ASEAN Forum on Labour Migration

Laura Barisone
Project Officer
ILO - GMS Triangle Project
Presentation outline

1. International protection mechanisms
2. ASEAN protection mechanisms
3. Background information on the AFML
4. Purpose of the national tripartite preparatory meeting
5. 7th AFML theme, sub-themes and draft agenda
6. What is next?
7. Conclusion
## 1. International protection mechanism for migrant workers

<table>
<thead>
<tr>
<th>Country</th>
<th>ILO C97</th>
<th>ILO C143</th>
<th>ILO C189</th>
<th>UN CMW</th>
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<tbody>
<tr>
<td>Brunei Darussalam</td>
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<td>Cambodia</td>
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<td>Indonesia</td>
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<td>Lao PDR</td>
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<td>Malaysia</td>
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<td>Myanmar</td>
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<td>Singapore</td>
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<td>Thailand</td>
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<td>Vietnam</td>
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2. Background information on the AFML

History

• 2004 Vientiane Action Program
• 2007 Declaration on the Protection and Promotion of the Rights of Migrant Workers.
• 2008 ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW).
• 2012 ASEAN Human Rights Declaration

What is the AFML?

The ASEAN Forum on Migrant Labour is an open platform for the review, discussion and exchange of best practices and ideas on key issues facing migrant workers in South East Asia.
Participants:

**Tripartite** - remains unique among ASEAN events in providing social partners and civil society a platform to engage with governments. (Supported by the ILO, IOM, UN Women and the ASEAN Secretariat)

**AFML Outcomes:**

Annual meetings conclude with an outcome document called “**Recommendations**”

- Recommendations are non-binding
- Government voluntarily report to the following AFML on their progress
2. Background information on the AFML

Objectives of the AFML

1. To share stakeholder experiences, challenges and good practices in implementation of the Recommendations at past AFML meetings.
   
   • Review Session: presentations by AMS; voluntary

2. To examine in detail Articles of the Cebu Declaration that pertain to the obligations of both countries of origin and destination.
   
   • Adoption of a central theme with two (2) thematic sessions in every AFML meeting

3. To develop and agree on “Recommendations” arising from discussions of the thematic sessions.
   
   • Implement Recommendations
   • Report back on accomplishment
3. The AFML national tripartite preparatory meeting

→ Convened by ASEAN member governments and/or social partners

→ **Wider** Tripartite participation, including civil society

→ Objectives:

1. Take stock on the progress to date and implementation of previous forums’ recommendations by national level tripartite stakeholders

2. To discuss the AFML’s proposed theme/ sub-themes and prepare and adopt positions endorsed by national tripartite partners on these themes

3. To develop a report as guide and for sharing at the AFML Annual Meeting
### 2. Background information on the AFML: Past meetings and themes

<table>
<thead>
<tr>
<th>AFML</th>
<th>Past Themes</th>
<th>Location</th>
<th>Date</th>
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<tbody>
<tr>
<td>2\textsuperscript{nd}</td>
<td>ASEAN Declaration on Migrant Workers: Achieving its Commitment</td>
<td>Bangkok, Thailand</td>
<td>30-31 July 2009</td>
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<tr>
<td>3\textsuperscript{rd}</td>
<td>Enhancing Awareness and Information Services to Protect the Rights of Migrant Workers</td>
<td>Ha Noi, Viet Nam</td>
<td>20 July 2010</td>
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| 4\textsuperscript{th} | Development of a public campaign to promote understanding, rights and dignity of MW in countries of destination; Return and reintegration and development of sustainable alternatives in countries of origin  
Sub themes:  
1) Promotion of positive image, rights and dignity of migrant workers.  
2) Promotion of strategies for effective return and reintegration, as well as sustainable alternatives for MW | Bali, Indonesia          | 24-25 Oct 2011    |
| 5\textsuperscript{th} | The Protection and Promotion of the Rights of Migrant Workers: Towards Effective Recruitment Practices and Regulations | Siem Reap, Cambodia      | 8-9\textsuperscript{th} Oct 2012 |
| 6\textsuperscript{th} | Enhancing Policy and Protection of Migrant Workers through Data Sharing, and Adequate Access to the Legal and Judicial System during employment, including Effective Complainants  
Sub themes:  
1) Enhancing policy and protection of migrant workers through data collection and sharing.  
2) Enhancing policy and protection of migrant workers through adequate access to the legal and judicial system during employment, including effective complaints mechanisms. | Bandar Seri Begawan, Brunei Darussalam | 26-27 Nov 2013 |
5. Theme, sub-themes and draft agenda of the 7th AFML

“Towards the ASEAN Community by 2015 with enhanced measures to protect and promote the rights of migrant workers”

Sub-theme 1: Promotion of fair and appropriate employment protection, payment of wages, and adequate access to decent working and living conditions for migrant workers (Article 8).

