



People on the Move

Advancing the Discourse on Migration & Jobs

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A woman with dark hair tied back, wearing a white short-sleeved shirt, is seated at a desk. She is looking down and to the right, focused on her work. Her hands are on a desk surface, possibly writing or reading. The background is blurred, showing what appears to be a window with vertical blinds. The entire image is overlaid with a semi-transparent green filter.

WOMEN, MIGRATION AND DOMESTIC WORK IN ASEAN

Serving "The Success Story"

Andreea R. Torre & Natalia Figge, Friedrich Ebert Stiftung

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ASEAN



1.7%
In-Migration rate
(2015)



3.1%
Size of Diaspora
(% of Population)
2015



Country /
Region



Size of Diaspora
(% of population)



Total Remittances
received annually
(million USD) 2016



Native
LFPR



Foreign
LFPR

Brunei Darussalam	24.28	-	60.44%	86.73%
Cambodia	0.47	370.6	79.76%	80.64%
Malaysia	8.29	1,584.9	64.73%	83.41%
Myanmar	0.14	681.8	63.57%	98.34%
Phillipines	0.21	31,144.6		
Singapore	45.39	-		
Lao PDR	0.33	116.0		
Indonesia	0.13	8,891.3		
Thailand	5.76	6,270.0		
VietNam	0.08	11,880.0		

United Nations Population
Division, Trends in Total
Migrant Stock: 2008
Revision. Diaspora proxied
by migrant stock.

Migration and development
brief 29, KNOMAD
(World Bank Group)

The International
Labour Migration
Statistics (ILMS)
Database in ASEAN,
ILO

The International
Labour Migration
Statistics (ILMS)
Database in ASEAN,
ILO



TOTAL REMITTANCES RECEIVED ANNUALLY (USD) 2016 - \$3.84 MILLION*

* excluding Singapore and Brunei Darussalam

Foreign LFPR - The foreign-born participation rate is calculated as the share of employed and unemployed foreign-born persons aged 15-64 in the total foreign-born population (active and inactive persons) of that same age. *

Native LFPR - The native-born participation rate is calculated as the share of employed and unemployed native-born persons aged 15-64 in the total native-born population (active and inactive persons) of that same age. *

*For the most recent year, data are available

Source: UN (2017)

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Introduction

In the last 15 years, the number of international migrants has grown rapidly, a trend that will most likely accelerate in years to come.^{i,1} This trend has fueled a surge of interest in the development impacts of international migration for work.²

A growing body of research has shed new light on the nature of the migration-development nexus, with emerging evidence showing a positive effect of migration on poverty reduction in migrant-sending countries.³ Yet migrant workers are more than “remittances heroes.”⁴ Remittances help families invest in health, education and entrepreneurial activities in origin countries. But migrant workers also contribute to new skills, change cultural norms and patterns of behavior, and convey new values and ideas to their families and communities.⁵

More recently, a closer look at the demographic composition of contemporary global migrant populations has also revealed the highly gendered dimension of mobility processes. In many Asian countries, women migrate not only for economic reasons but also to escape physical or psychological violence and abuse. This “feminization of migration” is especially pronounced in the domestic and care sectors of destination labor markets where many female migrant workers find employment.⁶

Within the domestic and care sectors, however, the often unregulated nature of reproductive labor,^{ii,7} which includes paid domestic work such as care giving and household tasks (i.e. cleaning, cooking, washing, etc.), places migrant women at risk of exploitation in the form of low wages,

ⁱ 244 million international migrants are living abroad worldwide.

ⁱⁱ Reproductive Labour refers to “childbearing/rearing responsibilities, and domestic tasks done by women, required to guarantee the maintenance and reproduction of the labour force. It includes not only biological reproduction but also the care and maintenance of the work force (male partner and working children) and the future work force (infants and school-going children)”. The gender-based division of labor ascribes reproductive work mainly to women.

poor working conditions, and even physical and/or sexual abuse.

