

TRIANGLE Project Update: December 2011

Tripartite Action to Protect Migrant Workers from Labour Exploitation (the TRIANGLE project) aims to strengthen the formulation and implementation of recruitment and labour protection policies and practices. The project is operational in five countries: Cambodia, Lao PDR, Malaysia, Thailand and Viet Nam, with activities in China to follow. In each country, governments and social partners are engaged in each of the TRIANGLE project objectives.

The project is collaborating with the government and key stakeholders in several countries on the strengthening of policy and legislation. In Cambodia, the Ministry of Labour and Vocational Training has specifically requested assistance from the TRIANGLE project in the development of Ministerial Orders to supplement and facilitate the implementation of Sub-Decree 190 on sending Khmer workers abroad. The labour ministries in Lao PDR and Viet Nam have made similar formal and specific requests for the TRIANGLE project to assist in the drafting of legislation and regulations on sending workers abroad. In Thailand, multi-stakeholder forums have been organized to discuss measures to strengthen protection in the domestic work and fishing sectors, and written comments will be submitted on draft Ministerial Regulations. Technical inputs were made to draft legislation on the recruitment of migrant workers (the draft revision of the Recruitment and Job-Seekers Protection Act).

Policy advice is being provided based on international labour standards and good practices, as well as primary research. Research in sending communities has measured potential migrants' knowledge of safe and legal migration and rights at work; and in destination countries has gauged migrants' working conditions as well their access to support services. Studies to assess and improve complaints mechanisms and the regularization process in Thailand are underway. A survey on public attitudes towards migrant workers was conducted in four destination countries in Asia, and is being used in the development of an inter-agency campaign to promote understanding with migrant workers. In Thailand, the Saphan Siang (Bridge of Voices) campaign aims to raise greater public awareness on the issue of migrant workers, including their contribution to the economy and society, and their right to equal protection under the law.

Project assistance has been requested in delivering training and developing tools to ensure more effective implementation of laws and policies. An assessment of the capacity of labour migration institutions in Cambodia, Lao PDR and Viet Nam was conducted, and will lead to a training needs plan that will be carried out at central and local levels in the coming years. In Lao PDR, an operations manual has been drafted to clarify and streamline the process of migration, in cooperation with the labour, foreign affairs and immigration authorities.

A number of initiatives have been launched to improve recruitment practices. An assessment of the pre-departure training available in Cambodia, Lao PDR and Viet Nam has been conducted and will inform the development of a trainers' manual and trainee's handbook, followed by a Training of Trainers workshop. The project is working with the Vietnamese Association of Manpower Supply (VAMAS) and the Association of Cambodian Recruitment Agencies (ACRA) in the development of system for monitoring their Code of Conduct. In Thailand, a cooperation framework with the Department of Employment outlines cooperation over the next two years on the monitoring and regulation of recruitment practices. The National Fisheries Association of Thailand will conduct a study into recruitment and employment practices, with the aim of establishing a one-stop service recruitment centre for the fishing sector.

Trade unions are playing a bigger role in the protection of migrant workers. The project has assisted the Lao Federation of Trade Unions (LFTU), the Malaysian Trade Union Congress (MTUC), the Vietnam General Confederation of Labour to adopt detailed action plans on the protection of migrant workers, and similar frameworks will be developed for the workers' organizations in Cambodia and Thailand. In Thailand, the Labour Congress of Thailand (LCT), the Thai Trade Union Congress (TTUC) and their trade

union partner, the National Congress of Private Industrial Employees (NCPE), have established a migrant worker resource center (MRC) in Samut Prakarn province. MRCs are also being run by the LFTU, MTUC and the Cambodian Labour Confederation (CLC), providing information and legal assistance, and organizing women and men migrants and potential migrants. Bilateral agreements will strengthen collaboration between the trade union partners in countries of origin and destination.

