

*Final – Aug 1, 2016*

**Concept Paper**

**The 9<sup>th</sup> ASEAN FORUM ON MIGRANT LABOUR (AFML)**

***“Better Quality of Life for ASEAN Migrant Workers through Strengthened  
Social Protection”***

**9 -10 NOVEMBER 2016**

Vientiane, Lao PDR

## The 9<sup>th</sup> ASEAN FORUM ON MIGRANT LABOUR

### A. Background

1. The launch of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers in 2007 and subsequent establishment of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) in 2008 affirm the ASEAN's commitments to protect the rights of migrant workers.
2. The AFML was created by virtue of the first 1<sup>st</sup> meeting of the Committee on the Implementation of the ACMW held in 2008, and then institutionalized through adoption of ACMW Work Plan for 2010-2015. It has been a regular annual event since 2008 and 8 AFML meetings have been held to date.
3. The ASEAN Forum on Migrant Labour (AFML) provides an open platform for review, discussion and exchange of best practices and ideas between governments, workers' and employers' organizations, and civil society stake-holders on key issues in labour migration in the ASEAN. Each year, the AFML adopts Recommendations to advance the implementation of the principles of the ASEAN Declaration on Protection and Promotion of the Rights of Migrant Workers (Cebu Declaration).
4. The 9<sup>th</sup> AFML is being organized in the context of the launch of the Senior Labour Officials Meeting (SLOM) and ACMW Work Plans for 2016-2020. The 24<sup>th</sup> ASEAN Labour Ministers' Meeting (ALMM) held on 15 May 2016 in Vientiane, Lao PDR, agreed "to continue to take utmost efforts to promote decent work conditions for workers . . . towards inclusive growth and sustainable development." During the meeting, the Labour Ministers "noted with satisfaction that all projects and activities under the ALM Work Program 2010-2015 had been addressed by the ASEAN Senior Labour Officials Meeting (SLOM) and its subsidiary bodies", including the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) and that some regular activities would continue under the new ALM Work Program 2016-2020.
5. The Ministers adopted the ASEAN Labour Ministers' Work Program 2016-2020 with the objective of "achieving a better quality of life for ASEAN people through a workforce with enhanced competitiveness and engaged in safe and decent work derived from productive employment, harmonious and progressive workplace and adequate social protection." The Ministers also adopted the Work Plans of its ASEAN subsidiary bodies, which included the ACMW.
6. The new Work Plan 2016-2020 of the ACMW will contribute to realizing the goals of the ASEAN Socio-Cultural Blueprint 2025 by strengthening the protection and promotion of the rights of migrant workers and through the enhancement of labour migration governance in ASEAN countries, among others. In this regard, the convening of the AFML on an annual basis will continue to be pursued.

### C. Forum themes and objectives

7. ASEAN Member States have recognized that social protection will play a crucial role in the ASEAN integration process by compensating for the short-term loss of income and facilitating access to education and skills, with positive impacts on the overall productivity of the workforce and economic growth in the longer term. While social protection is recognized as a key element for buffering social impact of economic changes and promoting social cohesion within and between countries, implications for maintaining and extending adequate social protection to all, especially with new challenges posed by the regional integration, is a major concern raised by the ASEAN countries.
8. At the 23rd ASEAN Summit in Brunei Darussalam in October 2013, the ten ASEAN Leaders adopted a Declaration on Strengthening Social Protection, which reaffirms their commitment to building an ASEAN community that is “socially responsible and people-oriented” (ASEAN Member States, Cambodia , 2012), through at least the establishment of nationally-defined social protection floors for all. The Declaration also recalls the commitment made by ASEAN Member States when adopting the Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu, 2007) acknowledging migrant workers’ rights to equal social protection access.
9. The 9<sup>th</sup> AFML will carry the overall theme: “Better Quality of Life for ASEAN Migrant Workers through Strengthened Social Protection”
10. The meeting will have two thematic session:
  - i. **Theme 1:** Current situation of social protection of migrant workers in ASEAN; and,
  - ii. **Theme 2:** Working towards the portability of social security of migrant workers in ASEAN.
11. The objectives of the 9<sup>th</sup> ASEAN Forum on Migrant Labour are:
  - a. To share stakeholder experiences, challenges and good practices in implementation of the Recommendations of the 8<sup>th</sup> AFML and past AFML recommendations
  - b. To understand the current situation and explore options for improving social protection of migrant workers in the ASEAN and consider the feasibility of portable social security for migrant workers in the ASEAN.
  - c. To draft and agree on Recommendations on the two thematic areas.