This chapter provides an analysis of these quality of work issues with a specific focus on women's migration for domestic work in the ASEAN region (Association of Southeast Asian Nations).ⁱⁱⁱ It examines disadvantages inherent in the domestic work sector and the insecurities women migrant workers face at various stages of the migration journey.

The first section provides a panoramic view of the flows and trends of women's migration for work in the ASEAN region. Next, the chapter investigates challenges and vulnerabilities that migrant domestic workers face. Finally, the last section

discusses how to reduce domestic workers' vulnerabilities in countries of origin as well as in host nations so that women migrant workers can achieve their full potential as agents of equitable and sustainable development.

Conceptually, our analysis of the migration-development nexus moves beyond the pure economic logic that dominates the migration and development narrative to provide a notion of development that encompasses not only the economic welfare but also the socio-cultural and rights-based well-being of migrants. As such, it also addresses the often disregarded or undervalued human and social capital transfers of migration.⁸

Flows and trends of female migration in ASEAN

Paid household work is increasingly common in many parts of the world, including in economically successful ASEAN countries. According to ILO estimates of *Domestic workers across the world, 2013*,⁹ the global number of domestic workers rose from approximately 33.2 million to 52.6 million between 1995 and 2010. There are several reasons for this. As more women enter the labour market, there is a growing need for domestic help to assist with household work that was once performed by women not formally employed. Rising incomes have also generated more demand for household help. Moreover, aging populations in many developed nations ranging

from Germany to Japan are also increasing the demand for care workers. These trends must be understood in the context of "expanding neo-liberalism and an economic philosophy that supports private enterprise and reduces [welfare] state spending"¹⁰ – meaning that a broader *commodification of care* has taken place. The need for domestic workers has grown so much in some countries that the demand cannot be met by the native workforce alone. Countries where demand for domestic workers is outstripping the supply are increasingly turning to migrant workers as the solution.¹¹

ⁱⁱⁱ The 10 ASEAN Member States are: Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam

Migrant women from low-income communities, often informally employed, provide a cheap and flexible form of domestic work.¹² In doing so, women migrant domestic workers enable women in host countries to participate in the economy and contribute to economic growth.¹³ Migrant domestic workers, the “quintessential service workers of globalisation,”¹⁴ have therefore contributed to the success of Asian tiger economies and continue to do so.^{15,16}

There are an estimated 9.5 million international migrants¹⁷ in the ASEAN alone, 6.9 million of whom come from within the region. Countries in the region are also preferred destinations, especially for female migration, due to geographical and cultural proximity.¹⁸ Women make up almost half (47.8 percent) of the intra-ASEAN migrant population. Intra-regional flows have especially intensified since the 2000s, when Myanmar became the largest exporter of migrant labor to other regions and Indonesia, Lao PDR and Cambodia emerged as the other major countries of origin.¹⁹

In numerical terms, Malaysia, Thailand and Singapore constitute the most significant destination countries in ASEAN. In Singapore, there were 1.4 million registered foreign workers in 2017, making up 37 percent of the total workforce.²⁰ In Malaysia, the foreign workforce is estimated at 2.1 million (2015).²¹ Recent reliable data for Thailand are not available due to the high

prevalence of informal employment, though 1.8 million foreign workers were recorded at the last census (2010), almost half of whom were women.²² The fact these countries are also Southeast Asia’s economic success stories points to the important supportive role of domestic migrant workers in their economies. This is also why this section focuses on these destination countries.

