



Second Labour Migration Ministerial Consultations for Countries of Origin in Asia

22-24 SEPTEMBER 2004

MANILA, PHILIPPINES

Final Report

Introduction

This report is a compilation of the Proceedings (Agenda), the Progress Report in Implementation of the Recommendations of the First Labour Migration Ministerial Consultations (Colombo), the Ministerial Statements and the Final Recommendations of the Second Labour Migration Ministerial Consultations of Countries of Origin in Asia. It also contains the list of participants.

Papers presented at the Consultations are contained in the IOM publication “Labour Migration in Asia – Protection of Migrant Workers, Support Services and Enhancing Development Benefits”, available with this report.

Presentations other than the above papers are included in this report.

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Throughout this report, “Hong Kong” refers to the Hong Kong Special Administrative Region of China and “Taiwan” refers to the Taiwan Province of China.

AGENDA

PREPARATORY MEETING OF SENIOR OFFICIALS

22 September 2004

Hotel Westin Philippine Plaza, Conference Hall
Manila, Philippines

Morning

08h30 – 09h00 Reception and registration of participants
Venue: Davao Room

09h00 – 10h00 **Opening Remarks**

Mr. Danilo P. Cruz, Undersecretary, Department of Labour and Employment, The Philippines
Mr. Gervais Appave, Director, Migration Policy and Research, IOM, Geneva

- Election of the Chair of the Labour Migration Ministerial Consultations and adoption of the Agenda
- Election of the Rapporteur
- Update on progress in implementation of Recommendations by Nilim Baruah, Head, Labour Migration Service, Migration Management Services, IOM, Geneva.

10h00 – 13h00 **First Session: Protection of Migrant Workers and Migrant Services**

Chair: Mr. Pathak Pratap Kumar, Ministry of Labour and Transport Management, Nepal

- Presentations:
- Assessment and good practice paper on regulatory frameworks to prevent malpractices and abuses by recruitment agencies and efforts to enforce minimum standards in overseas employment contracts.
Mr. Rashid Mughal, Director/ Protector of Emigrants, Ministry of Labour, Pakistan.
 - Assessment and good practice paper on the establishment and operations of a Migrant Welfare Fund.
Prof. Edita Tan, School of Economics, University of the Philippines, Philippines.
 - Feasibility study on establishing a pilot Migrant Resource Centre.
Merliza M. Makinano, Programme Officer, Labour Migration Service, IOM, Manila

Discussion and draft recommendations.

The session will have a twenty minute tea/coffee break

13h00 – 14h00 **Lunch**
Venue: Sulu Room

Afternoon

- 14h00 – 15h30 **Second Session: Optimising Benefits of Organised Labour Migration**
- Chair:** Mr. Jiang Mohui, Ministry of Labor and Social Security, China
- Presentations:
- Assessment and good practice paper in technical training and skills development programs linked to overseas employment.
Prof. Edita Tan, School of Economics, University of the Philippines, Philippines.
 - Assessment and good practice paper on remittances.
Mr. Antero Vahapassi, Asian Development Bank, Manila.
- Discussion and draft recommendations.
- 15h30 – 15h50 **Tea Break**
Venue: Davao Room
- 15h50 – 17h00 **Third Session: Institutional Capacity Building and Inter State Cooperation**
- Chair:** Mr. Shaikh Wahid-Uz-Zaman, Director-General, Bureau of Manpower, Employment and Training, Bangladesh
- Presentations:
- Information exchange on International Labour Migration Management among Labour Sending Countries.
Mr. Karunasena Hettiarachchi, Chairman, Sri Lanka Bureau of Foreign Employment, Sri Lanka.
 - Training course for administrators and labour attaches.
Mr. Tomas Achacoso, Consultant, IOM Manila.
 - Cooperation among labour sending states and Cooperation with states of destination.
Mr. Ferry Adamhar, Director, Protection of Indonesian Citizens and Legal Entities, Department of Foreign Affairs, Indonesia.
- Discussion and draft recommendations.
- 17h00 – 18h00 **Session on draft Summary of the Chairperson and Guidelines and its Follow-up**
- Co-Chairs:** Mr. Danilo P. Cruz, Undersecretary, Department of Labour and Employment, The Philippines
 Mr. Gervais Appave, Director, Migration Policy and Research, IOM, Geneva
- Discussion of the draft chairperson's summary and recommendations
 - Modalities for follow-up
-
- 19h00 Dinner hosted by IOM
Venue: Seawallside Garden

AGENDA MINISTERIAL CONSULTATIONS

24 September 2004

Hotel Westin Philippine Plaza, Conference Hall
Manila, Philippines

Morning

09h00 – 10h00

Inaugural Ceremony

Mindanao Ballroom

- Opening Remarks of **Secretary Patricia A. Sto. Tomas**
- Message by **IOM Director General Brunson McKinley**
- Keynote Address of **Vice President Noli L. De Castro**

10h00 – 10h30

Tea Break

Venue: Lobby Lounge

10h30 – 12h30

Addresses by the Ministers

Venue: Davao Room

- Chair: - **H.E. Sec. Sto. Tomas Patricia A.**, Secretary, Department of Labor and Employment, Philippines
- Statements: - **H.E. Mr. Islam Mohammed Quamrul**, State Minister, Ministry of Expatriate's Welfare and Overseas Employment, Bangladesh
- **H.E. Mr. Bu Zhengfa**, Vice-Minister, Ministry of Labor and Mr. Social Security, China
- **Mr. I Gusti Made Arka**, Director General, Overseas Workers Deployment, Ministry of Manpower and Transmigration, Indonesia
- **H.E. Mr. Panta Raghujji**, Minister, Ministry of Labour and Transport Management, Nepal

12h30 – 14h00

Lunch

Venue: Sulu Room

Press Conference

Venue: Davao Room

Afternoon

14h00 – 16h00 **Addresses by the Ministers** (continued)

- Chair: - **H.E. Ms. Sto. Tomas Patricia A.**, Secretary, Department of Labor and Employment, Philippines
- Statements: - **H.E. Mr. Ghulam Khan Sarwar**, Secretary, Ministry of Labour, Manpower and Overseas Pakistanis, Pakistan
- **H.E. Mr. Seneviratne Athauda**, Minister, Ministry of Labour Relations and Foreign Employment, Sri Lanka
- **H.E. Mr. Manatas Peera**, Vice Minister, Ministry of Labour, Thailand
- **H.E. Mr. Dong Le Duy**, Vice Minister, Ministry of Labour, Invalids and Social Affairs, Vietnam

16h00 – 16h30 **Tea Break**
Venue: Davao Room

16h30 – 18h00 **Plenary Session**

- Chair: - **H.E. Sec. Sto. Tomas Patricia A.**, Secretary, Department of Labor and Employment, Philippines
- Presentation of draft Summary of the Chairperson and Recommendations by the Rapporteur
 - Discussion and Adoption of Chairperson's Summary and Recommendations
 - Follow-up modalities

18h00 – 18h20 **Closing Remarks**

- **H.E. Secretary Patricia A. Sto. Tomas**, Secretary, Department of Labor and Employment, Philippines
- **H.E. Mr. Brunson McKinley**, Director General, IOM
- Vote of thanks

PREPARATORY MEETING

Preparatory Meeting

PROGRESS IN IMPLEMENTATION OF THE RECOMMENDATIONS OF THE COLOMBO MINISTERIAL MEETING

by

Mr. Nilim Baruah
International Organization for Migration
Geneva

In response to the requests of several Asian labour sending countries, the International Organization for Migration organised ministerial level Consultations for Asian labour sending countries on April 1 and 2, 2003 in Colombo. On the basis of their discussions the ten participating States¹ made 22 recommendations as being conducive to the effective management of labour migration programmes.

These recommendations are covering three main areas:

- **Protection of and Provision of Services to Migrant Workers.** In particular, protecting migrant workers from exploitative practices in recruitment and employment, and providing appropriate services to migrant workers in terms of pre-departure information and orientation, welfare provisions, and reintegration assistance.
- **Optimizing Benefits of Organized Labour Migration,** including the development of new markets, increasing remittance flows through formal channels
- **Capacity building, data collection and inter-state cooperation.** These include building institutional capacity building and information exchange to meet labour migration challenges; increasing cooperation with destination countries in protection of migrant workers, access to labour markets and prevention of irregular migration; and enhancing cooperation among countries of origin.

This report describes the progress made in the implementation of the recommendations by the states, IOM and other relevant international organisations, since the Ministerial Consultations in Colombo in April 2003.

PROTECTION OF AND PROVISION OF SERVICES TO MIGRANT WORKERS

Recommendations adopted in Colombo under this theme:

1. Ensuring the human rights of all migrant workers, whatever their legal status. Migrants are protected by human rights instruments of the UN including the Universal Declaration of Human Rights.
2. Promoting the signing and ratification of the 1990 International Convention of the Rights of all Migrant Workers and their Families. Countries should consider enacting legislation consistent with the letter and spirit of this instrument.
3. Developing regulatory frameworks to prevent malpractice and abuses where private recruitment agencies are allowed to operate.
4. Advocating that the host country share responsibility in ensuring that foreign labour participation in their economy is authorised and protected.
5. Ensuring that the economic and social rights of domestic workers are respected.
6. Guaranteeing the protection of female migrants, especially those employed in low-skill and low-wage sectors.
7. Developing pre-departure orientation programmes that equip migrants with comprehensive information regarding their employment and life abroad. A compilation of pre-departure orientation programmes should be made and circulated to participants.
8. Establishing Migrant Advocacy and Welfare Centres in major cities in receiving countries, jointly financed by receiving country governments, employers, international organisations and sending countries.
9. Creating a study committee or working group to provide benchmarks for decent wages and basic provisions in overseas employment contracts.

¹ Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam

- With regard to **recommendation 2** on the ratification of international instruments aimed at the protection of migrant workers, some states have ratified the UN Convention in the 90s (**Philippines** in 1995, **Sri Lanka** in 1996), Indonesia did in 2004, and other states are currently discussing this matter. In **India** the UN convention is under examination by the Ministry of Labour and Employment in consultation with other Central Ministries and State Governments. In **Nepal**, preparatory arrangement for the ratification of the UN convention has been taken in the form of a study currently carried out with the support of UNIFEM.
- The need for Regulatory frameworks to prevent malpractice and abuses especially when private recruitment agencies are allowed to operate is recognized in **recommendation 3**. Such frameworks were already in place in several countries, however some states decided to develop it further, while one country is currently elaborating a new framework.

In **India**, the Emigration Act, 1983 and the Emigration Rules, 1983 provide for registration of Recruiting Agents, scrutiny of employment documents by designated officials located in eight major cities. In **Pakistan**, overseas employment is covered by the 1979 Emigration Ordinance. Currently there are around 1100 overseas employment promoters who have been authorized to secure manpower demand from abroad, which is being processed in accordance with laid down procedures/ policy guidelines. To regulate overseas employment, the Bureau of Emigration and Overseas Employment (BE&E) under the Ministry of Labour, Manpower & Overseas Pakistanis, has been entrusted with the role of ensuring that emigration takes place through legal channels and in accordance with standards set by the employers abroad. As many as 3.5 million Pakistani emigrants have been placed abroad since 1971.

In the **Philippines**, the regulatory framework to prevent malpractice and abuses of private recruitment agencies are embodied in RA 8042 and its Implementing Guidelines and the 2002 POEA Rules and Regulations Governing the Recruitment and Placement of Land based Overseas Workers. In addition, the nationwide anti-illegal recruitment campaign has been further intensified through the creation by President Gloria Macapagal-Arroyo of the Presidential Task Force on Anti-Illegal Recruitment under Executive Order No. 325 on 9 July 2004. The PAIRTF shall have the responsibility and authority to conduct surveillance and entrapment operations of persons alleged to be engaged illegal recruitment cases; cause or direct the immediate prosecution and monitoring of cases involving illegal recruitment; and coordinate existing programs against illegal recruitment of the various government bodies and other sectors involved in the AIR campaign.

The **Chinese** Government in order to promote overseas employment and better protect migrant workers' interests, has taken measures to actively cultivate and develop overseas employment intermediary service agencies, develop effective market administration mechanisms with the aim to cultivate fair market competition environment. In 2002, the Chinese Government promulgated the Regulation on Administration over Overseas Employment Job Placement Agencies, which clarified various requirements on overseas employment job placement agencies. In the first half of 2004, an initiative was undertaken to enforce regulations on overseas employment job placement agencies, punishing various forms of violations and criminal activities with the aim to protect the legitimate rights and interests of Chinese citizens on overseas employment.

The Government of **Indonesia** is in the process of finalising the bill of the Placement and Protection of Indonesian Overseas Workers. In order to ensure a better protection of migrant

workers, Indonesia gives preference to overseas labour placement organised from government to government.

Vietnam, has revised its labour regulations to create favourable conditions for the workers to work abroad. In April 2004, the Vietnam Association of Manpower Supply was established with members whose responsibilities are to place labour abroad. The Association will represent its members in communicating with similar Associations in other countries to discuss and exchange experiences and information relating to labour supply and demand; advice MOLISA on labour migration policies and measures.

Nepal is in the process of enacting a Foreign Employment Act to better promote and protect migrant rights. The issue of regulating private agencies for preventing malpractice will be tackled through the new legislation on foreign employment.

Thailand launched a national policy to protect overseas workers, and in particular to ensure the recruitment companies' strict compliance with labour laws. To combat fraud, centers for job seekers were also established in many provinces. A "labour bank" has also been developed to match qualifications and skills requirements of job seekers.

IOM has carried out a comparative study on regulatory framework for the recruitment of migrant workers and minimum standards in employment contracts. This study covers Pakistan, the Philippines and Sri Lanka and will be shared during the Second Ministerial Consultations (**REC 3&9**).

□ In order to better share responsibilities on protection issues with receiving countries as promoted in **recommendation 4**, some states are pursuing an active dialogue or/and the signature of MOU with host countries.

In **India**, action has been initiated for signing of Memoranda of Understanding (M.O.U.) with major labour receiving countries so that migrants in the host country are provided decent wages, working and living conditions and access to grievance redressal fora. In several labour receiving countries, domestic and farm workers are not protected by labour laws. Through the proposed MOUs, it is sought to protect the economic and social rights of migrant workers (**REC.5**). **Nepal** took some initiatives for signing bilateral agreements and MOU with major receiving countries as well and an MOU with Malaysia is ready for signature.

Indonesia has recently secured agreements with Malaysia, the Republic of Korea, Jordan and Kuwait in order to enhance the relationship between Indonesia and the receiving countries. MOUs with Saudi Arabia, Qatar and Taiwan are currently under discussion. In addition, for the benefit of advocacy and welfare of migrant workers, the government has established a direct consultation mechanism with Hong Kong through inter/active radio communication.

The **Philippines**, has taken every opportunity to advocate the sharing of the responsibilities of host governments in the protection of migrant workers in bilateral meetings and various multilateral fora on migration.

In Thailand, bilateral agreements on labour sending management between Thailand and some receiving countries have been signed (i.e., South Korea, Malaysia, and Qatar).

□ With regard to **recommendation 5** on protection of domestic workers, some initiatives have been taken by the Philippines and Sri Lanka and Indonesia.

The **Philippine** Department of Labour and Employment, through the Philippine Overseas Employment Administration, conducted a review of its policies for the deployment of domestic helpers in 2003 for the purpose of addressing critical issues affecting Filipino domestic workers employed overseas. As a result of this policy review, it is pursuing, among others, the development of a skills and language training, testing and certification program for household workers.

In Sri Lanka, it has been proposed to include this issue under the Ministry's Corporate Plan (2005-2007).

In **Indonesia**, all domestic workers have to pass a skill competency test and attend pre-departure orientation.

- Several initiatives have been developed by states to ensure better protection of women migrants as per **recommendation 6**.

In **Bangladesh**, the Government is currently reviewing the partial restriction placed on the migration of women in order to assist women migrants and protect them from irregular migration. A notification has been issued so that women can migration for domestic work under certain conditions. The Ministry is also working with other Ministries such as the Ministry of Women and Children Affairs to address the issue of irregular migration and the trafficking of women and children. Recently, in an IOM initiative to develop a Country Framework for the combating of trafficking, the Ministry was assigned the role of a co-chair for a National Task Force to address the problem.

In **India**, on the recommendation of the Indian National Commission for Women, restrictions have been placed on the emigration of women below 30 years of age seeking employment abroad as housemaids. These restrictions do not apply to those seeking such employment in most countries in North America, Europe (Except CIS countries), Japan, Australia, New Zealand, etc.

In **Indonesia**, in order to protect women worker abroad and particularly lower skill labour, the government has established a ceiling regarding the number of women migrant workers who will be sent abroad based on the capacity of private agencies to provide facilities such as accommodation and training.

The **Philippines** government continues to uphold protective policies concerning female migrant workers. The DOLE and the Department of Foreign Affairs, through their respective Philippines Overseas Labour Offices and Philippine embassies and consulates at the jobsites, undertake regular bilateral discussions with the host governments on matters concerning the protection of female workers. Among recent initiatives are the participation of the Philippine embassy in Jordan in the development of a standard employment contract for foreign domestic helpers in Jordan, in collaboration with the Jordanian government, the UNIFEM and the embassies of other labour receiving countries, and lobbying efforts by the Philippine Consulate in Hong Kong (HK) for the reversion of the HK minimum wage for DHs to the pre-2003 level. In 2003, the POEA also conducted strategic consultations among concerned sectors through the ILO-sponsored Gender and Development (GAD) capability program and regular GAD planning and reporting.

In **Nepal**, a multi-stakeholder Steering Committee on Empowering Women Migrant Workers of Nepal has been set up. A CEDAW National Plan of Action has been formulated and implemented as well for empowerment of women migrants, increasing access, protection and fostering safe migration. Finally, a national Plan of Action to Combat Trafficking in Women and Children is in the process of being implemented for safe labour migration.

- Several states have also made progress with regard to pre-departure orientations and training, **recommendation 7**, either by developing new initiatives or building on existing activities.

In **Bangladesh**, Service provisions to migrants that have been introduced include pre-departure orientation program being made mandatory. Migrants are briefed about the terms of contract, salary and other benefits as well as on the culture and society of the destination countries. They are also briefed as to how to avoid falling victim to fraud and abuse. In case of migrants who are stranded, the government with assistance from IOM takes measures to repatriate them and for deceased migrants steps are taken to repatriate the bodies and ensure compensation for the families. Booklets are issued to the migrants. Currently the health component is being developed in collaboration with IOM.

Migrants in certain categories are also offered English language courses by BMET. This course was set up by IOM and is offered to hotel workers and nurses to assist them in gaining and maintaining employment abroad. The course has recently been reviewed and upgraded with the assistance of IOM

Some skills trainings for migrants are being conducted in Government run Technical Training Centres. 24 new centres are being constructed which will later be transferred to the MoEWOE. Already 4 are operational along with the existing 13 centres. The Recruiting agencies are encouraged to develop their own training centres. Among the Training Centres, there are five which are specifically being made to cater for female migrants, one of which is operational.

