

-- CONCLUDING STATEMENT --

SENIOR OFFICIALS' MEETING

Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia (Colombo Process)

06th – 07th May 2014

Colombo, Sri Lanka

International Labour Migration for Prosperity: Adding Value by Working Together

The Government of Sri Lanka hosted the first Senior Officials' Meeting of the Colombo Process (CP) from 6-7 May 2014 in Colombo, Sri Lanka. In attendance were representatives from the eleven CP participating States: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam.

A. The following topics were discussed during the meeting:

a) The Colombo Process Strategic Vision for 2014/15

The Secretary to the Hon. Minister of Foreign Employment Promotion and Welfare of Sri Lanka presented the salient points of the CP Strategic Vision and Concept paper of Sri Lanka's chairmanship for the two years.

b) The Summary Report on Colombo Process coordination meetings in Geneva

The Deputy Permanent Representative of Sri Lanka to the UN in Geneva presented on:

- i. The outcome of the 01 Permanent Representative-level and 03 Expert-level meetings held in Geneva since Sri Lanka's assumption of Chair of CP
- ii. The Thematic Areas of the Concept Paper and Working Groups
- iii. The Post-2015 Development Agenda as an Action Area
- iv. Consideration of a self funding mechanism for CP and options
- v. Cooperation with ADD and other RCPs and IRF

The Strategic Vision and Concept Paper was formally endorsed by the CP membership.

c) Other RCPs and possible cooperation with the Colombo Process

IOM delivered a presentation on RCPs and other inter-regional processes for cooperation and dialogue on migration. The presentation sought to lay the ground for the subsequent discussion sessions on other regional fora that the CP may wish to engage with and/or changes to the structure of the CP that may be worth considering.

d) Cost effective recruitment and social protection

The Philippines and ILO contributed as panelists in a discussion on this topic.

e) Promoting standard employment contracts

Sri Lanka, ILO and UN Women were panelists in a discussion on this topic, with specific references to changes to the Kafala system.

f) Promoting cheaper, faster and safer remittances

India, IOM, a private bank and a mobile telecommunication provider contributed to a panel discussion on this topic, which addressed:

- i. A remittances regulatory framework
- ii. Stakeholder engagement and alternative financial solutions
- iii. Remittances and local development
- iv. E-transfer of remittances

g) A proposal for a self-funding mechanism for the Colombo Process

The Deputy Permanent Representative of Sri Lanka to the UN/Geneva made a presentation on consideration of a self-funding mechanism by the CP membership, and referred to discussion on the subject at meetings in Geneva.

- i. Two options were presented on possible funding formula for the CP following discussion in Geneva.
- ii. RCM/Puebla Process funding model, with some adjustments, was presented as one possible model for the CP to consider.
- iii. The roles of IOM and of Chair-in-Office were explained.
- iv. Indicated that self funding enhances predictability, regularity of meetings and sustainability of CP.
- v. Indicated that lack of self funding is a challenge to the effectiveness and sustainability of CP, and that building an independent and predictable funding mechanism was important, without prejudice to external sources of funding.

h) The other three Thematic and Action areas: The way forward

- Sri Lanka made a presentation on this topic.
- Bangladesh made a presentation on Migration in the Post-2015 Development Agenda.

