



**SUMMARY RECORD OF THE  
ASEAN REGIONAL CONFERENCE OF SENIOR OFFICIALS ON  
STRENGTHENING THE PROTECTION AND EMPOWERMENT  
OF WOMEN MIGRANT WORKERS**  
*13-14 November 2014, Quezon City, Philippines*

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**I. INTRODUCTION**

1. The ASEAN Regional Conference of Senior Officials on Strengthening the Protection and Empowerment of Women Migrant Workers (WMWs) was held on 13-14 November 2014, at Crowne Plaza Manila Galleria in Quezon City, Philippines. It was jointly implemented by the ASEAN Committee on Women (ACW) and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) as one of the priority activities of the ACW Work Plan 2011-2015 and the ACWC Work Plan 2012-2016 under the ASEAN Socio-Cultural Community (ASCC) Blueprint. The Conference aimed to contribute to the ongoing process of crafting the Instrument to implement the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers by highlighting the gender dimensions of migration and bringing to the attention of the Instrument the protection and empowerment of vulnerable WMWs, such as the domestic workers, victims of forced labour and trafficking in persons and women migrants in crisis situations;
2. Specifically, the Conference aimed to: a) strengthen regional coordination and information sharing for the protection and empowerment of the migrant workers; b) increase knowledge on and promote gender-responsive labor migration policies and programs in both sending and receiving states; c) document best practices in addressing the issues of vulnerable WMWs particularly domestic workers, victims of forced labor and trafficking in persons and women and children migrants in crisis situations; and d) come up with recommendations to enhance migration policies and programs affecting women migrant domestic workers in ASEAN.
3. The Conference covered various topics on protection and empowerment, and covered policies relevant to migrant workers, such as the ASEAN declaration on migration, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and General Recommendation No. 26 (on migrant workers) and ILO Convention 189 (on domestic workers). ASEAN member countries (AMS) shared their relevant programs and good practices in addressing WMWs' protection and empowerment.

The topics covered by the Conference are in the program which is attached as **Annex 1**.

4. Funding for the Conference came from the Philippine Government under the International Commitment Fund (ICF) and from the International Labor Organization (ILO) Triangle Project. ICF funded the participation of ACW and labor representatives while ILO funded the ACWC, employers and trade union representatives, recruiters, CSOs and the migrant workers. Planning and

implementation of the Conference was jointly conducted by ACW and ACWC with ILO and with the Technical Working Group created by the PCW for the purpose

5. The 63 participants came from the focal points of the ACW in each AMS (except Singapore<sup>1</sup>), the representatives of the ACWC women sector including the ACWC Chair, from the labor ministries responsible for the concerns of migrants, the International Labour Organization (ILO), the ASEAN Confederation of Employers (ACW), ASEAN Trade Union Council (ATUC), the Task Force on ASEAN Migrant Workers (TFAMW), UN Women, International Organization for Migration (IOM), civil society organizations (CSOs) working with migrants from AMS, the ASEAN Secretariat, and WMWs.

The list of participants appears as **Annex 3**.

## II. OPENING PROGRAM

6. In her Welcome Remarks, Ms. Remedios I. Rikken, Chairperson of the Philippine Commission on Women (PCW) pointed out that the Conference is very timely since the coming ASEAN integration in 2015 will mean an increased mobility among the people of ASEAN Member States, particularly among workers. The Conference expects to submit its recommendations to the ASEAN Committee on Migration (ACMW) that is tasked to formulate the Instrument to implement the ASEAN Declaration. The sharing of good practices and experiences in addressing the vulnerabilities of WMWs during the Conference will be inform the recommendations to the ACMW.

The full text of Chairperson Rikken's remarks appears as **Annex 3**.

7. Dtn. Paduka Hajan Intan bte Hahi Mohd Kassim of Brunei Darussalam, Chair of the ACWC, delivered a short message. She mentioned that the rights of women and children are very close to the hearts of ASEAN people. Since the adoption of human rights into the ASEAN Charter, several institutions which deal with human rights issues were established in ASEAN, and these include the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ACWC, the ACW and the ACMW. However, there is a need to ensure that these institutions will bring better impact on the lives of the people of ASEAN. In closing, she said that all four bodies should work together to contribute more effectively to the people of ASEAN.

The full text of the remarks of the ACWC Chair appears as **Annex 4**.

8. Mr. Lawrence Jeff Johnson, Director of ILO Country Office for the Philippines also delivered a brief message. He noted that there are 232 million WMWs worldwide and they are increasing. Migration should be an option and not a necessity, but for most of the migrants, they do so for work. ASEAN integration will result in greater mobility, thus, the need to prioritize policies that address labour mobility concerns such as extending the coverage and portability of social security or insurance. If addressed properly, labour migration can contribute to development as the income of migrant workers will be used to develop themselves and their communities. It is therefore critical for States to implement CEDAW and uphold standards of equality, such as ensuring that the contracts of migrant workers are legal and valid and that labour migrants are covered by labour laws. In closing, he hoped that the

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<sup>1</sup> Singapore sent an information material, a handbook for foreign domestic workers working in Singapore, which was shared with the participants, and included in the Report as Annex30.

Conference will result in enhanced ASEAN migration policies thus, the active participation of everyone is critical to address migration issues and promote gender-responsive migration policies and programs.

9. The Chairperson of the Commission on Filipinos Overseas, Secretary Imelda M. Nicolas presented a brief overview of the situation of migration in ASEAN, mostly culled from the report “Trends in International Migrants’ Stock” by the United Nations Department of Economic and Social Affairs (2013) and “ASEAN Community 2014: Managing Integration for Better Jobs and Shared Prosperity” by the Asian Development Bank and the ILO. She noted that the subject of great concern with the current situation is the growing feminization of migration. While women migrate for many reasons, the main motivation is generally economic. But while a family’s financial condition may improve, there are downsides to migration which need to be addressed. Sec. Nicolas also brought the issue of marriage migration to the attention of the delegates, which is not often discussed in migration fora. She noted that majority of marriage migrants are women.
10. Sec. Nicolas forwarded key recommendations on migration and development: (1) mainstreaming gender and age dimensions in migration policies and programs, (2) gender-responsive and rights-based policies and programs to address particular vulnerabilities and situations of women and girl migrants; (3) policies to ensure that marriage migration does not lead to exploitation and to assist in the social integration of marriage migrants and their children; (4) programs to provide support to families separated by migration; (5) incentives for the productive investment of remittances; and (6) collection of comprehensive, reliable, sex- and age-disaggregated, and comparable data and enhanced focus on policy-oriented research. In closing, she said that it is hoped that the ASEAN Member States will collectively address and respond to the challenges of migration especially those faced by women migrants and their families.

The full text of Sec. Nicolas’s remarks appears as **Annex 5**.