In **the Philippines** in line with the government's policy of ensuring the safety of migrant workers, the Philippine Overseas Employment Administration (POEA) has started to incorporate awareness building against terrorism and new health risk phenomenon such as SARS and HIV/AIDS in its Worker education program. Intensified information campaign on overseas employment through a strengthened media and public relations is pursued through Memorandum of Agreements with concerned government agencies, the private sector and civil society. A pre-departure orientation workbook for domestic helpers has been developed in 2003 to educate the domestic workers on migration realities and their rights and responsibilities at the worksite. Capability building sessions for the conduct of nationwide Pre-employment orientation seminars (PEOS) have been undertaken among the pool of trainers and the NGO partners. The PEOS is implemented by the POEA on a country-specific module.

In **Nepal**, a pre-departure orientation programme has been introduced as a mandatory requirement for all migrant workers. This complement other measures taken in order to protect migrant workers such as the implementation with the Support of UNIFEM of a programme for “ Empowering migrant Workers of Nepal”. In addition, a National Plan of Action on Decent Work is in the process of formulation of which labour migration is an integral component.

In **Pakistan**, a system of compulsory pre-departure briefing of all Pakistani migrant workers has been developed by the Bureau of Emigration and Overseas Employment and carried out specific department under the Ministry of Labour Manpower and Overseas Pakistani. In **Sri Lanka**, pre-departure programmes are implemented as well and **China** has improved pre-departure services, including consultancy and support. In **India**, pre-departure orientation/training programmes for migrants are going to be introduced shortly.

In **Thailand**, curriculums and the contents of its pre-departure training courses were improved. They have been standardized and made more effective. Pre-departure training centers were also set-up throughout the country, and relevant laws and regulations in the administration of centers were revised to make their management more efficient.

In addition, IOM is carrying out a comparative study on pre-departure training programmes with a view to highlight best practices.

- In relation to **recommendation 8**, with regard to services offered to migrant in the receiving countries, some countries have created or further developed their network of labour attaché or welfare attachés.

In **Bangladesh**, labour attaches have been assigned to assist migrants in the destination countries. The labour attaches are assigned to assist the migrants with employment abroad and also assist the Government with verifying employment documents with the host countries. The labour attaches are also assisting in coordinating with BMET and the Ministry by informing the concerned authorities about employers who are exploiting Bangladeshi nationals. In **Sri Lanka**, Labour welfare officers have been appointed to the missions in some receiving countries, Indonesia is developing its network of labour attachés.

In **Pakistan**, several community welfare attachés (CWAs) have been posted in countries of destination with substantial concentration of Pakistani workers to look after the interest and welfare of such migrants. **Nepal**, is currently preparing for the establishment of “Labour Attaché” in major receiving countries whose role will be to ensure better protection, provide services and follow-up workers, for which a budget has already been allocated by the government.

IOM has undertaken a feasibility study on establishing a common migrant resource centre, pooling resources from sending and receiving countries. This study will be discussed during the Second Consultations in Manila to discuss the possibility of initiating a pilot implementation.

- In relation with **recommendation 9** and benchmarks for decent wages, the Ministry of Labour and Employment of **India** has prepared in consultation with the Indian missions/posts a list of reasonable wage structure for different categories of migrant workers for each receiving countries.

IOM has carried out a comparative study on Welfare funds in Philippines, Sri Lanka and Pakistan. The study describes the institutional setting of the welfare funds in the three countries and assesses the impact and effectiveness of their operation in promoting the interest of migrant workers and protecting them from the risks that are encountered at their job sites.

OPTIMISING BENEFITS OF ORGANISED LABOUR MIGRATION

Recommendations adopted in Colombo under this theme:

1. Simplifying procedures and regulations to facilitate labour migration in order to offer an alternative to irregular migration.
2. Developing policies and incentives that could increase and streamline the flow of remittances through formal channels.
3. Developing strategies that tap the human capital of returning migrants, notably their newly acquired skills and expertise, as well as the newly established relations with host countries.
4. Developing opportunities to provide technical training to and support skill development activities of prospective migrant workers in sending countries.
5. Reducing recruitment and transfer fee costs for money transfers.
6. Undertaking information campaigns to inform migrants about remittance channels, risks of irregular migration and regular migration options and procedures.

□ Under **recommendation 1**, on simplifying procedures and regulation to facilitate Labour migration under legal channel, several countries have made progress.

The **Philippines** government, led by DOLE/POEA has implemented continuous streamlining of procedures through several initiatives. Firstly, they implemented: the E-Link for OFWs project through the electronic system for contract submission for land based workers (E-submission) and the E-receipt system that eliminated bureaucratic red tape and resulted to shorter process cycle time for processing of employment contracts. Secondly, they maintain a Quality Management System under the ISO 9001: 2000 certification, resulting to shorter and faster process cycle time for both land based and sea based workers. Lastly, they operationalized a One-Stop Centre at the POEA for the processing by other concerned agencies of requisite documents of migrant workers.

In **Bangladesh**, by establishing BMET offices in different districts, the registration procedures have been simplified to a certain extent. This process is further facilitated by the introduction of the computer database. Selection of candidates for the overseas market will be done from this database. Immigration clearance is also being provided by BMET through online computer network. It is expected that this system will create a more transparent and accountable system of recruitment and make unnecessary the middlemen involved in the recruitment process, thereby reducing migration cost (**REC.5**). It has simplified the migration process and restricts irregular migration.

In addition, Bangladesh has made considerable progress in drafting a national policy on overseas employment, “**Bangladesh Overseas Employment Policy**”. A technical committee has been formed with other government agencies, IOM, migrant associations and academicians to finalize this draft. The draft has also been discussed to assess the gender sensitivity under the leadership of the Ministry of Women and Children Affairs.

Under a project implemented by IOM to assist in the capacity enhancement of the newly established ministry, a draft “**Guideline for Plan of Action to Manage Migration**” has been drafted. This guideline aims at addressing migration in a comprehensive manner addressing migration in terms of facilitating migration, controlling migration, forced migration and migration for development.

Both the Bangladesh Overseas Employment Policy and the Guideline for Plan of Action are being designed in the spirit of the Colombo Process and thus aim at furthering protection and service provisions, optimizing benefits and enhancing capacity.

In **India**, the prescribed rules and instructions to regulate labour migration are reviewed from time-to-time and liberalized depending upon the prevailing circumstances. Emigration to 54 countries does not require any clearance. Secondary school pass persons are now exempted from emigration clearance procedures.

In **Nepal**, the enactment of a new legislation on labour migration and foreign employment, the initiation of a national policy on labour migration through multilateral consultations, as well as the preparation of a decent work framework have been initiated so as to optimize the benefits of organized labour migration. In addition a foreign employment manual for efficient service delivery and facilitated migration has been operationalised.

Thailand established the Thailand Overseas Employment Administration (TOEA) to provide a one-stop service in facilitating Thai workers wishing to work overseas. Services provided are: issuance of passport by Ministry of Foreign Affairs; medical check-up service by Ministry of Public Health; dispatch and employment process by Ministry of Labour; certification of no criminal record by National Policy Bureau; and special loan service by SMEs bank.

- **Recommendation 3** advocates for mechanism, which facilitates tapping the human capital of returning migrants.

The **Philippine** government has been implementing a reintegration program for returning migrants, which it seeks to strengthen further by developing a more comprehensive program, in partnership with the NGOs and the private sector. The *Kabayanihan* reintegration program integrates various governmental programs for OFWs, including the *SSS Flexi-Fund*, the *Pag-ibig* housing program for OFWs and OWWA's enhanced package of benefits. **Sri Lanka** has started initial discussion with training Institutes.

In **India**, welfare of returning migrants is decentralised. Indian States like Kerala with substantial migrant population abroad have made institutional arrangements for tapping their skills and expertise and taken measures for their welfare. The benefits of such arrangements are visible in the form of improved educational facilities, better housing and health care facilities etc.

In **Nepal**, social inclusion through training and loan support for women and disadvantaged group is on going and participation of target groups and the banking sector is encouraging.

- **Recommendation 4** provides for developing opportunities to deliver technical training and support skill development.

In the **Philippines**, the DOLE and OWWA recently launched the "Tulay" program, in partnership with Microsoft Corporation (through its Regional office for Asia and the Pacific and its Philippine office). The one-year grant assistance project will provide computer training to departing OFWs and dependents in three IT facility sites: Manila, Singapore and Kuala Lumpur. OWWA continues to provide education and training for OFWs through the Skills-for-Employment Scholarship programme.

In **India**, a network of training institutions all over India caters to the requirements of technical training and skill development. **China** has taken measures to strengthen vocational training to migrant workers.

In **Pakistan**, at present training capacity for 28,000 trainees exist under the Pakistan's Technical Education & Vocational Training Authority (TEVTA) and the Directorate of Manpower & Training. Besides, 8 807 apprentices are trained under the Apprenticeship Training programme in the country. In addition to the regular training facilities available in the country, a special training programme was launched for providing vocational training to 1814 unemployed youth by the National Training Bureau of Pakistan. Under this programme 1672 trainees have been trained.

In order to develop a skilled labour force on modern lines, the Ministry of labour, Manpower and Overseas Pakistani has established five Skill Development Councils (SDCs) respectively in Islamabad, Karachi, Lahore, Peshawar and Quetta. These councils assess the training needs priorities in receiving countries and provide training to meet the requirements of the international labour market. Moreover, the centres affiliated with the SDCs are producing trained manpower in the shortest time for employment abroad. These councils have met the diversified training needs of various sectors and have trained so far 46,674 trainees.

In **Nepal**, specific training programmes on skill development have been conducted to address the needs of prospective migrant workers. Furthermore, capacity building of existing training institutions has been carried out in collaboration and partnership with the private sector to address foreign employment skills needs.

The Asian Development Bank (ADB) commissioned a study on skills development in order to highlight good practices and share them at the Second Ministerial consultations.

- Some countries have taken initiatives to reduce the recruitment costs as per **recommendation 5**.

In **Bangladesh**, the migration costs have been fixed in certain cases to ensure that the migrants are not cheated and can reap the maximum benefit from migration. In this regards, steps have been taken to eliminate the involvement of sub agents. Recruitment agencies are also directed to determine wages and facilities in comparison to the workers of other countries. In **India**, service charges which a Recruiting Agent can charge from various categories of migrants have been prescribed under the Emigration Rules. In **Nepal**, the recruitment and dispatch fees are in the process of being fixed in order to have a more transparent and accountable system of labour migration. In **Thailand**, the government initiated negotiations with the government of receiving countries to gather job vacancies directly from employers, and not through private recruitment agencies in order to reduce the costs incurred by workers in going overseas.

- With regard to remittances (**Recommendations 2,5,6**), **Bangladesh** has developed some new measures.

The Bangladeshi government continues to raise awareness among migrants through the pre departure orientation programs regarding the formal channels of remitting money in order to facilitate the flow of remittances. The Government is also facilitating the opening of foreign branches of local banks and establishing exchange houses and also the use of methods for

speedy transaction such as electronic transfer. Steps have been taken to significantly reduce cost and time of transaction.

For encouraging more investment of remittance, certain other policies have been adopted that includes declaring all foreign exchange earnings tax free, introduction of different bonds tailor made for expatriates (the US Dollar Premier Bond and the US Dollar Investment Bond) etc. There are also steps to offer the labour migrants housing schemes. The pre-departure orientations are also designed to make the migrants aware of these benefits to maximise the benefits.

In **India**, most Indian emigrants send remittances through formal channels. These remittances are tax-free. The fact that remittances have increased US\$ 10.3 billion in 1998-99 to US\$ 18.9 billion in 2003-04 proves that emigrants are mostly favouring formal channels. Data on transfer fees cost for money transfers is under collection.

ADB did a comparative study on remittances to be presented during the Second ministerial Consultations.

- About a half of the states who participated at the Colombo meeting implemented information campaigns aiming at reducing irregular migration or related activities, as per **recommendation 6**.

Philippines is pursuing an information campaign on the danger of irregular migration and human trafficking on a continuing basis by the government in partnership with NGOs and the private sector. **Sri Lanka** is raising awareness of migrants on these issues in their pre-departure training session. The Government of **India** monitors and reviews the dangers to which irregular migrants are exposed. Wide publicity has been given to the unstable security situation in Iraq. Advisories have been issued through the media so as to ensure their safety and welfare.

Pakistan has taken stringent measures to combat human smuggling and trafficking. The Federal Investigation Agency (FIA) of Pakistan has been given a vital role by promulgating comprehensive legislation. There has been a close interaction with other countries to counter the menace of trafficking in women and children, as well. The government of Pakistan, in line with recommendations of the Bali Conference 2003 on trafficking in persons, had chalked out a comprehensive plan of action to address the issue. The important measures are, legislation to combat human trafficking, create awareness through seminars at the national level, capacity building of immigration staff/police and the national registration authorities.

In **Nepal**, Media campaigns and other forms of information exchange activities have been implemented for effective information on labour migration.

In **Thailand**, accurate information on overseas employment is distributed to the public through various media including Internet.

In **Indonesia**, in order to inform Indonesian migrant workers regarding the risks of irregular migration but also the benefit of legal migration and remittances, the government disseminated information to the communities and supported the creation of service centers at the grass root level. For the time being, these centers, which are managed by the

communities, have been established in three districts from which many migrants come from namely, Indramayu, Cilacap and Sukabumi.

CAPACITY BUILDING, DATA COLLECTION AND INTER STATE COOPERATION

Recommendations adopted in Colombo under this theme:

1. Requesting IOM and ILO to develop, with the assistance of interested States, training courses on labour migration administration for government officials, including labour attachés.
2. Exchanging, on a voluntary and regular basis, information on changes in policy and legislation, on major destinations, on types of migrant workers, and on bilateral agreements, with a focal point being identified in each country.
3. Establishing regular multilateral consultations on labour migration.
4. Pursue through multilateral fora like the WTO the free movement of natural persons between states for employment.
5. Strengthening inter-state cooperation in migration management through existing regional and bilateral mechanisms.
6. Forging greater cooperation among sending countries to develop a common stance in addressing issues affecting migrant workers.
7. Enhancing dialogue between sending and receiving countries, and working towards the establishment of a mechanism involving host and sending countries.

- **As per Recommendation 1.** IOM with the financial support of the Department for International Development (DFID) of the U.K. is currently developing a *labour attaché and labour administrator curriculum*. Once completed, IOM will provide a training of trainers course accessible to officials of all the states participating in the Colombo follow-up process.

India, the Philippines and Indonesia are involved in related initiatives. In **India**, Training programmes on labour migration for Government officials handling emigration clearance, Immigration Officers at Airports and Passports officers have been conducted by the Indian National Labour Institute. The next programme is proposed to be conducted during October 2004. India has Labour Welfare Officers in the six Gulf countries. A conference of Welfare Officers was held in 2001. The next is proposed to be held in January-February, 2005. In **Indonesia**, three training courses for labour administrators are being implemented. They focus respectively on pre-departure programme, banking and remittances, and business development programmes for returning migrants.

- In relation with **recommendation 3**, India, Philippines and Bangladesh mentioned participation in various *multilateral fora on migration* on participation on multilateral fora on labour migration.

India welcomed initiatives such as 1st Ministerial Consultations in Colombo 2003. Subsequently Global Commission on International Migration organised the 1st Regional Hearing at Manila from 17-18 May 2004. The 2nd Regional Hearing is being held at Cairo from 13-14 September 2004. These are initiatives welcomed by India. ILO's 92nd Session of the International Labour Conference held at Geneva, from 1-18 June 2004 afforded an opportunity for multilateral consultations on labour migration. India supports such multilateral consultations on a regular basis.

The **Philippine** government actively participated in international and regional forum discussing issues on migrant workers. In 2003, the DOLE/POEA attended regional migration meetings in Bangladesh and Thailand organized by the DFID and the ILO. In 2004, DOLE/POEA attended the International Labour Conference in Geneva which tackled migration issues. It also hosted the visit of the CEME migration experts who studied the Philippine migration model and exchanged views with the Philippine government on how the management of migration can be improved to maximize its benefits and minimize its social costs.

Bangladesh, The Government actively encourages and participated in the South Asia Migration Resource Network (SAMReN), formed to facilitate web-based coalition of information and data and conduct collaborative research, fellowships and training on migration matters. The network, having its secretariat in Dhaka, is a follow-up of the June 2003 DFID and RMMRU regional conference on Migration, Development and Pro-poor Policy Choices.

- With regard to **recommendation 4** and the free movement of natural persons between states for employment, **India** believes in and have been supporting and pursuing the issue of free movement of natural persons for regular migrants in various international fora including the WTO. **Bangladesh** is also pursuing the movement of natural persons under the GATS agreements and will be participating at the upcoming Trade and Migration Meetings hosted jointly by IOM, WTO, OECD and the World Bank.
- **Recommendations 5,6 &7** support the idea of inter-state dialogue.

India is pursuing MOUs with major manpower receiving countries. These MOUs will provide a mechanism for dispute settlement and optimizing benefits of migration. India suggests that ILO and IOM continue to organise seminars/conferences of major labour receiving and sending countries for facilitating exchange of views and best practices between both the sending and receiving countries.

Bangladesh, in fostering interstate relationships, the Government has been negotiating with countries of destination. In this regards, bilateral agreements and MOUs have been signed with Kuwait and Malaysia. There have also been talks with the Government of Gulf States, some South Asian countries and Italy. Development agencies have also been approached to assist in the capacity development of the Government in dealing with migration. Under the initiative of SARI/Q (South Asia Regional Initiative/ Equity Support Programme), a USAID initiative with limited participation of the Government; a regional consultation was held in Bangladesh on the issue of “Fostering Safe Migration” in August 2004 where the Government of Bangladesh participated. The Consultation was a platform to coordinate regional initiatives to manage migration.

Recently the government participated in the formulation of a Guideline for Plan of Action for the Management of Labour Migration, which was done with assistance from IOM under a project aimed at enhancing the capacity of the Ministry.

There are capacity enhancing initiatives to assist the Government in training immigration officials on combating irregular migration. The Government is also working to modernize the passport issuance system of the country with assistance from the development partners.

Sri Lanka has signed MOUs with some countries as well.

China in order to protect the legitimate rights and interests of migrants workers working abroad decided to strengthen international collaboration, promote the practice of signing bilateral social insurance agreements and establish a contingency handling mechanism. China signed in 2001 the first Mutual Agreement on the Exemption of Social Insurance Contribution with Germany in August 2001. In 2003, a similar interim Agreement with the Republic of Korean Government was signed. The signing of these agreements has effectively avoided the double levying of social insurance contribution and thus well protected the migrant workers' social security rights.

Indonesia has signed an MOU with the Philippines in January 2002. The scope of the agreement is threefold: 1) to exchange experts and staffs, as well as information and experiences through meetings and networking; 2) to develop joint efforts to promote migrant protection, provide legal assistance and perform vocational training and research; 3) to enhance cooperation between sending and receiving countries in promoting migrants protection and other form of cooperation as agreed among parties.

This report has been prepared by IOM based on country reports received from the relevant Ministries (responsible for labour migration) of Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Vietnam, Sri Lanka and Thailand.

