

-Concluding Statement-

3rd Senior Officials Meeting (SOM)

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

4th -5th November 2015

Colombo, Sri Lanka

The Government of Sri Lanka hosted the third Senior Officials Meeting of the Colombo Process (CP) from 4th -5th November 2015 in Colombo, Sri Lanka. The following Member States of the CP attended the meeting: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam.

Also in attendance were representatives of IOM, ILO, World Bank, Scalabrini Migration Center, CCC Solutions LTD, OESPAAA, and Abu Dhabi Dialogue Permanent Office who provided technical expertise. The Swiss Agency for Development and Cooperation (SDC), UN Women, and the Government of Nigeria participated as Observers.

Mr. G.S. Withanage, Secretary to the Ministry of Foreign Employment of Sri Lanka opened the meeting with an introductory address highlighting the theme of the Chair, International Labour Migration for Prosperity: Adding Value by Working Together and the focus of the CP to protect and uphold the rights of migrant workers in the region. H.E. Mr. Ravinatha Arinasinha, the Permanent Representative of Sri Lanka to the UN in Geneva in his capacity as the Chair of the Geneva-based CP Member States provided a review of progress on the CP Roadmap envisaged under the Chairmanship of Sri Lanka, highlighting the effective collaboration and action-oriented role of the CP Geneva-based Permanent Representatives and experts to develop concrete actions and deliverables to improve the lives of migrants workers through five thematic areas. The Geneva-based delegation has further proposed ways to enhance cooperation with other dialogue forums, including with the EU through the Asia-EU Dialogue, the ADD, and the GFMD. The Hon. Ms. Thalatha Athukorala, Minister of Foreign Employment of Sri Lanka and Chair-in-Office of the Colombo Process delivered the key note address, emphasizing the importance of migrant workers' contributions to economic development in both home and host countries.

A. Day one

Day one of the Session was devoted to a detailed discussion on the five thematic areas envisaged in the Roadmap. CP participating states were given the opportunity to provide additional inputs related to each thematic area and engage in an open and constructive dialogue. Each thematic area was discussed in a panel session in which experts presented their expertise and recommendations on ways forward to advance the thematic areas. Tangible targets to progress each thematic area for the next one year period were identified for approval at the next Ministerial Meeting. Decisions and recommendations on the thematic areas are reflected at the end of this Concluding Statement, which will be presented at the next Ministerial Meeting for approval.

Session I: Progress on the Five Thematic Areas of the Colombo Process Roadmap

1) Skills and Qualification Recognition Process

This session provided an overview on the progress of the pilot project on skills and qualification recognition, shared experiences and lessons learnt from other initiatives regarding skills and qualification recognition, and identified priority sectors. The ensuing discussion brought up how CP countries can develop national competency standards that satisfy destination countries' requirements. The ILO's Regional Model Competency Standards was introduced as an applicable model for the CP to consider as it sets the skills required in an occupation and the units within it. The SDC-funded component of the CP Project implemented by ILO looks at addressing enhanced recognition of skills and reduce vulnerability of Sri Lankan construction workers in selected GCC countries. The ADD pilot project has a complementary approach to research and test skills certification and training as a means for better recruitment and employment of migrant workers in selected occupations.

2) Fostering ethical recruitment

This session provided an overview of the current initiatives on fair and ethical recruitment and identified priorities and areas that need to be addressed by government regulators. CP members discussed the role that the recruitment industry and employers can play in promoting ethical recruitment, and OESP-AAA further explained their role in representing recruiters in this regard. The ADD research study proposal which was endorsed at the ADD Ministerial Conference in Kuwait in 2014 on unethical recruitment channels from India and Nepal to UAE was viewed as complementary to this thematic area. Practical next steps were identified, including the setting up of an expert Thematic Working Group comprised of CP officials. The IOM's International Recruitment Integrity System (IRIS) and ILO's Fair Recruitment Initiative were cited as relevant systems to strengthen ethical recruitment practices through a multi-stakeholder approach.

