

Training for Advocacy

Migrant Forum in Asia

MIGRANT FORUM IN ASIA (MFA) is a regional network of non-governmental organizations (NGOs), associations and trade unions of migrant workers, and individual advocates in Asia who are committed to protecting and promoting the rights and welfare of migrant workers. MFA believes in the human rights and dignity of all migrant workers irrespective of race, gender, class, age, religious belief, and status.

It is guided by a vision of an alternative world system based on respect for human rights and dignity, social justice and gender equity, particularly for migrant workers.

MFA was formally established in 1994, in a forum held in Taiwan entitled “Living and Working Together with Migrants in Asia.” MFA grew during the past thirty years as a social movement mainstreaming migration as a critical area for engagement while understanding the challenges therein in alliance with those engaged in the arena of social justice.

MFA was established by migrant workers and migrant workers’ rights advocates to address the need for cooperation and collaboration in addressing individual cases of migrant workers between Countries of Destination (COD) and Countries of Origin (COO); and the need to have a common voice expressed in a common advocacy agenda for migrant workers’ rights at the regional and international levels. The foundations of MFA as a migrant workers’ rights movement were laid by a group of women human rights activists and migrants who were engaged in voluntarily serving migrant workers in host countries particularly in Malaysia and Hong Kong. Since then, MFA has been at the forefront of migrant workers’ rights advocacy.

Collaboration with Other Institutions

MFA collaborates with different institutions in pursuit of its goal of respect for human rights and dignity, social justice, and gender equity, particularly for migrant workers.

Through the years, MFA has collaborated with United Nations agencies, Asian regional labor institutions, regional and global trade unions, and national civil society organizations in the Asia-Pacific region working on migrant workers issue. MFA held conferences, consultations and forums in partnership with these institutions at regional, subregional and national levels.

On 24-25 July 2023, MFA with Our Journey Malaysia and the Malaysian Bar Council organized the “Cross-Regional Conference on Access to Social Protection” in Kuala Lumpur. The conference facilitated a cross-regional discussion between civil society advocates, migrant worker leaders, members of the academe, and representatives from international organizations on the issue of access to social protection for migrant workers, identifying gaps in the implementation of existing policies which pose barriers and challenges to migrant workers.

The cross-regional conference was organized following the launch of MFA’s most recent campaign, the “Sustainable and Decent Social Protection Campaign.” The campaign aims to address non-discriminatory access of migrant workers and their families to social protection such as gender-responsive emergency healthcare, essential services for persons experiencing violence or harassment, basic income security for persons with livelihood disrupted by crises, basic social services, and other forms of social protection. For migrant workers, social protection measures are limited, and in some cases, inaccessible. Thus there is a need to reassess policies to ensure migrant workers are able to access social protection both in the country of origin and destination.¹

The conference brought in a resource person from the International Labour Organization to help obtain a better understanding of social security and social protection, especially in the context of labor migration. Insights and perspectives from civil society from across the region on existing social protection initiatives available in different states enabled cross-learning on effective social protection policies and mechanisms in countries of origin and destination. The sessions helped the drafting of recommendations for more robust programs and social protection systems that would benefit migrant workers and their family members.

On 14-15 August 2023, MFA and the International Organization on for Migration (IOM) organized a regional civil society consultation workshop

entitled “The Future of Migration, Business and Human Rights in Asia: Priority Areas of Engagement” in Bangkok.

The workshop²

focused on identifying key trends and challenges faced by migrant workers in Asia and priority areas of engagement with civil society within the space of migration, business, and human rights. Key topics discussed during the event also included access to rights-based information, social support and services, effective remedy, gender inclusion and finding solutions to some of those challenges faced by migrant workers.

William Gois, Regional Coordinator of MFA, raised the pertinent issue of denial of wages, saying this should never be accepted as an inevitable consequence of cross-border migration. Gois also stressed the need to build “accessible and expedited access to justice mechanisms.”

Representatives of women-led organizations from Thailand, Malaysia, the Philippines, India, Indonesia, Cambodia, Nepal, Bangladesh, Sri Lanka, among others, attended the workshop.

MFA in partnership with ASEAN-Australia Counter-trafficking, conducted a study entitled “Wage Theft and Forced Labour among Migrant Workers in Southeast Asia: Impacts of COVID-19 and Policy Responses.” The study examines the linkages between wage theft and forced labor in labor migration within ASEAN, and the impacts of the COVID-19 pandemic on this phenomenon. The report provides evidence on wage theft that policymakers should consider, which also means countering human trafficking and forced labor.