Preparatory Meeting

INSTITUTIONAL CAPACITY BUILDING AND INTER-STATE COOPERATION

Information Exchange on International Labour Migration Management among Labour Sending Countries

by

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LABOUR MIGRATION

Many of today's international migration streams began with the recruitment and employment of foreign workers. In the 1960s and 1970s, many European countries instituted their own guest worker program, bringing in labour from Turkey, northern Africa, and southern Europe. During the same period, oil-rich Libya and Persian Gulf states recruited workers from the other Muslim countries, as well as south, east and Southeast Asia. Some migrants were recruited for seasonal work, often in agriculture. Others filled short – term labour shortages in a wider range of industries produced by burgeoning economies. Even after active labour recruitment ended, labour migration often continued. Today, labour migration is highly complex. Several distinct categories of workers migrate, differentiated by their skills, the permanence of their residence in the host country and their legal status. In most countries, migrants are admitted as temporary workers and they are granted work authorisation for specified periods. They have no right to remain in the designation country beyond the period of authorised employment. This is particularly true in the Persian Gulf states and East and Southeast Asia. In addition to legal avenues of entry for labour migrants is unauthorised migration. Statistic on unauthorised migration is hard to find in most countries since these movements are generally clandestine, but it appears that the number is substantial. As international migration is likely to increase in future, the management of migration flow is crucial. It is the responsibility of labour ministries of labour sending countries to formulate policies accordingly.

SRI LANKAN CONTEXT

The Ministry of labour of Sri Lanka had its origins in the constitutional provisions recommended by Donoughmore Commission in 1931, involves in labour migration activities by interceding with labour recruiting countries, ensures the welfare of migrant workers, and thereby helps the country to earn the much needed foreign exchange for national development. The Ministry works in collaboration with the ILO to improve living and working conditions of workers, enhance employment opportunities and to safe guard basic human rights by adoption of some of the important conventions and translating them into laws.

The first law relating to the regulation of recruitment abroad was the Foreign Employment Agencies Act No. 32 of 1980, under which the Foreign Employment Division of the Department of Labour was established and strengthened. Recruitment and related aspects of foreign employment were regulated by this Division under a Deputy Commissioner of Labour. During the years following the promulgation of the law, migration for employment overseas increased, to become a major economic activity. This necessitated a systematic evolution of an overseas employment strategy and a broadening of the scope and objectives of the law, which resulted in the passing of the new law, viz., Sri Lanka Bureau of Foreign Employment Act, No. 21 of 1985. In accordance with the provisions of this law, a separate institute for foreign employment, namely The Sri Lanka Bureau of Foreign Employment (SLBFE) was established. The main objectives of the SLBFE are to promote develop & regularise the industry while looking after the welfare and well being of migrant workers and their families. To provide better services for migrant workers the SLBFE maintains a database and web based information system.

THE KNOWLEDGEBASE

Availability and timeliness of information is vitally important in formulating policies and programmes on migration. Traditionally, information has been highly structured and stored primarily in data processing and information retrieval system. However knowledge often referred as intellectual asset includes databases, documents, policies and procedures as well as previously unarticulated experience and expertise resident in individual worker's brain. The SLBFE has acquired vast amount of extremely valuable knowledge with regard to the labour migration in local context over the past two decades. Capturing, unlocking and sharing this unique knowledge, ie.the reuse of existing intellectual assets, has become an appropriate strategy, which simultaneously reduced costs and time and thereby assuring better services to migrant workers.

The SLBFE provides information to migrant workers at three different levels. Firstly, information to verify genuineness of local licensed recruitment agents, available details of training programs and the terms & conditions of job orders is disseminated. At the next level, enable them to obtain services from Sri Lankan missions abroad as on-line information available there.

LABOUR MIGRATION STATISTICS

Available statistics on migrant workers can be grouped into three time periods as follows:

- Before 1985
- 1985-1995
- 1995 to date

Available information can further categorize based on their nature as follows:

- Departures for foreign employments by country/manpower level/sex
- Stocks of overseas contract workers by country manpower levels and districts.
- Complaints made by migrant workers-nature/sex/country basis
- Details of Licensed Recruitment Agencies
- Departures by age groups
- Remittances from industry
- Compensation under insurance coverage
- Repatriation of stranded workers
- Welfare programs for migrant worker families

Most of the above details are available in SLBFE's website, www.slbfe.lk. Collected information is analyzed and presented at the Heads of Departments meetings at the Ministry of Labour. Such information is utilized in the process of formulating new policies for labour migration subsequently.

ANALYSIS

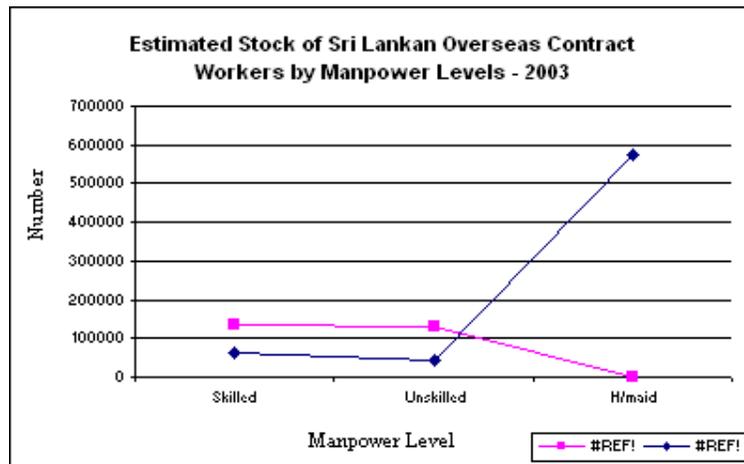
Statistics reveals that the number of migrant employees left for foreign employment in the year 2003 is around 209,000 and this shows a steady progress since 1999. Foreign Employment Industry of Sri Lanka is growing steadily under the present favourable international labour market conditions. The total number migrated for employment has increased by 2.47 percent during the year 2003 in contrast to the contraction of 10.74 percent in previous year. Majority of migrant workers are females and 80% of them are housemaids.

DEPARTURES FOR FOREIGN EMPLOYMENT 1986 - 2003

Year	Male		Female		Total
	No	%	No	%	
1986	11023	66.98	5433	33.02	16456
1987	10647	66.02	5480	33.98	16127
1988	8309	45.09	10119	54.91	18428
1989	8680	35.11	16044	64.89	24724
1990	15377	36.08	27248	63.92	42625
1991	21423	32.97	43560	67.03	64983
1992	34858	28.00	89636	72.00	124494
1993	32269	25.00	96807	75.00	129076
1994	16377	27.22	43791	72.78	60168
1995	46021	26.68	126468	73.32	172489
1996	43112	26.52	119464	73.48	162576
1997	37552	24.99	112731	75.01	150283
1998	53867	33.71	105949	66.29	159816
1999	63720	35.45	116015	64.55	179735
2000	59793	32.82	122395	67.18	182188
2001	59807	32.50	124200	67.50	184007
2002	70522	34.61	133251	65.39	203773
2003*	74089	35.48	134714	64.52	208803

It is estimated that the Sri Lanka's migrant population is approximately 1 Million. Recorded sources show that foreign exchange earning show that migrant workers brought in, Rs. 136,446 Million in 2003 and that is 27.5% percent of the total foreign exchange earning of the country. The foreign Employment Industry has become the highest net Exchange Earning sector of the country.

Manpower Level	Male	Female	Total
Professional Level	5500	1400	6900
Middle Level	17000	4500	21500
Clerical & Related	27000	6000	33000
Skilled	133100	62750	195850
Unskilled	128000	45750	173750
H/maid	-	572600	572600
Total	310600	693000	1,003,600



According to the records available at the Sri Lanka Bureau employment, annual outflow is just over 200,000. Granting of financial and material assistance for migrant workers and their families under welfare programs of SLBFE and making registration for foreign employment compulsory, caused to decline illegal and undocumented migration, by around 10 percent.

70 percent of labour exported during the last 10 years comes under unskilled category and of which nearly 72 percent are females who registered as domestic workers. Though domestic employment generates substantial amount of foreign exchange, the social cost and related problems have hampered optimum contribution of benefits to the economic development. More over unskilled labour is poorly paid and has little bargaining power in the labour market. Middle East countries face an acute shortage of skilled labour in their labour markets. Hence, there is a huge demand for skilled labour from the Middle East and they are paid higher salaries than unskilled workers. However, Sri Lanka was unable to meet this demand due to shortage of skilled labour.

Though the industry of foreign employment brings much benefit to most countries, its negative consequences need more attention. Most of labour sending countries do come across labour related issues due to exploitation, smuggling, poor working conditions, breach of contracts, and violation of human rights of migrant workers. Even international labour institutes so far unable to minimise those issues so far. The biggest challenge is to manage migration so that maximum benefit of this industry can be reaped by all countries and

minimize negative consequences. These issues have been commanding the attention of policy makers and prompting dialogues for multilateral co – operation.

EXCHANGE OF INFORMATION

As economies and societies become more interdependent, the need to enhance our understanding of different aspects of labour migration in different countries becomes increasingly important. Timely and focused information, on the world's labour market is hence essential.

At the national level statistic information is generally gathered and analysed by and labour ministries and allied institutions. At the global level, several institutions such as IOM, ILO etc, maintain web based information systems to exchange valuable information among labour sending countries. The ILO plays a vital role in assembling, analysing and disseminating information and making available such information to policy makers, researchers and other intellectuals through its Migration database. The database complements efforts of other organizations, such as EUROSTAT, to collect information on various aspects and dimensions of migration, as well as on its impact on the labour markets of origin and designation countries. In addition to that, legal texts, which links up with laws and regulations concerning migration as well as on ILO's Conventions and Recommendations in this field are also available at the web site of ILO. In this tradition, the 1999 key indicators of the Labour market (KILM) and future, extend versions of KILM will continue the ILO's role as a data provider.

However the database project of ILO has revealed wide differences in statistical sources coverage and periodicity among countries and also difficulties in obtaining timely information on international migration, which is of great value to promote informed debate on migration policy issues. As such, special interest to be given for establishing a common platform for all labour sending & receiving countries, that would enable policy makers to exchange information effective manner.

A COLLABORATIVE INFORMATION SHARING STRATEGY

In order to have a more concrete appreciation, labour sending countries can combine lessons from local experience with knowledge of the kinds of tools and processes currently available for interstate exchange of information. Thus, a generic model can be constructed that will speak to needs common to most collaborations. As outline of these needs and tools associated, following elements are suggested

- **A common electronic presence with links to policy makers and other relevant information seekers/providers– (A Web Portal for labour migration)**

A well-designed web site can link electronic discussions, information resources and pointers to other resources in one convenient 'location' in such a way as to foster greater identification with and commitment to the collective effort. Such a web site provides a window on the range of related activities being carried out by different policy makers working in different countries.

- **Program and profile information on member countries**

Increased interstate collaboration depends, to a certain extent, on representatives from the respective agencies being aware of and familiar with their counterparts. Searchable country profile/ program information, providing contact details and an overview of relevant programming directions, helps promote such familiarity. This information can be provided through the creation of a secure, web-based mechanism allowing the policy makers themselves to place and maintain updated information online about their countries and programs.

Increasingly, policy makers are attempting to derive lessons from past issues for future planning and implementation. We advocate the installation of a web-based mechanism for participants in relevant activities to share lessons learned about those activities. Such a mechanism encourages agents from various perspectives (e.g., donors national governments, NGOs, migrant workers, etc.) to share the knowledge they have derived from their experiences. Lessons are thus made available to others in a searchable format. This would be particularly useful in the field of labour migration as many countries do not have long experience to draw on, and having access to others knowledge could dramatically improve the prospects for future implementation.

- **Supporting individuals and institutions to report out and use the electronic facilities available to them.**

This is arguably the most important and critical aspect of designing a collaborative information sharing strategy. Even the most efficient and well-designed mechanisms for collaboration will be meaningless if they are not used. Such tools will not be completely familiar to most potential users and it is absolutely essential to their sustainability and effective utilisation that on-site training, demonstrations, troubleshooting and other outreach activities from an integral part of the implementation. Regular, face-to-face contact with the principal institutions and ongoing online support are critical to successful partnerships.

- **Sharing of Documents**

Aside from the sharing of information about ongoing and planned programs, there is a need for member countries to share documents with each other. A full-text searchable password-protected online document repository can be created for this purpose. Both a private and a public repository can be created, allowing participating agencies to both share documents 'internally' and report out by providing documentation for public consumption.

- **Announcement of Events**

It is important to keep the member countries informed of international workshops, conferences and seminars relevant to labour migration. As with the online resources mentioned above, one way to create a sustainable way of sharing information in this context would be to have an events listing connected to the web site where sponsors of the events can enter summaries along with contact information. Again, this serves a dual function of keeping member countries informed at the same time as the wider public is kept abreast of events and meetings.

The above elements can be combined into a strategy for a specific ICT-enabled international level collaboration among labour sending/receiving countries for exchanging information. Perhaps the most straightforward way to do this is to break it down into three conceptual aspects. The first is concerned with ICT infrastructure, the second with the nature of the ICT based working group, and the third with the specific computer applications/tools required for the collaboration.

ICT INFRASTRUCTURE

An often-overlooked aspect of inter-state relations, surprisingly, is the necessity to reconcile country-to-country perspectives so that the joint programmes can be carried out. This is not a trivial concern. Aside from the administrative requirements peculiar to each country there are real differences in perspective.

These differences, difficult though they may be to overcome, can only be ignored at the peril of the partnership. Thus, for example, a donor agency may be investing in ICT infrastructure in a particular country as part of a regional strategy, and that strategy may assume certain types of regional linkages. If such divergent perspectives are not identified, acknowledged and worked through, some member countries would not be able to exchange information at the pace of the others.

IT SKILLS

A second aspect of exchanging of information is the creation of entirely ICT oriented working group. This is one of the most difficult tasks as lot of adverse factors such as personal attitudes, culture etc, and play as barriers to such changes. Some people on the other hand, consider mailing lists, web sites, online databases, etc., are the only technical solutions to basic problems of communication and information sharing. The ideal web site is not just a place to put up information, or to retrieve information. More importantly, it is a virtual workspace that, whilst supporting the development of an identity for those involved in creating and using it, links countries, institutions, individuals, information resources, discussion areas, etc. into a dynamic, evolving whole.

Hence trainings on IT and behavioural changes for data processing staff are essential. Some countries may need both financial and financial assistance in this regard. As such all-labour exporting countries, as well as international labour institutions must assist staff development programmes.

IT TOOLS & SOFTWARE

Software has to be developed to address common issues on labour migration and that will require discussion among the affected countries. A variety of questions need to be asked concerning the capacities of staff to use such applications, the appropriateness of such software for the groups concerned, the lead time required for implementation, the expenses associated with different solutions, etc. Mechanisms to determine and implement interstate cooperation in exchanging of information must be both replicable from one country to the next. In addition, all interests must be taken into account. From the donor agency side, for

example, this means greater attention to the needs of national governments as well as NGOs, private sector players, and other national actors.

In addition to previous facts the way that information is exchanged also to be considered. The conventional paper-based system of communication is slow and laborious. As you know, through the method of EDI (Electronic Data Interchange), there is instantaneous transfer of information from source to destination with minimal manual intervention. The use of EDI requires a common set of standards to be accepted for communication that defines the rules for transmitting information, codes and computer format of the information to be exchanged etc.. As such, it is good to seek assistance from UN-JEDI (Joint Electronic Data Interchange) group on standardisation of global information exchange programme for labour migration.

SUGGESTIONS & CONCLUSION

Management of labour migration in a planned way will make a great impact on a society whether it is rich or poor. Accurate and updated information is considered as a key factor in this regard. Indeed, there is a resemblance in issues on labour migration, encountered by different labour sending/receiving countries. Despite each of them used to maintain their databases, still the sharing of information is vitally important as such an exercise would improve the degree of knowledge in international labour migration. It is suggested to form a standard web portal, which would be a guide and director to all local web sites in exchanging information. Almost all labour sending countries must pay great attention on maintaining updated and sharable information systems. However some countries need to be assisted technically and financially in this regard. To form a standard migrant labour information system for exchanging information among member countries, three distinct strategies are suggested. That is to say assistance of international organisations such as IOM, ILO is necessary for such countries to implement those strategies which would in turn upgrade their ICT infrastructure, improve skills on ICT and develop related software programmes. All these strategies should be monitored and implemented by a team of experts. Hence a committee has to be appointed by UN, ILO or IOM to implement and standardise the collaborative strategies of exchanging labour migration information among labour sending/receiving countries for the betterment of the migrant workers.

Preparatory Meeting

INSTITUTIONAL CAPACITY BUILDING AND INTER-STATE COOPERATION

Cooperation among Labour Sending States and Cooperation with States of Destination

by

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BACKGROUND

The condition of Manpower in Indonesia at present still face classical matters such as high rate of unemployment (there are 9,531,000) persons from 100,316,000 labour forces on 2003) with relatively low education and lack of skill and meanwhile job opportunities are limited because of economic crisis. This condition encourages many people looking for job opportunities overseas through many channels.

Based on the condition above, Indonesian government has responsibility to facilitate and manage the system and mechanism of placement of Indonesian overseas workers through the legal procedure because of working abroad is the right of every citizen.

Cooperation among countries of origin as well as cooperation among countries origin and receiving countries are very important for the protection of migrant workers. Under the framework of international law, the receiving countries have jurisdiction at all any business they considered under the domain of domestic affairs. On the other hand, international community has been relentlessly set a minimum standard for the protection of migrant workers. It is worth to note that the United Nations General Assembly Meeting on 13 December 1990 has adopted the UN Convention on the Protection of the Right of All Migrants Workers and Their Families that has entered into force in 2003. Along that line, the IOM and ILO have also established standards and initiatives such as the Bern Initiatives 2 July 2004.

For its part, the Government of Indonesia outlined a comprehensive plan aimed at the protection of Indonesian migrant workers. Indonesia has concluded agreements with several receiving countries, namely Malaysia, Jordan, Republic of Korea and Kuwait. In addition, the Indonesian Government through a good relationship with certain receiving states reached a common understanding on Indonesian migrant workers. In the multinational for a, Indonesia has been actively participating in the deliberations under the auspicious of the International Labour Organisation, and at the regional setting the government of Indonesia with concerned sending countries, like the Philippines has also pursued a possibility to establish a regional arrangement.

THE IMPORTANCE OF COOPERATION AMONG COUNTRIES OF ORIGIN AS WELL AS COOPERATION AMONG COUNTRIES OF ORIGIN AND RECEIVING COUNTRIES

The successful placement of migrant workers depends on the cooperation among countries of origin and receiving countries. Under international law and practices among nations, in particular the constituent principle of today's nation state system, migrants are at the mercy of sovereign states. Based on this doctrine, the treatment of foreign of foreign nationals are within the reserved domain of domestic jurisdiction. Every State is free to admit a foreigner or to refuse him/her entry and to place any limitation or condition on his/her stay and economic, social, political, cultural or other activities. In such a world, migrants clearly require protection against the exercise of an apparently illimited State power.

States can, unilaterally or through bilateral agreement, seek to protect non-national workers, and they can accept internationally agreed minimum standards of treatment. Standards have the purpose of fixing a floor below which regional, bilateral or national laws and practices

should not fall. The standard setting is important for the better protection of the migrant workers. For that particular reason, it is pertinent to implement the multi-pronged approach to protect migrant workers from the discriminatory or excessive treatment from the receiving states.