### C. Agenda items

12. The meeting will consists of a Review Session, two Thematic Sessions, Simultaneous Workshops, Presentation of break-out discussions and Consideration of Recommendations
  - i. **Review Session:** The meeting will commence by taking stock of progress so far in the implementation of recommendations made in previous forums. The ILO will present the third background paper assessing the progress in implementing past AFML Recommendations. The background paper will be shared in advance with the

ACMW for their feedback. A panel of employers' and workers' organizations, CSOs and the host government will respond to the findings of the background paper. Following this presentation, time will be allocated for voluntary sharing by AMS to report on the progress of implementing past AFML recommendations. National tripartite preparatory workshops may be organized by ASEAN Member States to facilitate information sharing.

- i. **Thematic Session 1: On the current situation of social protection of migrant workers in ASEAN.** This session will discuss ILO concepts of social protection, including equal access for nationals and migrant workers, barriers some women migrant workers' face when attempting to access social security systems, and strategies that countries can adopt to extend social protection to migrant workers. ASEAN Member States will provide concrete examples on how they have extended social security to migrant workers, including in areas of employment injury benefits and health care, which also cover those workers in the informal sectors.
- ii. **Thematic Session 2: On the portability of social security for migrant workers in ASEAN.** This session will describe the regional ASEAN Frameworks aimed at promoting social protection now in place, present experiences from other regions that are working toward the portability of social security (e.g. EU, East Africa Community and CARICOM), and identify opportunities for ASEAN to establish portable social security systems. ASEAN Member States will present their experiences of negotiating bilateral social security agreements and work towards the inclusion of social protection provisions in bilateral labour agreements.
- ii. **Simultaneous workshops:** The Meeting will have two break –out group workshop to develop recommendations on the two sub-themes of the AFML.
- iii. **Presentation of break-out discussions:** This session will serve to present the outcomes of the discussion within each break-out group of Day One and recommendations proposed by each group for consideration at plenary.
- iv. **Consideration of Recommendations:** This session will present the draft recommendations which summarize the outcomes of the discussions and group work from Day One for discussion, finalization and adoption.

#### **D. Date and venue**

14. The 9<sup>th</sup> AFML will be held for one and-a-half-days on the 9-10<sup>th</sup> November at the Lao Plaza Hotel in Vientiane, Lao PDR.

#### **E. Participants**

13. Participants will consist of ranking officials from government, employers' and workers' organizations, migrant associations, non-governmental organizations and international organizations working on migrant workers issues in ASEAN. These will include:
  - a. Twenty (20) government representatives not lower than Director in rank: two (02) officials from each AMS coming from ministries and agencies relevant to the meeting and its themes.

- b. Fourteen (14) from Employers' Organizations: one (1) from each AMS and one (1) Regional organization of employers representatives working on migrant labour in AMS, additional three (3) from local employers' organizations in Lao PDR
- c. Fourteen (14) from Workers' Organizations / Trade Unions: one (1) from each AMS, one (1) Regional trade union working on migrant labour in ASEAN and additional three (3) from local workers' organizations in Lao PDR
- d. Fourteen (14) representatives from civil society organizations: one (1) from each AMS; and up to three (3) regional civil society organizations representatives who are working on migrant labour issues, additional one (1) from national CSO organization
- e. Additional national representatives from Lao PDR: from related Ministries of the Lao PDR government (up to 10).
- f. ASEAN Secretariat (3), ILO (3), IOM (2), UN Women (1) and Taskforce for ASEAN Migrant Workers (3)
- g. Selected resource persons and experts

