

Preparatory Meeting

PROGRESS IN IMPLEMENTATION OF THE RECOMMENDATIONS OF THE MANILA MINISTERIAL MEETING

Compiled by

Labour Migration Service
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The Second Ministerial Consultations on Labour Migration for Countries of Origin in Asia was held in Manila on September 22-24, 2004. On the basis of their discussions the participating States made a comprehensive set of recommendations as being conducive to the effective management of labour migration programmes.

The recommendations covered three main areas:

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

This report describes the progress made in the implementation of the recommendations by the states, IOM and other relevant international organisations, since the Ministerial Consultations in Manila in September 2004.

PROTECTION OF AND PROVISION OF SERVICES TO MIGRANT WORKERS

Recommendations adopted in Manila under this theme:

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

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

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

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

Migrant Welfare Funds are an innovative and financially sustainable means of providing support services to vulnerable migrants and those migrants in distress. They have the potential to be of value to all labour sending countries. Measures to optimize their efficiency and effectiveness include:

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

2.1.3. Pre-departure Orientation Services (PDOS)

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

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

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

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

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

- ❑ The need for developing **Regulatory frameworks** to prevent malpractice and abuses especially when private recruitment agencies are allowed to operate is recognized in **recommendation 2.1.1**. Such frameworks are being strengthened in the following countries.

In **Bangladesh**, an Overseas Employment Policy has been formulated through a broad-based consultation with all stakeholders, including IOM and submitted to the Cabinet for approval. The Policy will lay the foundation for future legislations in the area of promoting and protecting the rights of migrants as well as identifying their obligations.

The **Nepalese** government is in the process of stakeholder consultations for a Labour Migration Policy and New Foreign Employment Ordinance. These two documents were developed based on the experience; lessons learned and some of the best practices in other countries of origin. The main thrust of the policy and ordinance is to encourage the workers to go through formal channel by simplifying regulations and procedures so as to stem the undocumented and irregular flows. They also include provisions for empowerment of women along with creation of enabling environment to help them take informed decisions.

The Ministry of Labor, Invalids and Social Affairs (MOLISA) of **Vietnamese** government has been cooperating with relevant Government agencies to draft a Law on Overseas Vietnamese Workers and a Decree in Managing Vietnamese workers abroad to be submitted to the National Assembly and the Government. These legal documents lay out a comprehensive legal framework for migrant related issues and include provisions on dealing with violations on the state administration of the labour migration program.

- ❑ In relation to a), **pre-employment orientation seminars** were introduced in several countries as a requirement or strengthened and widened. **Empowerment of migrant**

workers and formation of community-based organizations was undertaken in Sri Lanka and the Philippines.

In **China**, pre-employment orientation seminars or adaptation training course were introduced as a compulsory component of services of overseas employment service agencies.

In **Nepal** Labour Offices and some of the NGOs are also working in the district level on permanent basis who can provide information to all the concerned on the issue of migration.

In **Pakistan**, the Orientation and Briefing Officers in offices of Protectorate of emigrants provide country specific orientation and briefing to the intending emigrants. The Overseas Employment Promoters also brief the aspirant candidates about the general living conditions in the host country and about terms and conditions of their service agreements.

In the **Philippines** in 2004, a total of 52,896 worker-applicants participated in the nationwide PEOS, with the regions accounting for 83% of the participants. Ten country-specific modules for PEOS were also developed for host countries such as Italy, Singapore, Libya, Taiwan, U.K., Saudi Arabia, South Korea, Kuwait, Hong Kong and Iraq. These modules are available on the Department website.

More than 800 migrant family organizations have been established nationwide in the Philippines.

As well as in Nepal, where information dissemination in rural communities are strengthened by labour offices and NGOs, in **Sri Lanka**, the Sri Lanka Bureau of Foreign Employment (SLBFE) initiated a programme in which prospective migrant workers in remote areas can easily contact four hundred newly recruited officers who work at divisional secretariats instead of coming to the SLBFE office in Colombo. More over close supervision of such officers by community based organisations among the prospective migrant workers is expected to enable migrant workers to share their views with the policy makers in future policy development.