Multilateral Mechanism

In the multilateral setting the countries of origin should work together to create a strong language in the conventions or standard setting aimed at establish foundation for the better norms to protect migrant workers. At the same vein the countries of origin and the receiving countries should work together to harmonise a standard setting in that direction. Indonesia in this part has signed the UN Convention on the Protection of the Right of All Migrant Workers and Their Families during the session of the UN general Assembly this year. Furthermore, Indonesia has ratified specific ILO Conventions.

Regional Arrangement

Indonesia stressed the importance of regional arrangement in protecting migrant workers. For this reason, Indonesia is actively participating in various regional meetings such as Global Commission on International Migration for Asia Pacific region in Manila this year, and also as one of the initiators of the Labour Migration Ministerial Consultations for countries of Origin aimed to provide a forum for Asian labour sending countries to share experience, discuss issues and identify steps for follow up in the form of recommendations.

Bilateral Arrangement

The bilateral arrangement is useful solution to provide better protection of migrant workers with respect certain areas, such as recruitment mechanism, salary, condition of work, social security or with regard to more vulnerable categories of migrant workers, particularly domestic migrant workers. In this agreement the concerned parties, would agree to specific arrangement with regard the placement and the protection of migrant workers. Indonesia for its parts has concluded bilateral agreements with certain receiving countries such as Malaysia, Kuwait, Jordan and the Republic of Korea. It seeks to negotiate similar agreement with Qatar and Syria.

INDONESIAN WORKERS PLACEMENT OVERSEAS FOR LAST 3 YEARS

Indonesian workers placement from 2001 to 2003 is 1,069,406 persons. Majority of them work in Informal sector (75.38 %) and dominated by Female workers (76.40 %) with the following details:

INDONESIAN WORKERS PLACEMENT BY GENDER ACCORDING TO COUNTRY IN 2001-2003

No	Area	2001			2002			2003		
		Male	Female	Total	Male	Female	Total	Male	Female	Total
1	Middle East	9,828	106,769	116,597	18,771	223,190	241,961	14,513	169,257	183,770
2	Malaysia	33,974	40,416	74,390	87,566	65,114	152,680	57,034	32,405	84,439
3	Singapore	3,385	30,539	33,924	80	15,991	16,071	5	6,098	6,103
4	Brunei D.	1,568	4,168	5,736	3,088	5,414	8,502	388	758	1,146
5	Hongkong	2	22,620	22,622	1	20,430	20,431	1	3,508	3,509
6	Taiwan	2,192	33,784	35,986	3,178	32,744	35,922	1,307	623	1,930
7	South Korea	2,673	1,419	4,092	3,585	688	4,273	6,390	1,105	7,495
8	Japan	1,382	6	1,388	441	3	444	100	0	100

INDONESIAN WORKERS PLACEMENT BY JOB SPECIFICATION ACCORDING TO COUNTRY ON
2001 - 2003

No	Job Specification	2001	2002	2003	Total
1	Housemaid	47,288	69,803	39,112	156,203
2	Baby Sitter	19,777	60,111	21,739	101,627
3	Care taker under 5	26,408	71,995	11,100	109,503
4	Caregiver of Aging	36,485	77,500	3,400	117,385
5	Driver	6,025	9,117	4,315	19,457
6	Gardener	815	2,015	3,555	6,385
7	Plantation, Agriculture	60,052	98,300	87,200	245,552
8	Manufacturer	18,111	21,277	41,711	81,099
9	Constructions	37,152	38,011	45,777	120,940
10	Medical Service	8,877	10,760	11,200	30,837
11	Hotel and Restaurant	3,557	2,998	3,976	10,531
12	Airplane Crews	64	443	334	831
13	Crews of Cruise Ship	2,878	3,488	3,271	9,637
14	Crews of Cargo Vessel	410	1,991	2,434	4,835
15	Crews of Fishery Vessel	1,100	2,600	3,222	6,992
16	Crews of other vessels	2,019	2,989	2,755	7,763
17	IT and Communication	255	672	1,110	2,037
18	Finance, Accounting Service	2,005	1,911	1,200	5,116

19	Banking	611	977	1,555	3,143
20	Chemical, Gas and Petroleum	906	2,034	2,455	5,395
21	Others	2,388	1,411	2,444	6,243
TOTAL		295,148	480,393	293,865	1,069,406

Structures to Manage Indonesian Workers Placement

The placement of Indonesian workers in overseas are national programs, which is managed by evolving not only central and region government but also private institution (PJTKI). There are around 400 PJTKI in 2004.

Regarding to decentralization policy concerning Indonesian overseas employment, Regional government have duties to supply and prepare the quality of the candidates with are consists of counseling, registration, selection and training before leaving Indonesia.

Meanwhile, Central Government (Ministry of Manpower and Transmigration) has duties as follows:

- Formulate regulation and policies
- Conduct services such as provide information and campaign the procedure of overseas placement
- Issues licence, guidance and monitoring of private employment agencies
- Provide protection for Indonesian worker in Indonesia and overseas.

DEVELOPING POLICIES OF INDONESIAN WORKERS PLACEMENT

Regulations

Indonesian government has arranged Indonesian workers regulations in the form of Act of Indonesian overseas employment and protection by adjusting and adopting international conventions on migrant workers and human rights and taking into accounts the development of the global era. Regulations for Indonesian workers placement and protection in foreign countries have been successfully drafted, now it passed to the Legislative and will be signed on the end of September 2004.

Institutions

- Establishing National Board for Indonesian workers placement that is government institution having function to implement overseas employment program legally, efficiently and effectively so that it is able to promote Indonesian placement qualitatively as well as quantitatively.
- Provide Indonesian Workers Services Center for Society in the origin areas of Indonesian Workers.
- Build Job training hall in Entiking and Dumai
- Preparing the returning home service for Indonesian workers.

Assign Labor Attaché in the Receiving Countries

In frame of supporting the system of Indonesian workers, especially in marketing and protecting Indonesian workers, it is necessary to be backed up by the institution in the respective countries to set up labour attaché in the country of destination.

- Currently, there are two (2) Labour attaché, for Indonesia representative in Kuala Lumpur and Riyadh and one (1) Labour officer in Jeddah.
- It has been proposed to add five (5) Labour attaché in Emirate Arab Union, Qatar, Kuwait, Singapore and Hongkong.

Human Resources Development

To improve the quality of Indonesian workers and improve the professionalism of personnel and private agencies and government official who dealing with placement of Indonesian workers such as:

- Provide Pre-Departure Orientation Seminar for all Indonesian workers before their departure.
- Improving the standard of language and skill training for Indonesian worker candidates.
- All Indonesian workers should passed Competencies Examination

Monitoring and Controlling

Implementing law enforcement consistently, continuously without any discrimination for all form of against of act and regulations, concerning Indonesian workers in overseas. Issues that were implemented as follows:

- Accommodation and training facilities have been put in order. All PJTKIs must have good accommodation in accordance with the requirement and perform language and skill training for Indonesian workers.
- PJTKI that were proven breaching the rules were given administrative sanction, those are: 17 companies were revoked their license, 33 were scorched and 5 were stopped their operation.

Inter Institutional Cooperation and Coordination

- a. Coordination Regional Government, National Board for Indonesian Workers Placement (BP2TKI), Indonesia Embassy and Labor Attache.
- b. Foreign Ministry
Periodical Coordinating Meeting with Republic of Indonesia embassy abroad have been convened to solve the problems faced by Indonesian Workers, promotion and job seeking.
- c. Justice and Human Right Ministry
Regarding the period of passport application for Indonesian Workers from 5 years to be 3 years to anticipate the utilization of passport application for illegal working.
- d. Ministry of Health

Joint Decree No. 255 A/MEN/2003, dated December 8, 2003, has been signed with in framework to supervise and control the medical test of Indonesian workers candidates.

e. Religion and Home Affair Ministry

By meeting on February 5, 2004, it has been agreed to prevent the marry among Indonesian and Foreign Citizens pretended as argument for illegal work, and prevention of falsifying Citizen Identity Card.

Socialization

- Socialization for Government Staff

Socialization has been conducted by the Minister of Manpower and Transmigration to Governors, Head of Districts and Majors on procedures for placing Indonesian workers to abroad and instruct them to supervise agent or sponsor in their regions.

- Socialization for Public

Cinema, leaflet and public service advertising on procedures and mechanism of work abroad have been broadcasted.

COOPERATION AMONG LABOUR SENDING COUNTRIES

1. Through Meetings between sending countries which is conducted by IOM, UNIFEM etc.
2. Indonesia since 1999 has been the member of the organization of the sending countries such as Philippines, India, Bangladesh, Sri Lanka, Pakistan, Thailand and Nepal. This organization has conducted several annual meetings to discuss the activities on promoting cooperation and strengthen the bargaining position of the sending countries.
3. MoU with Philippines signed on 2003 although there was not effective yet, no implementation yet concretely.

COOPERATION WITH STATES OF DESTINATION

One of instrument that can be used for protection for the migrant workers is through bilateral agreement or MoU between the country of origin and the country of destination of the migrant workers.

Until now, Indonesian government has succeeded in making MoU on manpower placement with 4 (four) countries: Malaysia (2004), Kuwait (1996), The Hashemith Kingdom of Jordan (2001) and South Korea (2004), Taiwan will be signed on the end of September. While by the other receiving countries still in progress such as Saudi Arabia, Qatar and Singapura.

PROBLEMS OF INDONESIAN WORKERS PLACEMENT

1. Illegal Indonesian workers

The number of illegal Indonesian workers who worked abroad was not known exactly, because they were not registered with the Manpower and Transmigration Ministry and Indonesia's Embassy in where they work. The main modus of illegal Indonesian workers are abusing visa, document falsification and manipulation of their identity.

2. Supervision in Bordering Area

It is difficult to monitor illegal Indonesian workers in bordering area nearby Malaysia and Singapore, due to long borderlines and close distance to both countries.

3. Some problems faced by Indonesian workers abroad

- Right and job type that they got were not suitable with the job contract.
- Inhuman treatment by employment
- Sexual harassment
- Given disease, difficulty to adapt with local culture and communicate with local language.

RECOMMENDATION

Through this meeting we need follow up which facilitated by IOM such as:

- Strengthened the cooperation among countries of origin as well as cooperation between countries of origin and receiving countries in multi-forum i.e., bilateral, multilateral and regional
- Conduct meeting among sending and destination countries
- Provide employment contract standard for migrant workers in every country.
- Information interchange intensively among sending countries facilitated by IOM

Ministerial Consultations

STATEMENT

by

Ms. Patricia A. Sto. Tomas
Secretary
Department of Labor and Employment

His Excellency and Presidential Adviser for Overseas Filipino Workers, Vice President Noli de Castro, Their Excellencies from the various Ministries of Labor in the Asian countries or origin, Director General Brunson McKinley of the International Organization for Migration, Officials and Members of Delegations participating in these Consultations, Distinguished Guests:

Good morning and welcome to this 2nd Labor Migration Ministerial Consultations for Countries of Origin in Asia. It is with highest privilege that we host you here in Manila. I hope that in your short stay here, you will find time to experience the goodwill and hospitality which are very much a part of our Filipino traditions.

A year has passed since we had the first Consultations in Colombo. Now it's time we build on the commitments from last year to act collectively in addressing the phenomenon of labor migration especially as it relates to countries of origin. Our solidarity in this conference is not due merely to our geographical proximity and similarities in demographics and levels of development. It is also due, more significantly, to our common resolve to recognize and enhance the economic contributions of our migrant workers, and to ensure decency and fairness in their conditions of work wherever they may be.

Our vision of labor migration is that it should be a humane and enriching experience for migrant workers, and should as well result in mutual benefits for both labor-sending and labor-receiving countries. I am sure that this is a vision we all share, and I'm sure that these Consultations will be a significant step forward in getting us closer to it.

Again, I welcome all of you to the Philippines. *Mabuhay tayong lahat!*

Ministerial Consultations

STATEMENT

by

Mr. Brunson McKinley
Director General
International Organization for Migration

Your Excellency, Vice-President, Noli L. De Castro,
Secretary Patricia A. Sto. Tomas,
Distinguished Ministers,
Your Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

Let me begin by expressing both my sincere appreciation to the Philippines government for hosting these Labour Migration Ministerial Consultations for Countries of Origin in Asia, and the pleasure it has been for IOM to organise them with the help of all participating countries.

In recent years migration has been making its way steadily to the top of the international affairs agenda and now calls insistently and urgently for the attention of all governments, whatever the nature of their involvement or interest in the management of migratory processes.

This Ministerial Conference is exceedingly timely and follows the successful Conference we had in Colombo last year. Dialogue and coordination among Asia countries having workers and professionals abroad can be a hugely significant step in the direction of better coordination with countries of destination; better protection of the rights of migrants; better opportunities for work, learning and saving; and better management of migration all around the world.

The purpose of the second Ministerial Consultations is to provide a forum for Asian labour sending countries to:

- Share experiences, lessons learned and best practices on labour migration policies and practices.
- Consult on issues faced by labour migrants and sending States and propose practical solutions to protect migrants as well as optimise development benefits
- Review and monitor the implementation of recommendations made and identify further steps for action.

The migration of workers from developing countries to industrialised countries have been on the increase over the last few decades, although they still remain a small proportion of the total work-force (4.2% in 1998). The ILO estimates that there are today over 80 million workers of whom almost 30 percent are in Asia. Some two million Asian workers leave their countries every year to work in other countries within and outside the region under short-term employment contracts. The three migration themes that continue be of paramount importance to governments and other concerned actors in the region are:

1. Protection of migrant workers and support services
2. Optimising benefits of organised labour migration.
3. Institutional capacity building and interstate cooperation.

PROTECTION OF MIGRANT WORKERS AND SUPPORT SERVICES

To follow-up on the Ministerial Recommendations made in Colombo, IOM commissioned three studies, with the financial assistance of the Department for International Development of the UK, to assess and identify good practices in the protection of vulnerable migrant workers and provision of support services to them.

The first of these looked at **regulatory frameworks and allied measures to prevent abuses in recruitment and implement minimum standards in employment contracts**. A priority concern of all labour sending governments is to ensure the well being of migrant workers and to secure the payment of decent wages and basic provisions to them. There are no perfect systems of regulation of labour migration but sending countries in Asia continue to work at improving the system they have in place, some of which are the most advanced in the world. Some important steps to emphasise in this area are:

Education of migrant workers is one of the most effective shields against abuses by unethical recruitment agencies and employers. Education should be imparted even before the workers seek overseas employment. They should be provided with timely, comprehensive, relevant and accurate information about the realities of labour migration to enable them to make informed choices and decisions. The conduct of pre employment orientation seminars (PEOS) and information campaigns are steps towards this direction and should be intensified particularly in rural communities. PEOS and information campaigns can also be an effective method of providing prospective overseas job seekers with knowledge on how to detect modus operandi of illegal recruiters to prevent them from falling easy victims. IOM has been engaged in information dissemination to migrants on the safe migration in a number of ways and in a host of countries.

Institutional capacity building for the Offices for Foreign Employment (or equivalent structures) is equally important. Since these offices are in direct contact with the workers, their abilities to respond in an appropriate and timely manner to the needs of the workers should be enhanced. Capacity building in migration management has been the hallmark of many IOM technical cooperation activities. IOM is helping strengthen the capacity of the Sri Lanka Bureau of Foreign Employment (SLBFE). Last year twenty-three training centres were provided with modern household equipment to assist in the training of outgoing domestic workers who make up the majority of Sri Lankan migrant workers. Information technology equipment was provided to the SLBFE to upgrade its information system, particularly its complaints system.

A second study has looked at the establishment and operation of **Migrant Welfare Funds**. As you know, Migrant Welfare Funds are an innovative and financially sustainable means of providing support services to vulnerable migrants and those migrants in distress and is an Asian innovation. While the operation of these funds can be made more effective by better targeting and deepening of services, the Migrant Welfare Fund is a good practice that all nations interested in labour migration can learn from. Migrant Welfare Funds should be established in labour sending countries and the experience and lessons learned in the operation of such funds in countries such as the Philippines, Sri Lanka, Pakistan, Thailand and Bangladesh taken into account.

The Asian countries have also shown the way with regards to Pre-departure Orientation Services (PDOS), particularly in the Philippines and Sri Lanka where it is financed by the

Migrant Welfare Fund or the destination country. IOM provides PDOS to Filipino migrants leaving for Canada to work as live-in caregivers and has also produced with the Overseas Workers Welfare Administration or OWWA for short, a much-appreciated video on safe migration. PDOS should be introduced in all labour sending countries and could be funded by the Migrant Welfare Funds or receiving countries/employers in order to make it a financially sustainable activity.

Establishing an Asian Migrant Resource Centre (AMRC) in Gulf Cooperation Council (GCC) States

The Arab Gulf states are one of the most important destinations for Asian workers, although there has been a growth in new destinations since the 1990s. Migration to the Middle East is both a big opportunity, in terms of foreign employment and remittances, and in some respects a challenge.

In the Ministerial Meeting last year in Colombo, the Ministers called for a pooling of resources in establishing a common migrants' centre on a pilot basis in the GCC states. IOM has established and operated MRCs in destination countries like Portugal and Italy and in follow-up to the Colombo Meeting, made a feasibility study to establish a Resource Centre in a GCC state. The results and proposal are now on the table for discussion.

The proposed AMRC would focus on the requirements for a successful temporary sojourn to work. Common services to be considered could include Counselling and legal services, Up-to-date and relevant labour market information accessible to migrant workers, Information and advisory programs to promote social integration such as post-arrival community networking services, as well as information on foreign exchange, remittances, Monitoring of employment conditions and job verification and related services, Human resources development; training, Information programs for returning migrants (re-integration programs), Networking and information dissemination – consultations with host government non-government organizations (NGO's), migrant communities, employers/agencies, media and others; Database system for migrant workers registration to facilitate tracking of whereabouts and monitoring of conditions.

Kuwait is an excellent potential location for such a centre. The country has the largest number of migrant domestic workers among the countries where an MRC could be feasible. In the GCC, the issues confronting these most vulnerable groups of workers calls for attention, and any gains that may be achieved in the sector will have the greatest salutary effect on the other sectors.

The interest and cooperation of the host country is equally important. Preliminary indications are that the Government of Kuwait would be supportive to the idea. Kuwait also has the added advantage, for purposes of immediate implementation, of the presence of IOM Kuwait, which can provide crucial administrative support, and diplomatic representation, in the operation of the proposed Centre.

The intended purpose of the Centre is to provide protection and support services to vulnerable categories of migrant workers, particularly women. In doing so the Centre will take into account the initiatives of the host government and Embassies so as to add value to current efforts and pool common resources wherever possible.

To attain its immediate, intermediate and long term objectives, the Centre would require employing a small core team with various technical skills and experience. As the Centre will be providing services to workers of the ten Asian labour sending countries, on one hand and the GCC countries on the other, these two parties would ideally be the main sources of funding for its sustainable operation. Donor agencies and international organizations seeking the protection of vulnerable workers could be requested for contributions, especially for the start-up. Employers can also be approached for support, whether funding or release of workers to attend training courses.

OPTIMISING BENEFITS OF ORGANISED LABOUR MIGRATION

Facilitating Managed Labour Migration

The most direct link between migration and development is through remittances – the funds migrants send home. Remittances are a direct result of migration and therefore facilitation of managed labour migration would naturally contribute to an increased inflow of remittance flows. Labour migration policy should give equal emphasis to promotion and facilitation of managed external labour flows and not be limited to the regulating and protecting function of the State.