The TRIANGLE project has also been supporting ASEAN regional cooperation on the protection of the rights of migrant workers through various platforms. For example, technical assistance was provided to the drafting committee of a regional instrument on the protection of migrant workers. ILO continues to support the ASEAN Forum on Migrant Labour, which is unique among ASEAN events in its engagement of tripartite constituents plus representative civil society organizations. The 2011 Resolution of the ASEAN Inter-Parliamentary Assembly Session on the Protection of Migrant Workers features ILO standards and principles on migration.

In countries of origin and destination, project partners are providing support services to women and men migrants and potential migrants. Over the course of the project (2010-2015), at least 20,000 beneficiaries will be prevented from entering or withdrawn from exploitative working conditions. Support comes in the form of information and counseling on safe migration and rights at work; legal assistance and access to justice; training migrant leaders and organizing migrant associations; delivering training on specific skills and occupational safety and health, etc. These services are primarily provided through migrant worker resource centers (MRCs), which have been launched with project support by government, trade unions and civil society organizations in five countries. In addition, outreach activities are conducted in target areas and hotlines have been set up to broaden the reach of the services. A film has been produced in Cambodia providing key messages on safe migration, and in other sending countries television and radio programmes will target potential migrant workers.



**For more information
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Project Implementation Agreements

The TRIANGLE project has agreements with the following organizations to deliver improved support services to women and men migrant workers and potential migrant workers.

	Organization	Coverage	Start Date
1	Phnom Srey Organization for Development (PSOD)	Kampong Cham, Cambodia	August 2011
2	National Employment Agency (Job Center)	Battambang, Cambodia	August 2011
3	Cambodia Labour Confederation (CLC)	Prey Veng, Cambodia	August 2011
4	Department of Skills Development and Employment, Ministry of Labour and Social Welfare (MOLSW)	Xaiyaboury and Champasack, Lao PDR	August 2011
5	Lao Federation of Trade Unions (LFTU)	Savannakhet, Lao PDR	August 2011
6	Tenaganita	Johor and KL, Malaysia	June 2011
7	Malaysian Trade Union Congress (MTUC)	KL, Selangor and Penang, Malaysia	September 2011
8	MAP Foundation	Chiang Mai and Mae Sot, Thailand	May 2011
9	Thai Trade Unions (LCT, TTUC, NCPE)	Samut Prakan and vicinity, Thailand	October 2011
10	Dear Burma (TACDB)	Bangkok and vicinity, Thailand	October 2011
11	HomeNet	Bangkok, Thailand	May 2011
12	Department of Labour, Ministry of Labour (in cooperation with ILO Going Back – Moving On project)	Thailand	November 2011
13	National Fisheries Association of Thailand (NFAT)	Samut Sakorn, Trat and Rayong, Thailand	December 2011
14	State Enterprises Workers' Relations Confederation (SERC)	Ayutthaya, Patum Thani, Saraburie, Nakon Patom, Thailand	December 2011
15	Labour Rights Protection Network (LPN)	Bangkok and Samut Sakorn, Thailand	December 2011
16	Human Rights and Development Foundation (HRDF)	Mae Sot, Thailand	January 2012
17	Foundation for AIDS Research (FAR)	Rayong, Thailand	January 2012
18	Quang Ngai and Thanh Hoa Departments of Labour, Invalids and Social Affairs (DOLISA)	Thanh Hoa and Quang Ngai, Viet Nam	November 2011