In **Vietnam**, MOLISA coordinates closely with local authorities in administrating the recruitment of workers in rural areas to ensure that the selection and recruitment is carried out in a fair and open manner and to prevent the illegal recruitment of workers. Activities of coordination include holding seminars at local areas to provide potential workers with information on overseas labour markets, requirements of skills and keeping an eye on the activities of manpower agencies in rural areas; facilitating the workers in completing necessary procedures related to working abroad etc.

Indonesia has established information services for Indonesian Workers in certain district or regions in order to protect Indonesian Workers.

- In relation to the recommendation **c)**, Nepal, the Philippines and Thailand made progress in **streamlining various procedures related to overseas employment**.

In **Nepal**, efforts have been made to streamline the workflow and procedures within the Department of Labour and Employment Promotion for effective delivery of services.

In the **Philippines**, implementation of the E-Link for OFWs Program, particularly the e-Registration, e-Verification and e-Submission contributed to elimination of bureaucratic red tape and resulted to faster process cycle time for processing of employment contracts. By January 2006, the e-Submission system will be made mandatory for all licensed agencies. Process cycle time in the issuance of new licence for recruitment agencies has been reduced significantly.

Thailand is Establishing the One-stop Service Center for Overseas Employment. This center will be a comprehensive overseas employment center with various concern agencies providing their services for Thai worker going overseas. The participating government agencies are Ministry of Foreign Affairs for issuing passport; Ministry of Public Health for medical check-up; The Royal Thai Police for criminal record report; and Ministry of Labour for the overseas employment activities.

- In relation to the recommendation **d)** and **e)**, improvement is reported in many countries in **supervision and monitoring by governments of recruitment activities** undertaken by overseas employment promoters/agencies, while a few also introduced criminal proceeding, in addition to the cancellation of licences, against serious offenders.

In **India**, the activities of recruiting agents are subject to regular monitoring and punitive action under the provision of Emigration Act/Rules, 1983. Registration Certificates of the recruiting agencies, who have been found guilty of malpractices, are suspended/cancelled after following the prescribed procedure. During 2005, the registration certificates of 20 agents have so far been suspended and 13 certificates have been cancelled. Complaints against unregistered recruiting agencies are filed with the concerned police authorities for investigation/prosecution under the relevant provisions of the law. During this year 2005 (till August, 2005), 33 such complaints have been filed. The Protector General of Emigrants has so far given 60 prosecution sanctions to the police authorities for action against such unregistered recruiting agents under the provisions of Emigration Act, 1983. All the State Governments and Union Territory Administrations have also been advised to instruct all police stations to keep a strict vigil on the activities of unscrupulous agents.

Furthermore, special efforts have been made to protect the vulnerable groups such as domestic workers and unskilled workers. Their employment documents need to be attested by concerned Indian Mission before granting emigration clearance. In respect of women, instructions have been issued separately for not granting emigration clearance in case they are less than 30 years of age.

Regular monitoring and supervision of licensed recruiting agencies are now carried out in **Nepal** and actions have been taken to some of the agencies for their offences. In other cases, such agencies have been given instructions to improve their services and compliance. In cases of serious criminal offences, the licenses of recruiting agencies have been revoked. Agencies that have not been able to ensure salaries and facilities as per the employment contract are also brought to justice.

The supervision and monitoring of the recruitment activities undertaken by overseas employment agencies were strengthened to minimize malpractice and abuses against those seeking overseas jobs, in most participating states.

The **Bangladesh** government has given special emphasis on female empowerment and their capacity building while positively **considering liberalizing currently limited female migration**. To this end, the Bangladesh Association of International Recruiting Agencies (BAIRA) has taken up the lead role and prepared a comprehensive proposal that is under active consideration of the Ministry of Expatriates' Welfare & Overseas Employment.

To further protect this vulnerable group, the government is going to take initiatives in capacity building of related Bangladeshi missions, like creating database for female migrants for effective monitoring, enhanced interface of mission officials with civil societies, NGOs and governments of host countries for protection of the rights and privileges of the female migrant workers.