Some of the specific ways through which the state can engage in the facilitation and promotion of international labour migration include: Establishing a labour market monitoring entity or unit which would be responsible for projection of manpower requirements in the major labour receiving countries, collection of labour market information relating to foreign employment opportunities and evolving a system to disseminate the information among the potential migrants; identification of the emerging nature of skill requirements in the external labour markets and ensuring the available matching supply of skills; and entering into bilateral agreements with major labour receiving countries.

Remittances

It is quite clear that the foreign exchange that can be earned by nationals working abroad looms large in the formulation of labour migration policy. Migrant remittances can constitute a very important source of foreign exchange, enabling a country to acquire vital imports or pay off external debts. At the household level it is generally agreed that remittances help to reduce poverty

In 2003, total workers remittance receipts stood at **USD 93 billion**, exceeding total ODA and remaining the second largest source, behind FDI, of external funding for developing countries. **Asia received about USD 17.6 billion or 19 % of these flows**, and 7 of the countries **represented** in the conference **today** are in the **top 20 remittance receiving countries** in the world, including India, The Philippines, Pakistan, Bangladesh, China, Sri Lanka, Indonesia.

There has been a considerable increase in the flow of remittances channelled through formal banking and financial institutions in the recent decades in some Asian labour sending countries. Comprehensive and clear regulatory framework pertaining to foreign exchange management, liberalization in the exchange rate regime, introduction of full convertibility,

measures to deepen and widen the foreign exchange market specialized banking services to Non-Residents, involvement of larger number of banking and other financial institutions in the transfer of remittances and strengthening relations with the diaspora in the different countries are some of the major policy initiatives in countries such as India that have contributed to the increased absorption of remittances and savings of migrants through formal channels. Such a vast expanse of policy initiatives offers labour sending countries viable options for maximizing the flows of remittances through formal channels.

IOM's purpose in the remittance area is to facilitate the development of policies and mechanisms that:

- Improve remittance services to migrants
- Enhance the development impact of remittances

A third area of interest, given the inadequate data available on remittances, is

- Base line and policy oriented research and the sharing of good practices and capacity building.

Through more than 150 offices world wide, IOM brings a comparative advantage to activities in this area by being in close contact with diasporas and policy makers. In addition, we have global presence to work with other institutions and governments to help implementing the remittances agenda through technical assistance and projects tailored to the needs of migrants, receiving communities and countries.

i) Improving remittance services for migrants

Remittance recipients are often unaware of the practices and methods of the remittance companies. For example, many senders do not know about the different exchange rates that prevail among companies. Furthermore, there is little independent research or verification on the effectiveness or efficiency of the various services. These issues need to be addressed.

Information dissemination on remittance services and options via pre-departure orientation and in Migrant Resource Centres (MRCs) established in countries of destination is one good way of making progress.

Partnership with banks and financial institutions in making remittance services more cost-effective for migrants is another way. The capacity to increase remittances distribution to currently under-served areas should be supported. Increased access to banking services both in the source and recipient countries is known to reduce costs and increase efficiencies. Innovative linking of information technology and financial intermediation can considerably reduce the cost of transferring the remittances through formal routes. It is important that some of the best international practices from international and national experiences are evaluated and considered for replication.

Capacity building for increasing consular services for migrants, including a data-base and issuing of identity documents, allowing irregular migrants to avail of formal remittance channels, where possible should be encouraged.

It would also be worth establishing a system of offering low interest loans to less well-off emigrants to finance out-migration. Such a system of financing labour migration may also ensure that those emigrants availing the low-interest loans would resort to formal banking channels to transfer their remittances back home.

General coordination between the Department of Labour Migration, Central Bank, major financial institutions, and the Ministry of Finance, as regards the issue of external labour migration and associated remittance flows should be introduced if not already happening.

ii) Maximizing the development potential of remittances

While recognizing that first of all remittances are private and family funds, inducing remittances to productive investment assumes special significance and urgency in view of the fact that funds received in the country may, if well invested, make a remarkable contribution to economic development of the country through their multiplier effects. This is an area where labour exporting countries could to articulate a policy framework.

The initiatives to be undertaken to direct remittances into productive activities could be situated at two broad levels: first, there is a need to put in place policies to attract, encourage, facilitate and sustain investment activities like setting up enterprises either directly by migrant or through intermediate mechanism and means of transferring migrant savings through deposit accounts; Second, support should be provided to policies that enhance the contribution of migrant associations to country of origin development by replicating innovative initiatives, such as the matching fund programme in Mexico (Province of Zacatecas) and strengthening country of origin relations with the diaspora and migrant communities.

iii) Baseline and policy oriented research on remittances and sharing of good practices

We need to share best practices and technical expertise among governments and migrants' associations and to expand the remittances knowledge base, access to information and know-how, and broaden access to public and private sector technical expertise.

Training and Skills Development

Migrants can maximize returns to migration when they are able to choose the best foreign employment option. Information, education and training help migrants in achieving this.

A shortage of ICT and nursing skills exists in significant numbers and is expected to worsen in the near future. **An astonishing 70 per cent of newly registering nurses in the U.K. in 2002-03 were foreign trained.** There is large unmet demand for nurses abroad especially in higher-paying destinations such as the US, UK and Ireland. Despite the demand, enrolment in nursing has been falling in some countries and in some countries only half of those graduating pass the professional board examinations.

Improving quality is key to maximizing the private and social returns to education and training. It will increase the employability of the labour force both in the domestic and foreign markets and make scarce resources better utilised.

CAPACITY BUILDING, DATA COLLECTION AND INTER STATE COOPERATION

Asian labour sending states have been in the forefront of developing policies and mechanisms to protect migrant workers and in promoting managed labour migration. As a follow-up to the Colombo Meeting last year, IOM is assisting to further develop institutional capacity by putting together a comprehensive training curriculum for labour migration administrators and labour attaches. Two courses, one for administrators and the other for labour attaches will be held early next year in Manila and Kuwait respectively. We hope that following the pilot courses above the curriculum will be adapted and used for national training purposes. IOM stands ready to assist in this.

Some Asian labour sending states have also been able collect comprehensive data on the labour migration process as result of the regulatory and protection mechanisms in place. We should implement the excellent recommendation made at the Colombo Ministerial Consultations, which is to exchange, on a voluntary and regular basis, information on changes in policy and legislation, on major destinations, on types of migrant workers, and on bilateral agreements, with a focal point being identified in each country.

Inter State Cooperation

Despite all the domestic efforts made by Asian countries to protect migrant workers, they continue to experience numerous problems in destination countries, particularly vulnerable groups such as female domestic workers. There are limits to what a state can do to protect its migrant workers without the active cooperation of the states of employment. Moreover, though world migration pressures have risen, the progress of globalisation in the area of migration is much slower than in trade and capital flows. There is more emphasis on multilateral negotiations on trade rather than on labour flows. In such a context, it is important that labour sending countries take a lead role in highlighting the urgency for developing a comprehensive multilateral framework on international movement of people. It is vital that strategies are formulated at regional and multilateral levels to initiating dialogue between countries of origin and destinations. Such dialogue should endeavour to: exchange information on surpluses and shortages of labour; develop coordination of policy among labour sending countries; and create harmony of policies among labour receiving countries and protect vulnerable migrants.

Specific steps for inter-state cooperation in the region can include:

- Establishment of a Common Migrants Resource Centre as indicated earlier.
- Sharing of information and in training
- Dialogue with countries of destination including a Seminar on the Rights and Obligations of Migrants organised in the GCC

As in the labour sending countries, IOM is equally engaged in countries of destination and sees managed migration as a possible win-win situation for both countries of origin and destination and migrants. Recently we have organised with the Ministry of Foreign Affairs of Japan a Symposium on Acceptance of Foreign Workers in Japan in light of certain labour shortages and trade agreements under negotiation. We are in discussion with the Ministry of Labour in Korea on possible assistance in the smooth implementation of the new employment

permit law. We greatly value our growing relations with ASEAN. In Europe we have assisted with labour migration to Italy, Spain and the Netherlands. Further a field, we are assisting in the seasonal and circular migration of Guatemalan agricultural workers to Canada. IOM is ready to use its good offices, wide membership and accumulated experience in promoting interstate cooperation and dialogue.

Today's ministerial consultations provide a unique opportunity for all participating countries to exchange views and perceptions, to analyse their labour migration experiences, to share best practices and to test and seek validation of responses to particular problems -- all in a climate of openness and informality. We also have here in Manila an unparalleled opportunity to continue the task of designing the well regulated international market in labour that the world so badly needs. I very much look forward to participating in the discussions and learning from them.

Before I conclude, let me express my gratitude and that of all participants to, DFID and Asian Development Bank for their support towards the organisation of this conference. I once again thank and congratulate our hosts for their superb hospitality and their welcome initiative in inviting us to come together for these consultations. With good will, hard work and a sense of the human dimension of our task, we can accomplish great things.

Ministerial Consultations

Keynote Address

by

Vice President Noli de Castro
Government of the Philippines

Secretary Patricia Sto. Tomas, Excellencies of the nine Asian countries participating in this migration ministerial consultations, Director General Brunson McKinley of the International Organization for Migration, representatives of the Diplomatic Corps, members of the Cabinet, the distinguished officials and members of the delegation from Bangladesh, China, Indonesia, Nepal, Pakistan, Sri Lanka, Thailand and Vietnam, ladies and gentlemen. On behalf of the Philippine Government, let me welcome you all to this follow-up meeting to the Labour Migration Ministerial Consultations held in Sri Lanka last year.

I also welcome the representative from the Government of Afghanistan and the representatives of international organization such as the United Nations Development Fund for Women (UNIFEM), World Health Organization (WHO), International Labour Organization (ILO) and the from the ASEAN Secretariat, who are observing this consultation meeting.

It is our honor and privilege to host this regional meeting with the support of our partners in the protection of vulnerable migrant workers: the International Organization for Migration (IOM), the United Kingdom Department for International Development (DFID) and the Asian Development Bank (ADB).

As a follow-through to the consultations held in Sri Lanka on April 2003, this second ministerial consultation signified our commitment to face the challenge of managing migration flows by strengthening mechanisms for the welfare and protection of our migrant workers.

OVERSEAS EMPLOYMENT IN FOREIGN POLICY

Being one of the largest suppliers of migrant workers, the Philippines recognizes that Filipinos overseas will continue to play a critical role in the country's economic and social stability. The mandate to protect our migrant workers was affirmed when our government stood firm in its avowed duty and secured the safe and immediate release of Angelo de la Cruz by his abductors in Iraq. This same mandate rationalizes our current ban in the deployment of workers to Iraq.

Standing firm on these decisions may not have been well-received by some sectors. However, we firmly believe that by saving one life and ensuring that no Filipino shall again be put at risk, we have upheld our constitutional mandate to serve and protect our people wherever they may be. This is also one of the three pillars of the present administration's foreign policy,

The Philippine experience with migration for employment began as a stopgap measure to ease the lack of job opportunities at home and to generate foreign exchange. Over the past many years, overseas employment has evolved as a function of market growth – a global reality that must be managed with utmost regard for the welfare and protection of workers given the escalating incidence of social damages that goes with it.

Indeed, overseas employment is inherently risky. The overwhelming economic benefits that our countries reap from overseas employment, therefore, should not be a reason to compromise the safety and welfare our workers. The economic gains should not likewise be a reason to ignore the price that our societies are paying in terms of family and cultural disintegration.

These risks are the reasons why we are all here today. I especially note that this Second Ministerial Consultations push further what has been achieved in the Colombo Consultations by focusing on priority areas addressing a broad range of issues such as: (1) protection of and provision of service to vulnerable migrant workers; (2) optimizing the benefits of organized labour migration; and (3) institutional capacity building and interstate cooperation.

I believe that the experiences we shall be sharing, the lessons we shall learn and the best practices we shall hear about are our most valuable tools towards improving migration management in the region.

COLLECTIVE STEPS TOWARDS MIGRATION MANAGEMENT

In a globalized environment, labour-sending countries have to contend with new patterns of labour migration that include intra-regional migration, increased female migration, as well as rising irregular migration. These increasing flows of people seeking work beyond borders make it crucial for countries to manage migration more efficiently.

The existence of an overseas employment program does not necessarily ensure that the benefits gained far outweigh the costs borne by the worker and his family. Poorly implemented policies can make migrants vulnerable to abuse or exploitation. On the other hand, overly restrictive policies, or the lack of it, adversely affect the migrant workers' well-being. Thus, adequate and appropriate policies spell a lot of difference in improving the lives of migrant workers and their families.

Managing overseas migration require collective efforts rather than unilateral ones. It calls for more objective responses rather than emotional reactions, to make it effective. Towards this end, a comprehensive view of all factors must be considered. It is crucial that migration for employment be seen not only from the perspective of the receiving or host country but also from that of the sending country.

Both sending and receiving countries must acknowledge that they have significant mutual interests to protect. This is why we must all strive to improve the existing system to ensure mutual gains. The RP-Norway Agreement, which aims to develop cooperation to reduce the shortage of professionals in the health sector in Norway and to promote employment opportunities for Filipino health personnel, is one concrete example of how to jointly manage issues.

It is good to note that serving mutual interests has been considered in these Ministerial Consultations. I particularly refer to the recommendation towards an advocacy for the host country to share responsibility in ensuring that foreign labor participation in their economy is authorized and protected. There is also a recommendation by countries to work towards the establishment of a mechanism involving these countries in capacity building, data collection and inter-state cooperation.

DECENT AND GAINFUL EMPLOYMENT

Joint efforts to manage workers' migration must not be remiss of its ultimate objective: the guarantee of affording an individual with options for decent and gainful employment. Our efforts towards migration management must be able to support the democratic principle of free movement and must recognize the increasing desire of overseas migrants to participate in the economic and social activities of their host country, while at the same time, respecting the rights and obligations of states to uphold their sovereignty.

As the world continues to integrate, our people must also be made capable to immerse in the societies wherein their work is found free from cultural and religious restrictions, free from prejudices, free from oppression. A borderless world presents a bigger opportunity. However, it should not become a reason for migrant workers to lose their identity nor deprive them of their human rights.

I recognize that these values have been raised in the Sri Lanka Consultations. I hope that the present consultations will delve further on the pro-active measures that we could undertake in pursuing capacity-building and ensuring participation among our migrant workers while in the receiving countries.

Our experiences with migration would indicate that gains are better achieved if we put our acts together. We cannot ignore the necessity of cooperating with each other and of building a strong alliance. We will have a stronger voice in our advocacy for greater protection of our migrant workers. While we each have our own bilateral efforts to promote the interests of our workers, regional and international cooperation have served to advance our various political and socio-economic concerns. For instance, the bilateral agreement we signed with Indonesia in 2003 to promote and protect the welfare and rights of Filipino and Indonesian migrant workers is a novel approach which should be replicated among other labor-sending countries participating in this consultation.

We can no longer deter the migration of our populations to different parts of the world to look for "greener pastures". Diaspora is a phenomenon inherent in a borderless society. Rather than competing with better jobs offered in receiving countries, would it not be more noble to help each other so that our workers can equitably avail of overseas employment opportunities?

On this note, I hope that this meeting would achieve the goals it seeks to pursue. Our workers may have the courage to seek employment overseas. But it is all up to us to ensure that when they leave our shores, they would do so with adequate guarantees or protection.

Mabuhay kayong lahat and good morning.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Islam Mohammed Quamrul
Minister for Expatriates' Welfare and Overseas Employment
Bangladesh

Respected Chairperson
Hon'ble Ministers
Excellencies
Distinguished delegates
Ladies and gentlemen

I am honored and privileged to be part of this second Labour Migration Ministerial Consultation for Countries of Origin in Asia. I deeply regret that despite my best of intentions, I could not attend the first Ministerial consultations held in Colombo. I have however, tried to keep myself abreast with the proceedings of the consultations as well as the recommendations.

Since time immemorial, movements of people have been making important contributions to human civilization by promoting cultural exchanges, economic development and social progress. Over the last few decades, especially with the deepening of globalization, migration is increasingly becoming an important element in the economic development of many developing countries. The number of migrants has rapidly increased over the last 4 decades. As per IOM's report, the total number of both formal and informal migrants was estimated at about 75 million in 1965. By 2000 the estimated number had doubled to 150 million. The most recent estimate stands at 175 million. The Asian continent, given its vast size and varying levels of socio-economic development hosts an interesting mix of countries which can be termed either as countries of origin or as countries of destination or transit with some of the countries even falling under either two or all three of these categories. The interests of each of these groups of countries are obviously different, so is their perception of the "migration issue" itself.

As more and more countries are becoming involved with the issues relating to labour migration either as countries of origin or destination, there is now a better understanding and growing acknowledgment that migration is a fact of modern life. This is an encouraging trend. Many developed countries in the world today, given the declining birth rate, have serious shortage of human resources; while in many countries like ours, have a surplus of it. This has indeed prompted countries of both origin and destination to rethink their policy options and move towards a common strategy for managed migration which is based on mutual cooperation and understanding among the states concerned. As Asian countries of origin, our foremost task is to determine our collective position in managing migration effectively in order to derive maximum benefits from it. At the same time, we must also take a resolute stand to address the challenges of illegal migration caused by trans national organized crimes such as human trafficking and smuggling of people.

Madam Chairperson,

In this connection, I would like to refer to the most important outcome of the Berne Initiative that has projected a policy framework facilitating inter-state cooperation in managing the movement of people in a humane and orderly way. In this spirit, Bangladesh has actively participated in the Berne Initiative on Regional Consultations for Asia and the Pacific held in Guilin, China in July last. We were happy to be part of the Asian consensus on a set of common understanding and a comprehensive approach to migration. We believe that formulation of a non-binding framework, as has been envisaged in the Berne Initiative would provide an important guideline for management of migration through orderly movement of

people. At the same time, we would expect that the international community also address the root causes of migratory flows, including poverty in sincere earnest.

Madam Chairperson,

The main objective of this discussion is the follow-up of the Colombo meeting. This meeting provides us an opportunity to assess progress on the implementation of the recommendations adopted in Colombo. The three major areas of recommendations for effective management of migration programme adopted by the Colombo meeting are:

- a) Protection and provision of services to migrant workers,
- b) Optimizing benefits of organized labour migration, and
- c) Capacity-building, data collection and inter-state cooperation

Before mentioning about the progress of implementing the Colombo recommendations, I would like to highlight some of the factors that characterize the migration system in Bangladesh. As a human resource surplus country, Bangladesh belongs to the supply side of the world manpower market. Our Government promotes migration for overseas employment as part of its development strategy, which is aimed at poverty reduction. This, I believe is also the case in many of our countries in this region. The current flow of our migration is about 2,50,000 persons annually.

Roughly 46% unskilled labour, 26% semi-skilled, 23 % skilled workers and some 5% professionals. As a developing country, Bangladesh adopts policy of economic liberalization. The remittances sent by the expatriate workers constitute a reasonable part of our foreign exchange earnings and contribute towards financing of our development expenditure. The current level of remittance also makes a significant contribution to the GNP and helps offset negative balance of payments.

Madam Chairperson,

In the last two days proceedings official delegates have discussed in details about the progress so far achieved on the Colombo recommendations. However, I would like to point out some of the important measures taken by our government in line with the recommendations on the three major areas.