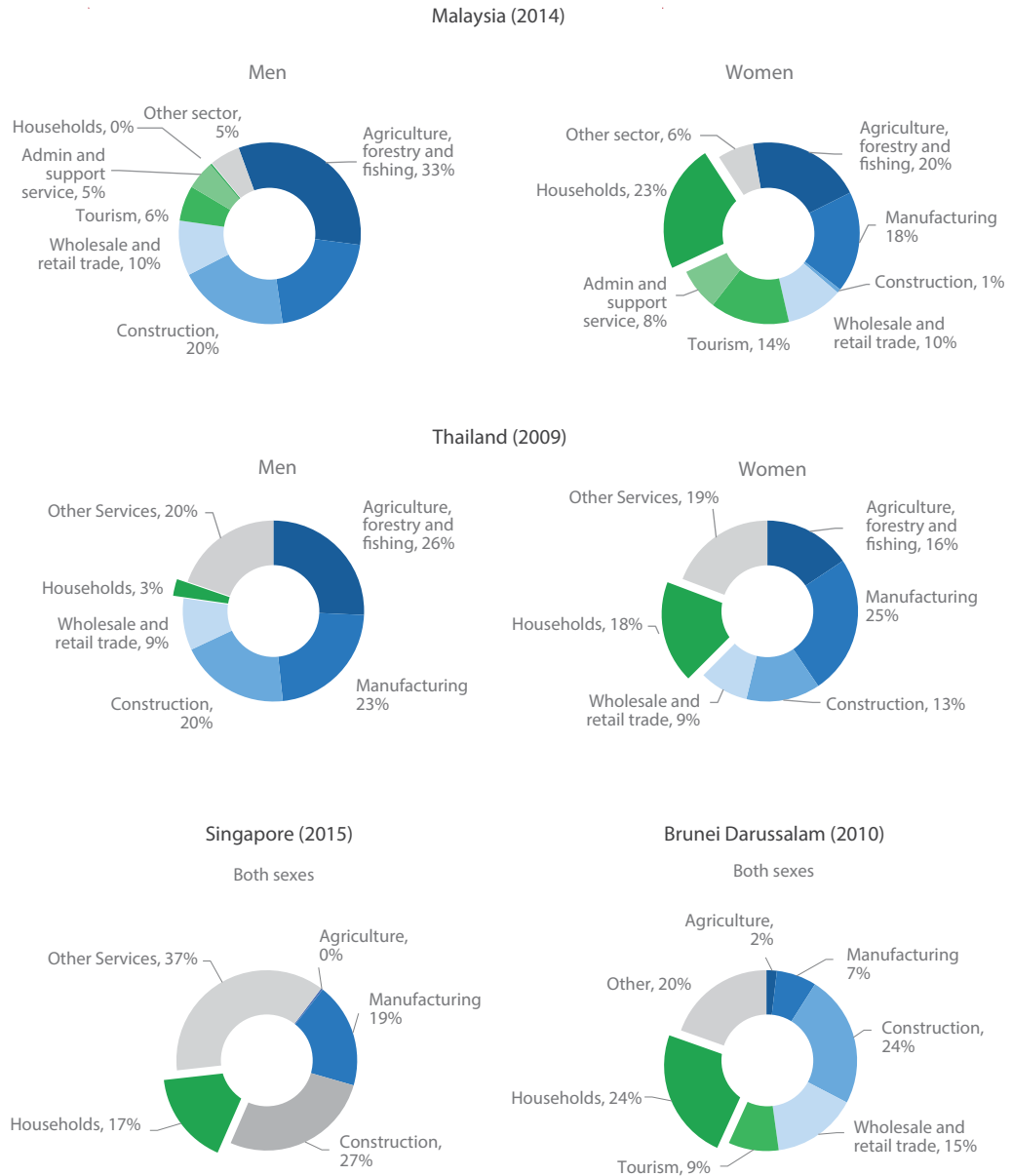
Most women migrating to these countries are concentrated in temporary labor migration and employed in the informal economy.