The **Philippine Overseas Employment Administration (POEA)** under the Department of Labour and Employment (DOLE) recorded an increase in the number of inspection and surveillance activities conducted in 2004 (vis-à-vis the previous year) despite the limited number of inspectorate teams. A sustained campaign against illegal recruitment yielded an increase in the number of establishments closed in 2004. This positive development was due to the close coordination between the POEA operatives and the Presidential Anti-illegal Recruitment Task Force created by President Arroyo in July 2004.

POEA is presently reviewing the standard employment contract for overseas performing artist for Japan. It also revised guidelines for development of domestic helpers to Singapore to encourage undocumented workers and recruiters to go through the Philippine mobilization system. POEA is presently reviewing the standard employment contract for overseas performing artist for Japan.

- With regard to recommendation **f)**, **the skills improvement of workers** and the promotion of their overseas employment, some initiatives have been taken **Bangladesh, Nepal and Sri Lanka**.

The **Bangladeshi** government put focus on the training of potential migrants, especially the female migrants, as basis for enhanced and value-added migration and has been facilitating and encouraging skill development at both private and government level. For

example, the language training of migrant workers has been strengthened. A group of trainers has been developed in cooperation with IOM for training nurses and hotel workers. The training is based on an updated manual developed in consultation with all stakeholders, focusing on functional English. A training centre is also being set up in Chittagong to make the training available to greater number of potential migrants.

The government is also actively pursuing overseas employment to ensure the employment of female Ansars and VDPs (a reserve pool of social workers under the Directorate of Ansars & VDP to render community services as and when needed) as domestic workers. Such female Ansars are being offered the option to take up foreign employment and are being trained for overseas employment and subsequent deployment through private recruiters.

Since last year the **Nepalese** government has initiated the skill development and upgrading scheme for prospective migrant workers. Skill Development Centers operating under Ministry of Labor and Transport Management have now begun training programs targeting foreign employment.

The **Sri Lanka** Bureau of Foreign Employment (SLBFE) launched a joint programme with the Tertiary Vocational Education Commission, the regulatory body of training institutions of the country. This programme is expected to raise the skill levels of workers to higher standards while improving more employment opportunities for Sri Lankans.

Several institutions in Sri Lanka initiated research to identify new markets, especially for job categories such as nurses, caregivers in certain countries and the SLBFE has taken initial measures to take advantage of this to prepare qualified personnel to suit the foreign job market.

□ With regards to **recommendation g)** several states signed **MOU or bilateral agreements with host governments.**

The **Nepalese** government signed a bilateral agreement with Qatar and continues effort to enter into bilateral agreements with major receiving countries.

DOLE/POEA, through the Philippine embassies and consulates and Philippine Overseas Labour Offices (POLOs) abroad, continues to pursue bilateral discussions with host countries to enhance protection for Filipino workers. Recent initiatives include submission of proposals for bilateral labour agreements with Lebanon and Sabah and participation in the RP-Saudi Arabia Joint Commission to discuss concerns on Filipino migrant workers.

The **Sri Lanka** Bureau of Foreign Employment (SLBFE) has taken several measures to **enforce employment contracts at work sites** by way of signing bilateral agreements with the respective governments. At present, the government is taking final steps to sign a Bi- lateral agreement with Jordan. Sri Lanka signed a MoU with South Korea to

implement Employment Permit System, which helped Korean Government to recruit nearly 10,000 Sri Lankans. The SLBFE already made preliminary arrangement to sign bi-lateral agreement with Lebanon as well.

The **Vietnamese** government is in the process of negotiating MoUs with various countries.

- In relation to **recommendations 2.1.2. Migrant Welfare Funds (MWF)s** have been established, are operational in five countries and is being planned in India and Nepal.

The **Bangladesh** Government takes a number of welfare measures for the expatriates through the contributory welfare fund under the title Wage Earners' Welfare Fund. This fund is used for death and disability compensations, legal support for overseas Bangladeshi workers and so on.