11. The Secretary of the Philippine Department of Labor and Employment (DOLE), Secretary Rosalinda Dimapilis-Baldoz, delivered the Keynote Address. Sec. Baldoz underscored that the concerns of domestic migrant workers pose a great challenge in the upcoming ASEAN Economic Integration in 2015. Discussions about ASEAN 2015 usually dwell on skilled workers and professionals. Economic Integration may lead to potential employment gains or employment loss in the ASEAN Member States, depending on the readiness of their workers. Thus, it could result in negative impact if not addressed properly. This Conference’s focus on domestic workers is very relevant. She cited ILO reports on the vulnerability of migrant workers to forced labour, majority of them women.
12. The international community as well as the ASEAN Member States have taken steps to address the growing feminization of migration. However, the challenge of according equal rights for domestic workers is not an easy task. It took the Philippines 19 years before the national law on the rights of domestic workers was passed, and the government has many initiatives to uphold migrant workers’ rights and decent work, particularly the signing of bilateral labor agreements (BLA) with destination countries, such as the recently approved BLA with Saudi Arabia. She exhorted AMS to view this as an example of protecting the rights and welfare of migrant workers, particularly women domestic workers, and urged that the same is explored between sending and receiving countries in AMS. The economic growth that ASEAN seeks to achieve through economic integration should not bargain away

or compromise the basic rights of workers, including those of migrant workers. She encouraged the ASEAN Member States to enact domestic laws that embody the principles of the ILO Convention to protect domestic workers in their respective countries, noting that such laws will give them the legal and moral basis to negotiate with other countries for the protection of their own workers.

13. Towards the end of her Address, the Secretary enjoined the ASEAN Member States to work on putting domestic work within the ambit of skilled work. This could be done through the development of competency assessment and certification programs for domestic workers to be ready for the ASEAN Qualification Framework. This is a challenge for the countries in the Region since ASEAN still remains as the largest supplier of female domestic workers worldwide.

The full text of Secretary Baldoz's speech appears as **Annex 6**.

### **III. CONFERENCE PROPER**

#### ***A. Conference overview***

14. Executive Director Emmeline L. Verzosa of the Philippine Commission on Women, moderator for Day 1, presented the overview of the Conference. Her presentation covered the Conference's background, objectives and outcome document, participants, funding arrangements, topics and business arrangement. The Conference topics would focus on two main concerns of migrant workers: their protection and their empowerment. Protection concerns would include sharing of experiences on ethical recruitment, access to complaints mechanisms and interventions during crisis situations. On the other hand, empowerment concerns would cover topics on skill development, reintegration and financial education. Policies related to migrant workers would also be included in the discussions. The sharing of experiences, the lessons and recommendations gleaned would be incorporated in the Conference Statement which the Conference expects to produce at the end.

Ms Verzosa's presentation appears as **Annex 7**.

#### ***B. Policies related to migration***

15. As a backdrop to the sharing of programs to address the concerns of migrant workers by AMS, the Conference started with a discussion of relevant international legal mandates related to migration. First of these was the CEDAW and GR 26 followed by relevant ILO policies, with C189 (on domestic workers) of particular interest to the Conference. The discussions on policies underscore the responsibilities of both sending and receiving countries in addressing the concerns of migrant workers, particularly those in difficult situations, following international labor and human rights standards.

#### CEDAW and General Recommendation No. 26 on WMWs

16. Professor Aurora J. de Dios, Philippine Representative to the ACWC and former member of the CEDAW Committee of Experts noted the importance of gender and rights perspectives in protecting and empowering WMWs. She explained the linkage between CEDAW and GR No. 26 as well as ILO Convention 189 and how these instruments can be harnessed to empower WMWs and protect their rights. She

noted that CEDAW provides a critical framework to unravel the gender dimension of issues surrounding migration. GR No. 26 provides a comprehensive analysis of the complex and multi-faceted implications of migration. C189 on the other hand complements and strengthens the provisions of CEDAW and GR No. 26.

17. She presented the three levels of protection standards on WMWs namely: (1) laws recognizing domestic work as well as laws, policies and governance system regulating migration; (2) regional agreements like the ASEAN Declaration on the Promotion and Protection of Migrant workers; and (3) international human rights standards which include CEDAW and its General Recommendations, ILO Conventions.
18. In closing, she said that there are enough international instruments to protect WMWs, including undocumented migrants. Ensuring the rights and freedoms of WMWs not only ensures their well-being but also contributes to the economies of both sending and receiving countries, and States need to address human rights obligations as part of good governance practices.

Prof. de Dios' presentation appears as **Annex 8**.

#### ILO Tools: Engendering Labor Migration Policies

19. Ms. Neliën Haspels, Senior Specialist on Gender and Women Issues of ILO presented the "ILO Tools on Engendering Labor Migration Policies". Her presentation was divided into four major areas, namely: statistics of women migrants, ILO definitions and principles, international labour standards and gender-responsive migration policies and practices.
20. She highlighted that gender perspective is largely absent from the migration debate, hence, there is a need to make migration policies gender-responsive through joint actions at all levels by the government, employers and migrant men and women to ensure that it is fair and sustainable to all. The ILO follows the three-fold step of conducting gender analysis, gender mainstreaming and implementing gender specific actions and measures as its strategy to engender migration policies.
21. She ended her presentation by presenting the figure of the "idealized woman migrant" who is described as the "coordinator of transnational family life; nurturer, protector and provider; reliable remitter and hardworking and self-sacrificing and altruistic but at the same time a reliable borrower".

The presentation of Ms. Haspels appears as **Annex 9**.

#### Workshop on Gender Responsive Labour Migration Policies

22. Ms. Od Busakorn Suriyasarn of ILO Bangkok presented the mechanics for the workshop on gender-responsive labour migration policies. The purpose of the workshop was to gather information from the AMS on the challenges and opportunities that migrant women face in their destination countries, good practices in migration, how migrant workers' issues are addressed, issues with recruitment, reintegration and others. This information will input into the tool on migration that ILO is developing and which is expected to be finalized early next year. Ms Busakorn grouped the participants into Group 1 composed of participants from Cambodia, Lao PDR, Myanmar, Thailand and Vietnam and Group 2 composed of participants from

Brunei, Indonesia, Malaysia, Philippines and Singapore. Observers were asked to choose what group they will be interested to participate in.

The mechanics of the workshop appears as **Annex 10**.

Workshop Presentation 1: Brunei, Indonesia, Malaysia, Philippines

23. Ms. Carmelita Nuqui, President of the Philippine Migrants Watch Rights, presented the output of Group 2. The group identified the following as the most important challenges and opportunities migrant women face: life and work conditions; customs and culture, language and food; and access to rights and justice.
24. As response to what are the three good practices that have helped WMWs, the group identified active engagement and involvement of civil society organizations and migrants associations, conduct of pre-departure orientations and multi-stakeholder and multi-sectoral partnerships.
25. The group identified sharing and activities of embassies, social groups and CSOs in countries of destination as issues related to migrant women addressed in pre-departure orientation programmes. Meanwhile, regulation and placement laws; trafficking in persons; certification, exemption from payment of placement fees; setting of minimum age requirement and salary rate; and coming up with bilateral agreements were identified as the special protective mechanisms or regulations for WMWs.
26. The group also identified contract substitution, unauthorized salary deduction, illegal recruitment, manipulation/tampering of data, misrepresentation and employer abuse as the difficulties most WMWs face when dealing with private recruitment agencies. As such, their most pressing needs are availability of social and economic programs, capacity development in preparation for their return and values formation orientation for themselves and their families.
27. Lastly, the group identified improvement of pre-departure orientation seminars; establishment of economic, social and development programs; enhancement of the implementation and monitoring of existing laws and policies; convergence of initiatives of key migration stakeholders and creation of database as existing gaps that must be addressed. The group ended the presentation by recommending that ASEAN as a body should ensure the complementation of national laws with ILO Convention 189.