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Figure 1 shows the sectoral distribution of the migrant workforce. In Malaysia and Thailand, about one-fifth of women migrant workers are employed by local households (23 percent and 18 percent, respectively). Agriculture and manufacturing are the other major sectors of

employment in both countries. In these countries, the household sector is almost entirely female – only 3 percent or less of male migrant workers are employed by households. Sex-disaggregated data are not publicly available for Singapore and Brunei Darussalam, hence the sectoral distribution of migrant workers is presented for both sexes combined. The relevance of households as employers in the overall distribution (at 17 percent in Singapore and 24 percent in Brunei Darussalam), coupled with the high female concentration generally found in the sector, suggests that an even larger proportion of migrant women are employed as domestic workers as compared to Thailand and Malaysia.²³

Figure 1
Distribution of migrant workforce by sector of employment



Source: Malaysia: Labour Force Survey; Thailand: IOM Thailand Migration Report 2011 (Tab. 1.4); Singapore: Ministry of Manpower; Brunei Darussalam: Population Census.

Vulnerabilities of domestic workers

Workers in the domestic sector tend to be outright excluded or enjoy only partial coverage under labor and social protection regulations. This contributes to unequal power relations, discrimination as well as limited opportunities and rights to organize. Several other factors directly related to the nature of domestic work act as additional barriers to successful labor market and social integration.

Women domestic workers not only face considerable challenges related to protection and integration in host countries, they also frequently struggle with insecurity and experiences of “dislocation” in their countries of origin prior to migration. The next section examines some of these vulnerabilities – first in destination countries and then in countries of origin.

Vulnerability in destination countries

As an occupational group, domestic workers face specific problems such as the isolation that comes with working in people’s homes and the intimate character of the work itself. Both result in a personalized relationship with the employer that often leaves women domestic workers vulnerable to abuse, including sexual harassment and rape. The employer’s ability to control aspects of the worker’s personal life can result in violations of the female migrant’s rights as a human, a woman, and a worker.

Legal framework to protect domestic workers

In destination countries, such as Singapore, Malaysia and Thailand, migrant domestic workers are either legally excluded from national labor laws or, when laws do exist, implementation is weak – especially given that domestic work is concealed behind the closed doors of an employer’s home.

Wages

ILO Convention No. 189 ‘Decent Work for Domestic Workers’ recognizes that “each member [country] shall take measures to ensure that domestic workers enjoy minimum wage coverage, where such coverage exists, and that remuneration is established without discrimination based on sex” (Article 11).²⁴ Aside from the Philippines, no ASEAN member states have ratified the convention.

Domestic work is frequently excluded from national minimum wage protection,²⁵ meaning many women must accept positions earning far less than the minimum wage. Wages are often determined by national stereotypes reflecting discrimination based on the woman worker’s national origin, and sometimes religion, rather than individual qualifications and skills.²⁶

In addition to the widespread exclusion of migrant domestic workers from minimum wage provisions, wage deductions are also common. Wages are often used to pay off debts incurred in relation to

the worker's job placement and departure. This practice affects the well-being of newly arrived domestic workers, who find themselves forced to cut back on food, accommodation and health expenses, in addition to saving remittances to be sent home. The long chain of middlemen, including agents, brokers, and sub-contractors, who charge fees for administrative services related to visas and job placements, raises the cost of migration. Migrant workers, faced with the high cost of regular migration with official documentation and the prospect of 'debt bondage,' sometimes choose to migrate through unofficial channels.²⁷ Whether migrating through regular or irregular channels, migrant workers, and especially women, become vulnerable to extortion.

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Protecting domestic workers through labor regulation

As of December 2015, there were 231,500 domestic workers in Singapore.²⁸ Even though migrant workers in other occupations, such as construction workers, are covered under the national Employment Act, it does not cover domestic workers. The Employment Act in Singapore sets out the basic terms and conditions of employment as well as the rights, duties and responsibilities of both employers and employees. Domestic workers in Singapore are

instead governed by the Employment of Foreign Manpower Act and the Employment Agencies Act, which do not provide the same level of rights and protections.^{iv}

The work permits required for migrant domestic workers in Singapore binds them to their employers. They do not have the right to quit their job. If they want to return home or work for another employer, the current employer must release them by signing an issuance declaration,²⁹ which essentially functions like a release form. This leads to an imbalance of power, leaving domestic workers highly vulnerable to exploitation by the employer.