The study was carried out from 2021 to 2022 in five countries of ASEAN (Thailand, Malaysia, Cambodia, the Philippines and Indonesia) to capture experiences in both countries of destination and origin. Interviews were held with four hundred fifty-one migrant workers and further in-depth key informant interviews and focus group discussions with one hundred forty respondents. The study also assessed the impact of the policies and practices of the government and non-governmental stakeholders in ASEAN during the COVID-19 pandemic on forced labor and incidence of wage theft.

The findings of the research indicate a strong correlation between wage theft and migrant workers’ experience of forced labor during the pandemic. 31 percent of respondents reported experiencing wage theft, among whom

46 percent suffer from conditions of forced labor. The high incidence of wage theft worsened their working and living conditions during employment and upon return to their home countries. Vulnerability to wage theft and forced labor also appeared to be influenced by factors such as irregularity in the migration process, a lack of effective protection or support mechanisms, lack of information provided to migrant workers, poor access to services, violation or absence of contracts, and lack of prioritization of policies for migrant workers.³

Following the 2023 ASEAN People's Forum, the report of the study was officially introduced with a soft launch event held on 4 September 2023 in Jakarta. The event was attended by various stakeholders, including the media, civil society organizations, mission representatives, international organizations, and members of the academic community. During this launch, collaborative strategies were discussed to address the correlation between wage theft and forced labor within their respective countries and in upcoming ASEAN initiatives.

As preparation for the participants in the ASEAN Forum on Migrant Labour (AFML) on 25-26 October 2023, MFA held a meeting to thoroughly analyze the existing gaps in the ASEAN Guidelines and Frameworks on Migration,⁴ encompassing both contextual and practical implementation challenges. The workshop, organized in partnership with Serikat Buruh Migran Indonesia/Indonesian Migrant Workers Union (SBMI) and funded by AWO International,⁵ discussed the “legal pathways” in maximizing the Guidelines with the representatives of trade unions and civil society organizations. Participants' insights shared in this meeting were crucial in shaping coordinated interventions during the forum.

Training

On 5 October 2022, MFA signed a Memorandum of Understanding (MOU) with the Qatar Ministry of Labour (MOL) that aims to promote the accessibility and effective utilization of complaint mechanisms for migrant workers in Qatar. It also aims to empower migrant workers in lodging labor-related complaints and seeking redress, and thus strengthening their access to justice in a fair and timely manner. Under this MOU, a training program was developed to enhance knowledge, skills, and capacity in advocating for the rights of migrant workers.



William Gois, Regional Coordinator of MFA, signed the MOU with the Ministry of Labour's Mr. Mohammed Hassan Al Obaidly, Assistant Undersecretary.⁶

The first training activity reviewed the policy reforms and psychosocial support among migrant workers. The MOL issued identification cards to the participating migrant leaders to certify them as community organizers who could provide support and assistance to fellow migrant workers in the country of destination.

On 8-9 March 2023, MFA organized a “Capacity Building Training of Migrant Community Leaders” as part of the initial implementation of the MOU. Migrant community leaders from India, Nepal, and the Philippines attended the training. There were sessions and visit to the Qatar MOL to provide a unique opportunity to better understand the complaints system available in the country for migrant workers. Another training workshop was held under the MOU in October 2023.⁷

The complaints system, accessible both online and in-person, has increased migrant workers’ access to the MOL. This has been one of the many comprehensive labor reforms introduced in a short period of time by the State of Qatar. The capacity-building training of migrant community leaders provides a platform to review the different pathways migrant workers could experience in using the system.

MFA organized the “Empowering the Migrants Rights Agenda” training program on 3-5 July 2023. This training program brought together key leaders of migrant community organizations from countries of destination particularly in the Gulf as well as in Southeast Asia, particularly Malaysia,

and provided an avenue for the leaders to share their support systems, good practices, and stories from their experience on the ground.

This training program provides an opportunity to build their capacity in advocating for migrant workers' rights within their own communities and how to work collaboratively with migrant workers' rights advocates both in the country of origin and of destination as well as engage with stakeholders and with relevant national, regional, and global processes.

The workshop included a number of activities such as the following:

- a. A panel discussion on Fair and Ethical Recruitment with representatives from IOM and the International Labour Organization (ILO) and moderated by MFA's Regional Coordinator, William Gois and, Center for Migrant Advocacy's Executive Director Ellene Sana.