Summary of Research, Legal Reviews, Studies and Tools

	Title / Summary	Status
<i>Primary Research</i>		
1	Baseline Survey on Safe and Legal Labour Migration Survey of potential migrant workers in target areas in Cambodia, Lao PDR and Viet Nam	Complete
2	Baseline Survey on Employment and Working Conditions of Migrant Workers Survey of migrant workers in target areas in Malaysia and Thailand	Complete
3	Four-Country Survey on Public Attitudes towards Migrant Workers: Malaysia, Singapore, South Korea and Thailand	Complete
4	Baseline Survey on Recruitment and Employment in Thailand's Fishing Sector Study proposed by Department of Labour Protection, Department of Fisheries and National Fisheries Association of Thailand	Pipelined
<i>Legislative Reviews</i>		
5	Review of Legal and Policy Frameworks on Labour Migration in Cambodia Legislative review and recommendations for supplementing and facilitating the implementation of the new Sub-Decree	Complete
6	Review of Legal and Policy Frameworks on Labour Migration in Lao PDR In-depth review of the legal and policy framework on labour migration in Lao PDR, with a focus on the protection of migrant workers	Pipelined
7	Review and Legal and Policy Frameworks on Labour Migration in Vietnam In-depth legislative review and gap analysis, with an initial focus on the formulation of a standard labour contract and a regulation on deposits taken	Ongoing
8	Review of Ministerial Regulation No. 10 on Work in Fishing in Thailand Legislative review and gap analysis of the draft Ministerial Regulation on work in fishing against ILO Convention 188 and Recommendation 199	Ongoing
9	Review of Ministerial Regulation on Domestic Work in Thailand Legislative review and gap analysis of the draft Ministerial Regulation on domestic work against ILO Convention 189 and Recommendation 201	Ongoing
10	Review of Thailand's Policy and Legal Framework on the Protection of Migrant Workers Focus on Labour Rights, Social Security and Access to Justice	Pipelined
<i>Studies</i>		
11	Assessment of Complaint Mechanisms to Address Grievances in the Recruitment of Inbound and Outbound Migrant Workers in Thailand	Ongoing
12	Review of Regularisation of Migrant Workers in Thailand Review of current policies and practices on regularization, its effectiveness and its impact on reducing irregular migration and increasing protection of migrant workers	Pipelined
13	Analysis of the role of recruitment agencies in labour trafficking cases in Malaysia Review of case notes and in-depth interviews with trafficked persons	Pipelined
14	Analysis of convictions and acquittals in labour trafficking cases in Malaysia Review of prosecutions and judges' decisions to improve the process of gathering evidence and pursuing prosecutions for cases of labour trafficking	Pipelined
<i>Tools</i>		
16	Models for Monitoring Codes of Conduct Business for Social Responsibility (BSR) conducted an analysis of self-regulation tools and experiences of other industries as a basis for recommendations on how they could be applied to the recruitment industry	Complete
17	Procedures for Monitoring the Implementation of the VAMAS Code of Conduct Detailed procedures for collecting and analysing information about agency performance, and formulating a rating for member agencies	Complete

18	Procedures for Monitoring the Implementation of the ACRA Code of Conduct Detailed procedures for collecting and analysing information about agency performance, and formulating a rating for member agencies	Ongoing
19	Road Map to Enhance the Capacity of the Labour Migration Institutions in Cambodia, Lao PDR and Viet Nam Detailed recommendations, timeline and critical path on training needs	Ongoing
20	Pre-Departure Orientation Curriculum in Cambodia, Lao PDR and Viet Nam Development of country-specific curricula and training materials for trainers and migrant workers preparing to work abroad	Ongoing
21	Communications Plan on Safe and Legal Migration in Cambodia, Lao PDR and Vietnam In each country, a communications plan is being developed to guide service providers with consistent messaging and effective dissemination channels	Ongoing
22	Safe Migration Film: 'My Name is Saray' Feature-length film developed in Cambodia by the TRIANGLE project and the Asia Foundation to warn of the risks of migration, and to promote messages on how to migrate safely and legally	Complete
23	Operations Manual on Managing Inbound and Outbound Migration in Lao PDR Synthesis of the various laws, regulations and procedures from the MOLSW, MOFA and MOI, in order to make the migration process more standardized and streamlined	Ongoing
24	Operations Manual for Labour Authorities on Sending Khmer Workers Abroad Guidelines on the role and responsibilities of local authorities in sending workers abroad through safe and legal means	Pipelined
25	Information Guide on Safe and Legal Migration from Vietnam Reference material for provincial resource persons providing detailed information related to inspection, costs, training, protection, counselling, etc.	Ongoing