However, steps to provide protection for domestic workers have escalated in recent years. In 2012, the compulsory "Settling-In Programme" was introduced for new migrant domestic workers to inform them about safety precautions and living in Singapore.³⁰ In 2013, a mandatory weekly rest day was introduced³¹ and in 2014, the National University of Singapore launched a series of workshops aimed at empowering migrant domestic workers with a better understanding of their legal rights.³² While these are encouraging signs, Singapore should demand a more ethical model for recruitment and training and prohibit

^{iv} Regulations on specific aspects of domestic work, such as limits of hours of work, work on public holidays and sick leave are left to the employers to decide which creates room for exploitation and abuse.

domestic businesses from working with overseas recruiters who charge exorbitant training and recruitment fees. Ultimately, in order to give domestic workers the same rights as workers in other sectors, they should be covered under the Employment Act.

In Malaysia, there are some 300,000 documented domestic workers.³³ While it recognizes domestic workers as one type of employee, the Employment Act of 1955 explicitly denies them the same rights as other workers. The specific labor protections concerning leave and entitlements do not apply to domestic workers, according to the legislation. The employment conditions of domestic workers are instead regulated through immigration procedures and through MoUs brokered between the sending country and Malaysia. A worker's residence permit binds her to an employer and requires her to live in the employer's home.³⁴ This creates a significant power imbalance between the worker and employer. In May 2012, Malaysia introduced a minimum wage of MYR900 (US \$214) per month, but once again excluded domestic workers from this regulation.³⁵

Thailand receives migrant workers from its neighbors Myanmar, Cambodia, and the People's Democratic Republic of Lao. With the assistance of the ILO, MoUs have been signed with the governments of these three countries, "under which migrant workers will receive

wages and benefits at the same rate as national workers in accordance with the principles of non-discrimination and equality with respect to gender, ethnicity and religious identity."³⁶ The key piece of general labor legislation in Thailand is the 1998 Labour Protection Act (LPA), which was amended in 2008. However, ministerial regulation specifically excludes the application of labor protections to domestic workers, or at least those working for households, with respect to working conditions and the provision of basic welfare services. In 2012, the Thai Government introduced the Ministerial Regulation on the

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Protection of Domestic Workers that amended the regulation of 1998.³⁷ Under this regulation, all domestic workers were granted the right to a weekly rest day, traditional public holidays, up to 30 working days of sick leave

a year, and payment for unused leave. These rights mandated by law were to be recognized even without a written contract.

Access to social protection and healthcare

Comparing the three destination countries – Thailand, Singapore and Malaysia – Thailand offers the most comprehensive social protection to migrant workers. Health care is also provided by law and covers all workers. Additionally, documented women migrant workers are entitled to maternity leave, benefits and child support. However, social security schemes are only available through employers³⁸ and in practice, implementation suffers from legal and

administrative hurdles. As a study by Friedrich-Ebert-Stiftung highlights, “although a migrant worker may be entitled to pay into and access social protection mechanisms of a home or host state, administrative practices may limit their access to such protection in practice, in particular relating to: specificities in officially certifying documents to satisfy requirements; means by which money can be transferred; language difficulties; methods of payment of money overseas from a country where the benefit has been realized; and difficulties in satisfying documentary requirements in terms of passing on benefits to relatives or spouses when a migrant is deceased.”³⁹

Migrant workers in Malaysia have access to medical care, old-age allowance, and work injury and invalidity compensation. Yet family and maternity benefits that are applicable to women of the local workforce are not available to migrants.

In Singapore, migrant workers cannot contribute to their retirement provision unless they are permanent residents. However, medical care, sick-pay and work injury compensation are provided in Singapore.⁴⁰

In all three receiving countries, migrant workers are dependent on employers for registration with authorities, insurance schemes, and health

providers. Without proper monitoring and enforcement, employers can simply reduce costs by under-insuring workers or, for undocumented migrants, by not insuring them at all.