3) Effective pre-departure orientation and empowerment

This session provided an update on the progress of the development of the Comprehensive Information Orientation Programme (CIOP) and introduced labour migration and health as an integral part of pre-departure orientation (PDO). The importance of addressing the health and well-being of migrant workers throughout the migration cycle was reiterated. The CP members were reminded that the pre-departure phase of the CIOP was endorsed for implementation at the 2nd SOM in October 2015, and is now ready to be implemented through a Thematic Working Group (TWG) to discuss certain deliverables for the Ministerial Meeting. A presentation was made on the results of a comparative mapping of national PDO programmes in CP countries providing the baseline material for the further development of regional modules. CP states were informed that the TWG will be set up and participation is open to all interested CPMS, with funding support for six CP countries to be extended to those with sizeable migration to the Gulf and who maintain an institutionalized PDO programme. Various initiatives of the CP countries in promoting the welfare of migrant workers were discussed.

4) Reducing the costs of remittances transfer

Panelists in this session provided a comprehensive update on current data concerning remittances globally, practical financial inclusion initiatives, and the importance of developing methodologies to collate accurate data in high-volume CP corridors.

5) Enhancing capacities of the Colombo Process participating countries to track labour market trends & Colombo Process Migration Resource Centre in support of CP goals

Regional perspectives on labour market research were presented, together with practical initiatives in CP countries to develop labour market research cells. This session also included a discussion on the CP Migration Resource Centre and what its terms of reference should be. The session also provided an opportunity for the newly-appointed Technical Expert for the Colombo Process to present how she will support the CP countries and how the CP website is being developed as a resources portal. SDC's provision of financial assistance in support of the thematic priorities of the CP was acknowledged.

B. Day two

Session II Briefing On Organizational Matters of the Colombo Process

Session II was devoted to organizational matters related to the Colombo Process addressed the following issues: –

At the commencement of the Session a re-cap of the day-one proceedings were presented to the forum. It was then followed by a discussion on the following sub-topics:

- I. Self-funding mechanism
- II. Predictable rotation of CP Chair
- III. Expansion of CP membership to include Cambodia
- IV. Rules of participation for non-CP entities
- V. Amendments to CP operating modalities to reflect decisions made on above mentioned areas.

I. Self-funding mechanism

Taking note of the extensive discussions that have taken place over the last 18 months at the Geneva-based CP representation both at the expert and PR levels that narrowed down the different formulations into two concrete self-funding options, namely; option A, that envisaged an annual contribution per CP country amounting to USD 8,545, and Option B on a annual contribution of USD 4,545. Following further deliberations pursuant to the second SOM meeting in October 2014, further discussions noted that there is unanimous view that CP needs predictability in the funding and a self-funding mechanism is necessary. Also, there was emerging agreement to consider Option B, without prejudice to any future financing mechanisms or formulations that the CP members wish to discuss and adopt. The meeting following an open deliberation decided to recommend to the next Ministerial Meeting in mid-2016, to adopt self-

funding option 'B'. This is with the understanding that some countries may require to follow certain national procedures, to practically make their respective contributions to the CP Fund, which, once approved by the Ministers in mid-2016, could become operationalized with effect from 31 January of the following year (2017).

II. Predictable rotation of CP Chair

The incumbent Chair-Sri Lanka has indicated its wish to handover the Chairmanship following the completion of the two-year term, at the Ministerial Meeting to be held in mid-2016. This view has been shared in writing through a letter dated 13 July 2015 by the Chair through the CP Members based in Geneva. In this context, it was agreed on the need to have predictable rotation of the Chairmanship, given that an incoming Chair will now have some certainty on funding for conducting the mandatory SOMs and the Ministerial Meetings. It was also discussed on the importance of having a term of two years as envisaged in the operating modalities and that a prospective incoming Chair must express its intention in advance, presumably at a mid-year SOM, so that there can be adequate time for preparation and smooth transfer. This also led to views without firm conclusion, whether the CP should introduce a 'Troika', so that the institutional process will be preserved. Also given the alternative views on whether to follow alphabetical order or to keep the voluntary nature of the rotation as practiced so far, the Meeting agreed to continue further consultations with a view to identify the next Chair before the next Ministerial Meeting.