A one-stop service centre was established in Dhaka, to provide various services to expatriates, including temporary boarding and lodging, access to airlines reservation, free medical services, and money exchange services.

In **Pakistan**, the Overseas Pakistanis Foundation (OPF), an autonomous organization under the Overseas Pakistanis Division, is responsible to undertake welfare measures. An amount of Rs. 1050/- is deposited by each emigrant before departure, which is credited to OPF as welfare fund. These funds are used for death and disability compensation and additional financial aid, health and education for the families of overseas Pakistanis, and housing schemes.

Each emigrant deposits an amount of Rs. 650/- as one time insurance premium at the time of their registration with the respective Protectorate offices for death/disability coverage for a period of two years against a sum of Rs. 300, 000/- renewable on payment of the same amount.

An **Indian** Overseas Workers' Welfare Fund was proposed in the Emigration (Amendment) Bill, 2002. Given the suggestions made by the Ministry of Finance and Planning Commission, the Indian government is now considering various options of establishing Welfare Fund on self-financing basis without amendment of the Emigration Act (1983).

In **India**, a compulsory insurance scheme, known as Pravasi Bharatiya Bima Yojana was introduced in Dec. 2003. This scheme provides Rs. 200,000 in case of death/permanent disability, re-imburement of one-way economy fare in case of pre-mature termination of employment contract, medical coverage of Rs. 50, 000 as cashless hospitalization and maternity benefits in case of women emigrants, subject to a minimum coverage of Rs. 20,000. A proposal to expand the scheme to include reimbursement of legal expenses in connection with change in the employment contract to the disadvantage of insured person and natural death is under consideration.

The **Nepalese** government's draft Labour Migration Policy and New Foreign Employment Ordinance include a plan to establish a MWF.

In **Sri Lanka**, the Sri Lanka Bureau of Foreign Employment (SLBFE) manages migrant workers welfare fund (MWF) that provides financial for support to migrant workers and their family members. At the point of registration, the migrant worker has to pay a fee, of which 10% goes back to fund. An insurance policy, which operates under a leading insurance company of the country secures all registered migrant workers and compensates workers whenever necessity arises if the period of contract of the worker is not expired. Migrant workers get benefits through various loan schemes such as housing loans, self-employment, and pre departure loans.

Labour sections of Sri Lankan missions in host countries provide on-site assistance to Sri Lankan migrant workers. They are involved in settling disputes between the migrant workers and their foreign sponsors, sheltering migrant workers whenever it is necessary, while making efforts to provide more job opportunities for Sri Lankans.

- ❑ In relation to **recommendation 2.1.3**, a number of countries report introduction or strengthening of **pre-departure orientation programmes**.

In **Nepal**, pre-departure orientation has been made compulsory for all the prospective migrant workers.

In **Sri Lanka**, pre-departure orientation service is made available free of charge for prospective migrant workers. The programme is improving among the potential migrants the knowledge of the migrant workers on how to cope with different sociological, financial, contextual, and cultural contexts. Twenty-four numbers of training centres of the SLBFE all over the island conduct orientation programmes. The duration of the orientation programme is normally 12 days for the Middle East bound workers and 21 days for the non-Middle East bound workers. The sustainability of PDOS depends on the funds from the Migrant Welfare Fund.

Furthermore, in **Bangladesh**, a health component, with special focus in HIV/AIDS, of the pre-departure orientation has been strengthened with the support of an IOM project. Under this initiative, a manual has been developed and the Bureau of Manpower, Employment & Training (BMET) officials have been trained both at the central and district level. An awareness video has also been developed in order to supplement the orientation.

Introduction of Pre-departure Orientation Programme for prospective emigrant workers is under consideration of the **Indian** Government. Initially a one-week module may be provided for the intending domestic workers for overseas employment.

- ❑ Per **recommendation 2.1.4**, IOM has made preparations for potentially establishing a common **Overseas Workers Resource Centre** in Kuwait.