Right to representation

Fair representation is essential for the promotion and protection of workers’ rights – both to protect individual workers from exploitation and to promote collective standards. Unions represent worker interest and provide an important voice in policy and legislative debates as well as in international forums.

In Singapore, a group of seven or more workers can form a union. However, regulations stipulate that the governing bodies of associations/unions must have Singaporean citizens as a majority – a major obstacle in forming domestic worker unions.

In Malaysia, migrant workers are prohibited from applying to register their own trade union. Even an association for migrant workers that has been set up by the Malaysian Trade Union Confederation (MTUC) has been refused registration by the Director General of Trade Unions, who has discretion in such matters.⁴¹ Regardless of

the restrictions on joining trade unions, the MTUC has two full-time staff members who try to help domestic workers. It is also working with trade unions in origin countries – specifically Indonesia

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and Sri Lanka – to inform and further advance the rights of migrant domestic workers in Malaysia.

In Thailand, the Labour Relations Act of 1975 denies domestic workers the right to organize, as they are not recognized as employees. It also requires that workers be of Thai nationality to form or to lead a union (Sections 88 and 100). Most Thai trade unions are unwilling to become involved in matters related to migrant workers because of language barriers, a lack of resources and a lack of access to migrant workers. Despite restrictions on their ability to form registered trade unions, some migrant workers nonetheless organize informally and unilaterally within workplaces. However, migrant and local domestic workers are reluctant to participate or join associations due to the threat of being fired by their employers and the fear of local officials and police.⁴²

In countries of origin

Women domestic workers do not only face challenges in destination countries; they also struggle with experiences of ‘dislocation’⁴³ in their countries of origin. This section looks in more detail at what those experiences are at different stages of the migration journey.

Before migration

Many migrant workers, especially women from disadvantaged economic and social backgrounds, remain unaware of their rights at home or in

destination countries.⁴⁴ As such, they are less likely to access information, receive pre-departure training or support services before migrating abroad.⁴⁵ Pre-departure training for instance can provide migrants with a better understanding of safe migration and available legal aid services. It also supports them in having their interests and concerns heard through the inclusion of migrant voices in stakeholder discussions on migrants’ rights or absentee voting systems.^v

While away

While away, women migrants need to juggle different professional and family roles across borders. One of the biggest concerns is the wellbeing of children that are left behind. Children living without their parents in Cambodia, for instance, sometimes leave school to look after family members or to contribute to family income, and they are therefore more likely to drop out of school.⁴⁶

Greater public support for families of migrant workers could alleviate some of the burdens that adolescents face and help them remain in school.

Characteristics of employment in the domestic sector such as isolation, lack of privacy, long hours and physical and/or psychological abuse may also impact a worker’s mental stability and social relationships. Fear of being misjudged or stigmatized by members of their own families and communities sometimes prevent women

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^v The overseas absentee voting is a recognition that citizens abroad have the same rights as all other nationals, and that their voices and contributions do matter.

from sharing their economic, physical and psychological struggles with those back home.

Upon return

The successful reintegration of returning migrants is a complex, multilayered process.⁴⁷ For instance, policies regarding citizenship rights impact Myanmar returnees' experiences. Such rights determine the returnee's access to property restitution, freedom to travel within the country, voting, employment and welfare benefits as well as education. Research by the Mekong Migration Network claims that countries such as Myanmar also lack systems of skills verification and recognition of educational credentials received abroad.^{vi} Consequently, similarly to the situation in other countries that send migrants abroad, "many migrant returnees are excluded from the possibility of continuing their studies or applying for employment in accordance with their education."⁴⁸

Societal expectations and inherited customs that reinforce gender stereotypes and local attitudes towards returnees constrain women's ability to access employment and entrepreneurship opportunities after returning home. They often have to pursue economic activities that offer less career mobility.