DECISIONS

B. Resulting from the issues discussed, the participating States further:

- a) Encouraged CP States to have in place a remittance regulatory environment that promotes cheaper, faster and safer remittances and to better coordinate their efforts and share best practices at the regional and international levels through the establishment of a working group on remittances. The modalities of the working group will include harmonization of data collection and analysis, and provision of a forum for CP Central Banks to convene.
- b) Agreed that States should implement policies that maximize the contribution of remittances to development, bearing in mind that remittances are private funds, through promoting financial inclusion and education, engaging financial institutions and local stakeholders.
- c) Encouraged CP States to reduce the costs of recruitment by strengthening national policy and legal frameworks taking into account international standards, particularly ILO c.181, operationalising these through effective enforcement, and consider promoting voluntary codes of ethics. All possible action shall be taken by Member States to ensure that the migrant worker recruitment/placement shall be at no cost to the worker.
- d) Encouraged CP States to adopt a unified position on containment of recruitment cost, with recognition of the need to set targets, and to obtain baseline information.
- e) Reiterated the importance of migrant workers being covered by social insurance, particularly in the area of employment injury, and having access to basic social security guarantees.
- f) Reiterated the interest of CP States in promoting standard employment contracts and enhancing dialogue and cooperation with destination countries in order to promote the well being of migrant workers.
- g) Reiterated the need for CP States to reach agreement on a standard unified employment contract for domestic migrant workers, and in this regard agreed to present the Report on Unified Standard Employment Contract jointly undertaken by UN Women and Government of Sri Lanka at the Asia Gulf States Regional Dialogue (AGSRD) held on 3 - 4 December 2013, to ADD SOM on 22 May 2014.
- h) Recognized that the functioning of labour laws are impeded by the exercise of the Kafala to the considerable detriment of expatriate/migrant workers, and encouraged GCC countries of destination to promote enforcement of labour laws to oversee the work of all occupational categories of expatriate/migrant workers, including migrant domestic workers.

- i) Agreed to put forward the proposal to destination countries that in the event of the death of a migrant worker, the Embassy/Consulate that represents the deceased worker be immediately informed by the State authorities. Furthermore, the human remains of the deceased shall be repatriated to the home country at the expense of the employer/sponsor, within a time span not exceeding two weeks, barring the need for further investigation.
- j) Emphasized the interests of CP States in enhancing cooperation and coordination between the CP and the ADD, Asia-EU Dialogue and other migration dialogue mechanisms /other Regional Consultative Processes (RCPs).
- k) Encouraged CP States to adopt a multi-stakeholder approach to CP with the involvement of other agencies.
- l) Agreed to form a working group of CP member States in Geneva to further discuss a self-funding mechanism for CP in consultation with relevant line institutions in respective capitals. It was agreed that the Chair will initiate communication directly with respective focal line institutions of CP member States on the subject.
- m) Encouraged CP States to better integrate migration into their national policies and to coordinate their efforts on the Post-2015 Development Agenda activities.
- n) Proposed considering the membership of CP of other countries of origin in Asia following formal request.
- p) Proposed initiation of study reports on CP thematic areas for further deliberations at future SOMs. One such study on recruitment monitoring and migrant welfare services in the CP and Countries of destination can provide baseline information for discussion.
- q) Agreed to study and discuss a common procedure in recognizing the qualifications among countries of destination in the Middle East and countries of origin, to generate transparency and common understanding of the standards.
- r) Agreed that the CP Chair will present the outcome of the CP SOM in summary at the GFMD Forum Meeting scheduled to be held in Sweden on 14-16 May 2014.
- s) Welcomed the ADD SOM, which is scheduled to take place on 22 May 2014 in Kuwait, and encouraged CP countries to participate in this meeting.

- t) Agreed to support the proposal of ADD Chair to expand the composition of the ADD Troika to a five-member Executive Committee to be composed of the Current ADD Chair, Immediate Past ADD Chair, Incoming ADD Chair, Founding ADD Chair and the Current CP Chair. CP States also agreed to support the proposal of creation of a joint ADD CP technical working group that will assist in preparing action documents.
- u) Agreed to support the proposal of ADD Chair to develop a Comprehensive Information Orientation Programme (CIOP) to equip prospective and current migrant workers of countries of origin with relevant information on their countries of destination to help them cope with obligations and adjustment of difficulties associated with overseas employment, which will not only enhance the well-being of migrant workers, but will also foster positive professional relationships between them and their foreign employers.
- v) Agreed to present the common position adopted at the CP SOM at the ADD SOM on 22 May 2014.

Adopted in Colombo, Sri Lanka on 7th May 2014 by the attending senior officials of the following countries:

Islamic Republic of Afghanistan
People's Republic of Bangladesh
People's Republic of China
Republic of India
Republic of Indonesia
Federal Democratic Republic of Nepal
Islamic Republic of Pakistan
Republic of the Philippines
Democratic Socialist Republic of Sri Lanka
Kingdom of Thailand
Socialist Republic of Vietnam