



Press Release

No More 10 years Wait Before Implementing Better Protection for Migrant Workers in ASEAN

8 May 2018, Bangkok, Thailand

'It will not take another 10 years to start work on a concrete plan of action to realise the ideals encapsulated in the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (ASEAN Consensus)', guaranteed the Chair of the ASEAN Committee on Migrant Workers (ACMW), Mr Lim Tze Jiat during a regional civil society consultation held in Bangkok on 3-4 May 2018 with 68 representatives from civil society organisations, trade unions, regional organisations and the International Labour Organisation's (ILO) Triangle in ASEAN Programme.

The two days regional civil society consultation on the ASEAN Consensus on the protection and promotion of the rights of the migrant workers was held on 3-4 May 2018 in Bangkok, Thailand. It reviewed the current state of migrant workers in Southeast Asia. Leaders of the Association of Southeast Asian Nations (ASEAN) signed the Consensus on the Protection and Promotion of the Rights of Migrant Workers at the 31st ASEAN Summit in Manila on 14 November 2017. ASEAN Member States estimated that there are about 14 million documented migrant workers in the region. Six million of these migrant workers have migrated within Southeast Asia, with women accounting for almost half of all migrants working. An estimated one in eight migrant workers is young - aged between 15 and 24 years of age.

The 20 million migrant workers (both documented and undocumented) in ASEAN Member States are contributing to the economies of their host and home countries. Unfortunately, the migrant workers themselves are often excluded from social protection and decent working conditions. They face restrictive conditions, mistreatments and discrimination, with women migrant domestic workers and undocumented migrant workers suffering the most.

Mr Lim assured participants, including a sizeable delegation of officials from the ILO, that Governments are cognizant of the urgency in coming up with tangible solutions, the fact that they are even dealing with the once taboo topic of undocumented workers is sign that things are heading in the right direction.

It took ASEAN almost 10 years to negotiate and sign the landmark ASEAN Consensus. Participants at the consultation, organised by the Task Force on ASEAN Migrant Workers (TFAMW), cited ASEAN's non-interference policy and legally non-binding nature of the Consensus as major challenges to effective implementation of the ideals set out in the document.

The Convenor of TFAMW, Mr Samydorai Sinapan was more cautious and shared that *'without the creation of decent jobs for workers locally, many would be forced to leave their country of origin to look for better opportunities overseas. Without addressing issue of inequality, discrimination, and poverty, abuses and exploitation will continue to haunt workers wherever they go. It is imperative that the region institutionalises a culture of prevention of abuse and ensures workers have living wages and remove discrimination to allow them to lead a decent life.'*

Both Mr. Lim and Mr. Sinapan concurred that it is only through increased co-operation among all stakeholders that real progress can be made to solve the multifaceted and complicated problems of labour migration. All foreign workers should be treated equally and without discrimination.

Technology seems to be a mitigating factor that offers hope where complaint against errant employers or employment agents can be speedily sent to the authorities to take swift actions to stop abuses and bring the perpetrators to justice. Migration related information can also be disseminated easily over the Internet to reach once formidably isolated communities, empowering them with information about their rights and responsibilities.

'Greater cooperation between authorities and civil society organisations in all ASEAN countries is needed to combat the syndicates that traffic undocumented migrant workers, and better coordinate rescue efforts,' added John Samuel, Executive Director of the Asian Forum for Human Rights and Development (FORUM-ASIA), *'Cross border remedies are also needed to overcome the current paralysis in bureaucratic red tape.'*

The TFAMW national civil society organisations working groups play an important role in developing, implementing, and monitoring the plan of action at the regional and national level. In 2009, TFAMW Civil Society Proposal on the ASEAN Framework Instrument on the Protection and Promotion of the Rights of Migrant Workers highlighted key priorities to be considered for implementation. The 3-4 May 2018 consultation developed recommendation for the consideration of the ACMW leaders. The ACMW will hand the proposals to the ASEAN Senior Labour Officials Meeting and ASEAN Labour Minister Meeting for consideration.

The ASEAN Labour Minister Meeting is planned for August 2018 in Kuala Lumpur, Malaysia. The Labour Ministers will build on past cooperation and priorities recommendations to adopt a plan of action on the implementation of the ASEAN Consensus on the protection and promotion of the rights of the migrant workers. The ASEAN Community engages and benefits the peoples by creating decent work and better quality of life with adequate social protection for all workers and their families in Southeast Asia.

ASEAN needs to provide a better deal for migrant workers in ASEAN, where their rights are respected, and laws and policies are harmonised with international labour standards, to implement decent work for all.

The regional consultation was supported by FORUM-ASIA and the ILO's TRIANGLE in ASEAN programme which is a partnership between the Australian Department of Foreign Affairs and Trade (DFAT) and the Global Affairs Canada (GAC). TRIANGLE in ASEAN programme enhances the contribution of labour migration to stable and inclusive growth and development in the ASEAN region through more equitable distribution of benefits.

For more information about the consultation and content of the recommendations, please contact Mr Samydorai Sinapan at +65 94791906 or samysd@yahoo.com