OPTIMISING BENEFITS OF ORGANISED LABOUR MIGRATION

Recommendations adopted in Manila under this theme:

2.2. Optimising Benefits of Organised Labour Migration

2.2.1. Facilitating managed labour migration

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

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

2.2.2. Remittances

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

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

- a) The setting up of simplified and clear regulatory frameworks pertaining to foreign exchange management and liberalization of the exchange rate regime;
- b) The introduction of measures to deepen and widen the foreign exchange market and provide specialized banking services to Non-Residents;
- c) Involvement of a larger number of banking and other financial institutions in the transfer of remittances;
- d) The strengthening of communication and relations in general with the diasporas in different countries;

- e) Transformation and adaptation of formal transfer systems, to incorporate qualities of speed, flexibility, cost-effectiveness and accessibility that make informal systems currently attractive to migrants and their households;
- f) The adoption of innovative linkages between information technology and financial transfer systems to reduce the cost of remittance flows, taking into account the best national and international experiences;
- g) Increased access to banking service points both in the source and recipient countries to reduce costs and increase efficiencies;
- h) Ensuring that countries which have a system of emigration clearance for departing workers give the opportunity to migrants to open a bank account of their choice;
- i) The offer of low cost pre-departure loans as a way of encouraging migrants to use formal banking channels;
- j) Information dissemination on remittance services and options via pre-departure orientation and in Migrant Resource Centers established in countries of destination;
- k) Enhanced coordination between the Department of Labour Migration, the Department of Finance, major financial institutions and other agencies, as appropriate, on the issue of external labour migration and associated remittance flows;
- l) Capacity building for improved consular services for migrants, including the setting up of data bases, and the issue of identity documents, which are secure, to facilitate use of formal remittance channels.

Enhancing the Developmental Impact of Remittances

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

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

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

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

2.2.3. Training and Skills Development

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

a) The collection of accurate and up to date information on both the domestic and foreign labour market and Education/Training institutions, and its dissemination to the labour force and the youth;

b) The development of financial support schemes to help the youth acquire skills that are sought on the domestic and foreign labour market;

c) The certification and enforcement of professional and technical standards for qualifications, for instance through a national Training Council linked to international standard-setting entities;

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

- ❑ Under **recommendation 2.2.1, on facilitating managed labour migration**, several countries have made progress.

In **India**, the Emigration (Amendment) Bill, 2002 proposed the establishment of the Central Manpower Export Promotion Council. Upon the suggestion by the Ministry of Finance and Planning Commission, the government is now considering various options of setting up the Council on self-financing basis without amendment of the Emigration Act (1983).

In the **Philippine** setting, pertaining to the overseas labour market, POEA is the labour market monitoring entity. This information system is being linked to the DOLE-Philippine Employment Service Office (PESO) being managed by the DOLE-Bureau of Local Employment (BLE). This is believed to be one of the concerns of the POEA e-link project. This Overseas Labour Market information system serves as a very critical tool towards career and management decisions of both job-seekers and TVET providers. This

Overseas Labour Market information system serves as a very critical tool towards career and management decisions of both job seekers and TVET providers.

The DOLE/POEA regularly provides labour market information to potential migrants through the issuance of travel advisories and market updates and maintenance of an information website, in addition to implementation of its workers' education and anti-illegal recruitment information programs.

The **Sri Lankan** government established a Marketing & Research Division for forecasting the projection of labour requirements in the major labour receiving countries. It pays special attention to emerging skills requirements in the external labour markets. The Sri Lanka Bureau of Foreign Employment (SLBFE) web page collects information that the Marketing Division needs and disseminate information to all stakeholders of the industry. The SLBFE has already planned to improve models of **bilateral agreements** with major labour receiving countries and initially agreements it will sign are with Jordan and Lebanon.

The **Indonesian** government signed a memorandum of understanding (MOU) with the Republic of Korean government, for their Employment Permit System, and Malaysian government. For the latter, working group meetings are conducted between Indonesia don Malaysia regarding Indonesian workers placement in Malaysia. A MoU between the Indonesian Economy and Trade Office (IETO) and the Taiwan Economy and Trade Office (TETO), Jakarta will facilitate overseas employment of domestic workers and caretakers.