IOM discussed the IRIS: Ethical Recruitment, its flagship initiative to promote ethical recruitment of migrant workers and a global multi-stakeholder initiative that supports governments, civil society, the private sector and recruiters to establish ethical recruitment as a norm in cross-border labor migration. IRIS priorities include: 1) awareness-raising and capacity-building, 2) migrant worker voice and empowerment, 3) the regulation of international recruitment, 4) voluntary certification of private recruitment agencies, and 5) stakeholder partnership and dialogue.⁸

ILO presented the General Principles and Operational Guidelines on Fair Recruitment that should guide the current and future work of the ILO and other organizations, national legislatures, and the social partners on promoting and ensuring fair recruitment.⁹

There were also discussions on spaces for engagement by migrant leaders such as regional consultative processes (Abu Dhabi Dialogue,¹⁰ Colombo Process,¹¹ ASEAN) as well as intergovernmental processes such as the Global Forum on Migration and Development (GFMD) and the Global Compact for Safe Orderly and Regular Migration (GCM);

- b. Session on the importance of Case Documentation for Evidence-Based Advocacy. Ellene Sana, Hubertson Wilson, and Tatcee Macabuag took the lead in this learning session. Migrant worker leaders were also given the platform to share the documenta-

- tion process within their organizations and other relevant good practices;
- c. Session on MFA's advocacy campaigns. Abby Guevarra of MFA talked about the campaign on Decent and Sustainable Social Protection and emphasized the need for social protection as essential element in achieving decent work for all migrant workers. Alyssa Flores presented The Justice for Wage Theft Campaign and discussed the outcomes of campaign's case documentation - highlighting the number of wage theft cases and the amount of wages lost;
 - d. Session on GFMD and its thematics. Participants shared insightful perspectives on the major issues faced by migrant workers and gave recommendations for both Countries of Origin and Countries of Destination;
 - e. Session on sharing invaluable insights among the participants regarding advocacy and campaign tools. A presentation on video and digital tools included insights from participants on using mobile phones and cyber security. The resource speaker, Arul Prakkash, started the session by emphasizing that strategy had more bearing in advocacy work than the tools used. How tools were utilized would make a difference.



Session during the "Empowering the Migrants Rights Agenda" training program, 3-5 July 2023, Bangkok. ©Deccan Chronicle12

The training program made the participants listen and empathize with each other's experiences, challenges and triumphs, shining a light on the resilience and strength that power the movement. Having built knowledge and new skills on different tools, platforms and advocacy made the partici-

pants eager to jump into action and share what they learned not only from the program but also from fellow leaders and advocates.

MFA, together with the South Asia Regional Trade Union Council (SAR-TUC) and Bangladesh Nari Sramik Kendra (BNSK), and with the support of the ILO-UN Women GOALS project, organized a capacity-building program on “Strengthening Civil Society and Trade Union Engagement with Regional Consultative Processes (RCPs) and Technical Area Working Groups (TAWGs)” to advance the rights of women migrant workers in South Asia. The training was held in Kathmandu on 5-8 September 2023. Participants from civil society organizations, trade unions, returnee migrants, and migrant leaders coming from both Bangladesh and Nepal attended this training program.

Looking at two regional consultative processes in the region, particularly the Colombo Process and Abu Dhabi Dialogue, the training program brought in women leaders from civil society to lead the sessions covering topics and issues around women and labor migration. The training program aimed to increase understanding of issues faced by migrant workers, with a focus on gender-based violence and violence against women (VAW), particularly against women migrant workers. The sessions looked at the main drivers and root causes of women’s migration as well as the feminization of migration, analyzed the barriers women face during the migration process, and gained an understanding of the gender-based impacts that result from these challenges.

Having the most basic understanding of these issues is essential in engaging with stakeholders involved in RCPs, and is key in promoting and ensuring their rights and well-being, while also building skills and capacity around gender-responsive advocacy based on key insights and perspectives from grassroots leaders and advocates.

Following the plenary discussions, the training also facilitated a site visit activity which provided the participants the opportunity to utilize their learnings and understanding of women migrant workers’ issues. Divided into groups, the participants visited various shelters for returnee migrant workers in Nepal, an ethical recruitment agency as well as a national government agency, the Department of Foreign Employment of Nepal. Member-organizations of MFA in Nepal helped organize the visits.

