

Regional CSO Preparatory Meeting

**15th ASEAN Forum on Migrant Labour
“Resumption of Labour Migration and Regional Cooperation”**

18 October 2022

Civil Society Recommendations

We, the national civil society representatives from ASEAN and regional civil society representatives, make the following recommendations for the 15th AFML with the theme “Resumption of Labour Migration and Regional Cooperation.”

Taking into consideration the current alarming cost of living due to inflation, there is an urgency to ensure that the regional economic recovery includes migrant workers and should not be at the expense of workers’ rights.

Migrant Workers have always played a vital role in development in both countries of origin and destination. This includes helping AMS recover from the slowed growth caused by the pandemic as seen over the past two years. And hence, it is vital that all stakeholders, especially ASEAN governments, work to ensure that the rights of migrant workers, including their families, are respected, and protected, ensuring a life with dignity. Five years after the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, we hope that as stakeholders, we will all critically reflect on the impact of the past recommendations and ensure they are successfully implemented in a non-discriminatory manner through collaborations and regional cooperation. We remind ourselves that migrant workers are not commodities, but mothers, fathers, sisters, brothers, citizens and neighbours.

Sub theme 1 “Economic Recovery and Labour Migration”

- I. We urge countries of destination to provide all migrants, in any stage of redress cycles, the right to stay, and to simplify and streamline registration and documentation of work permit/visa renewal processes.

2. Migrant workers should not be charged recruitment fees and they should be provided at all recruitment stages full information and breakdown of all these related costs, if unavoidable.
3. We call on governments to fast-track social protection coverage and equal healthcare, including mental health for all migrant workers and their families regardless of their status or sectors of employment.
4. Countries of origin and destination should promote digitalization of information regarding social protection to reduce isolated interventions, with due respect for privacy of migrants' personal information.
5. We urge governments to ensure decent living conditions for all migrant workers in line with evolving international standards and to keep the option for migrant workers to arrange accommodation that is independent from employers.
6. We urge governments of destination countries to enforce non-punishment against migrant workers and allow them to stay and work while seeking redress. In cases where migrant workers prefer to return to their countries of origin, and whereas they still have unresolved cases, countries of origin should facilitate migrant returnees access to justice systems in destination countries.
7. We urge stakeholders, in their focus on economic recovery, not to overlook efforts to research on the long-lasting health and safety impact of alarming post-infection symptoms after Covid-19 and other diseases. Yet to understand symptoms such as "long Covid" and "brain fog" may have implications toward higher incidence of accidents at the workplace.

Sub theme 2 “Rights protection to maximize development impacts of labour migration”

1. ASEAN to develop a regional mechanism to facilitate migrants’ access to justice, including complaint mechanisms, investigation, and throughout legal proceedings.
2. ASEAN member states should set up social protection schemes or migrant workers’ fund, with no cost for migrant workers, to protect migrant workers from the risk such as delayed employment, repatriation, and need for subsistence and legal aid.
3. Bilateral agreements must be strengthened and reviewed regularly to achieve portability and improved accessibility of social security for migrant workers.
4. ASEAN governments should make regular migration channels more accessible and affordable for aspiring migrants, based on the principle of equality and non-discrimination.
5. Provisions for comprehensive reintegration programs should be made available for all migrant workers.
6. Countries of origin and destination should cooperate to ensure a safe and dignified return of the migrant workers and their families.
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8. Migrant workers and migrant leaders should be consulted in drafting MOUs, bilateral agreements and other government policies related to migration.
9. ASEAN governments should allow migrants to form associations and trade unions.
10. Ensure proper screening mechanisms and investigations are implemented to identify possible victims of trafficking in persons, victims of forced labour, and persons who are at risk of persecution among detainees and treat them as people in need of protection, and not offenders.
11. Strengthen labour inspection to monitor working conditions in compliance with labour standards and detect incidences of forced labour practices.