The **Thai** MOL has signed a bilateral cooperation on overseas employment with the Chinese Taipei and the Republic of Korea with the aims to promote the overseas employment and ensure that our workers receive protection the same as the workers in that country and also following the international labour standards.

The **Thai** MOL has initiated a programme aims at promoting the employment of Thai workers overseas in the following services; Thai Chef, Housemaid, Child and Elderly Caretaker, and Thai Traditional Massage. This programme is the cooperation among Ministry of Foreign Affairs, Ministry of Commerce, Ministry of Public Health and MOL

Thailand is also Establishing Labour Data Bank. This data bank will be source of information about supply of labour with different qualifications. It will be used for matching with the demand for labour from overseas employers.

One of the main objectives of the **Nepalese draft Labour Migration Policy** is to promote and facilitate the managed labor migration. Apart from regulation and protection, it also aims at establishing labor market information system, promoting external labor-market research and projection of labor and skill requirements in the receiving countries.

- In relation to **recommendation 2.2.2** relating to **remittances**, a number of countries have taken initiatives to enhance accessibility, expand infrastructural capabilities and widen outreach of formal financial institutions

In **Bangladesh**, as a precondition to dispatch workers on jobs abroad, the government has made it mandatory to provide a comprehensive training for female domestic workers which emphasizes the responsibilities of the migrants to send remittances through formal banking channel in order to develop their home country.

With growing outflow of labor, **Nepal** is making serious efforts to establish and promote more reliable formal mechanisms for remittances. Foreign exchange regime has been liberalized. Several banking institutions have been working to facilitate safe transfer of remittances. Similarly, many money transfer institutions have emerged specializing in money transfer activities. At the same time the government is trying to develop proper efficient regulatory framework for these institutions with adequate safeguards for checking the malpractices. Efforts are being made to establish and improve the communication with migrant workers in different countries. The provision of soft pre-departure loans is made targeting the people from disadvantaged communities and victims of the conflict. Information on safe and cost effective remitting methods is given to migrant workers during pre-departure orientation. An information link is established between Department of Labor and Employment Promotion with Central Bank (Nepal Rastra Bank) to coordinate the issue of remittance flows. The proposed Labor Migration Policy has emphasized on the more productive investment of remittance. Strategies will be developed in near future to identify the areas for such investments.

In **Pakistan**, modern banking systems are available for swift foreign exchange transfer of Pakistani migrants, including instant cash transfer facilities with utilization of ATM and Credit cards. Furthermore, mobile teams of Pakistani Banks are facilitating Pakistanis living in far-flung areas in host countries to remit their savings. These banks have notified many service points even in small towns so as to reach their families and facilitate their access both in recipient and source countries.

In order to encourage overseas Pakistanis to remit their savings through formal banking channels, certain incentives such as Gold and Silver Cards are issued. The holders of Gold & Silver Cards are entitled for free passport and can bring certain items without payment of custom duty at airports. Seventeen (17) Community Welfare Attaches posted in Pakistan Missions abroad educate the overseas Pakistanis about the benefits and incentives being offered by the Government of Pakistan on remitting their cash through banking channels.

In **Sri Lanka**, the pre-departure training programmes pay special attention in educating migrants on financial management. Leading banks in the country allow their officers to participate in the pre departure programmes as resource persons. These officers encourage trainees to open Non-Resident Foreign Country (NRFC) accounts and to maintain them throughout the period of employment. As these banks have their branch offices in destination countries, it is easy for the migrant workers to make their

remittances to Sri Lanka. Some of such banks utilise existing on-line financial transfer systems to assist migrant workers in money transfers.

The Sri Lanka Bureau of Foreign Employment (SLBFE) has already identified productive and sustainable avenues of investment for remittances. Returned migrant workers are entitled to obtain low interest loans, under its re-integration programme. The SLBFE grants loan facilities in the form of pre-departure loans, housing & self – employment loans and encourages the migrant workers to open NRFC accounts. Those Sri Lankans who are already reside in foreign countries too are assisted by labour sections of Sri Lankan Missions in the respective countries to open NRFC accounts under their welfare schemes.