Gender norms may further impact this condition and result in migrants' loss of skills acquired while abroad (i.e. language, financial literacy, caregiving trainings) as women returnees may be expected to revert to their household and care duties within the family once back home. Societal expectations and inherited customs that reinforce gender stereotypes and local attitudes towards returnees constrain women's ability to access employment and entrepreneurship opportunities after returning home. They often have to pursue economic activities that offer less career mobility. The low value placed on domestic and care work in society at large also impacts the degree to which returnee women can become successful entrepreneurs or small-scale investors in their communities.⁴⁹ Returning domestic workers tend to opt out from pursuing an independent business upon return. This constitutes a challenge especially for women from poor and remote areas where conservative gender norms are coupled with scarce capital.

^{vi} Research with domestic worker shows that there are significant cases of domestic workers undertaking further education/vocational training while abroad. Many of them do not intend to be domestic workers back home but rather open their own business for instance.

Concluding remarks: Mitigating migrant workers' vulnerabilities for equitable and sustainable development

While international and regional frameworks for the promotion and recognition of migrants' work and their rights do exist,⁵⁰ there is still no legally binding instrument or treaty to implement the commitment. Destination and origin countries must develop gender-responsive initiatives that enhance women's capabilities and reduce their vulnerabilities. In this context, special attention

should be given to public policies, the practices of the migration industry and intermediaries, and the accountability of employers. The guiding principles for tackling migration issues should be employee-employer dialogue, the promotion of human rights, a commitment to narrowing gaps in inequality, and the sharing of responsibility between origin and destination countries, as well as employers, recruiters, and migrant workers themselves.

The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers was formalized in 2007. A decade later, in November 2017, the ASEAN Consensus on the Protection and Promotion of Rights of Migrant Workers was signed by all member states during the 31st ASEAN Summit in Manila.⁵¹

Destination and origin countries must develop gender-responsive initiatives that enhance women's capabilities and reduce their vulnerabilities.

The signing parties committed to ensuring migrant workers' access to healthcare, legal rights, fair pay and decent living conditions, as well as protecting them against discrimination based on gender and origin. The inclusion of undocumented workers in the consensus was an unexpected accomplishment, with receiving states being obliged to "resolve the cases"

of workers "who became undocumented through no fault of their own." However, given that this agreement is non-binding, the extent to which member states are able to implement it, especially given the legal, administrative, economic, social and cultural hurdles mentioned above, remains to be seen.

The consensus calls for member states to "establish a framework for cooperation on migrant workers in the region and contribute to the ASEAN Community-building process." This provides a strong mandate for the ASEAN Committee on Migrant Workers to begin work on developing an action plan that includes specific policy instruments. The action plan should include the creation of common or uniform labor and working condition standards for all ASEAN

countries. The challenge is for the regional bloc to urgently create and implement such an action plan.

Recommendations for destination countries

Destination countries should ratify the International Convention on the Protection of the Rights All Migrant Workers and Members of Their Families (No.181) as well as the ILO Convention No. 189 concerning decent work for domestic workers.^{52,53} While such resolutions lack an enforcement mechanism, they are still significant in signaling a genuine commitment to migrant workers' rights. Destination countries should also clamp down on abusive employers, unscrupulous recruiters and human traffickers operating within their borders. They can work with origin countries to set up recruitment centers that are jointly monitored by both nations. Critically, migrant

domestic workers should be allowed to switch to other recruitment agencies and/or employers. Direct hiring opportunities would eliminate many of the risks of exploitation and abuse. Destination countries should also engage in information dissemination by educating migrant workers about legal aid services and organizations to approach in case of trouble.

Portability of social protection and security is another key concern for migrant workers in ASEAN countries as their movement is usually temporary and they do not meet the requirements for long-term benefits such as retirement payments. In instances where access to social security is available to women migrant workers, access to these benefits is often complicated or applies only to the formal sector. Negotiating agreements with origin countries around portability of benefits is another important step for destination countries to improve the welfare of migrant workers.