III. Expansion of CP membership to include Cambodia

Taking note of the written request to the Chair-in-Office by the Government of Cambodia, the Meeting shared their views and unanimously agreed to welcome Cambodia as the newest Member of the CP, and accordingly to recommend to the Ministerial Meeting to expand the Membership of CP. Cambodia will be invited by the Chair-in Office to attend the next Ministerial meeting in 2016.

IV. Rules of participation for non-CP entities

A technical presentation on the Rules related to accommodating non-CP entities was made by IOM. The presentation was based on the elements presented in the 'operating modalities of the CP' adopted by the 2011 Dhaka Ministerial Meeting. Views were expressed to follow the existing criteria already laid out when extending invitations to non-CP entities, taking note of the member-state driven CP process and to ensure open and candid deliberations among CP member states.

V. Amendments to CP operating modalities to reflect decisions made on above mentioned areas

Noting the agreement for adoption of a self-funding mechanism for CP and the expansion of membership, as well as on extending invitations to non-CP entities, it was discussed on a possible reviewing of the existing Operating Modalities of the CP. The SOM agreed to continue discussions on reviewing the operating modalities as appropriate, at Geneva level and report to the next SOM in mid 2016, prior to the Ministerial meeting.

The discussion also asked for a clear formulation of TORs for the Colombo Process Migration Resource Centre, which was subsequently re-defined as the Colombo Process Technical Support Unit, and the TORs for which are appended to this document at Annex 1.

Session III Enhancing Cooperation with Other Dialogue Forums:

The purpose of this session was to engage in an open discussion to explore ways to strengthen cooperation with the ADD and the the GFMD along with enhancing the role of the CP in implementing the migration-related targets of the 2030 Sustainable Development Goals (SDGs). The participation of the CP countries in the ADD was considered as very important given the thematic linkages on protection of labour and skills recognition between countries of origin (supply oriented) and countries of destination (demand oriented). CP members heard from the ADD Permanent Office representative on ways in which the two RCPs can enhance cooperation. The ADD representative suggested that the CP members submit proposals prior to the ADD SOM in February 2016 on identifying national focal points relevant to the thematic areas of the ADD on labour mobility and labour recruitment, and also highlighted the importance of information sharing and linkages between ADD and CP countries in terms of their legislation and legal practices on relevant thematic areas such as ethical recruitment.

The CP members also revisited the need to enhance cooperation with the EU not only through the Asia-EU Dialogue, but through opening the EU labour market to migrant workers from CP countries.

To discuss cooperation with the GFMD, the representative of IOM informed the CP members of the documents that had been made available, including the Chair's Conclusions from the 2015 GFMD Summit and the Bangladesh consultations in preparation for the GFMD 2015 report.

C. Decisions /Recommendations of the 3rd SOM

Senior Officials representing the participating countries:

- a) Reiterated that better and increased recognition of the skills and qualifications of workers from CP countries provide a path to enhancing their employability in overseas labour markets, increasing economic outcomes and reducing vulnerability through decent work terms and conditions, and recognised the importance of developing frameworks for skills training and recognition aligned with destination countries, in particular paying due regard to the ILO Regional Competency Standards.
- b) Welcomed the Pilot Project on Skill Development, Documentation and Recognition adopted by the Abu Dhabi Dialogue (ADD) which focuses on selected occupations in the UAE and Kuwait, reiterated the support of the CP for this pilot initiative through supporting the occupational certification of Indian, Pakistani and Sri Lankan construction workers and Filipino workers in other sectors going to these countries. Recommended the wider replication of the pilot initiative in other CP countries, and recognized that the ADD can be a platform for further collaboration and mutual recognition of qualification frameworks;
- c) Acknowledged that promotion of fair and ethical recruitment is an essential component in minimizing exploitation, human trafficking and abuse of labour rights and decided to harmonize policies and regulations within CP countries in line with international standards and also noted the efforts of IOM and ILO for their initiatives in this area, namely the International Recruitment Integrity System (IRIS) and the Fair Recruitment Initiative (FRI).
- d) Recognised the benefit of establishing a Thematic Working Group of experts/focal points from CP countries to promote fair and ethical recruitment and to engage the recruitment industry and employers groups towards creating industry-led support for ethical recruitment.
- e) Discussed the importance of engaging in the development of national indicators for the Sustainable Development Goals (SDGs) pertinent to CP objectives, in particular the goals relating to decent work and safe migration.
- f) Decided to take into account the specific needs and vulnerabilities of female migrant workers in the design and implementation of labour migration policies in the CP.
- g) Recognized the need to heighten pre-employment, pre-departure and post arrival awareness of migrant workers including of their rights and obligations, reiterated the importance of migrant workers being provided with necessary training and orientation, which can contribute to reducing their vulnerability and better social and workplace integration.
- h) Endorsed the implementation plan for the Comprehensive Information and Orientation Programme for Migrant Workers (CIOP) which shall include awareness of health and well-being, and will lead to the development of Regional Modules for pre-departure training (PDO), a Regional Guide for the PDO Modules, a Regional Guide for a Programme Management System, a PDO Trainers Training, and a pilot run of the regional modules.

