

## CONCEPT NOTE

### Technical Consultative Meeting among three sending countries, CLM, on the Roles of Sending Countries

For

### Strengthening Protection of At-Risk Migrants Against Forced Labour and Human Trafficking

24-25 May 2018

Phnom Penh, Cambodia

#### 1. Background

ASEAN is a dynamic region with 625 million populations and 300 million workers and a combined Gross Domestic Product of over US\$2.4 trillion that has begun to integrate further with the initiation of the ASEAN Economic Community (AEC). There are approximately 14 million migrant workers from ASEAN Member States, of whom 6 million moved within Southeast Asia – though much of intra-ASEAN migration is undocumented/irregular and not captured by official data.

Labour migration is a significant driver of economic growth and poverty reduction in both countries of origin and destination within ASEAN, with the prosperity of entire industrial sectors and geographical sub-regions reliant on the movement and absorption of millions of migrant workers. Because of the scale of movement of workers in ASEAN and the roles in economic development, more effective labour migration governance is a clearly identified priority of ASEAN Member States. The ASEAN Consensus<sup>1</sup> on the Protection and Promotion of the Rights of Migrant Workers adopted in November 2017 by the ASEAN Member State. It outlines clearly about the obligations of Sending and Receiving States in chapter 5, and 6 in order to fulfil the obligations, respects and protect the rights of migrant workers. However, the AEC does not currently include any provisions on mobility for unskilled, low and semi-skilled workers crossing national borders. To achieve equitable, inclusive and stable growth in ASEAN, regional architecture that responds to these migration flows is necessary.

Due to the complexity of regular migration process, many migrant workers choose to migrate through irregular channels, with improper documents or permission to work in the destination country, especially in Thailand. Irregular migrants, especially undocumented women migrants are more vulnerable to forced labour, and human trafficking for the purpose of labour exploitation. They also face more challenges in leveraging the benefit of their migration for their families and communities through their remittances, skills development or improved employment and livelihood options. Regardless of their legal status, racial and ethnicity, migrant workers often face abuse because of a lack of information, support services, protection mechanism, limited monitoring of recruitment agencies and employers, and a reluctance to approach authorities for assistance. A number of real stories of migrant workers were trafficked into fishing industry, construction, and other forms of forced labour for the purpose of labour exploitation. As such, countries of origin (Cambodia, Lao PDR, and Myanmar) need to seek common strategies and actions for a better protection of the rights of migrants, especially for at-risk migrants for a long term solution, to reduce vulnerabilities, exploitations and to be safe, orderly and regularly migration and to increase skills for migrant workers. In addition, the demand for receiving country, in particular Thailand to fulfil its obligation and commitments to protecting the rights of migrant workers needs to be set for negotiation for labour supply chain.

Therefore, a two-day regional consultation hosted by the Royal Government of Cambodia through a cooperation of National Committee for Counter-Trafficking in persons (NCCT) and the COMMIT Task Force aims to rigorously review the existing protection mechanisms and policy for protecting and promotion of the rights of migrant workers, especially for at-risk women and men migrant workers

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<sup>1</sup> ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Worker adopted in November 2017 by ASEAN Member State (AMS) in Manila, Philippines. Chapter 5, and 6 outlines the obligations of sending and receiving states to fulfil and protect the rights of migrant workers.

including a sharing of good practices and gaps, identify key challenges, and define strategic priorities for strengthening the roles and demand of sending countries to Thai government for better respect and protect the rights of at-risk migrant workers from the three countries working in Thailand. It will also strengthen coherence of migration work, strategic and multi-stakeholder approaches of the three countries with its partners within the governments and among NGO partners, employers, international organizations, and United Nations include ILO, IOM, UN Women, and UN-ACT in the country level.

**2. Main objective**

At-risk women and men migrant workers will be better protected through joint efforts and strategies among the three countries.

**3. Specific objectives**

- To take stock of good practices, lessons learned, gaps and common challenges of protection mechanisms and frameworks for protecting the rights of at-risk migrant workers, including children on the move, from human trafficking and forced labor;
- To discuss the strategic priorities and prepare key recommendations among the sending countries to advocate the destination countries, with main focus on Thailand, to fulfill the commitment towards protection of at-risk migrant workers from trafficking and labor exploitation.
- To strengthen good collaboration between the regional countries by identifying shared issues, challenges and common solutions (starting with Cambodia, Laos, and Myanmar).

**4. Expected results**

- Good practices, lessons learned, gaps and common challenges of the mechanisms and frameworks for managing at-risk migrants raised, discussed and documented;
- Priorities and key recommendations for protection of at-risk migrant workers compiled;
- Common strategies and joint solutions agreed among the three sending countries for advocating good cooperation with the destination country (Thailand).

**5. Methodology and process**

The regional consultation is designed to deliver its objectives in an interactive and participatory manner over two days. It will commence with some keynotes from the representatives of the three countries. The government, United Nations and civil society representatives will be invited to share their expertise related to protection of at-risk migrant workers, particularly lessons learned, challenges and recommendations for protecting them from human trafficking, forced labour and labor exploitation. Group as well as panel discussions will be held to discuss the issues and produce recommendations.

**6. Logistical arrangement**

Date of the meeting:	<b>24-25 May 2018</b>
Location of the event:	<b>Phnom Penh Hotel</b> , Pnom Penh Capital, Cambodia.
Language for the meeting	English
Number of delegates/participants:	Host country (Cambodia) 30 participants (N.C.C.T, MOI and , MOLVT, MOSVY, MOWA, MOFA, MOJ, NGO partners, and relevant representative/participants from line ministries, UN Agencies and Civil Society.
Number of delegates/ participants from Lao PDR and Myanmar:	5 participants from relevant institutions/authorities per each of country
The cost born by the Royal Government of Cambodia:	The government through N.C.C.T mechanism will cover in-country associated cost of meeting including a meeting package, conference room, lunch buffet, logistical

arrangements, backdrop, communication, printing, facilitation, sightseeing and organizing

The cost born by participating country from Lao PDR and Myanmar:

Cover the associated cost of respective country stakeholder's participation including air ticket, and daily subsistence allowance (DSA) before during and after meeting where applicable.

*Please inform us on the participation of your delegates or any clarification or comments not later than 10<sup>th</sup> May 2018, by email: [ncct@gov.org.kh](mailto:ncct@gov.org.kh), or [cbeng1155@gmail.com](mailto:cbeng1155@gmail.com), to enable our organizers to have a good preparation.*