The presentation of Group 2 appears as **Annex 11**.

Workshop Presentation 2: Cambodia, Lao PDR, Myanmar, Thailand and Vietnam

28. Mr. Saw Naing, Deputy Director General of the Labour, Employment and Security Division of the Department of Labor of Myanmar presented the output of Group 1. The group identified the following as the most important challenges and opportunities WMWs face: access to information and awareness; cultural and language barriers; low level of skills and lack of job opportunities; labor exploitation; and inability to attend to family responsibilities. The group reported that improved financial status; improvement in personal ability and changing of social mindset are the most important opportunities migration offers to WMWs.

29. As a response to how are issues related to WMWs are addressed at pre-departure orientation programmes, the group identified customization of the training according to job classification; inclusion of information about the destination country including language training; important customs; legislation; risk identification; and provision of contact details of embassies and labour attaches. In the same vein, the group identified emphasizing the duties of association of employers as a strategy of how issues related to WMWs are addressed at the post-arrival orientation seminars.
30. The special protective mechanisms for WMWs highlighted are the “no massage services and no sex workers” mechanism of Vietnam and the policy of Thailand that the type of job of migrant workers cannot be changed once they are registered.
31. The group identified gender stereotypes, limited access to official information and vulnerability to forced labor, and abuse and trafficking as the 3 most important difficulties that WMWs face when dealing with private recruitment agencies.
32. Skills recognition and language skills training; financial management and family integration seminars and advice on how to deal with stereotypes and prejudices are the most pressing needs of WMWs to support their return and reintegration to their home countries. Meanwhile, provision of official information for potential migrant workers, provision of skills and language trainings, awareness campaigns on the benefits of migration and collection of sex-disaggregated data were identified as the most pressing needs of WMWs to support their successful integration in their host country.
33. In response to the question on what is the role of national women’s machineries to ensure gender-responsiveness of managing the migration of WMWs, the group highlighted the crucial role of women’s machineries in ensuring that migration policies are revised to become gender-responsive.

The presentation of Group 1 appears as **Annex 12**.

34. Ms. Od Busakorn Suriyasarn summarized the reports by highlighting the overlapping responses such as need for skills development and other social and economic programs for WMWs.

### **C. Sharing of Experiences and Programs on the Protection of WMWS**

35. Protection and empowerment of WMWs, particularly the most vulnerable ones is the main theme of the Conference. Protection should start from the policies that inform programs that are in place in every stage of the migration cycle- from making the decision to migrate, recruitment, journey to work abroad, working abroad and return and reintegration. Of particular concern is protection of WMWs from exploitation, and so are ethical recruitment, access to complaints mechanisms and interventions in crisis situations. For this part of the sharing, UN Women shared its project on preventing exploitation of WMWs in ASEAN, followed by a discussion on the challenges in the ratification of C189 and by sharing of good practices in ethical recruitment by Vietnam, access to complaints mechanisms and programs to assist women victims of trafficking and other crisis situations in Malaysia, Indonesia and Philippines.

Preventing the exploitation of WMWs in ASEAN: UN Women

36. Dr. Francisco Cos-Montiel, Policy Advisor on Women's Economic Empowerment of the UN Women Bangkok talked about "Preventing the Exploitation of WMWs in ASEAN" Project of the UN Women Bangkok. The project looks at the social and economic costs of migration especially to WMWs, and aims to: (1) improve access to evidence and knowledge to prevent exploitation of WMWs and promote their rights; (2) improve capacity of ASEAN institutions to strengthen normative and evidence-based policy advocacy to prevent and eliminate exploitation of WMWs at regional and country levels; and (3) conduct effective social mobilization to improve public awareness and actions against abuse and exploitation of WMWs in the ASEAN.
37. Dr. Cos-Montiel highlighted that 42% of migrants in Asia are women (2013) and that they are more vulnerable to exploitation than their male counterparts. Migration and labor exploitation are by nature multilateral, cross-border issues that also require multilateral and regional responses, for evidence-building, policy advocacy for enhanced accountability and social mobilization. There is a need to look also at the employers of the migrant workers, the government agencies addressing migration, CSOs and the men and WMWs to create synergy in preventing and addressing exploitation of WMWs in the ASEAN region.

The full presentation of Dr. Cos-Montiel appears as **Annex 13**.

38. In response to the question of Mr. Manuel Imson, Coordinator of the ASEAN Triangle Project on what the participation of CSOs will be in the implementation of the UN Women Bangkok Project, Dr. Cos-Montiel answered that the role of CSOs will be critical during social mobilization which will include the socialization activities for women and girls on both the positive side and downsides of migration.

Ratification of ILO C189 on decent work for domestic workers: MFA

39. Mr. William Gois, Regional Coordinator of the Migrant Forum in Asia talked about the "Ratification of ILO Convention 189 on Decent Work on Domestic Workers" and stressed the need for ASEAN to ratify said convention because only the Philippines has done the same in the region. It took 75 years (1936-2011) to come up with ILO Convention 52 for the paid leave of domestic workers so that they are formally recognized as workers with same rights as workers in general. The fight to come up with C189 was the same but eventually bore fruit.
40. The following remain as challenges in ensuring decent work for all domestic workers: (1) ownership of the issue that household work and levelling-off of understanding regarding C189 among domestic workers; (2) how to create a space for domestic workers employed in the private realm of the household to discuss their issues and get organized; (3) fragmented approach resulting from too many agencies addressing the issue of migration that has resulted to incremental changes; (4) political situation and other pressing issues in countries that make domestic work not a priority agenda of governments; and (5) maintaining alliances and momentum built around the campaign. Mr. Gois ended his presentation by enjoining all ASEAN countries to ratify ILO Convention 189 and adapt measures to implement it. This is to ensure that there will be national laws in the region that will protect migrant workers.



The presentation of Mr. Gois appears as **Annex 14**.

41. As a response to the question of Mr. Manuel Imson, Coordinator of the ASEAN Triangle Project on what has been the impact of C189 among the 16 countries that have ratified it, Mr. Gois explained that one of the best cases to look for positive impacts is South Africa because ratification of the C189 has led to active participation of domestic workers in crafting national labor laws. The effect of the ratification of C189 in the Philippines is still inconclusive but it has built a moral high ground to protect its migrant domestic workers by ratifying C189. European countries that have ratified the convention still have to ensure complementation of national laws to C189 and this remains to be a challenge.

