The Dhaka Statement

Introduction

The Intergovernmental Regional Seminar on Promoting Cooperation for Safe Migration and Decent Work was held in Dhaka from 01-02 July 2013. Representatives of Afghanistan, Bahrain, Bangladesh, Egypt, Malaysia, Maldives, Mauritius, Nepal, Pakistan, Philippines (who were also present as the Chair of the Abu Dhabi Dialogue), Qatar, Sri Lanka, and SAARC Secretariat participated in the Seminar. The Seminar provided a platform for:

- Exchanging good practices between the countries of origin and the countries of destination on the above-mentioned issues within the framework of the International Conventions, and Recommendations.
- Discuss how monitoring efforts by the national and regional bodies, and labour migration reform processes could benefit from such exchanges of good practices.
- Identify possible regional and inter-regional solutions and mechanisms to support migrant workers.

The participants noted that labour migration in Asia generates substantial benefits for countries of origin in terms of jobs and remittances and for countries of destination, in human resources. Yet, abuses are common, and have been well documented. Private recruitment agencies play a primary role in matching job seekers and employers. But malpractices and abuses are fairly common and include: high costs and fees, misrepresentation, failure to meet placement obligations and contract substitution. The high recruitment costs combined with low wages have led to heavy debt burdens for the migrant workers. Women face barriers in finding overseas employment, and as migrant workers confront job segregation and isolation. Migrant women domestic workers are often made more vulnerable due to socio-cultural issues.

During employment overseas, migrant workers are often concentrated in sectors with inadequate labour legislation and enforcement. Women, more often than men, hold jobs that leave them unprotected by labour laws that cover other workers. Additionally, sexual exploitation, sometimes, goes hand in hand with labour exploitation.

The protection of jobs for national workers is an understandable policy concern in the countries of destination. Developing the right policy and legislative response that balances the different interests and effectively...
governs migration is a relatively complex and difficult process, particularly, with regard to admission policies. Politicians and policy-makers in the countries of destination face a sensitive and challenging task in convincing and educating national populations on the need for foreign workers. Challenges, such as increasing unemployment among the national population but shortages in labour in certain trades and occupation where the national workers are not interested to take up jobs, are not easily understood.

The participants recognized growing importance of international labour migration. They also recognized the economic imperatives with changes in working age populations, skills, employment, labour market demands and their impacts on migrant workers.

The Intergovernmental Seminar participants were cognizant of the previous and ongoing regional integration mechanisms and regional as well as inter-regional consultative processes such as the Association of Southeast Asian Nations (ASEAN), Southern African Development Community (SADC), Economic Commission of West African States (ECOWAS), Colombo Process and the Abu Dhabi Dialogue, for improving labour migration management and regional governance.

**Recommendations**

The participants agreed to recommend concerted actions to promote safe migration and decent work in countries of origin and destination, which shall be gender sensitive, and implemented in close cooperation with governments in countries of origin and destination, tripartite partners, civil society organizations, and migrant workers’ associations as follows:

I. **Effective Governance of Labour Migration:**

1. Promote the adoption of international labour standards for all migrant workers, and the ILO Multilateral Framework on Labour Migration, for protection of migrant workers and effective management of labour migration.
2. Unilateral measures by countries of origin, in coordination with host governments, for the provision of welfare and protection of migrant workers, such as operation of a welfare fund, posting of labour attachés and complaints mechanisms, can be reinforced. Evidence based exchange of experience and good practices should be undertaken.
3. More effective exchange of information between countries of origin and destination is required, particularly, in areas of labour market information, including information to facilitate the matching of skills and competencies with job requirements.
4. The role of the regional bodies, like South Asian Association for Regional Cooperation (SAARC), in establishing cooperation among the member states is of special significance, particularly, in times of
crisis when workers need to be evacuated or repatriated in large numbers from a country of destination where not all member states may have their foreign missions.

5. Countries of origin and destination should work together in establishing a decent wage.

6. Consideration should be given to the establishment of an intergovernmental mechanism in South Asia, which is inclusive towards social partners and civil society, for promotion and protection of the rights of migrant workers, taking into account the experience of the ASEAN.

7. Towards the above, there is need for consultation and consensus building among the South Asian Countries who should pursue the next steps proactively.

8. Regional cooperation among the South Asian Countries using any future intergovernmental platform or mechanism should take into account the need to engage with the ongoing regional and inter-regional consultative processes and promote synergies.

9. Regional cooperation among the South Asian Countries should also recognize the need that any future intergovernmental platform or mechanism should engage with the counterpart regional bodies of the countries of destination for cooperation at the inter-regional level.