FOR THE PROTECTION AND PROVISION OF SERVICES TO MIGRANT WORKERS

- Government has already updated the legislation related to migration and also made separate legislation for Recruiting License and Wage Earner's Welfare Fund.
- **The Government is negotiating with the Governments of the Receiving countries to ensure the protection of migrants.**
- To assist women migrants and protect them from irregular migration, the Government is currently reviewing the partial restriction placed on the migration of women. A

notification has been issued so that women can migrate for domestic work under certain conditions. They are also allowed to work for Hospitals and Garment Industries.

- Service provisions to migrants that have been introduced include pre-departure orientation program being made mandatory. The details of which have been highlighted in the study commissioned by IOM to be discussed in this Consultation. Migrants are briefed about the terms of contract, salary and other benefits as well as on the culture and society of the destination countries. They are also briefed as to how to avoid falling victim to fraud and abuse. Booklets are issued to the migrants on this matter at a later stage. Currently, the health component is being developed in collaboration with IOM.
- Migrants in certain categories are also offered English language courses by Bureau of Manpower, Employment and Training (BMET). This course was set up by IOM and is offered to hotel workers and nurses to assist them in gaining and maintaining employment abroad. The course has recently been reviewed and upgraded with the assistance of IOM.
- Some skills training for migrants are being conducted in Government-run Technical Training Centres. 24 new centres are being constructed of which 4 are already operational along with the existing 12 centres. The Recruiting agencies are encouraged to develop their own training centres. Among the Training Centres, there are five, which are specifically being made to cater to female migrants one of which is operational.
- In the destination countries, labour officers have been assigned to assist migrants. The labour wings in our Embassies are assigned to assist the migrants while employed abroad and also assist the Government with verifying the employment documents with the host countries. The labour wings are also assisting in coordinating with BMET and the Ministry by informing the concerned authorities about employers who are exploiting Bangladeshi nationals.

OPTIMIZING BENEFITS OF ORGANIZED LABOUR MIGRATION

- In order to facilitate the flow of remittances the government continues to raise awareness among migrants through the pre-departure orientation programs regarding the formal channels of remitting money. The Government is also facilitating the opening of foreign branches of local banks and establishing exchange houses and also the use of methods for speedy transaction such as electronic transfer. Steps have been taken to reduce cost and time of transaction drastically.
- For encouraging more investment from expatriates certain other policies have been adopted that includes declaring all foreign exchange earnings tax free, introduction of different bonds tailor-made for expatriates (the US Dollar Premier Bond and the US Dollar Investment Bond) etc. There are also steps to offer the labour migrants housing schemes. The pre-departure orientations are also designed to make the migrants aware of these benefits.
- The migration costs have been fixed in certain cases to ensure that the migrants are not cheated and can reap the maximum benefit from migration. In this regards, steps have been taken to eliminate the involvement of sub-agents. Recruitment agencies are also directed to negotiate wages and facilities in comparison to the workers of other countries.

CAPACITY BUILDING, DATA COLLECTION AND INTER STATE COOPERATION

- In terms of data collection, the Ministry has launched an on-line database where all potential migrants are compulsorily required to register all the particulars. This, on the one hand, maintains a database of migrants with specific mention of their skill and on the other hand, works as a preventive measure against irregular migration.
- Under the initiative of SARI/Q (South Asia Regional Initiative/Equity Support Programme) a regional consultation was held in Bangladesh on the issue of “Fostering Safe Migration” in August 2004 where the Government of Bangladesh participated. The Consultation was a platform to coordinate regional initiatives to manage migration.
- In fostering interstate relationships, the Government has been negotiating with countries of destination. In this regard, bilateral agreements and MOUs have been signed with some countries, while with others we are negotiating to sign such agreements. Other development agencies have also been approached to assist in the capacity development of the Government in dealing with migration. **Government of Bangladesh is also pursuing the movement of natural persons under the GATS agreements and will be participating at the upcoming Trade and Migration Meetings hosted jointly by IOM and WTO.**
- The Government actively encourages and participated in the South Asia Migration Resource Network (SAMRN), formed to facilitate web-based coalition of information and data and conduct collaborative research, fellowships and training on migration matters. The network, having its secretariat in Dhaka, is a follow-up of the June 2003 DFID and RMMRU regional conference on Migration Development and Pro-poor Policy Choices.
- There are capacity enhancing initiatives to assist the Government in training immigration officials in combating irregular migration. The Government is also receiving assistance to modernize the passport issuance system of the country.

Apart from the measures under the main theme of the Colombo Process, Bangladesh has made considerable progress in drafting a national policy on overseas employment, titled **‘Bangladesh Overseas Employment Policy’**. A technical committee has been formed with representatives from other government agencies, IOM, migrant associations, private recruiting agencies association and academicians to finalize this draft. The draft has also been discussed in the seminar, organized by the Ministry of Women and Children Affairs, to **assess the gender sensitivity**.

Under a project implemented by IOM to assist the government in capacity building, a draft under the title **“Guideline for plan of Action to Manage Migration”** has been prepared. This guidelines aims at addressing migration in a comprehensive manner addressing the migration in terms of facilitating migration, controlling migration, forced migration and the migration for development.

Both the Bangladesh Overseas Employment Policy and the Guideline for Plan of Action are being designed in the spirit of the Colombo Process and thus aim at furthering migrants’ protection, enhancing service provisions, optimizing benefits and enhancing capacity.

Beyond the above policy devices some significant welfare activities have also been taken by the Government for the well being of the migrant workers. These include making arrangement at the airport easing the arrival and departure of migrant workers, Policy to allot government housing plot and flats; initiative to construct flats to be sold out among the expatriates and making arrangement to bring back the dead bodies free of cost. Arrangement is also made to bring back the stranded people from abroad and also to distribute death compensation among the heirs of the deceased collecting from the employers or from own resources.

Madam Chairperson

We are concerned for the well-being of our migrant workers. In fact, so long the receiving countries do not come forward with the sincere intention of protecting the rights of migrants; little can be done by adopting policy measures by sending countries alone. In spite of Universal Declaration of Human Rights and also of the UN Convention of 1990 on the Rights of all migrant workers and their families, still there are instances of exploitation and abuses of migrants. Some labour receiving countries still have no minimum wage policies for which workers are very often deprived of by the employers. The other major problems faced by the migrant workers are non-payment of salaries for months together, discrimination of salaries among the workers of different countries, showing reluctance for medicare services, non-compliance with the contractual obligations and misbehaviour by some employers.

Most of these problems can be solved in the way of interaction between the countries of origin and the destination. In the context of the present scenario of the migration system, I suggest the following actions to be important:

- 1) IOM may take initiative to organize similar type of dialogues for the labour receiving countries as is now arranged for the labour sending countries.
- 2) IOM and other concerned International organizations may take initiative to persue the policy makers of employing countries to formulate policies on fixing the minimum wages and or assert equal treatment of workers of all countries eliminating the wage discrimination system.
- 3) Sub-regional cooperation among the sending countries is essential for reducing unhealthy competition among them.
- 4) IOM may initiate programme for establishment of a system of cooperation between the sending and receiving countries to stop illegal migration.

Before I conclude, I would like to express my sincerest thanks and gratitude to the Government of the Philippines for hosting this Consultations meeting and for the warm hospitality that has been extended to me and members of my delegation. I also take this opportunity to thank the International Organization for Migration and specially its very able Director-General, Mr. Brunson McKinley for organizing these timely consultations. I am confident that through our collective wisdom we would be able to formulate effective regional mechanisms for managing migration in the most orderly fashion.

I thank you all.

Allah Hafez.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Bu Zhengfa
Vice Minister of Labour and Social Security
People's Republic of China

Honorable Mme. Patricia Tomas,
Secretary of Labour and Employment, the Republic of the Philippines,
Honorable Mr. Brunson McKinley,
Director-General of International Organization for Migration,
Your Excellences,
Ladies and Gentlemen: Good Morning.

It is really an honour to participate in this labour migration ministerial consultations after our first meeting in Colombo to share experiences in the field of labour migration policies and practice, and exchange views on the effective means of providing services and protection to the migrant workers. On this occasion, on behalf of the Chinese Ministry of Labour and Social Security, we would like to express our appreciation to the Department of Labor and Employment, the Republic of the Philippines for hosting this Ministerial Consultations and to the IOM for convening this event.

With the pacing up of economic globalization, new changes have taken place in international labor markets, the inter-connection between countries and regions in the areas of economic ties and trade has become ever closer, which has further promoted across-boarder labor migration. At present, annually the volume of migrant workers is now between 30 to 35 million, a 50-75% increase than that of the 1980s, i.e. 20 million. International migrant workers are mainly distributed in Asia, Europe and America and there are most in Asia, reaching 15 million, which has not only injected vitality to Asian economies, but also promoted Asian countries to pay more attention on the sound development of international labor migration.

China is the most populous and developing country in the world, facing arduous employment challenges. Employment promotion has long been the top priority of the Chinese Government, which has made unremitting efforts to resolve. Employment has a vital bearing on people's livelihood. Therefore, the Chinese Government has included employment measurement as one of the four major macro economic adjustment indicators along with GDP growth, retailer price index and the fiscal balance. In recent years, the Chinese Government has implemented active employment policies, increasing the total volume of employment and effectively curbing unemployment rate. At the end of 2003, the total number of people in employment in China was 744 million, among which the urban figure was 256 million. The total number of the urban registered unemployed persons was over 8 million and the urban registered unemployment rate reached 4.3%. In 2004, the Chinese Government has set the target of creating 9 million new jobs, about 5 million laid-off employees and the unemployed should be reemployed, among which 1 million of the difficult groups should be reemployed and the urban registered unemployment rate should be contained within 4.7%. As to a big country like China in terms of population, the solution to employment lies at domestic employment and we are focused on employment creation through economic growth. We also attach great importance to labor migration across countries, making efforts to explore international labor markets in search for common development with other countries in the world.

The total number of Chinese overseas labor migrants is relatively small and we have a short history in the PRC sending organized labor migrants abroad. In 1950s, China started to organize labourers to work overseas. These workers were initially working on China's international aid projects or on international outsourcing projects. These workers include

engineers, medical personnel and manual workers. At the end of 2003, there were a total of around 550,000 Chinese migrant workers working abroad. China makes up less than 1% of the world total.

In order to promote overseas employment and better protect migrant workers' interests, the Chinese Government has taken the following measures: (i) actively cultivate and develop overseas employment intermediary service agencies, develop effective market administration mechanisms with the aim to cultivate fair market competition environment. In 2002, the Chinese Government promulgated the Regulation on Administration over Overseas Employment Job Placement Agencies, which clarified various requirements on overseas employment job placement agencies. In the first half of 2004, an initiative was undertaken to clean up and well regulate overseas employment job placement agencies, punishing various forms of violations and even criminal activities with the aim to protect the legitimate rights and interests of Chinese citizens on overseas employment; (ii) Strengthen vocational training to the migrant workers; (iii) improve pre-departure services, including consultancy and support; (iv) protect the legitimate rights and interests of migrants workers working abroad. Strengthen international collaboration, promote the practice of signing bilateral social insurance agreement and establish contingency handling mechanism.

The Chinese Government sticks to the strategy of two-way migration, i.e. outgoing and incoming strategies. Under these parallel and positively reinforcing strategies, we are making efforts to receive foreign migrant workers. In order to strengthen the services and administration of foreign immigrant workers in China, the Regulation on Employment of Foreigners in China was promulgated; clarifying the requirement on employment permission, application and approval, labor administration etc.

In 2001, the Chinese Government signed the first Mutual Agreement on the Exemption of Social Insurance Contribution with Germany in August 2001. In 2003, a similar interim Agreement with the Republic of Korean Government was signed. The signing of these agreements has effectively avoided the double levying of social insurance contribution and thus well protected the migrant workers' social security rights.

Mme. Chair, Your Excellencies, Ladies and Gentlemen,

Strengthening cooperation between countries is of great importance to labour migration and overseas employment administration. With the aim to further strengthen country-to-country cooperation, I have the following suggestions:

- (i) Based on the consensus of this Ministerial Consultations, it would be desirable to develop multilateral exchanges and cooperation mechanism between Asian labor migration countries of origin. Conduct regular information exchanges on overseas employment policies and regulation, administration as well as measures aiming at enhancing vocational skills of migrant workers through vocational training etc;
- (ii) Strengthening government-to-government collaboration between countries of origin and destination. Through the signing of bilateral cooperation agreements, collaboration on exchanging labor market information, recruitment, boarder clearance and the avoidance of double collection of social insurance contribution. Illegal overseas employment placement intermediaries should be penalized to protect the legitimate rights and interests of migrant workers.

- (iii) The IOM has a very important role to play in promoting labor migration. We support the efforts made by IOM in setting up labor migrants' resource centers. We hope the IOM could unfold more technical cooperation activities in the field of labor migration legislation, institutional capacity development targeting Asian countries and encourage countries of destination to cultivate sound conditions and environment for migrant workers from Asian sending countries to bring out and enhance their skills.

Mme. Chair, Your Excellencies, Ladies and Gentlemen:

The ever-increasing interdependence of global economies and the free flow of capital and labor has brought both new opportunities and challenges. As an observer of the IOM, the Chinese Government shall actively take part in activities organized by IOM. We shall study and learn from other Asian countries on their experiences on labor migration. Based on the principle of mutual respect and common benefit, we sincerely hope to strengthen collaboration with participating countries in the field of labor migration and promote the healthy develop of the cause of labor migration.

Once again, I would like to express my deep appreciation to the Department of Labor and Employment, the Republic of the Philippines for their hospitality, and my gratefulness to the IOM for their efforts in convening this meeting.

Thank you all!

Ministerial Consultations

STATEMENT

by

H.E. Mr. Jacob Nuwa Wea
Minister of Manpower and Transmigration
Indonesia

Her Excellency, Minister of Labour, Republic of the Philippines
His Excellency, Director General of
International Organization for Migration (IOM)
His Excellency, Ministers of Labour of sending countries
Distinguished Ladies and Gentlemen

First of all I would like to thank God for the happy day we assemble her to attend the 2nd *Labour Migration Ministerial Consultation for Countries of Origin in Asia* in the beautiful city, Manila. I would also like to express my appreciation to the International Organization for Migration and to the people and the Government of the Philippines for the excellent arrangement of this meeting.

Ladies and Gentlemen,

It is encouraging, that attention on issue on migrant workers paid by various parties increases significantly. The said issue has been discussing through various for at regional and international level, such as the *Regional Hearing for Asia-Pacific in Manila in last May, at the 92nd International Labour Conference*, at the Meeting and/or Seminar on Health and Migration in Geneva in June 2004 held by IOM and WHO, and surely, at this Meeting today.

From those for a, plenty commitment and recommendation are obtained, some of them provide very positive impacts on improving the conditions of migrant worker placement. Others, however, still keep on waiting for their implementation.

All obstacles and/or problems faced by migrant workers, however, still need our hard working to find their best solutions. We realize, that there are still cases on migrant workers, especially, those working as domestic workers who do not gain their rights appropriately, got physical and spiritual abuse, and exploitation. It also covers cases on deportation of undocumented migrant workers who are no longer temporarily needed by said countries, though they were previously gladly accepted since they could be under-paid and treated cruelly.

There is hot news nowadays among the ASEAN member countries, for example, plan of deportation of a large number of undocumented migrant workers. Meanwhile, migrant-workers-to-be are increasing continuously due to imbalance supply and demand between sending and receiving countries, this situation brings up plenty disadvantages for the labour force. It is getting worst since unfair competition and illegal business are played among agencies, which come to the exploitation of manpower through high expenses should be borne, inappropriate working conditions, etc, as well as trafficking in persons.

Distinguished Ladies and Gentlemen,

It is glad to learn that receiving countries apply positive policies on migrant workers. The Republic of Korea, for example, begins to apply a working permit system on migrant workers, so they are provided with better protection and treatment, and equal rights as local ones.

We keep also on doing some efforts in order to improve our migrant workers' protection. Besides preparing the Act on *Indonesian Migrant Workers Placement and Protection*, we also do some improvement in implementing the placement of Indonesian migrant workers. We, therefore, need some related information on migrant workers placement from other sending countries.

Distinguished Ladies and Gentlemen,

It is expected that this meeting provides a strong commitment among us to hold in high esteem the migrant workers' dignity through avoiding unfair competition among agencies and maintain similar standards in terms of wages, working conditions, and other rights, including employment contract.

To the receiving countries, we do hope, please don't discriminate migrant workers, since it should be considered their contributions to the countries' economic and socio-welfare development. They deserve to get a reward, actually.

International non-governmental organizations are expected to play positive roles, as used to be. It is deeply appreciated for all facts finding concerning migrant workers in both sending and receiving countries.

Finally, it is necessary, through this forum, to take further actions under the IOM assistance, such as:

- Holding meetings between sending and host countries;
- Formulating standardized employment contract for each country;
- Establishing secretariat among sending countries; and
- Improving competency of those dealing with migrant workers through undergoing some training facilitated by IOM.

Distinguished Ladies and Gentlemen,

There are some opinions that I could share during this meeting.

Thank you.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Panta Raghuji
Minister of Labour and Transport Management
Nepal

Honourable Chairperson,
Your Excellencies,
Director-General of IOM, Mr. Brunson McKinley,
Distinguished Delegates
Experts,
Ladies and Gentlemen,

Good Morning.

It is indeed an immense pleasure for me to take part in this important Consultative Meeting on “Second Labour Migration Ministerial Consultations,” which is devoted to develop a better system for the protection of migrant workers and support services for them, optimizing benefits of organized labour migration and developing institutional capacity as well as promotion of interstate cooperation.

I take note of this valuable opportunity to express my words of respect and thanks to Government of the Philippines and International Organization for Migration for inviting Nepalese delegation in this important and timely consultation. This is the forum where the labour sending countries from Asia region can share experiences on labour migration policies and practices, consult on strategic issues and problems faced by migrant workers and sending states, mutually agree on practical solutions to protect migrant workers as well as promoting services for them.

As the deliberated continuation of Colombo Consultations, this meeting is an important platform for action for all of us in reviewing and monitoring the actions taken and achievements made so far, identifying critical areas of mutual concern, build synergy for better action and develop our institutional capacity to implement the recommendations with result-orientation. I value this Consultation with several strengths. It has the strength of inspiration and strength of collaboration for better protection of migrant workers and promotion of interstate cooperation. It is high time for all of us to make visible difference by utilizing such strengths.

Your Excellencies and Delegates,

As a labour sending country, Nepal is in line to promote labour migration for two basic reasons: first, solving the domestic unemployment problem and second, increasing earning of foreign exchange in the form of remittances. Foreign employment in Nepal has been regarded as a safety valve for growing domestic youth unemployment. It has become a major contributing source of remittances significant to national savings and investment. Labour migration has also been regarded as the platform for human resource development through employment skills and technology transfer. It has been very important from the viewpoint of economic cooperation between the source and destination countries across the world.

Safe and systematic labour migration is Nepal’s basic concern these days. Nepal is facing serious problems and threats of unsafe and irregular labour migration. The major causes include inadequate labour migration windows, growing divergence between labour market needs and immigration policies, barriers to labour mobility, low level of governance competence and institutional capacity, lack of accountable recruiting agents, presence of

active human trafficking networks, lack of bilateral labour agreements with receiving states and lack of adequate human resource development.