*Good practices in gender responsive and ethical recruitment: Cambodia and Vietnam*

42. Ms. Veasna Bunchhith, Director of the Ministry of Women's Affairs Economic Development Department of Cambodia, shared about the good practices in gender-responsive and ethical recruitment in her country, starting with Cambodia's Gender Mainstreaming Action Plan (GMAP). The GMAP of the Ministry of Labor and Vocational Training (MLVT) (2009-2013) contained a variety of gender-responsive initiatives related to employment and migration. The new GMAP, which covers 2014-2018, aims to promote gender equity and reduce gender gaps through labor and vocational training. The GMAP also aims to address some of the current gaps in the protection of women's labor rights including linking demand and supply, expanding the services of the National Employment Agency, linking trade with improvements in working conditions and strengthening dispute resolutions mechanisms.
43. The government of Cambodia has also enacted a number of national laws related to labor migration. They will be coming up with guidelines for recruitment agencies, training centers, as well as complaint procedures to guide responsible stakeholders especially government offices in responding to labor and migration-related issues. The government of Cambodia has also developed an initiative system that monitors recruitment agencies, and has put in place a One Stop Service that assists migrant workers with the large amount of paperwork required by Cambodia and their country of destination, ideally streamlining the process and encouraging workers to go abroad solely through legal channels.
44. However, despite these mechanisms in place, challenges still remain; including the lack of vertical and horizontal policy linkages has contributed to insufficient information exchange, and uneven inter-ministerial consultation and lack of joint programs. Gender perspective in labor migration especially in the recruitment process, as well as the sex and age-disaggregation of data on migrants (especially the irregular ones) can also be improved. Other challenges Ms. Bunchhit has identified are the lack of systematic implementation and monitoring to make certain that migrant workers get support upon returning home and lack of capacity building and coordination within national and sub-national levels to analyze, design, implement and monitor gender-responsive policy and programs on recruitment. Finally, she noted that gender and labor migration are inter-related and should therefore always go hand in hand, especially when crafting policies and programs for migrant workers.

Ms Bunchhith's presentation appears as **Annex 15**.

45. Still on the subject matter of good practices and gender responsive and ethical practices, Ms. Vu Hong Minh of the Department of Overseas Labor Administration of

Vietnam shared information about the monitoring and evaluation (M&E) of the Code of Conduct (COC) for recruitment agencies by the VAMAS being supported by the Triangle Project of the ILO. She shared that in its pilot year in 2013, only 20 recruitment agencies were involved; it increased to 47 agencies in 2014 and they are hoping to involve more in the succeeding years.

46. Ms. Vu Hong Minh described the different steps and activities involved in the M&E process, which include the development of a scoring system to help identify level of violations of recruitment agencies' compliance with the COC; and the collection of information from different relevant government bodies, among others. While VAMAS collects data from various government agencies (i.e. Department of Overseas Labor, the Inspectorate of the Ministry of Labor, War Invalids and Social Affairs, Labor Management Sections in Taiwan, Malaysia, and Japan), all recruitment agencies involved are also required to undergo self-evaluation, the results of which are forwarded to the VAMAS.
47. Ms. Vu Hong Minh reported some of the results of the M&E of COC. Some of the recruitment agencies are noted to be non-compliant with laws and regulations as some collect fees higher than the regulated amount. Some are also not compliant with the 11th principle on building partnership with local labor authorities. There were instances when recruitment agencies only partner with local authorities prior to the deployment of the migrant workers. Partnership/coordination is therefore not sustained.
48. She ended her presentation by sharing some of the lessons learned, highlighting that the monitoring of the COC helps create and facilitate a gender responsive and ethical recruitment in Vietnam. As a result, recruitment agencies are encouraged to follow the COC and abide by rules and regulations, thereby protecting the rights of women and ensuring equality between men and WMWs.

Ms. Vu Hong Minh's presentation appears as **Annex 16**.

49. Ms. Kanda Vajrabhaya, Thailand's ACWC Representative for Women's Rights, raised a question of whether there is any kind of a rewards or punishment scheme for the recruitment agencies under the M&E of the COC, and if there are measures undertaken by the VAMAS or the government for the for those recruitment agencies whose standards drop after a year. According to Ms. Vu Hon Minh, the best reward for the well-performing agencies is the strong reputation and recognition they get after obtaining a high rank or mark in the scoring system. Recruitment agencies with better and stronger reputation are considered more by employers. As for the second question, she responded that slipping from a higher rank to a lower one is quite normal. In fact, for the third year of the implementation of the COC monitoring, VAMAS is thinking of devising other tools or methods to consider the aforementioned trend among recruitment agencies. The project is still quite young and it continues to learn from experiences and learnings from the first years of project implementation.
50. Ms. Rie Takumi from a GMA News Online Philippines asked what are the steps being undertaken to ensure that recruitment agencies follow ethical guidelines on the treatment of migrant workers. She also wanted to know how other countries, especially the receiving countries, are encouraged to adapt similar good practices in dealing with labor disputes and protecting the rights of migrant workers in their respective countries.

51. Ms. Vu Hong Minh explained that the current practice of monitoring the compliance of recruitment agencies with the COC does not look into the issues being faced by migrant workers upon deployment in another country. However, under the Vietnamese law, the recruitment agency is responsible for the migrant workers' welfare and their issues while they are working abroad until they return to Vietnam. The Ministry of Labor gets involved in big issues. She gave an example of the civil war in Libya where the government of Vietnam had to step in and repatriate migrant workers.

*Migrant workers access to complaints mechanisms in countries of destination: Brunei Darussalam*

52. Ms. Nur Lailani Binti Abdullah Andry shared the status and procedures involved in the migrant workers' complaint mechanism in Brunei Darussalam, as well as the various preventive measures in place to ensure migrant workers in their country are protected. First, she gave an overview of the function of the Department of Labour (DOL) which is the main agency responsible for labor-related matters, including the inspection and compliance of employers to labor laws and regulations, and prosecution of labor offenders. DOL is also mandated to assess whether employers are "fit and proper," meaning employers are in sound financial position and are able to provide sufficient basic necessities for the workers. Another preventive measure is the conduct of briefing on labor-related laws and regulation to all new employers where they are also encouraged to adopt good employment practices, harmonious working relationships and mutual respect.

53. Ms. Abdullah Andry listed the steps being observed by the DOL in handling cases: (1) complainant lodges his/her grievances to the police station that prepares the First Information Report (FIR) and which the complainant will bring to the Labour Enforcement Section of the DOL; (2) labour officer investigates, mediates, if necessary, and forwards the complaint to the Prosecution Section; and finally (3) DOL drafts the offences and forwards to the Attorney General for the enforcement of sanction. According to her, DOL handles two types of complaints, first is on the payment of wages which generally concerns the delayed payment of wages of the workers, and second on repatriation when employers fail to provide "repatriation tickets" to the migrant worker when his/her contract expires.

Ms. Abdullah Andry's presentation appears as **Annex 17**.