- i) Recognized that the CIOP was adopted as a regional initiative of the Abu Dhabi Dialogue (ADD) and reiterated support for the CIOP and further collaboration with destination countries in the ADD for the development of other components of the CIOP including post-arrival training, and endorsed the establishment of a Technical Working Group of origin and destination countries in the ADD, and suggested participation of selected CP countries in the TWG;
- j) Agreed to consider health issues within the relevant thematic priorities of the CP, given the importance of promoting health and wellbeing of migrant workers throughout the migration cycle, and to promote discussions on enhancing accessibility to health care services, so that migrant workers can contribute to the social and economic development of communities of origin and destination, considering that the SDGs have stipulated the importance of universal health coverage.
- k) Recognized the universal efforts to reduce remittance transaction costs to less than 3% as stipulated in the 2030 Agenda for the Sustainable Development Goals, and reiterated the desire to support efforts to develop methodology to provide real-time data on transfer costs which will allow migrant workers to utilise the most cost-effective money transfer channels.
- l) Agreed to consider enhancing efforts at national level, to empower migrant workers and their families on decision-making on financial management through financial education and engaging financial institutions and local stakeholders.
- m) Emphasized that the capacity to analyse labour market requirements and trends in destination countries are an important pre-requisite for any sending/originating country when planning, designing and implementing its labour migration policies and in this context, agreed to produce a labour market research Operational Guide that will facilitate the documentation of labour market trends in destination countries and analyze potential areas of demand.
- n) Welcomed the setting up of a Colombo Process Technical Support Unit (CPTSU) in Colombo, Sri Lanka, to provide support to all the CP countries in pursuing the goals and actions set in the current five thematic priorities of the CP and any other areas that the CP would agree in the future. The Unit being primarily a CP member-state driven process was emphasized and the TORs as at Annex 1, were agreed on for the operationalization of this Unit. It was agreed that the CPTSU will consist of an upgraded CP website, an online resources repository, and an office in Colombo staffed by a Technical Expert with financial assistance from the SDC.
- o) Decided to recommend to the next Ministerial Meeting adoption of Option 'B' of the proposed self-funding formula, without prejudice to a future possibility to adopt an alternative financing model for the CP; envisaging the following commitments by each CP member State; an annual contribution of USD 4,545 to facilitate holding of one two-day SOM and a second two-day SOM followed by a one-day Ministerial Meeting, and accordingly also agreed to amend the Operating Modalities of the CP on this matter.