#### **F. Financial Support**

14. As with other ASEAN events, the AFML will be conducted on a cost sharing basis.
  - a. The government of Lao PDR, as the host of the AFML, will arrange the conference venue, provide visa and airport transfer assistance, and host evening reception events.
  - b. The host country will cover the 2 (two) nights' accommodation costs for each head of delegation of 10 ASEAN Member States starting from 8<sup>th</sup> November 2016 (check in) to 10<sup>th</sup> November 2016 (check out).
  - c. The sending country will shoulder the airfare travel tickets for the head of their government delegations. Travel of government representatives and accommodation of the second delegate will be covered by the concerned government.
  - d. The costs of air travel tickets and accommodation (stay) of the ILO Governing Body recommended employers' and workers' organizations will be shouldered by the ILO.
  - e. The costs of air travel tickets and accommodations (stay) of the national and regional civil society organizations will be shouldered by the Task Force for ASEAN Migrant Workers (TFAMW), IOM or UN Women.
  - f. In case of a funding gap regarding (c), ILO, IOM and UN Women will consider meeting the short-fall.

#### **G. Output of the 9<sup>th</sup> AFML**

15. The AFML will develop and adopt an output document called "Recommendations of the 9<sup>th</sup> ASEAN Forum on Migrant Labour" consistent with the practice in the previous AFML

meetings. The Recommendations will contain conclusions and concrete activities which ASEAN Member States, Tripartite Partners and CSO may choose to pursue to strengthen the implementation of the Cebu Declaration. The adopted Recommendations will be communicated to the SLOM and ACMW.

16. For further information, please contact

a. **LAO PDR contact**

Mr Chomyaeng Phengthongsavath  
Deputy Director General  
Department of Planning and Cooperation  
Ministry of Labour and Social Welfare  
P.O. Box 347, Pangkham Road  
Vientiane,  
Lao PDR  
Tel: +856 20 22228369  
Fax: +856 21 213287  
Email: [kuasechomyaeng@yahoo.com](mailto:kuasechomyaeng@yahoo.com)

b. **ASEAN Secretariat**

Ms. Pitchanuch Supavanich  
Senior Officer  
The ASEAN Secretariat  
70A, Sisingamangaraja, Jakarta 12110, Indonesia Tel: (62 21) 726 2991 Fax: (62 21) 7398234  
Email : [nuch.supavanich@asean.org](mailto:nuch.supavanich@asean.org)

c. **International Labour Organization (ILO)**

Mr. Nilim Baruah  
Senior Migration Specialist  
ILO Regional Office for Asia and the Pacific  
United Nations Building, Rajdamnern Nok Ave  
Bangkok 10200, Thailand  
Tel.: 662 288 1855  
Fax: 662 288 2063  
Email: [baruah@ilo.org](mailto:baruah@ilo.org)

Heike Lautenschlager  
Technical Officer  
ILO ASEAN TRIANGLE Project/TRIANGLE II

Regional Office for Asia and the Pacific (ROAP)  
UN Building, Bangkok, Thailand

Phone: (+662) 288 1775  
Fax: (+662) 288 3063  
E-mail: [lautenschlager@ilo.org](mailto:lautenschlager@ilo.org)

**d. Task Force on ASEAN Migrant Workers (TFAMW)**

Mr. Sinapan Samydorai  
Convenor – Task Force on ASEAN Migrant Workers  
P.O Box 640, Teban Garden Post Office, Singapore 916002  
<http://www.workersconnection.org>  
Mobile: + 65 9479 1906  
Fax: + 65 6425 0709  
E-mail: [samysd@yahoo.com](mailto:samysd@yahoo.com)

**e. International Organization for Migration**

Ms. Yuko Hamada  
Senior Regional Labour Migration/Migration and Development Specialist  
International Organization for Migration (IOM) Regional Office for Asia and the Pacific  
Phone: +66 2 343 9350  
Direct: +66 2 343 9431  
Fax: +66 2 286 0630  
Mobile: +66 (0)81-832-6804  
E-mail: [yhamada@iom.int](mailto:yhamada@iom.int)

**f. United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)**

Ms Ruchika Bahl  
Programme Manager, Regional Migration Programme  
UN Women Asia Pacific Regional Office  
5/F UN Building, Rajdamnern Nok Avenue,  
Bangkok 10200, Thailand  
Tel: +66 2 288 2094 Fax: +66 2 280 6030  
E-mail: [ruchika.bahl@unwomen.org](mailto:ruchika.bahl@unwomen.org)