Policy Dialogue and Training Workshops

	Activity (Date)	Participants
1	ASEAN Forum on Migrant Labour (Hanoi, July 2010)	National government and ASEAN Secretariat officials Representatives of national and regional workers' organizations Representatives of national and regional employers' organizations Representatives of regional NGOs Observers and participants from relevant Vietnamese bodies
2	Thai Youth Forum (Bangkok, September 2010)	Youth advocates (affected by migration/ trafficking) from Thailand
3	Mekong Youth Forum 2010 (Bangkok, October 2010)	Youth advocates (five from each of the six GMS countries) Central government officials (2 from each COMMIT Task Force)
4	DOLE ASEAN Workshop on Improving Overseas Employment Administration (Manila, December 2010)	Central government officials from 8 ASEAN countries and ASEAN Secretariat
5	Consultation on the Implementation of Cambodian Labour Migration Policy (Phnom Penh, March 2011)	Central and provincial government officials Trade union staff Representatives from civil society Representative from recruitment agencies
6	VAMAS Workshop on the Application of Code of Conduct (Hanoi, May 2011)	Recruitment agency and association staff Central government officials Provincial government officials Workers' Organization (VGCL)
7	Forum on Information Dissemination on the Migrant Registration Process (Bangkok, June 2011)	Central government officials NGOs and grassroots organizations Employers' Organizations Workers' Organizations
8	HomeNet Domestic Worker Leaders Meeting (Bangkok, June 2011)	Central government officials NGOs Employers' organizations Workers' organizations Domestic workers
9	TURIN Training on the Governance of Labour Migration (Turin, July 2011)	Cambodia – MOL, DOEM senior officer Thailand – MOL, DOE senior officer Viet Nam – MOLISA, DOLAB senior officer Lao PDR – MOLSW, DESD senior officer Malaysian Trade Union Congress, Secretary General
10	LFTU Workshop to Develop a Policy and Action Plan on the Protection of Migrant Workers (Vang Vieng, August 2011)	Central and provincial trade unions officials

11	Forum on Work in Fishing (Bangkok, September 2011)	Central government officials
		NGOs and grassroots organizations
		Employers' Organizations
		Workers' Organizations
12	ACMW Drafting Committee Meeting (Manila, September 2011)	National government and ASEAN Secretariat officials
13	MTUC Workshop to Develop an Action Plan on the Protection of Migrant Workers (KL, September 2011)	Central and provincial trade unions officials
		NGO partners
14	Laos MRC Administration Workshop (Vientiane, September 2011)	Staff of central and provincial departments of labour (Xaiyaboury, Champasack)
		Staff of central and provincial Lao Federation of Trade Unions (Savannakhet)
15	Cambodia MRC Administration Workshop (Kampong Cham, October 2011)	Staff of provincial departments of labour (Battambang, Prey Veng and Kampong Cham)
		Staff of MRC implementing partners (CLC, NEA, PSOD)
16	ASEAN Forum on Migrant Labour (Bali, October 2011)	National government and ASEAN Secretariat officials
		Representatives of national and regional workers' organizations
		Representatives of national and regional employers' organizations
		Representatives of regional NGOs
17	VGCL Workshop to Promote the Role of Trade Unions in the Protection of Migrant Workers (Hanoi, November 2011)	Central and provincial trade unions officials
		Central Government officials
18	ACRA Workshop on the Development of a COC Monitoring Mechanism (Phnom Penh, December 2011)	Members of the Association of Cambodian Recruitment Agencies
		Central Government officials
19	Sub-Regional Advisory Committee (SURAC) Meeting (Bangkok, December 2011)	Government officials
		Employers' Organizations
		Workers' Organizations
		NGO partners
20	Workshop to Develop a Strategy for Drafting the Prakas to Supplement Sub-Decree 190 (Phnom Penh, December 2011)	Central Government officials
		Employers' organizations
		Workers' organizations
		NGO partners
21	Workshop to Develop Cambodia's Inputs to the ASEAN Instrument on Migrant Workers (Phnom Penh, December 2011)	Central Government officials
		Employers' organizations
		Workers' organizations
		NGO partners
22	Training Workshop on Safe and Legal Migration for Provincial Resource Persons (Danang, December 2011)	Central, provincial and local labour officials
		Provincial and local representatives from mass organizations (Trade Union, Women's Union and Youth Union)