*Protection for women victims of human trafficking: Indonesia, Malaysia and Cambodia*

54. Ms. Imiarti Fuad of the Ministry of Women and Child Protection focused on the providing information about the efforts of the government of Indonesia in combating forced labor, especially trafficking. According to data from their Ministry of Foreign Affairs on the number of troubled migrant workers in 2014 in Malaysia, Riyadh, Mesir and Cairo, only 1 of the 229 migrant workers who filed a complaint is a man. During the open forum, Ms. Catherine Laws of ILO sought for clarification as to why there is only one case of male abuse. The presenter explained that women are the ones usually involved in high-risk and informal jobs (i.e. domestic workers) and are therefore more prone to abuse.

55. Indonesia's Law No. 21 of 2007 on Combating Trafficking in Persons (TIPs) is the main framework being followed by the government in addressing issues of trafficking. The law mandates the provision of services for victims, including psychosocial services, shelter or safe house services, referral services, and police

assistance. The law also provides for the creation of a Task Force in Trafficking in Persons (TIPs) whose tasks include the coordination of prevention and handling of the crime of TIPs; and monitoring of the progress of the law's implementation especially on the protection of victims that includes rehabilitation, repatriation and social reintegration. Chaired by the Coordinating Ministry for the Welfare of the People/Ministry of Human Development and Culture, the Task Force is composed of representatives from 19 ministries.

56. In the open forum, Mr. Khairul Ariffin from Brunei Darussalam inquired on what is the role of the Ministry of Youth and Sports in the Task Force. The said Ministry, per Ms. Fuad, is a member of the Sub Task Force on Prevention and Child Participation being coordinated by the Ministry of Education.

The presentation of Ms. Fuad appears as **Annex 18**.

57. Ms. Farrah Shameen Mohd Ashray, Principal Assistant Secretary in the Ministry of Women, Family and Community Development, shared the highlights of the efforts of the government of Malaysia on protecting and handling women victims of trafficking, with focus on the management of shelter homes. In Malaysia, a Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) has been put into place by the Anti-Trafficking in Persons Act of 2007 which came into force on February 2008. Following the amendment of the law, MAPO is now known as the Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants. Its main function is to prevent and eradicate human trafficking and migrant smuggling crimes through comprehensive enforcement of the anti-trafficking law.

58. Aside from a policy on trafficking, there are several protection services being provided to victims of trafficking and migrant smuggling, these include: eight shelter homes; free health services and treatment (i.e. STD/HIV/TB/Hepatitis treatment screening and treatment, regular maternity treatment and services); counseling; court assistance; education and awareness services (i.e. education regarding prevention and awareness of human trafficking); and coordinating visits by embassies. Specifically in the shelters, there are a range of activities provided for the victims, such as faith sharing and religious classes; classes on dancing, singing, cooking, and handicrafts; economic generating programs; reading sessions; movie screening; outdoor games/aerobics; and language classes. Ms. Shameen stressed that these services and activities are not mandatory, and availment still rely on the willingness and decision of the victim.

The presentation of Ms. Farrah Shameen and her narrative report appear as **Annex 19 and Annex 19.1**, respectively.

59. Ms. Veasna Bunchhith of the Ministry of Women's Affairs, Economic Development Department of Cambodia started her presentation on the interventions addressing issues of women migrants with a brief demography and an overview of the situation of migration in Cambodia. She reported that in 2012, the number of Cambodians working legally in Thailand reached to 50,000. This figure did not include migrants moving to Thailand illegally and not yet registered such as those working on fishing boats and those who are re-trafficked to other countries. The government noted the common problems faced by Cambodian migrant workers such as the withholding of travel documents, delayed payment or underpayment of wages, harsh working conditions, lack of freedom of movement and communication, limited access to health services, and harassment by security authorities and sexual harassment.

60. In response to these issues and the sudden growth of migrant workers sent overseas, the Cambodian government developed a Policy on Labor Migration in 2010. Aside from that, there are different strategies employed by the government to combat trafficking, including: the development of employment policy and labor; review of policy paper regarding the labor migration in Cambodia; implementation of sub-degree 190 on the Management of the Sending of Cambodian workers abroad through private recruitment agencies; establishment of the management system databases for migrant workers and compliance process; and establish a mechanism system for receiving and complaint resolution of migrant workers.
61. Challenges still remain, especially the recruitment of underage female migrant workers to Malaysia to serve as domestic helpers, the labor exploitation of irregular male migrant workers in the fishing sector in Thailand, and the vulnerability of domestic workers to abuse and exploitation. The government of Cambodia vows to continue its work in addressing such issues to further protect migrant workers and victims of trafficking. Finally, Ms. Bunchhith shared that they have already signed a Memorandum of Understanding with the governments of Thailand and Vietnam, and are now in the process of negotiating and drafting a MOU with Malaysia that aims to promote the rights of Cambodian migrant workers in the said country.

Ms. Bunchhith's presentation appears as **Annex 20**.

*Interventions addressing the issues of women and children migrants in crisis situations: Philippines*

62. Professor Aurora de Dios, the Philippine Representative to the ASEAN Commission on the Promotion of Women and Children's Rights (ACWC), provided an enlightening situationer on the changing context of migration vis-à-vis crisis situations. According to her, the last two decades have been witness to the doubling in the number of recorded natural disasters—from 200 to over 400 per year. Twenty million people have been displaced by climate-induced sudden onset of natural disasters in 2008 alone. With environmental degradation, global pandemics, extreme natural hazards, natural disasters, violent conflicts in some areas, several social issues have emerged including those that affect mortality, morbidity, and mobility of people, thus affecting the migration cycle and flow in the world and causing “crisis migration”. Crisis migration refers to the movement either within or across national borders due to acute crises or by slow onset of changes to environment.
63. With these emerging issues, WMWs experience extreme vulnerabilities, such as bombardment and getting caught in the crossfire between warring camps; rape and sexual violence by armed groups on either side or by rogue and hired killers; starvation and isolation in conflict areas; and inability to access immediate support from consular assistance and services from beleaguered host countries. There have also been cases when employers keep the passports of the WMWs thus preventing them from fleeing when war or conflicts hit, to seek refuge and safety. Irregular migrants are also sometimes excluded in humanitarian assistance, especially those who are not registered or documented in the receiving/host country.
64. Given such challenges and grave realities, Prof. De Dios provided her insights on the different means and interventions on protecting migrants and migrant workers in times of crisis situations. While there is no single legal framework, there are various international instruments that ensure comprehensive protection of migrants in times of crisis such as the human rights laws, refugee laws, nationality laws, the optional

protocol on trafficking in persons, and UN Security Council Resolution 1325. She also emphasized that in cases of conflict, the international humanitarian law shall apply to migrants as civilians.

65. She noted the importance of integrating a gender perspective in migration management and humanitarian policies and programs, such as in setting up evacuation shelters and humanitarian camps. Countries of origin must also conduct serious and early contingency planning to prepare for large scale return migration. Admission and border management, consular assistance, and harmonization of mandates and operational systems of different relevant stakeholders dealing with emergency situations were also identified as possible interventions for migrant workers who are victims of crisis situations.

Prof. De Dios' presentation appears as **Annex 21**.