Other Training Activities

As a migrant workers' rights movement, MFA has invested in developing the capacities of migrant civil society organizations in advocating for rights and justice. MFA has worked in partnership with the Diplomacy Training Program (DTP) of the University of South Wales Australia since 2004 in organizing regional and national trainings on the human rights of migrant workers. The training program was intended to build knowledge and skills of participants through review of internationally agreed standards and mechanisms related to migrant workers, experience sharing of advocacy work, and fostering support networks and collaboration between countries of origin and destination. National training programs were organized in Nepal (2013), Malaysia (2017), and Indonesia (2018). The first migration and human rights training organized by MFA with DTP in the Gulf Cooperation Countries (GCC) Region was held in 2013 in Doha, Qatar.¹³

MFA in collaboration with the Cross Regional Center for Refugees and Migrants (CCRM), the Global Research Forum on Diaspora and Transnationalism (GRFDT), and the Civil Society Action Committee (AC) organized a Certificate Programme on GCM. The program was organized as a series of weekly online capacity-building program in preparation for the Regional Migration Reviews of the GCM starting in 2020, and in preparation for the International Migration Review Forum in 2022.¹⁴

Webinars

MFA in collaboration with IOM organized webinars on issues affecting migrant workers during the COVID-19 pandemic (2020-2021):

1. "Build Back Better: Advancing the Recruitment Reform Agenda Post COVID-19," 6 August 2020 – a webinar on understanding the impact of COVID-19 on recruitment of migrant workers;
2. "Access to Remedy for Migrant Workers," 16 December 2020 – a webinar on existing good practices on access to remedy for migrant workers who experience abuse in the recruitment process;
3. "Access to Technology and Fair Recruitment," 28 January 2021 – a webinar on the role of technology in promoting fair and ethical recruitment practice (including existing practices led by govern-

ments, CSOs and the private sector) analyzed the best practices, needs and challenges in accessing technology.

Documentaries

In 2018, MFA with the support of ILO produced three documentaries on the role of sub-agents in the recruitment of migrant workers in Nepal, Bangladesh and India.¹⁵ The documentaries involved interviews with sub-agents, migrant workers and their family members, representatives of recruitment agency associations, civil society representatives, and government representatives. The video documentations have the purpose of making viewers develop a better understanding of the role of informal labor intermediaries and to contribute to the improvement of overall accountability in the recruitment processes. Specifically, the documentaries aim to:

- Highlight the perspective of sub-agents and migrant workers on how the former help/facilitate migrant workers employment and how they are beneficial from the point of view of migrant workers;
- Use the video as a tool in policy spaces related to fair recruitment, foreign employment, intermediation and human trafficking; and
- Contribute to the improvement of existing laws and policies concerning fair recruitment, foreign employment, intermediation and human trafficking.

Training for Advocacy

MFA's engagement with the migrant worker leaders does not end at the training. Rather, the training opens a path for them to further strengthen the migrant community as a constituency that continues to tap into new initiatives to build capacity in promoting migrant workers' rights.

Furthermore, these capacity-building programs organized for migrant community leaders enable a strengthened network to provide a stronger support system for migrant workers through collaborative advocacy. It also allows a cross-learning process between leaders of civil society and migrant workers, who both have deep understanding of migrant workers' issues, owing to the work they have done on the ground and in the case of migrant worker leaders, through direct, lived experiences as members of the migrant

community themselves and through the experiences of other members of their respective communities in the country of destination. This learning and capacity-building process leads to cross-border collaboration which enables migrant worker leaders to provide support to the work of stakeholders in migration and vice versa.

Building migrant communities as a constituency within the MFA network also ensures greater participation and inclusion of migrant workers' perspectives in the larger advocacy work facilitated across the region, which is crucial in leveraging issues and pushing for change in global, intergovernmental and multi-stakeholder spaces. For example, MFA and the migrant worker leaders maintain communication and engage with each other on different issues and participate or contribute to regional and global processes such as the GFMD as well the Regional Review of the GCM which was held in July 2024 in the Arab region and for the upcoming Asia-Pacific Regional Review in 2025 through its preparatory consultations.

It must be emphasized that providing training and capacity-building programs on migrant workers' rights advocacy comes with great risk to migrant worker leaders due to the heavy scrutiny they are subject to in countries of destination particularly in the Gulf countries and in Southeast Asia (i.e., Malaysia and Singapore). There is a consistent need to observe caution in how trainings are conducted and what spaces and conversations leaders can engage in, at the risk of any of these activities being perceived as misconduct or activism, which can affect the safety of migrant workers and their status in the country of destination (e.g., termination, detention, deportation, etc.).

However, migrant communities thrive out of passion, dedication, and solidarity, as do advocates and rights activists who have been in the migrant workers' rights movement over the decades since MFA was founded. There is a need to recognize the pivotal role of migrant workers in making change happen for their own communities by influencing policymaking or decision-making processes. Thus, amplifying their voices by equipping them with the necessary knowledge and skills in advocating for themselves as well as establishing a strong support system is crucial in ensuring that they are able to carry out the work that they do and the services that they provide.