- p) Decided unanimously, to recommend to the Ministerial Meeting to welcome Cambodia as a member of the CP having considered its formal request to the Chair-in-Office, and accordingly to extend an invitation to Cambodia to attend the next Ministerial Meeting in Colombo.
- q) Agreed to continue consultations with a view to identify the next Chair before the next Ministerial meeting, ensuring the principle of rotation on an alphabetical and voluntary basis, in order to ensure predictability.
- r) Decided also, to continue consultations in Geneva to consider a unified policy on inviting non-CP entities into the CP meetings and discussions.
- s) Agreed to consider reviewing as necessary, the existing operating modalities of the CP adopted by the 2011 Dhaka Ministerial Meeting, and report to the next SOM in mid-2016 for the approval of the Ministerial Meeting.
- t) Emphasized the interest of CP states in enhancing cooperation and coordination between the CP, ADD and other labour migration mechanisms and Regional Consultative Processes, with a view to enhancing understanding and sharing experiences for mutual benefit. Accordingly it was decided to request that the CP Chair would continue to present the perspectives of the CP and its common positions at the meetings of ADD, GFMD and other labour-migration RCPs as appropriate.
- u) Recognized ways to enhance further joint activities supported by the ADD and the CP on common thematic areas, including the need to identify national focal points relevant to the thematic areas of the ADD on labour mobility and recruitment, consultation among CP country missions in receiving countries on common concerns. It is also proposed to have a mechanism for information sharing between the CP and ADD such as on legislation and legal practices with respect to ethical labour recruitment and other relevant areas.
- v) Welcomed the hosting of the next Senior Officials Meeting and the Ministerial Meeting in Colombo in 2016.

Adopted in Colombo, Sri Lanka on 5th November 2015 by the attending Senior Officials of the following countries; Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam.

Terms of Reference: Colombo Process Technical Support Unit (CP TSU)

1. Description

Colombo Process Technical Support Unit (CP TSU) will support all the CP Member States (CP MS) in pursuing the CP goals and objectives. It will facilitate and support the implementation of the actions agreed by the CP MS in its collective efforts as a Regional Consultative Process (RCP).

2. Objective

CP TSU will support all the CP MS in pursuing the goals and actions set presently in the five thematic areas of the current CP Strategic Vision (skills and qualification recognition, fostering ethical recruitment, effective pre-departure orientation and empowerment, reducing the cost of remittances, and, enhancing the capacities of CP MS to track labour market trends in support of CP Goals). It is primarily CP MS driven and the focused thematic areas may be expanded in future as per mutual consensus among CP MS.

3. Management

The CP Chair-in-Office with the support of CP MS will oversee the activities of CP TSU. A Technical Expert, recruited by IOM and guided by the Chair and CP MS, will facilitate the implementation of the endorsed tasks below initially for a period of four years.

4. Key Tasks

Key tasks of CP TSU are to be defined through discussions among CP MS. For the first four years, the following activities are envisaged:

- Support the convening of the Thematic Areas Working Group (hereinafter referred to as TAWG) Meetings at capital level. The nature of these TAWGs, comprising of a voluntary group of CP MS, will be informal and each TAWG will be led by a CP Member State with relevant expertise and interest in the particular area as the lead country.

- Provide an online repository with restricted members-only access via the CP website to facilitate data and information sharing on the focused thematic areas among CP MS.
- Facilitate the review of the progress, indicators and achievements of the TAWGs based on agreed baselines and goals and communicate updates to CP MS.
- As instructed by the Chair and the CP membership, provide updates and analysis on labour migration including national legislations and policies to interlocutors and make available labour migration related developments and emerging trends in other regions to the CP membership.

5. Parameters of Data and Information Sharing

- CP MS can share data and information that support the pursuit of the five thematic areas, including but are not limited to: statistical information; workshop/ training materials; research reports; documentation of best practices and lessons learned; and, on other relevant topics that may be of interest to and agreed by CP MS.
- CP MS may use the data and information shared by other CP MS via CP TSU for strictly their own analyses, strategies and action plans for the five thematic areas and other key priorities in labour migration management.
- All the data and information will be shared through a restricted interface of the CP website and should be regarded as confidential.

6. Funding mechanism

The funding for CP TSU will be dependent on availability of the budget of CP MS or other resources. For the first four years, CP TSU operations will be supported by the funding from the Swiss Agency for Development and Cooperation, starting from October 2015 to September 2019. The funding will cover technical expertise, TAWG Meetings, and Website / repository. CP MS shall discuss and agree on the sustainable funding mechanism that will enable uninterrupted operation of CP TSU after four years.

7. Location of CP TSU

The Government of Sri Lanka will host this unit and will provide the necessary premises and administrative support for this purpose.