66. Ms. Siwi Lestari of Indonesia posted a question to Prof. De Dios on how the Philippines is faring in terms of labor migration compared to the previous years, and what are the strategies being employed by the government to ensure the safety of WMWs from the Philippines. According to Prof. De Dios, the Philippines has learned a lot from the many unfortunate experiences in the past. Many Filipino WMWs have already been abused and exploited when there were still no regulations and guidelines in place. Before, there was no age limit so girls as young as 14 to 16 were able to go abroad to work. With the openness of the government and the push from civil society organizations, several systems, guidelines and mechanism have been developed and put into place to address these problems, such as the Pre-Departure Orientation Seminar (PDOS), and the GAD orientation for diplomats and all officials who will be assigned in Philippine embassies consulates.
67. Ms. Beng Sta. Clara from the IOM shared very important observations. She noted that there is no singular body on migration, thus making it a huge challenge to harmonize, synergize and coordinate all efforts on migration of relevant agencies and organizations in a country. Another challenge is that these various stakeholders each carry their own perspective on migration and therefore sometimes deal with migration-related issues differently. For example, if the issue is on border control or immigration, one has to coordinate with agencies which carry law enforcement perspective. Its interventions might then vary from an agency which carries protection and social welfare perspective. The challenge, therefore, is not just on the concept of migration but on how it translates to governance structures, services and interventions.

#### **D. Sharing of Experiences and Programs on the Empowerment of WMWS**

68. This part of the sharing dwelt on good practices as well as challenges that support the empowerment of WMWs. It started with the sharing of two empowered women, whose stories opened the eyes of the participants on the realities that WMWs face in their destination countries. At the same time, it also gave them useful insights on workable strategies to address the problems of migrant workers. The discussions touched on empowerment strategies beginning with skill development as a means of empowerment, financial management as means of economic empowerment, reintegration programs for migrants and the improvement of pre-departure orientation programs for migrant workers, to better equip them in dealing with the work, the psycho-emotional challenges, cultural differences and the language barrier

that they encounter in their destination countries. The session was moderated by Ms. Catherine Laws of ILO.

*Insights from the sharing of two empowered woman migrant workers: Ms Sri Haryati from HOME Singapore and Ms Myrna Padilla from the Philippines*

69. The first speaker was Ms. Sri Haryati from HOME Singapore. She related her story as a woman migrant worker from Indonesia who had to migrate to Singapore in 2009 to help augment her family income. She related how hard it was for her to decide to migrate and leave her family, especially her two children. When she arrived in Singapore, she was aghast to find out that there is an imposed nine-month deduction in her salary to cover the expenses incurred for her two-work stint in Singapore. As a result, she only received 10 USD for the nine months that she had worked. Another difficulty that Ms. Haryati experienced was the cultural and linguistic differences which made her feel alone and vulnerable to abuse. She also experienced hardships with her first employer and related that domestic workers were only allowed to sleep in the living room without beddings and fed only a bowl of rice every day. Her employers also confiscated her mobile phone, cutting off her communication with her family members and fellow domestic workers. Worst, a CCTV was installed in the house to monitor her activities. She was also prevented from availing her mandatory day-off.

70. Due to the exploitation she has suffered, Ms. Haryati got in touch with her agency to ask for help. The agency failed to help her and even lashed at her for complaining about wanting to terminate her contract. It was during this time that she found HOME (Humanitarian Organization for Migration Economic) with the help of a Filipino domestic worker. HOME is an NGO based in Singapore catering to the rights of women migrant domestic workers. Those staying in the shelter were trained to use the computer and were given opportunities to attend English, cooking and cultural dance classes which enhanced their skills. Aside from trainings, HOME also helped the WMWs to gain some money. HOME changed Ms. Haryati's life and she now spends her day-off every Sunday sharing to other domestic workers the work that HOME does.

Ms Sri Haryati's presentation appears as **Annex 22**.

71. As response to question of Prof. Aurora Javate-De Dios on what she can recommend to be included as part of the conference statement, she related that there is a need to emphasize the provision of information and contact details of agencies that can help migrant workers and ensure that these facilities can really extend assistance to them.

72. Ms. Myrna Padilla of Mynd Consulting and OFW Watch was the second speaker. She talked about her experiences as a woman migrant worker for over 20 years. She grew up in a small fishing village in Mindanao, Philippines, from a very poor family. Poverty and her hope to create a better life for her family pushed her to pursue work as a domestic worker in Singapore, Taiwan and eventually Hongkong for over 20 years. It was in Hongkong where she met Atty. Jolly Dela Torre who was then Labour Attache. It was with his help that she became active in community work. Atty. Dela Torre also helped and pushed her to be empowered and stand up for herself by creating the Migrant Mindanao Hongkong Federation to fight for the protection of the right of other WMWs, especially women domestic workers.

73. It was when she learned to use the computer taught to her by Jonathan, the young boy she was taking care of in Hongkong that she found her niche. With the computer, Ms. Padilla learned to use the internet and began to appreciate how powerful it is as a tool to build a business that can generate jobs that does not require face-to-face interaction. It was this dream that eventually led her to create Mynd Consulting, a business process outsourcing company (BPO), when she came back to the Philippines. At first Ms. Padilla was overwhelmed with the number of migrant workers and how to use social media to track them. She was enlightened when she realized that this is no problem because through social media, migrant workers will be able to ask help from other migrant workers who are knowledgeable about what to do and where to go since they have experienced the same.
74. Despite her current success, she admitted that she will never forget the hardships she has experienced as a woman migrant worker as well as the stories of abuse shared to her by the members of the Migrant Mindanao Hongkong Federation. Her passion and advocacy is now to help migrant workers by advocating the use of social networking sites as medium of communication and means of protection.
75. She stressed the importance of a smart phone to migrant workers as a communication tool. When employers confiscate mobile phones of migrant workers, their line of communication with people who care about them will be cut-off. She has created OFW Watch as a social networking where migrant workers will not just be able to network and help each other but more importantly use it as a way to monitor when a migrant worker's line of communication is suddenly cut-off. Membership to the site is also free and targeted messages are deployed to alert migrant workers when one of them is in danger. OFW watch currently has around 20,000 members.

Ms. Padilla's presentation appears as **Annex 23**.

76. As response to question of Prof. Aurora Javate-De Dios on what she can recommend to be included as part of the conference statement, she stressed two points: the cellphone should be regarded as sacrosanct as the passport and the importance of learning to use technology and use social media to amplify the concerns of migrant workers.