India and the **Philippines** have taken a number of steps over the years.

- With regard to **recommendations 2.2.3. on Skills Training and Development** Bangladesh and Sri Lanka have made some notable progress. The Philippines has taken some incremental steps.

The Marketing Division of the **Sri Lanka** Bureau of Foreign Employment (SLBFE) collects up to date information on foreign labour market by means of Internet, labour sections of Sri Lankan missions abroad, and various publications, newspapers, and other communication channels, and disseminates such data to training Authorities. The SLBFE had preliminary discussions with the Tertiary & Vocational Education Commission to introduce certification and enforcement of professional and technical standards for qualifications of migrants in conformity with international standards.

The **Bangladeshi** government has been in close consultation with related bodies of destination countries. One of the recent initiatives was the visit of Saudi National Recruitment Committee (SANARCOM), arranged by BAIRA. SANARCOM is the counterpart of BAIRA in Saudi Arabia, the largest employer of Bangladeshi migrant workers and the delegation visited Bangladesh to explore further expansion of the relationship between both the countries. One of their commitments was to set up a training institute for Bangladeshi workers so that the benefits of migration could be maximized for Bangladesh as well as Saudi Arabia.

The government has recently signed an MOU with Japan International Training Cooperation (JITCO) for industrial trainee program. Under this program Japan will take industrial workers from Bangladesh for on-year training and two-year internship program. This is a great leap forward for skill development opportunities for Bangladeshi workers.

In the **Philippines** a training voucher scheme is being developed to support the skills training of migrant family members.

CAPACITY BUILDING, DATA COLLECTION AND INTER STATE COOPERATION

Recommendations adopted in Colombo under this theme:

2.3 Capacity Building, Data Collection and Inter State Cooperation

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

2.3.1. Sharing of information on international labour migration

a) The implementation, in line with the recommendations made at the Colombo Ministerial Consultations, of mechanisms of exchange for the sharing, on a voluntary and regular basis, of information about changes in policy and legislation, on major labour migration destinations, on types of migrant workers, and on bilateral agreements, with a focal point being identified in each country.

b) The exploration of the concept of a common web portal to share information relating to the protection of migrant workers and, more generally, to the management of labour migration.

2.3.2. Training and Capacity Building

a) Institutional capacity building for labour migration management structures, and labour and welfare attaché offices.

b) The implementation of joint courses on labour migration administration for administrators and labour attachés with the assistance of IOM and ILO.

c) The adaptation of the training curriculum for labour administrators and labour attachés developed by IOM as a follow-up to the Colombo Ministerial Consultations, for national training purposes; and the giving of continuing attention to the training of labour administrators and labour attachés.

2.3.3. Inter State Cooperation

There are limits to what a state can do to protect its migrant workers without the active cooperation of other states of origin as well as states of employment. Moreover, although world migration pressures have increased, the progress towards a multilateral approach in the area of migration management is far slower than in the management of trade and capital flows. In such a context, it is important that labour sending countries take a lead role in highlighting the urgency for the development of multilateral approaches to the international movement of people, for instance through the Berne Initiative or the Global Commission on International Migration. It is important that

strategies are formulated at regional and multilateral levels to initiate dialogue between countries of origin and destination. Such dialogue should endeavor to: exchange information on surpluses and shortages of labour; develop coordination of policy among labour sending countries; and create harmony of policies among labour receiving countries and protect vulnerable migrants.

Specific starting points for inter-state cooperation include:

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

- ❑ As per **recommendation 2.3.1, on sharing of information on international labour migration**, several countries made progress.

The **Pakistani** Bureau of Emigration & Overseas Employment has shared on reciprocal basis the emigration data with neighbouring countries, Sri-Lanka and Bangladesh. Similarly, website of Bureau of Emigration & Overseas Employment (www.beoe.gov.pk) contains useful information for countries of origin as well as destination.