Sub-theme 2: Coordination and role of key stakeholders to set up and implement policies and procedures to facilitate aspects of migration of workers, including (Article 13).
Main Recommendations:

Sub-theme 1: Promotion of fair and appropriate employment protection, payment of wages, and adequate access to decent working and living conditions for migrant workers (Article 8).

- Standardized employment contract with clear terms and conditions of employment, rights and responsibilities of men and women workers and employers
- Government should allocate resources for labour inspections and improve occupational health and safety regulations.
- One-stop services and migrant resource centres should be set up in all ASEAN member states and should be integrated with services such as hotline numbers
- Labour attaches should be well trained and provide on-site protection

Sub-theme 2: Coordination and role of key stakeholders to set up and implement policies and procedures to facilitate aspects of migration of workers, including (Article 13).

- National policies and legislations should be accessible to all stakeholders
- Pre-employment, pre-departure and post-arrival orientation programmes should be mandatory and free of charge
- Support programmes including job counselling, market oriented skills development should be provided to returned migrants
6. What is next?

The ASEAN Triangle project will keep working to support the following activities:

- Support to the upcoming Senior Labour Officials Meeting (SLOM) in May in Malaysia
- 8th AFML – to be held in Malaysia at the end of 2015
- Ongoing support to ASEAN member states on the creation of a legal instrument to protect and promote rights of migrant workers
- International Labour Migration Statistics (ILMS) Database
  
[Link to www.ilo.org/iostat]
ILMS Database in ASEAN

*Generating statistics for better migration policies in ASEAN...*

In recognition of the overall **lack of reliable or comparable data** on the stocks and flows of migrants and especially migrant workers – the International Labour Migration Statistics (ILMS) Database was launched with a threefold objective:

1. To provide an **openly-available, comprehensive and tractable information source** to enable evidence-based policymaking on international labour migration in ASEAN.
2. To **map the existing data sources countries collect**, including their quality, scope, completeness, comparability and possible weaknesses to be strengthened through capacity building.
3. To define a set of tables of relevance on international labour migration as a **standard reference-point for future data collection and reporting in ASEAN and beyond.**
ILMS Database in ASEAN
Scope of the data collection – the 17 tables sought...

MODULE A: International Migrant Stock
1. Resident population by sex, age and labour market status, total and migrants
2. Working age population by sex and education, total and migrants
3. Migrants by country of origin
4. Employed migrants by country of origin
5. Employed persons by economic activity, total and migrants
6. Employed persons by occupation, total and migrants
7. Employed persons by sex and status in employment, total and migrants
8. Mean and median monthly employment-related income of employed persons by sex...

MODULE B: International Migrant Flow
9. Inflows of working age migrants by sex and by country of origin
10. Inflows of migrants by sex and education
11. Inflows of employed migrants by economic activity
12. Inflows of employed migrants by occupation

MODULE C: Nationals Abroad
13. Stock of nationals abroad by sex and country of residence
14. Outflows of nationals by sex and country of destination
15. Outflows of nationals for employment by sex and country of destination
16. Outflows of nationals for employment by economic activity
17. Outflows of nationals for employment by occupation
7. Conclusion: Background Paper to the 7th AFML

- In 2012, the ILO prepared the first background paper to the 5th ASEAN Forum on Migrant Labour.
  - A full copy of the ILO Background paper is available at: www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_219040.pdf

- The ILO will prepare a second background paper to review progress towards implementing recommendations from the 3-6th AFML ahead of the 7th AFML in 2014.
  - The background paper will cluster the 64 recommendations under 5 thematic areas
For more information, please contact:

Manuel Imson
Senior Project Coordinator,
ASEAN TRIANGLE Project
imson@ilo.org

ILO Regional Office for Asia and the Pacific
Bangkok, Thailand
www.ilo.org/asia