*Gender responsiveness of regional skills development, certification and recognition frameworks and practices: Philippines*

77. Atty. Teodoro C. Pascua, Deputy Director General of the Technical Education and Skills Development Authority (TESDA) presented some migration realities. One of this is the "Feminization of Migration", citing that more than 60% of annual deployments of new hires over the past 9 years have been women who work as caregivers and household service workers (HSW) in the Middle East. Among high-skilled workers, Filipino nurses are also in great demand worldwide. Poverty and the lack of employment opportunities in the country are primary reasons for working abroad. Women's experiences of human trafficking and deskilling of professions are a consequence of migration. There is need to develop a Filipino work force with world-class competence.
78. Atty. Pascua presented TESDA's programs on skills development and return and reintegration that are gender-responsive. He noted two major challenges and lessons learned. One is the prevalence of the problem of deskilling of migrant workers especially among women, which is a result of migrant receiving countries' reluctance in forging mutual agreements that will recognize educational



qualifications in the Philippines. The other is the difficulty in designing appropriate reintegration and livelihood programs for those who wish to return to the country for good. This is due to the absence of systematic data on migrant's acquired skills and educational background.

79. In order to address the above challenges, Atty. Pascua offered two recommendations. One is to strengthen the data collection and monitoring mechanisms, and review of such data to help determine the extent to which they are sex-disaggregated and could serve the needs of WMWs and policymakers. Such data will assist the government at the national and local levels in planning and designing reintegration programs and policies for WMWs and their families. The second recommendation is to develop training needs analysis tools appropriate to the needs of migrant workers which can be used in designing reintegration programs.

The presentation of Atty. Pascua appears as **Annex 24**.

*Financial education campaign for ASEAN migrant workers: ILO-Atikha*

80. Ms. Aileen Constantino-Peñas, Deputy Director of ATIKHA presented ILO-ATIKHA's Financial Education Campaign for ASEAN Migrant Workers. Atikha is a community-based NGO established in 1996. It provides economic and psychosocial services for the OFWs, their families and communities in partnership with multi-stakeholders. The ILO ASEAN Triangle Project commissioned Atikha to: 1) conduct a study of the spending, saving and investing behavior of ASEAN migrants in Singapore, Thailand and Malaysia; 2) develop gender sensitive modules and learning materials on financial education for ASEAN migrants; 3) conduct validation workshop with leaders of ASEAN migrants, NGOs providing services to ASEAN migrants (domestic workers) and labor attache of Embassy of Indonesia; and 4) conduct training of trainers on financial education course and mentoring of the ASEAN migrant leaders in Singapore.

81. Ms. Peñas highlighted three major challenges in the implementation of the program. One is reaching the millions of migrants. She acknowledged the difficulty of migrants' availability as majority of them are household service workers. Another was the building of capacities of trainers and the engagement and commitment of domestic workers and professional workers. Linking with other social and economic services also posed a challenge.

82. To address the above-mentioned challenges, the following recommendations were offered: 1) to have an ASEAN multi-stakeholder consultation of NGOs, cooperatives and MFIs working on migration and development; 2) to conduct training of trainers on gender-sensitive financial literacy of migrant associations, embassies, labor office, companies in countries of destination to reach out to migrants; 3) training of trainers on gender-sensitive financial literacy for local government, NGOs, cooperatives in countries of origin to reach out to the families left behind; and 4) pilot pooling of investment of small savers such as domestic workers that will link their enterprises as part of supply chain of successful cooperatives and enterprises.

The presentation of Ms. Constantino-Peñas appears as **Annex 25**.

83. In response to the question from Singapore on how to avail of TESDA's scholarship programs, Atty. Pascua explained that the scholarship program prioritizes returning

migrants, persons with disabilities, and women. TESDA trains women in their region of origin rather than in Metro Manila.

84. On Vietnam's question on how they could upgrade and certify acquired skills by women migrants, Atty. Pascua shared TESDA's program, piloted in Dubai where it began to bring accredited assessors to countries where there are high concentration of OFWs to help in the certification of their acquired skills. However, there is a strong need for collaborative work among different agencies.
85. Another question was raised on the key to TESDA and Atikha's success in their programs. Atty. Pascua shared that in the case of the Philippines, having one agency in charge of skills development, accreditation and certification made coordination easier. Ms. Peñas added that success lies in having a good track record and having multi-stakeholder partnerships with the government, CSOs, among others.
86. In response to UN Women's question directed to TESDA on the challenge of having a data base that would include skills and educational background being communicated with other agencies, Atty. Pascua acknowledged the need to better their efforts in improving this. He cited the need for one government ID which would serve as a tracking system for the OFWs. This could include data on qualifications and/or skills.
87. Ms. Marla Asis (Philippines) raised the question on how skills acquired abroad could be calibrated, recognized, upgraded and translated to increase in salary. On this matter, Atty. Pascua commented that there is need for internal skills development standards recognized by other countries, and stressed the growing recognition of skills as the global currency.

*Policies and programs on migration management system: Myanmar*

88. Mr. Saw Naing, Deputy Director General of the Labour, Employment, and Security of Myanmar presented their government's policies and programs on migration management system. He identified the following seven important guidelines geared toward future development of employment opportunity: 1) decent works as a productive factor; 2) a pro-employment macroeconomic frame work; 3) entrepreneurship and private investment; 4) improving the productivity and opportunities of the working people; 5) non-discrimination of the labour market; 6) environmentally and socially sustainable growth; and 7) employability and adaptability.
89. Mr. Naing identified challenges and recommendations on the recruitment of Myanmar migrant workers, such as: 1) migrant workers do not get valid information on their employment abroad; 2) education/skill level of workers is still low (especially language barrier); 3) delay in the sending process; 4) exploitation of workers by brokers locally and abroad; and 5) illegal stay and running away from workplaces due to indecent work.
90. The presentation posed the following recommendations to address the gaps: 1) the need for the inspection and monitoring of licensed agencies to prevent misconduct in the migration process; 2) awareness building and more participation from the labour management, employee and employer; 3) need for more efforts in the dissemination of the information and knowledge to the workers (i.e. what they will have to do in their respective workplace) before they sign the employment

contract; 4) licensed agencies should be directly in touch with the foreign employer; 5) legal action should be taken against unauthorized recruitment agencies; 6) review of existing laws, regulations and procedures of the recruitment process; 7) cooperation between line ministries to stop trafficking; and 8) MOLES should be taken as well as the signing of the MoU or bilateral agreement for sending Myanmar migrant workers with other relevant agencies from receiving countries.

The presentation of Mr. Naing appears as **Annex 26**.

