Review recruitment, deployment and immigration policies to ensure that migrant workers are protected against health and other risks during COVID-19.** Countries of origin and destination should work towards ensuring that costs related to COVID-19 testing, quarantine and other health and safety requirements in their respective countries are not charged to, or otherwise borne by, migrant workers or jobseekers.

Sub-theme 2: Cohesive and responsive labour migration policy for future preparedness in ASEAN

- 13. Adopt emergency preparedness plans for migrant workers at relevant levels, such as the company, embassy, national, bilateral and regional levels.** Consider setting up contingency funds to cover repatriation costs at the national level. Emergency preparedness plans should be gender-responsive and integrate the prevention of violence against women and girls. Where relevant, such plans should be developed through tripartite-plus social dialogue to ensure a cohesive and responsive whole-of-society approach.
- 14. Ensure that migration policy is based on verified short- and long-term demand for migrant workers in the labour market, including in essential services.** Allow migrant workers to change employers to improve rights protection, efficiency within labour markets, and better management of migration.
- 15. Improve coordination of immigration, labour and social security legal and policy frameworks** to ensure that the superimposition of immigration laws does not hamper migrant workers' access to healthcare, due wages and benefits, or legal remedies. Review relevant laws to enable migrant workers to change employers without losing their immigration status.
- 16. Strengthen migrant workers' wage protection** through effective complaints mechanisms and support services and ensure that migrant workers' wage claims are investigated and documented before they leave the country. Attention needs to be paid to wage protection of all migrant workers, including those in domestic work, the informal sector and irregular migrant workers. Consider setting up a fund to cover wage arrears at the national level.
- 17. Enhancing wages:** Extend minimum wage provisions to all migrant workers (in countries implementing minimum wage policies), and strengthen freedom of association and collective bargaining, benefiting both migrant workers and nationals. Consider extending the coverage of the progressive wage model to migrant workers (Singapore).
- 18. Set up or strengthen safety, health and hygiene, comfort and privacy standards for employer-provided housing, and strictly enforce these standards.** This may include a study of applicable standards and the laws and practices in the ASEAN region on employer-provided accommodation in comparison with other destination countries in Asia and the Pacific, as well as undertaking tripartite consultations to develop regional guidelines.
- 19. Provide social protection coverage to all migrant workers in all sectors and types of enterprises.** Where such employment insurance initiatives are available, consider extending unemployment insurance to migrant workers, especially in any crisis situation. Promote the development of bilateral agreements on the portability of social protection for migrant workers between ASEAN Member States. Strengthen collection of gender-disaggregated data to improve the evidence base to inform policymaking on migrant workers' access to social protection schemes.
- 20. Ensure migrant workers' access to re-skilling and up-skilling programmes** to enable them to meaningfully use technology and to contribute to the digital economy and future of work in the "new normal". Put systems in place to recognize and accredit the skills of migrants in countries of origin and countries of destination to enhance migrants' abilities to contribute to social and economic development.

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► Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community: 13th ASEAN Forum on Migrant Labour thematic background paper

This paper was prepared to inform and guide discussions on the theme “Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community” at the 13th ASEAN Forum on Migrant Labour (AFML) held on 10 and 12 November 2020 in Hanoi, Viet Nam, and online. The AFML is a tripartite meeting that brings together governments, employers’ and workers’ organizations, alongside civil society groups, to discuss migration governance issues across the Association of Southeast Asian Nations (ASEAN) region, and aims to promote and protect migrant workers’ rights. The AFML is supported by the ILO through its TRIANGLE in ASEAN programme.

This background paper was prepared to encourage consideration of the impacts of COVID-19 on migrant workers and ongoing responses, and to propose recommendations for better preparedness for future crises such as a pandemic, an economic crisis or natural disasters.

ILO Regional Office for Asia and the Pacific

United Nations Building
Rajdamnern Nok Avenue
Bangkok 10200, Thailand

T: +662 288 1234
F: +622 280 1735
E: BANGKOK@ilo.org
www.ilo.org/asia