Nepal has honoured the proactive deliberations and persuasion made at the Colombo Consultations and it has started working in response to such exercises with enhanced level of willingness and commitment. As the outcome of inspiration and response, Nepal is moving forward with improvements at policy, legal, institutional and behavioural levels.

For better protection of migrant workers and provide services to them, Nepal is preparing for a comprehensive “Migration Policy” and enactment of “Foreign Employment Act” with the intent of national as well as transborder effectiveness in migration management. Nepal has initiated bilateral MOUs on labour migration with major receiving countries and with Malay it is ready for signing. We are in the process of setting up “labour Attache” mechanism in major receiving countries. In pursuit of protecting female migrant workers and empowering them a separate programme has been implemented in line with the spirit of CEDAW and Beijing Platform for Action.

For optimizing benefits of organized labour migration, a service delivery manual for facilitated migration has been made operational. Realizing the need for transparent and accountable system of labour migration, fixing of recruitment and dispatch fees is in progress. Media campaigns and other behaviour-change activities have been carried out. A programme on social inclusion has been implemented to provide training and loan support for women and disadvantaged communities.

As the effort to build institutional capacity and promoting interstate cooperation, information networking on foreign employment and gender disaggregated data system has been established. Preparations are on going to send high-level mission to major labour receiving countries for enhancing mutual cooperation and advocating for the protection of migrant workers as well as the promotion of job markets. As the concerted effort to be the active partner and advocate of decent labour migration, Nepal has decided to the member of IOM.

Madame Chairperson,
Your Excellencies and friends,

Nepal has better realized the important contribution of labour migration to its social and economic development and the urgency of improving the system for fostering safe migration. We agree that the management of labour migration is crucial with the anticipation that international labour migration is likely to increase with more diversity and complexity in the future.

Nepal has pursued bilateral and regional collaboration and partnership building among the labour sending countries is vital and cooperation between the countries of origin and destination is necessary for better social protection and decent employment for migrant workers. As the forward moving strategy, Nepal has adopted policy development and legislative reforms, institutional capacity development, building cooperation, collaboration and partnerships, human resource development, research documentation and information as well as advocacy and behaviour change as major areas for strategic interventions.

Nepal reaffirms its full commitment to be the active partner of this consultative framework on labour migration with dedication and enthusiasm. The deliberations and recommendations of the Consultations will be the source of inspiration for implementing policies and programmes as well as generating movement for betterment in labour migration management. We are very much hopeful of continued inspiration, support and cooperation in the days to come.

Let us wish for enhanced cooperation and collaboration among us for achieving the best in managing labour migration by using our wisdom, capability and sense of development.

Thank you all.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Ghulam Khan Sarwar
Federal Minister for Labour, Manpower and Overseas Pakistanis
Pakistan

In the name of God, who is most Beneficent and Merciful.

Honourable Chairperson Madam Patricia Sto. Tomas and Director General, IOM Mr. Brunson McKinley, His Excellencies Ministers, distinguished delegates, ladies and gentlemen.

On behalf of the Pakistan delegation as well as on my own behalf, I would like to thank Madam Patricia Sto. Tomas, Secretary, Department of Labour and Employment of the Philippines and Mr. Brunson McKinley, Director General, International Organization for Migration for hosting this important event. The issues on the agenda are no doubt of vital interest to all manpower exporting countries including Pakistan.

Chairman, Ladies and Gentlemen,

As you are aware, the first Ministerial consultations held in Colombo in April last year had identified three thematic areas and challenges faced by the manpower exporting countries and had come up with useful recommendations for protection of migrant workers, optimising benefits of organised labour migration and institutional capacity building and inter-state cooperation.

The Manila consultations have now provided us a good opportunity to review the progress and share experience of last about 1 ½ year of implementation. The dialogue will certainly lead to effective institutional arrangements and organised migration by sharing knowledge of practices and latest experience in the field of labour migration. The delegation on 22nd September has discussed various issues relating to the protection of migrant workers.

The overseas workers are playing a vital role in the economies of their respective countries and the countries of destination. They are, however, confronting problems back home as well as in their host societies possibly because of inadequate institutional arrangements. In some cases, they face difficulties because of non-fulfillment of contractual obligations of Foreign Service agreements by the employers, cumbersome procedures of the court proceedings and non-implementation of orders of the labour courts. The problems may also be consequence of **lack of bilateral agreements or MOUs** on employment and welfare of overseas workers with labour importing countries and **absence of labour migration policies**.

Following the Colombo consultations, Pakistan has taken a number of initiatives intended to put in place emphasis on improving legal framework and institutional capacity building dealing with migrant workers. In order to revamp the existing institutional arrangements and legal framework, a detailed study of the existing systems has been conducted by Mr. Achacoso, a renowned consultant of International Organization for Migration (IOM). I am grateful to IOM for providing assistance and support in this regard. The consultant's report is presently under finalization and will hopefully be available soon.

In the meantime, the Planning Commission of Pakistan has recognized the need for a migration policy as part of the development programmed for the current financial year. The present consultations, with all friends on this forum, will hopefully provide valuable input for this policy. Similarly, we are processing some changes in the emigration law in keeping with

the latest trends and model practices of friendly countries and in line with recommendations of Colombo meeting.

The Government of Pakistan has also decided that government official visit the camp of Pakistani worker sent to different destination to have first-hand information and to resolve any deficiency notices to rectify for future

Soon after assumption of office as Minister for Labour, Manpower and Overseas Pakistanis early this month, **I have decided to activate Overseas Pakistanis Advisory Council, airport facilitation counters and helpline for the overseas workers.** I have also the support of a Minister of State of Overseas Pakistanis for focused attention exclusively to the welfare of overseas workers.

Overseas Pakistani Foundation is an independent institution which looks after the welfare of migrant workers. The foundation has taken many steps – in education, training, housing and financial support of migrants. It has also started transportation of dead body of migrant workers free of cost and the affected family is compensated as well.

The Government of Pakistan is planning to computerize the data of overseas Pakistanis for target oriented welfare schemes. Presently we have record of outward migration but no systematic data of returning migrants is available. The compilation of this data will help us to formulate rehabilitation schemes for returnees. We have five Skill Development Councils (SDCs), which are being activated to assess the training needs in manpower importing countries and to provide requisite trainers to meet the market requirements abroad. The Government of Pakistan has decided to establish Vocational and Training Centres in all districts throughout Pakistan in order to cater need of domestic as well as international need.

The Government of Pakistan has established seven orientations and briefing centres our regional officers, which are further strengthened. Similarly spoken language courses centres are also being set up for intending emigrant, which will be funded out of Welfare Fund.

Ladies and Gentlemen, Pakistan encourages migration through legal channels and is committed to curb the menace of illegal movement of migrants. To this end, the Government has taken measures for capacity building of concerned offices to effectively implement “Prevention and Control of Human Trafficking Ordinance 2002” in collaboration with the international organizations. Closer coordination amongst the regional countries will be quite useful to curb the menace of human smuggling.

As regards remittances, it is ensured that these are tax-free and are used productively on developed sector.

The Pakistan Government has given final shape to a scheme for introduction of machine-readable passports for Pakistanis and has already introduced computerized national identity cards for overseas Pakistanis to minimize the illegal practices.

Ladies and Gentlemen:

Closer collaboration among the regional manpower exporting countries and similar interaction with manpower importing states can help formulate practical plans and strategies to the mutual benefits of all concerned. We would welcome ideas and recommendations of this forum to move towards an orderly migration regime.

At the end, I would like to commend, once again, the efforts of the Government of the Philippines, the International Organization for Migration (IOM) and all others concerned for organizing such a successful conference in the beautiful castle city of Manila. I also assure cooperation to all concerned in migration.

I thank you all for your patience.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Seneviratne Athauda
Minister of Labour Relations and Foreign Employment
Sri Lanka

Madam Patricia A. Sto. Tomas, Chairperson and Secretary, Department of Labour and Employment, the Philippines
Mr. Brunson McKinley, Director-General, IOM

Excellencies

Ladies and Gentlemen

It is a great honour to be invited to participate at this Second Ministerial Consultation of Labour sending countries in Asia and address this distinguished gathering. Sri Lanka was proud to host the first Ministerial Consultation held in April 2003, and we still have pleasant memories of that eventful occasion.

At the outset let me take this opportunity to thank the co-hosts: the Government of the Philippines for hosting this meeting and for making all these excellent arrangements; and the IOM for initiating the process, providing both financial and technical inputs, and managing meticulously.

As you all are aware, the outcome of the Consultations held in Colombo helped to identify four broad areas of migration management, which are deemed essential to meet the challenges of the coming decade. We also identified and recommended certain measures that would be conducive for the effective management of migration programmes. This is thus a forum for us to review the progress made during the last one and a half years, and make appropriate adjustments to the process in order to achieve our objectives. This annual event also clearly illustrates the imperative need of the labour sending countries to evolve formulas to help solve problems faced by their nationals who are migrating for employment abroad, and the need for ensuring proper management of the global migration process.

Madam Chairperson

We also talk of the benefits accrued to the sending countries in terms of the amount of foreign exchange earned and its contribution to the GDP, ease off the pressure of unemployment etc. We also should recognize the benefits offered by migration to the destination countries in meeting their labour shortages, mitigating burgeoning financial burden on social security schemes, increasing global labour productivity as a result of flow of low productivity labour surplus countries to high productivity labour shortage countries etc. The economic opportunities presented by migration for both receiving and sending countries are not being maximized. We believe that the multilateral framework can help both industrialized and developing countries to adjust their policies and can assist all countries to achieve the potential benefits that increased migration can provide.

Sri Lanka ratified the UN convention on *Protection of Rights of All Migrant Workers and Members of their Families of 1990* as far back as 1996. With the Convention coming into force in July 2003, Sri Lanka is making every effort to give effect both in law and practice to its provisions. Recently, a workshop was held with the assistance of IOM and the ILO country offices in Colombo in order to ascertain the existing deficits in giving effect to the provisions of the convention, and fulfilling reporting obligations. Sri Lanka also intends ratifying ILO Convention 97 concerning *Migration for Employment of 1949*, and currently is

in the process of exploring the feasibility of ratifying the convention. For the protection of migrant workers internationally agreed labour standards should be applied. According to Raghwan (2000) “Vulnerability of migrants is not limited to specific situations or unscrupulous people. It is embedded in the development strategy that lies on the foreign workers for low paying and low status jobs. The system ensures that these foreign workers are kept in the situation to provide continuity and flexibility to the labour market. Thus attention to protect cannot be limited to the correction of specific situations. It must question the system that continues to produce situations of exploitations.” Ratification and enactment of international instruments that legislate the protection of human rights of migrant workers is a mean to address such situations. As agreed at the Ministerial Consultation held in Colombo, more countries should be encouraged at the international level to ratify international instruments that legislate the protection of human rights of migrant workers is a mean to address such situations. As agreed at the Ministerial Consultation held in Colombo more countries should be encouraged at the international level to ratify international instruments with binding obligations.

Madam Chairperson,

Over one million Sri Lankans are currently working abroad, and this is equivalent to around one seventh of the labour force of the country. The annual outflow is over 200,000 workers, which outnumber the inflow to the labour market of 150,000 annually. The migratory flows are characterized by predominantly unskilled category workers accounting for 70 percent of the migrants; and out of them, around 72 percent are females. Migration is the main source of net foreign exchange earnings of the country, and during 2003, the migrant workers have brought US \$ 1.36 billion into the country making up 27.5 percent foreign exchange earnings of the country.

Madam Chairperson

The Sri Lanka Bureau of Foreign Employment, which functions under my Ministry, i.e. The Ministry of Labour Relations and Foreign Employment, is the main regulatory body for the foreign employment industry in Sri Lanka. It is responsible for the promotion, development and regularization of the industry, and the provision of protection and well-being of migrant workers and their families. Since the United Peoples Freedom Alliance government came into power in April 2004, action has been initiated to decentralize the activities of the Bureau. It works closely with the district and divisional administration, and the village level officers and voluntary organizations. At present, the Bureau is successfully implementing a few programmes relating to migrant workers with donor assistance: namely, the UNICEF assisted programme on Protection of Migrant Workers’ Children, ILO assisted programme on Prevention of Child Labour, and the World Bank assisted programme on Prevention of HIV/AIDS.

The proposed decentralization of activities of the Sri Lanka Bureau of Foreign Employment will be helpful in enhancing its services by reaching the migrant workers scattered all over the country; addressing the needs of the licensed recruitment agencies; impart up-to-date information to the migrant workers; better coordination with governmental and non-governmental organizations; implementing welfare programmes for migrant workers and their families; and assist them in social and economic reintegration.

Side by side with the decentralization of the activities of the Sri Lanka Bureau of Foreign Employment, a programme will be launched to form Migrant Workers Associations at the village level. The association will be an official linkage between the migrant workers and the authorities, and help mobilize support of all governmental and non-governmental organizations. This also will provide opportunities for migrant workers themselves to have a voice in the decision making process at all levels, and play an active role in addressing many problems encountered by the migrants themselves and their families. The bottom line is to make migrants inclusive in the decision-making process, as well as implementation of programmes pertaining to them.

Madam Chairperson

We emphasize the fact that for effective management of migration whether a country is developed or developing needs accurate and updated information. There is a need for a better system of data collection and information dissemination on migrants and the remittance flows. This needs the building of capacity at the national level using common definitions and methods making data comparable among countries and across time. In order to make these information sharable and accessible, it is imperative to develop an ICT enabled collaborative information sharing strategy embodying elements such as: a common web portal for labour migration; program and profile information on member countries; sharing of documents; announcement of events, and most importantly, an element of on-site training, demonstration, trouble-shooting and other out reach activities to facilitate their sustainability and effective utilization. Such information sharing strategy will be conducive for close cooperation and collaboration amongst labour sending countries as well as, labour sending and receiving countries. I am sure with the assistance of the international agencies such as IOM, ILO we could develop such an ICT-enabled international level collaboration for the exchange of information.

In order to maximize benefits from migration, there are many other issues to be addressed. Remittance of hard earned foreign exchange through official channels is beneficial to the migrant, and the country as well. The desire to make remittances through official channels is a function of convenience, flexibility, profitability and many other macro economic and political factors, which deemed imperative to be addressed. It is also necessary to have economic and social reintegration programmes for the returning migrants, which Sri Lanka wishes to address through its decentralization programme.

Madam Chairperson

Lastly, let me reiterate that for maximizing benefits the underpinning factor is cooperation and collaboration of the labour sending and receiving countries, as well as amongst the receiving countries. We also believe in constant dialogue on common issues and we must be grateful to IOM for providing us the forum. May I express my hope that the final conclusions and recommendations will be a substantial springboard, which we can all use to determine direction, and profit from migration both nationally and internationally.

Thank you.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Manatas Peera
Vice Minister of Labour
Thailand

Distinguished Ministers and Delegates,
Ladies and Gentlemen,

I consider it a great honour and privilege to attend the Second Asian Labour Ministerial Consultations which give me the opportunity to meet all of your excellencies from Ministry of Labour of Asian countries and the participants who are interested in labor migration issue. First of all, I would like to thank the IOM and the Philippine government in arranging this consultation and provide us the floor where we can broadly exchange our views, experiences and best practices of our countries. And I do suppose that all of us will use these precious discussions to form policies on labour migration, which integrates the benefits of both sending and receiving countries for the well-being and health of the workers themselves. In addition, I do hope that this meeting will reach its objective in enhancing and strengthening the cooperation among Asian labour sending countries towards labour migration management and the follow-up.

As all of us realize that migration is a natural phenomenon in a society, which the prosperous society will attract the movement of people from the less wealthy society to get better life. For the labour migration situation in Thailand, the movement had been noticed since 1972. At the beginning, the migration of Thai workers was limited in specific groups, mostly professionals and skilled workers to North America and Europe. The migration rate increased year-by-year and later expanded to unskilled workers because of economic pressure in the world economy. Thai government envisioned that the migration has a positive impact on every country, both receiving and sending countries as the movement brings about the leaning of each other culture, traditions and technology. Therefore, Thai government supports the sending of Thai workers to overseas for reasons as follows:

Firstly, Thai workers should gain more experiences and labour skills. Secondly, they should receive adequate incomes, benefits and welfare, and lastly, they should get a good standard of living both in the place where they work and upon returning to Thailand. Moreover, labour skill upgrades and opportunity *to* work in modern technology environment will strengthen our economy and society. However, as we all realize that migration are flowing in every second, some looking for new liberty or freedom, or to find a sanctuary for their peaceful life, or to get new future and richness or an adventure of life. Furthermore, the atmosphere of free market and world of no boundary fascinates the increase of migration, Thailand, as well, cannot ignore the policy which comprised of good management in dispatching Thai workers to work overseas and in receiving foreigners to work in Thailand. As we have got the guideline and recommendation from the First Asian Labour Ministerial Consultations, held last year in Colombo, Sri Lanka, some activities from the meeting had been implemented which can be categorized into 2 parts, Thailand as a sending country and as a receiving country.

THAILAND AS THE SENDING COUNTRY OF LABOUR

Firstly, a systematic and effective management to facilitate Thai workers in all processes with lowest expenses is initiated by:

- Thailand Overseas Employment Administration (TOEA), which was established with the objective to make a one-stop service in facilitating Thai workers who wish to

work overseas to arrange and finish all concerned process within one place and within a short time. The center comprises of 5 sectors to provide services of

- Passport issuing by the Ministry of Foreign Affairs
- Medical check-up service by Ministry of Public Health
- Dispatching and employment process by Ministry of Labour
- Certification of no criminal record by National Police Bureau
- Special loan service by SMEs bank

In the future, we plan to transfer TOEA center to be a public organization when the center is ready to stand by its own legs.

Furthermore, the integration of 4 Ministries, which are Ministry of Foreign Affairs, Commerce, Labour and Public Health, should help to promote overseas employment market and to protect the worker's rights and benefits.

Secondly, bilateral agreements on labour dispatching management between Thailand and some receiving countries had already been signed, for example, the MOU with South Korea, Malaysia and Qatar.

Thirdly, pre-departure training courses for Thai workers were improved and upgraded to make the curriculums and contents standardized and more efficient. Pre-departure training centers in all parts of Thailand were set up. The concerned laws and regulation administration of the centers are being revised to make the management faster and more efficient.

Lastly, national policy on overseas workers protection had been launched such as

- The negotiation between the government of some receiving countries and Thailand were made so that we receive job vacancies directly from employers. This process could cut cost which is usually over charged by private recruitment agencies. Consequently, Thai workers have to pay a large sum of money in arranging all process of going overseas.
- The control of Thai recruitment companies to strictly comply with the laws.
- The centers to battle fraud on job seekers had been set up in many provinces

Labour banks where job seekers are registered had been developed in order that the qualifications and skills requirement can be easily matched.

- Accurate information on overseas employment is distributed to the public through various media including Internet.

THAILAND AS A RECEIVING COUNTRY

Thailand not only plays a role as a sending country but as a receiving country as well. Migrant workers coming into Thailand are both documented and undocumented. But in this opportunity, I will mention only the undocumented. Most of the undocumented migrant workers in Thailand came from our neighbour countries: Myanmar, Laos and Cambodia. Since economic boom in Thailand during 1995-1996, GDP rate was higher than our three neighbours combined. In addition, economic expanding prompt Thai employers to require a lot of foreign workers who flow into Thailand for better income. However, most of them illegally entered Thailand, and in many cases, they have no personal documents to identify

their nationalities. The influx of these undocumented migrants is continuously and increased in a large number day by day which bring into social problems such as security, diseases and crimes.