II. Protection of Migrant Workers, in particular, Women Migrant Workers:

1. Ratification of the ILO Convention 189 on Decent Work for Domestic Workers should be considered for promotion and the national legislation should be reviewed against the provisions of the ILO Convention 189. Notably, Philippines and Mauritius have ratified the Convention. It was noted that some destination countries in South East Asia had recently amended their national legislation to extend certain provisions of the Convention 189.

2. The increasing importance of labour migration in the region has raised the importance of social protection, including access to essential health care and income security. The ILO instruments should be used to guide the countries of origin and destination in their efforts to ensure that migrant workers can exercise their right to social security and social services.

3. Promotion of social networks and associations of the migrant workers in the countries of origin and destination are important and should be pursued.

4. Concerns of protection, particularly, of domestic workers and migrant women workers can be better integrated in the consultations in the Colombo Process and Abu Dhabi Dialogue.

5. Reduction of migration and recruitment cost for the migrant workers is a priority.

6. Information on next of kin/emergency family contact in the country of origin should be included in the migration and contract documents. The employment contract should be vetted and workers, particularly, those who may be without formal education, made aware of the provisions well in advance.

7. Continued emphasis should be placed on social dialogue and furthering cooperation among the three actors of the labour market - workers, employers and governments - because these serve as effective
tools to promote cooperation and understanding and also serve to mitigate challenges and arrive at commonly agreed solutions.

8. There is a need to take the dialogue process forward for consolidation of discussions in this Intergovernmental Seminar and inclusion of the workers and employers organizations in future regional level dialogue.

9. There is a need for continued dialogue between the countries of origin and destination on the provision of opportunities to the migrant workers for work experience enhancement.

10. Concerted efforts are required for diversification of skills of women to promote their employment in more decent and diverse range of occupations.

11. Efforts should also be made to sensitize the employers on the rights of the migrant workers.

III. Regulation of Recruitment:

1. There is need for cooperation among the countries of origin and destination for ensuring effective regulation of recruitment process and quality jobs for the migrant workers.

2. The regulation of recruitment is a shared responsibility and international cooperation is essential, either at the multilateral and/or bilateral level, in making recruitment of workers more effective, orderly, just and fair. For example, as far as private recruitment agencies are concerned, this could take the form of ensuring that workers from countries of origin would only be accepted if they have been recruited through accredited and properly licensed and certified agencies and subsequently endorsed by the relevant line department/ministry.

3. The countries of origin and destination should establish and implement rules and regulations governing the operations of private employment agencies to deter untoward practices to the detriment of migrant workers. This could be further pursued through the establishment and/or strengthening of an overseeing body.

4. Recruitment cost, if any, should be made transparent and be documented for both employers and jobseekers. In this case, proper invoicing of all costs related to recruitment should be made available to the workers and employers.

5. The countries of origin and destination should consider inter-governmental recruitment as an alternative for some major sectors of employment, such as construction, where large scale recruitment is often pursued.

6. The countries of origin and destination should consider introducing stringent disciplinary measures (e.g. heavy fines, imprisonment, etc.) for unethical recruitment practices and illegal recruitment, particularly where such practices abet human trafficking.

7. The countries of origin and destination should strengthen the complaints mechanisms to make them accessible and effective.

8. Recognizing that in addition to reducing migration costs, the returns from overseas work for the migrant workers can be enhanced, a study should be undertaken to determine wage levels and trends in major destination countries and sectors.
9. Consideration should be given to the establishment in countries of origin and destination, of a supplementary monitoring mechanism for recruitment agencies, involving workers and employer organizations and civil society organizations.

Follow up

All participants will follow up with their respective ministries in order to consider above-mentioned recommendations and provide feedback to the organizers of the Intergovernmental Seminar.

South Asian Countries will consider recommendations made on increasing sub-regional cooperation on overseas employment.

Due to its mandate and expertise, the ILO is well placed to assist the constituents to address labour market and social protection issues in line with international labour standards, and help design policies and measures to strengthen labour migration governance. The ILO is requested to provide technical assistance to facilitate the member states, constituents and civil society working on overseas employment issues, and support the implementation of above-mentioned recommendations in cooperation with the other relevant international organizations.

Representatives at the Intergovernmental Regional Seminar on Promoting Cooperation for Safe Migration and Decent Work from:

Afghanistan
Bahrain
Bangladesh
Egypt
Malaysia
Maldives
Mauritius
Nepal
Pakistan
Philippines (also present as the Chair of the Abu Dhabi Dialogue)
Qatar
Sri Lanka
SAARC Secretariat

People’s Republic of Bangladesh, Dhaka, 02 July 2012.