The **Sri Lanka** Bureau of Foreign Employment redesigned its web page to accommodate country profile, policy information, sharable documents etc. in accordance with the recommendation made at the Colombo Ministerial Consultations held in year 2003.

The **Nepalese** Ministry of Labour and Transport Management and Department of Labour and Employment Promotion has taken part in several international events as well as national level workshops, seminars and interaction programs. For this purpose some of them have undertaken visits to Indonesia, Kuwait, Malaysia, the Philippines, Qatar etc.

The **Vietnamese** Ministry of Labour, Invalids and Social Affairs (MOLISA) also cooperates closely with the IOM office in Hanoi on sharing of information; on organizing study-tours to Vietnamese officials to other countries whose situation are similar to Vietnam in order to gather information and experiences on the program.

- ❑ In relation to **recommendation 2.3.2. Training and Capacity Building**, IOM developed a *labour attaché and labour administrator curriculum* and has provided a

set of training of trainers course accessible to officials of all the states participating in the Colombo follow-up process. These courses were made possible with the financial support of the Department for International Development (DFID) of the U.K.

IOM and two consultants in the Philippines developed a training curriculum for administrators of labour migration programmes and labour attaches.

Following this **IOM** organised **the Labour Attaches' Training Course in Kuwait** on 18-20 December 2004. Labour representatives from Bangladesh, China, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam participated in the course. They were either labour attaches currently assigned in the Gulf Cooperation Council (GCC) countries, or labour ministry officials who are engaged or will be engaged in the training of labour attaches.

The training course pilot tested the training curriculum and sought to increase the knowledge, awareness and skills of labour attaches in key areas of their work and in understanding international labour migration. The pilot testing of the curriculum aimed to start the process of adaptation for national training purposes by training potential trainers.

The modules covered the following: (1) Understanding international migration, (2) Role of labour attaches, (3) Marketing, (4) Protection of migrant workers and support services, and (5) International legal framework in migration.

IOM organised **the Labour Administrators' Training Course in Bangkok** on 1-4 March 2005. Participants to the course were Labour Ministry officials who are engaged or will be engaged in training of foreign employment bureau staff and foreign employment administrators. Participant states were Bangladesh, China, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam.

The training course pilot tested the training curriculum commissioned by IOM for labour administrators. The modules covered the following: (1) Understanding international migration, (2) International legal framework in migration, (3) Protection of migrant workers and support services, (4) Marketing, and (5) Institutional capacity building.

The **Sri Lanka** Bureau of Foreign Employment adapted the training curriculum for labour officers and tries to tailor the curriculum to meet the needs of different overseas missions. Further, in order to improve capacity building of consular services for migrant workers, the SLBFE introduced a web based information system. This system enables the consular officers to check registration details of migrant workers update; search complaints made by migrant workers, and see the status of complaints on the on-line basis. The Bureau takes necessary measures to improve the efficiency of administrative procedures of missions.

The POEA conducted an orientation on the **Philippine** migration management system for government delegations from Nepal and Vietnam.

In addition regional initiatives proved to be helpful in terms of capacity building and inter-state cooperation. For instance, the US-AID sponsored South Asia Regional Initiative (SARI/Equity) Programme organized regional consultation on the topic of “Fostering Safe Migration”. The Programme tries to bring all the countries in South Asia under one forum in order to promote national policies for migration as well as common regional policies based on the national legislation and rules. It also has been making effort to evolve an interstate forum.

Some of the participating governments were also active partners at the **IOM, SARI/Q** and **UNIFEM** organized Regional Conference on trafficking and migration held in Dhaka in April 2005.

- **With regards to recommendation 2.3.3.a)**, the preparation for a Common Migrants’ Resource Centre is well underway with full support from the participating states. Feedback on the establishment of the proposed common Migrants’ Resource Centre (MRC) in Kuwait was further discussed during on 4 March 2005, after the Training for Labour Administrators.

Countries have participated in multilateral consultations on the migration of labour migration, including the **Berne Initiative, ILO multilateral framework on labour migration** and the **Global Commission**.

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

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