Beyond the training programs, MFA continues to engage with migrant worker leaders and to nurture a space where they are able to learn not only from members of the MFA network but also among each other and between

communities and other migrant worker leaders. This includes facilitating regular online conversations to discuss different thematic issues, sharing good practices and lessons learned, as well as improving coordination among each other such as building connections to better provide services for migrant workers within their communities (i.e., establishing referral systems for case work and legal assistance, identifying support for return and reintegration, etc.).

Endnotes

1 For more information on this campaign, visit Social Protection Campaign, <https://socialprotectioncampaign.org/>.

2 IOM, Regional Office for Asia and the Pacific, Empowering Migrant Workers: IOM Seeks Civil Society Input to Shape its Migration, Business and Human Rights Initiative in Asia, 15 August 2023, <https://roasiapacific.iom.int/news/empowering-migrant-workers-iom-seeks-civil-society-input-shape-its-migration-business-and-human-rights-initiative-asia>.

3 For the full report of the study, see *Wage Theft and Forced Labour Among Migrant Workers in South East Asia: Impacts of COVID-19 and Policy Responses*, Migrant Forum in Asia, <https://mfasia.org/migrantforumasia/wp-content/uploads/2023/11/Nov-9-Final-MFA-WageTheft-design-215PM.pdf>.

4 ASEAN Guidelines and Frameworks on Migration

To foster resilient societies, ASEAN has introduced guidelines and frameworks over time to safeguard migrant workers and their family members. These measures encompass documents like the 2007 ASEAN Declaration on the Protection and Promotion of Migrant Workers' Rights (Cebu Declaration), and the 2017 ASEAN Consensus on Migrant Workers' Rights. Recent additions include the ASEAN Declaration on Migrant Workers and Family Members in Crisis Situations, the ASEAN Declaration on Protection of Migrant Fishers, and the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers. Complementing these declarations, ASEAN Committee on the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) has taken the initiative to formulate ASEAN Guidelines on Portability of Social Security Benefits for Migrant Workers, aimed at aiding ASEAN Member States in creating portable instruments while drawing insights from other regions.

5 AWO International is the professional association of the Arbeiterwohlfahrt (Workers Welfare Association) for humanitarian aid and development cooperation. For more information, visit www.awointernational.de/en/.

6 Qatar Strikes Deal With MFA To Reform Migrant Workers' Rights, Asian Lite International, 9 October 2022, <https://asianlite.com/2022/arab-news/qatar-strikes-deal-with-mfa-to-reform-migrant-workers-rights/>.

7 See Progress report on the technical cooperation programme between the Government of Qatar and the ILO, International Labour Organization, November 2023, page 13.

8 What is IRIS?, IRIS: Ethical Recruitment, <https://iris.iom.int/what-iris>.

9 See General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs, ILO, www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_protect/@protrav/@migrant/documents/publication/wcms_703485.pdf.

10 The Abu Dhabi Dialogue (ADD) was established in 2008 as a forum for dialogue and cooperation between Asian countries of labour origin and destination. The ADD consists of ten Member States of the Colombo Process (CP), namely Afghanistan, Bangladesh, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam; and six Gulf countries of destination: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates, as well as Malaysia. Regular observers include the IOM, ILO, private sector and civil society representatives. The permanent secretariat is provided by the United Arab Emirates, and the chairmanship rotates between a sending and a receiving country on a voluntary basis. For more information, visit Abu Dhabi Dialogue, <http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue>. MFA is an observer in this Dialogue.

11 Regional Consultative Process on Overseas Employment and Contractual Labor for Countries of Origin in Asia, www.iom.int/regional-consultative-process-overseas-employment-and-contractual-labor-countries-origin-asia-colombo-process.

12 Narender Pulloor, Capacity building training programme for migrant workers, Deccan Chronicle, www.deccanchronicle.com/nation/in-other-news/050723/capacity-building-training-programme-for-migrant-workers.html.

13 More information on the program can be found here: <https://dtp.org.au/training/the-rights-of-migrant-workers/>.

14 More information on Certificate Programme on Global Compact for Safe Orderly and Regular Migration (GCM) can be found here: [https://grfdt.com/Upload/AcademicProgramme/12_AcademicProgramme_GCM%20Brochure%20\(1\).pdf](https://grfdt.com/Upload/AcademicProgramme/12_AcademicProgramme_GCM%20Brochure%20(1).pdf).

15 The documentaries are available on YouTube:

Nepal: www.youtube.com/watch?v=acGa75_tQME

Bangladesh: www.youtube.com/watch?v=-Q-jrPnKLG0

India: <https://www.youtube.com/watch?v=oHWfAvKG6ng>.