Thai government realize that undocumented migrant workers are sensitive issue and concerned with national security and economy as in some business that entirely depends on these workers. Therefore, the government allows these workers to temporarily work in Thailand in a limited area and business before sending them back to their countries.

In order to control the number of undocumented migrant workers, the Ministry of Labour had been designated by the cabinet on 27 April 2004 to be the focal point in coping with this problem by using the strategy of human rights awareness and living together peacefully.

The Ministry of Labour had laid the area approach work plan and activities to systematize the migrant workers in comprehensive system. Work plan can be divided into 2 steps: firstly, the migrant workers and employers are registered and the secondly transferred status of undocumented to document migrant workers.

The first step: The number of migrant workers and employers who intend to hire undocumented migrant workers are to be counted and recorded in the database.

The process had been carried out from 1-31 July 2004. In this process, all undocumented migrant workers in Thailand have to register with the Ministry of Labour. After the registration, these migrant workers will get a status as a migrant waiting for repatriating and they are allowed to stay and work in Thailand for 1 year.

The implementing outcome is successful as we estimate that there are 288,780 migrant workers who had been permitted to stay and work in Thailand on 2003 and there were 800,000 migrant workers who illegally entered Thailand. Our record shows that 1,269,074 migrant workers came to register within the period specified. Most of the registered are Burmese (905,881 people), the second is Laos (181,614 people) and the third is Cambodian (181,579 people).

The total number of employers came to register with the Ministry was 231,376 demanding for 1,503,904 workers in various occupations such as maid, agricultural and livestock, fisheries and related services, and construction businesses.

The second step: The transfer of migrant workers status from undocumented to documented migrant workers.

This step is the follow-up of the first step. Memorandum of understanding on employment workers from Myanmar, Laos, and Cambodia was already separately signed. The scope of MOU is to coordinate with Myanmar, Laos and Cambodia in proving migrant workers of their nationalities and then issue them the identification documents for further immigration procedures.

It is the most important that these migrant workers' rights in employment must be protected under the Labour Protection Act as Thai National workers.

Finally, I do believe that all honorable delegates will take back the knowledge and experiences gained from this meeting to your own countries for upholding human rights, especially the migrant workers, and to make sure that they receive the wages, the living standard, the quality of life and welfare as our own nationals. Again I would like to thank the Minister of Labour of the Philippines and IOM for arranging such successful Consultations, and looking for the next meeting in Indonesia.

Thank you.

Ministerial Consultations

STATEMENT

by

H.E. Mr. Dong Le Duy
Vice Minister of Labour, Invalids and Social Affairs
Vietnam

- Excellency Mr. Chairman,
- Distinguished Guests
- Ladies and Gentlemen,

It is my honor to express, on behalf of the Vietnamese delegation, our appreciation to the Government of the Philippines and the International Organization for Migration for organizing this Meeting and for your invitation extended to our Ministry. I would like to send my best wishes to Excellency Mr. Chairman and all the delegates and hope that our meeting will be of a great success.

Since the first consultative meeting in Colombo, Srilanka in April 2003, though the world experienced many unfavorable changes, Vietnam still maintained the stability and high economic growth rate which has positively impacted to job generation, unemployment reduction, and better management of migrant workers. Remarkably, on the basis of the law on revising and supplementing a number of articles of the Labor Code and Colombo's recommendations, Vietnam has revised its labor regulations to create favourable conditions for the workers to work abroad.

Vietnam has emphasized the important role of the program on sending workers abroad to work as a contribution to the foreign economic development, the enhancement of international cooperation and integration. At the same time, it is also considered as one of the measures for creating new jobs, providing the workers with state-of-the-art knowledge and techniques in service of the country's industrialization and modernization.

Therefore, in the labor law of Vietnam, there are separate stipulations on sending labor abroad to work; We very much interested in promulgating policies and measures aiming at protecting the legal rights and benefits of migrant workers, including:

- Expanding and developing the labor market, creating opportunities for people wanting to go abroad to work.
- Emphasizing the importance to setting up official relation with labor receiving countries via the signing of MoU and Agreements or via consultative meetings among related governmental agencies.
- Encouraging, facilitating and supervising operation of businesses licensed to dispatch labor abroad to work; seriously dealing with violation of the law.
- Promulgating strict regulation on preventing illegal recruitment.
- Supporting workers in training, information, getting preferential credit for those going abroad to work.
- Reforming administrative procedures, strengthening the role of state agencies in supervision and inspection practices to prevent corruption and troublesome in the recruitment of labor to work abroad.
- Protecting the rights and benefits of the workers via Diplomatic Missions and representative offices of the sending agencies.

In April 2004, the Vietnam Association of Manpower Supply was established with members whose responsibilities involved in dispatching labor abroad to work. The Association will represent its members in communicating with similar Associations in other countries to discuss and exchange experiences and information relating to labor supply and demand; advice MOLISA on labor export policies and measures.

At this meeting, we would also like to have following recommendations:

- The International Organization for Migration and International Labor Organization to continue assisting cooperation programs among sending countries, especially between countries of origin and countries of destination; to provide financial and technical assistance for the organization of seminars, workshops in the field of labor dispatch as well as introduce information on legal frame-work, policies and experiences of receiving countries whose situation are similar to Vietnam.
- IOM and ILO to provide support on training and capacity building for staffs in charge of labor management, in enterprises and teachers of vocational training colleges major in labor export.
- Other international organizations to provide information on laws, policies and market of countries with demand for foreign labor; most notably the statistics related to types of job, salary, social insurance, working time, resting time for better performance of labor export.

Chairman,

Ladies and Gentlemen,

We appreciate the purpose of the Seminar and the results of the first day as well as the information from other presentations. We would like to take this opportunity to thank IOM, ILO and other international organizations for your effective and meaningful support and cooperation with Vietnam in recent years via technical assistance programs, provision of information, experiences and organization of study-tours. This cooperation has facilitated Vietnam to enhance the quality and efficiency of its labor export regionally and internationally. We truly hope that via this Forum, our cooperative programs will be further developed.

Once again, on behalf of the Vietnamese Delegation, I would like to express my sincere thanks to the Government of the Philippines and the International Organization for Migration for hosting and organizing this important meeting and thank for your excellent and good arrangement extended to us during our time in Manila, the beautiful capital of the Philippines.

Wishing you good health and thank you for your attention.

SECOND LABOUR MIGRATION MINISTERIAL CONSULTATIONS FOR COUNTRIES OF ORIGIN IN ASIA

SUMMARY OF STATEMENTS AND RECOMMENDATIONS OF THE MINISTERS

1. Background

In response to the requests of several Asian labour sending countries, the International Organization for Migration organised a ministerial level Consultations for Asian labour sending countries on April 1 and 2, 2003 in Colombo. The ten participating States made 22 recommendations for the effective management of labour migration programmes and agreed to a regular follow-up, with the second meeting held in Manila on September 24, 2004. The Ministerial Meeting was preceded by a meeting of senior officials on September 22.

The aim of the second Ministerial Consultations was to provide a forum for Asian labour sending countries to:

- Share experiences, lessons learned and best practices on labour migration policies and practices.
- Consult on issues faced by labour migrants and sending States and propose practical solutions to protect migrants as well as optimise development benefits.
- Review and monitor the implementation of recommendations of the Colombo Consultations and identify further steps for action.

Participants from the main sending countries in Asia, namely Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam were invited. Afghanistan was invited to participate as an Observer. Each of the country delegations comprised the Minister responsible for foreign employment in the respective country or a high level representative, and two or more senior officials. The International Labour Office (ILO), Asian Development Bank (ADB), Department for International Development (DFID), U.K. and regional experts were invited to participate.

The Meeting reviewed the progress of the implementation of the Ministers' Recommendations made in Colombo and found that good progress has been made on a number of fronts. A consolidated report has been prepared.

Following the review in progress, the topics discussed by participants during the Consultations were organised in three thematic areas:

- Protection of migrant workers and support services to migrant workers.
- Optimising benefits of organised labour migration.

- Institutional capacity building and interstate cooperation.

While the first Ministerial Consultations covered a broad range of issues within the three themes, the second Consultations focused on priority areas identified.

2. Recommendations of the Ministers

The participating States identified the following measures as being conducive to the effective management of labour migration programmes and furthering the recommendations made at Colombo in April 2, 2003:

2.1. Protection of and provision of support services to migrant workers

2.1.1. Regulatory frameworks and allied measures to prevent malpractice and abuses in recruitment.

A priority concern for all labour sending governments is to ensure the well-being of migrant workers and to secure the payment of decent wages and basic provisions. There are no perfect systems of regulation of labour migration but sending countries have at their disposition a range of policy strategies to extend the scope and improve the efficiency of their regulatory mechanisms to include:

- a) The conduct of pre-employment orientation seminars (PEOS) and intensified information campaigns, especially in rural communities to provide applicants with sufficient information to enable them to make decisions;
- b) The empowerment of migrant workers, especially through the formation of community based organizations, to enable their voice to be clearly heard and taken account of in policy development;
- c) Streamlining and simplification of regulations and procedures intended to protect workers, to prevent the regulatory framework from becoming unwieldy and thus an unintended inducement to irregular migration;
- d) Close supervision and monitoring by governments of recruitment activities undertaken by overseas employment promoters/agencies, to minimize malpractice and abuses against those seeking overseas jobs; and, the introduction of criminal proceedings, in addition to the cancellation of licences, against serious offenders;
- e) Special attention to the supervision of recruitment and deployment of categories of workers especially vulnerable to malpractice and abuse, such as female domestic workers;
- f) The raising of the skill levels of workers to higher standards to improve their employment opportunities, and the promotion of their deployment abroad, taking into account any brain drain concerns;
- g) Introduction of stronger measures to ensure enforcement of the employment contract at the worksite, particular through bilateral arrangements and agreements with host governments.

2.1.2. Establishment and operation of Migrant Welfare Funds (MWF)

Migrant Welfare Funds are an innovative and financially sustainable means of providing support services to vulnerable migrants and those migrants in distress. They have the

potential to be of value to all labour sending countries. Measures to optimise their efficiency and effectiveness include:

- a) The channelling, wherever possible, of services through existing specialized institutions with a proven track record, rather than the setting up of ad hoc arrangements;
- b) The targeting of vulnerable migrants and a focus on core protection activities rather than general purpose welfare intervention;
- c) The setting up and regular review of benefit entitlements in the light of good industry practice;
- d) The provision of on-site assistance in the country of destination as a top priority;
- e) The provision of interest-subsidised loans for pre-departure preparation, housing and self-employment in preference to the direct administration of credit programs;
- f) The provision of compulsory insurance against job-site risks and possibly a second component in terms of a voluntary insurance scheme;
- g) An evaluation of skills development programmes funded by the MWF to identify good practices in the development and administration of employment enhancing programmes;
- h) The systematic collection of data on significant aspects of overseas employment for purposes of analysis and research, and the submission of regular financial reports duly audited.

2.1.3. Pre-departure Orientation Services (PDOS)

Pre-departure arrangements form an integral part of a comprehensive approach to labour migration. An optimal approach to pre-departure preparation would benefit from:

- a) The introduction of PDOS in all labour-sending countries, taking account of the experiences of countries already having PDOS;
- b) Ensuring sustainability of PDOS through funding from the MWF or receiving countries/employers.

2.1.4. Feasibility study on the establishment of a Common Migrant Resource Centre (MRC) in the Gulf Cooperation Council (GCC) States

The GCC states are the major destination for Asian workers, although there has been a growth in new destinations since the 1990s. Migration to the Middle East is both a big opportunity, in terms of foreign employment and remittances, and a challenge. To give effect to a recommendation made at the first Ministerial Consultations towards the establishment of a joint Migrant Resource Centre, a feasibility study was undertaken and presented at the Consultations. The following action was identified as appropriate to carry the concept forward:

- a) The conduct of a pilot implementation project, preferably in Kuwait, subject to additional detailed feedback from participating states on the feasibility study, and the determination of an appropriate funding strategy. In this regard the IOM will explore the possibility of organizing a meeting of interested states before the next Ministerial Consultations.

2.2. Optimising Benefits of Organised Labour Migration

2.2.1. Facilitating managed labour migration

Labour migration policy necessitates adequate emphasis on the promotion and facilitation of managed external labour flows and should not be limited to the regulating and protecting function of the State. Some of the specific modalities through which states can engage in the facilitation and promotion of international labour migration are:

- a) The establishment of a labour market monitoring entity which is responsible for the projection of manpower requirements in the major labour receiving countries, with special attention to emerging skill requirements in the external labour markets to meet demand with matching skills;
- b) The creation of a system to disseminate the information among the potential emigrants;
- c) The development of improved models of bilateral agreements with major labour receiving countries.

2.2.2. Remittances

Enhancing Accessibility, Expanding Infrastructural Capabilities and Widening Outreach of Formal Financial Institutions

Some of the major policy initiatives that can contribute to the increased absorption of remittances and savings of migrants through formal channels are:

- a) The setting up of simplified and clear regulatory frameworks pertaining to foreign exchange management and liberalisation of the exchange rate regime;
- b) The introduction of measures to deepen and widen the foreign exchange market and provide specialized banking services to Non-Residents;
- c) Involvement of a larger number of banking and other financial institutions in the transfer of remittances;
- d) The strengthening of communication and relations in general with the diaspora in different countries;
- e) Transformation and adaptation of formal transfer systems, to incorporate qualities of speed, flexibility, cost-effectiveness and accessibility that make informal systems currently attractive to migrants and their households;
- f) The adoption of innovative linkages between information technology and financial transfer systems to reduce the cost of remittance flows, taking into account the best national and international experiences;
- g) Increased access to banking service points both in the source and recipient countries to reduce costs and increase efficiencies;
- h) Ensuring that countries which have a system of emigration clearance for departing workers give the opportunity to migrants to open a bank account of their choice;

- i) The offer of low cost pre-departure loans as a way of encouraging migrants to use formal banking channels;
- j) Information dissemination on remittance services and options via pre-departure orientation and in Migrant Resource Centres established in countries of destination;
- k) Enhanced coordination between the Department of Labour Migration, the Department of Finance, major financial institutions and other agencies, as appropriate, on the issue of external labour migration and associated remittance flows;
- l) Capacity building for improved consular services for migrants, including the setting up of data bases, and the issue of identity documents, which are secure, to facilitate use of formal remittance channels.

Enhancing the Developmental Impact of Remittances

It should be recognized that the remittance inflows are the source of not only foreign exchange receipts, which can be used to finance the balance of trade deficits or the current account deficit, but also of productive investment and social development. Bearing in mind that remittances are private funds, the development potential of remittances can be magnified through the adoption of the following measures:

- a) The identification of productive and sustainable avenues of investment for remittances, for instance by facilitating the setting of enterprises directly by migrants or through intermediate mechanisms and by transferring savings via deposit accounts;
- b) The formulation of policies that enhance the contribution of migrant associations to country of origin development by replicating innovative initiatives, such as the matching fund programme developed in some countries outside the region.

Baseline and Policy Oriented Research on Remittances and Sharing of Good Practices

- a) The sharing of best practices and technical expertise and expanding the remittances knowledge base, access to information and know-how among governments and other stakeholders.

2.2.3. Training and Skills Development

Migrants optimize benefits from migration when they are able to choose the best foreign employment option. But imperfect conditions – poor information and lack of financial resources and credit – would disable would-be migrants from acquiring the skills and choosing the destination that gives the highest return. Effective responses to this challenge include:

- a) The collection of accurate and up to date information on both the domestic and foreign labour market and Education/Training institutions, and its dissemination to the labour force and the youth;
- b) The development of financial support schemes to help the youth acquire skills that are sought on the domestic and foreign labour market;
- c) The certification and enforcement of professional and technical standards for qualifications, for instance through a national Training Council linked to international standard-setting entities;

- d) A review of skills development training structures and systems that will take into account the importance of quality in education and emerging labour market needs.

2.3 Capacity Building, Data Collection and Inter State Cooperation

Asian labour sending states have been in the forefront of developing policies and mechanisms to protect migrant workers and in promoting managed labour migration. Further steps that would be beneficial in facilitating capacity building, data collection and cooperation include:

2.3.1. Sharing of information on international labour migration

- a) The implementation, in line with the recommendations made at the Colombo Ministerial Consultations, of mechanisms of exchange for the sharing, on a voluntary and regular basis, of information about changes in policy and legislation, on major labour migration destinations, on types of migrant workers, and on bilateral agreements, with a focal point being identified in each country.
- b) The exploration of the concept of a common web portal to share information relating to the protection of migrant workers and, more generally, to the management of labour migration.

2.3.2. Training and Capacity Building

- a) Institutional capacity building for labour migration management structures, and labour and welfare attaché offices.
- b) The implementation of joint courses on labour migration administration for administrators and labour attachés with the assistance of IOM and ILO.
- c) The adaptation of the training curriculum for labour administrators and labour attachés developed by IOM as a follow-up to the Colombo Ministerial Consultations, for national training purposes; and the giving of continuing attention to the training of labour administrators and labour attachés.

2.3.3. Inter State Cooperation

There are limits to what a state can do to protect its migrant workers without the active cooperation of other states of origin as well as states of employment. Moreover, although world migration pressures have increased, the progress towards a multilateral approach in the area of migration management is far slower than in the management of trade and capital flows. In such a context, it is important that labour sending countries take a lead role in highlighting the urgency for the development of multilateral approaches to the international movement of people, for instance through the Berne Initiative or the Global Commission on International Migration. It is important that strategies are formulated at regional and multilateral levels to initiate dialogue between countries of origin and destination. Such dialogue should endeavour to: exchange information on surpluses and shortages of labour; develop coordination of policy among labour sending countries; and create harmony of policies among labour receiving countries and protect vulnerable migrants.

Specific starting points for inter-state cooperation include:

- a) The establishment of a Common Migrants' Resource Centre as indicated earlier.

- b) The establishment of information sharing mechanisms.
- c) The setting up of informal networks of labour attachés and diplomatic missions of labour sending countries in countries of destination.
- d) The implementation of common training ventures.
- e) The active exploration of opportunities for dialogue between countries of origin and destination for instance through the Seminar on the Rights and Obligations of Migrants to be organised by IOM in the Gulf Countries

3. Follow-up arrangements

The participating States agreed to a regular follow-up on the issue of labour migration management. The next meeting will be held in 12 months time in Indonesia. The IOM is requested to assist in organising this meeting. Before the next meeting in-country meetings will be held to review the implementation of the recommendations.

In addition to efforts by the concerned governments in taking forward the recommendations, the IOM, ILO and other relevant international organizations and donor agencies are requested to provide assistance wherever appropriate.

The participating States expressed their gratitude to the Government of the Philippines for volunteering to chair the meeting and the excellent arrangements provided, as well as to the IOM, DFID and ADB for their valuable support.

Bangladesh
China
Indonesia
Nepal
Pakistan
The Philippines
Sri Lanka
Thailand
Vietnam

Manila, 24 September 2004

**Second Labour Migration Ministerial Consultations
for Countries of Origin in Asia**

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