*Good practices and challenges in pre-departure and reintegration services for female migrant workers: Philippines, Thailand and Vietnam*

91. The Philippine sharing on pre-departure orientation seminar was done by Ms. Tobia of the Overseas Workers Welfare Administration (OWWA). She briefly discussed the kinds of modules for general orientation for all overseas workers and those that are specific to certain groups of workers, as well as the partner institutions in the conduct of PDOs. Towards the end, she listed the issues and challenges in the implementation of the PDOs program, which, among others include monitoring and evaluation of PDOS implementation as to its quality and delivery and making PDOS more country, gender and skills specific.
92. Ms. Chona M. Mantilla, Director of the National Reintegration Center for OFWs, DOLE-Philippines, shared the country's reintegration program. Return migration has a very critical but substantive role in the Philippine development, in all its aspects, especially economic. The Philippines has a set of governing bodies to support the OFW, from pre-departure, with the Philippine Overseas Employment Agency, the tandem of the Philippine Overseas Labor Offices and the OWWA for the migrant's actual employment needs abroad, and the DOLE, through the National Reintegration Center for OFWs, to cater to the needs of the OFW upon return and also realize effective return through productive and sustainable means.
93. She discussed some issues and challenges in the reintegration process: 1) difficulty in organizing small business management trainings because of the absence of uniform time for Filipino migrants for training because migrants usually have different day-offs. 2) interested migrants still need to request for the assistance or service, rather than it being automatically offered by the agency or office; 4) no motherly presence for family members left behind; 5) a big share of the demographics of female OFWs are unskilled or low-skilled; 6) poor coordination among reintegration service providers; 7) mismatch of reintegration services to clients' needs; 8) need to devolve services and strengthen local government unit capability to deliver reintegration services in an integrated manner; 9) most distressed OFWs are women; 10) female OFWs are more vulnerable to threats and disturbance especially during crisis situations; and 11) lack of value transformation agenda for overseas Filipino workers (female workers included) or their immediate dependents; thus the program has not reached a desired outcome as an alternative and viable option to migrant work.
94. To address the gaps, Director Mantilla advanced the following recommendations: 1) enhance or strengthen information management system (profiling and survey of potential returnees); 2) develop a reintegration network between and among service providers as well as between and among assistance recipients, especially female migrant workers, and their dependents; 3) collection of best practices through international and/or regional fora; 4) advocate and observe gender

sensitivity in program implementation; 5) giving importance to the role of female workers to their families left behind; and 6) need for comprehensive support mechanisms that will answer to the needs of female OFWs onsite, and their families left behind.

The presentations of Ms Tobia and Dir. Mantilla appear as **Annex 27 and 28**, respectively.

95. Ms. Nakaprapa Bamrungsuk, Public Placement Group Chief, Ministry of Labor, Thailand, shared Thailand's policies and regulations, migrants situation of work abroad, workers preparation before travel overseas and specific services after reintegration. On policies of working overseas, Ms. Bamrungsuk noted the government's efforts at ensuring that migrants workers go out legally through the Department of Employment, private recruitment agencies, local employers who send their employees to work overseas, local employers who dispatch their employees to be trained abroad, and through self-arrangement. In order to prepare migrants prior their departure, the government assists in exploring job market opportunities, and labor cooperation with receiving countries. It has registration centers open for job seekers who intend to work overseas. Legislation and regulations are set to supervise private recruitment agencies. The government promotes business ethics of private recruitment agencies. It has opened a government channel to dispatch laborers to Taiwan with low cost. It also provides training to workers to work abroad. There is cooperation with Government Banks for credit for labor abroad, and has regulated minimum wages and welfare which Thai labors should receive while working overseas.
96. Reintegration services offered by Thailand are the following: 1) occupational guidance; 2) recruitment services; 3) labour funding, according to the IM JAPAN programme; 4) cooperating with the South Korean Government, according to the "HAPPY RETURN" program.

The presentation of Ms. Bumrungsuk and her narrative report appear as Annex 29 and 29.1, respectively.

97. Ms. Vu Hong Minh, of Vietnam started her presentation with a film clip of a conversation between a married couple and their daughter, with the wife asking permission to work abroad. It dealt with issues of migration, fears and insecurities (on the part of the husband), sacrifices that have to be made, poverty and the strong desire to uplift the economic status of the family. The film also reflected society's prescription of the traditional roles of husband and wife.
98. Ms. Vu Hong Minh presented Vietnam's policy and legal frameworks governing the process of Vietnamese workers working abroad, the government's regulations on pre-departure training and the gender-sensitive curriculum (a pilot programme). The gender sensitive curriculum includes 4 sections: 1) sex and gender; 2) basic rights of women migrants; 3) gender-related issues of workers working abroad; and, 4) potential cases and risks and some soft skills to protect women migrants working abroad.

Ms. Minh's presentation appears as **Annex 30**.

99. In response to the question from Malaysia during the open forum on what the countries have done to ensure harmony between employer and employee and increase productivity, Myanmar shared that labor laws include ethics to address

employer-employee disputes. In addition, during the pre-departure orientation, they teach respect and how to observe the customs of and regulations of destination countries.

100. During the open forum, some issues were also raised from the perspectives of receiving countries. One concern is with regard to migrant workers, especially during pre-departure (e.g. emotional state of worker, mismatching of job expectations as promised by the recruitment agency, misrepresentations of age, etc.). These, at times, cause some tension between employer and employee. Another is with regard to access to the internet, particularly for some migrants who come from areas with limited internet access, and had to use this window to communicate with their family even during their work hours, and this affects their work.
101. The OWWA representative reiterated that these are usually discussed during the Pre-departure Orientation Seminar (PDOS). During actual PDOS, examples in video clips on how employer deals with the worker are shown. There are Philippine labor officers posted abroad who address any problems arising between employers and migrants under the one country team approach.
102. On the question of gender sensitivity, there is still gender stereotyping and challenges remain on how to move forward with a binding mechanism to carry out gender responsive migration. In Myanmar, labor organizations are composed of both male and female and do not encounter gender stereotyping. In the Philippines, existing laws protect women's rights.
103. Ms. Vu Hong Minh emphasized the importance of being gender sensitive not only in theory but also in practice. Moreover, in Vietnam, there is the existence of the Department of Labor and Department of Gender Equality, which makes coordination of gender and development matters easy.
104. As a reference for the participants, Singapore shared an information material that is addressed to domestic workers working in Singapore. The information material with the title FDW Handy Guide appears as **Annex 31**.

#### **IV. PLENARY DISCUSSION AND FINALIZATION OF THE CONFERENCE STATEMENT**

105. The Conference Secretariat prepared a draft Conference Statement which reflects the recommendations of the speakers, presenters and the participants. The presentation, discussion and enhancement of the draft Statement was held in plenary.

The final Conference Statement appears as **Annex 32**.

## V. CLOSING OF THE CONFERENCE

106. For the Closing, the Conference Statement was presented by the Philippine ACWC representative, Prof. Aurora Javate-De Dios and the Philippine ACW representative, Director Emmeline Verzosa, together with ILO's Program Manager of the Triangle Project, Mr. Manuel Imson, to the Chair of the ACWC Dtn. Paduka Hajah Intan bte Haji Mohd Kassim, and to the Chair of the PCW for the ACW, Ms. Remedios I. Rikken. As the joint implementers of the Conference, ACWC and ACW will submit the Statement to ACMW through the ASEAN Secretariat.
107. In closing, Ms. Rikken congratulated all the participants for their active participation and hard work for the conference. She also made special mention of the sharing of the two migrant woman workers, Ms. Sri Haryati and Ms. Myrna Padilla. She also thanked the secretariat for the arrangements and coordination of the Conference.

### Other reference materials

108. The Conference also used the following reference materials that have also been included here as **Annexes 33, 34 and 35**, respectively:
- ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
  - Declaration on the elimination of violence against women and elimination of violence against children in ASEAN
  - C189: Convention concerning decent work for domestic workers

### Conference pictures

109. Selected pictures of the participants are also annexed to this Report.