Box 1

Best practices in promoting the rights of migrant domestic workers

1. Coverage under labor laws:

Several countries have implemented labor laws that include domestic workers, including South Africa, Bolivia and France. In South Africa, the sector Determination 7, under the Basics Conditions of Employment Act, 1997 was introduced in 2002. The act lays out comprehensive standards and protections for domestic workers, governing working conditions such as minimum wage, hours of work, overtime pay, salary increments and leave entitlements.

2. Tripartite consultation and collective bargaining:

France, Germany and Uruguay have established mechanisms for collective bargaining for domestic workers. These are in the form of a union representing domestic workers or an institutional monitoring framework for bargaining facilitated by government.

Uruguay has a domestic worker collective bargaining agreement in place. This agreement was arrived at through a tripartite consultation process bringing together the Domestic Workers Union, the Uruguayan League of Homeworkers, consumers representing employers of domestic workers, and the Ministries of Employment and Social Security. The first agreement came into effect in August 2008 and included provisions for minimum wages, incremental pay raises, severance pay, and overtime and early termination payments. It also banned sexual harassment. A revision of the agreement in 2010 renewed these provisions and increased minimum wages.

3. Dialogue and consultative platforms on domestic work:

Set up in 2006, Lebanon has a National Steering Committee on women migrant domestic workers comprised of government, civil society and international organizations. The objective of the committee is to evaluate and propose measures for better protection of these workers. 'Asraab' – meaning migrating flocks in Arabic – is a participatory newsletter used to share information on the subject among committee members and other stakeholders.

4. Cooperation at bilateral, multilateral and global levels:

The Philippines has an overseas employment program that aims to provide comprehensive assistance and protection to migrant domestic workers in multiple ways, including regulating employment agencies and labor offices in destination countries.

5. Policy advocacy, mobilizing, frontline service delivery and access to justice:

Kalayaan is a United Kingdom-based non-governmental organization created in 1987 by domestic workers who had become 'undocumented' after fleeing abusive employers. Its clients are mainly women from 30 Asian and African countries. When Kalayaan partnered with other organizations to advocate for the adoption of the Domestic Workers' Convention and revisions to the UK visa system for domestic workers, the campaign was successful in winning new protections for domestic workers. These include coverage in minimum wage legislations, maternity leave, and state-funded safe houses for victims of trafficking. The organization partners with lawyers to offer clients free employment and immigration advice and helps the domestic workers to reclaim their passports.

Source: Challenges in promoting and protecting the human rights of migrant domestic workers, regardless of their migration status, UN Economic Commission Africa, OHCHR Protecting the rights of migrant domestic workers: Good practices and lessons learned from the Arab Region, ILO.

At home

Civil society organizations have a role to play in the process of reintegration of migrants in their communities of origin. Yet their work must be supported by governments' institutional arrangements.^{vii,54} Those should include "establishing pre-departure training, welfare funds, rehabilitation centers and employment offices for returnees."⁵⁵ In some ASEAN countries, such as Cambodia, Indonesia and Lao PDR, migrant worker resource centers and community-based organizations provide pre-departure trainings in the areas of financial literacy and management.⁵⁶ Those trainings specifically target female migrant workers. This can help enhance women's confidence in their financial skills and therefore in their ability to plan, manage and productively invest remittances upon return.^{57,58}

These efforts should be coupled with "the creation of financial products including gender-responsive remittance savings and investment schemes controlled by women migrant workers."⁵⁹ Furthermore, regional model competency standards (RMCS) that acknowledge skills and work experience and their potential application

upon return can help to minimize the "deskilling"⁶⁰ of returning migrant workers. RMCS would also help build a skilled and qualified workforce by capitalizing on new learning and abilities brought back by migrant workers.^{viii,61}

A dignified and safe return of migrant workers and their efficient reintegration into a secure and responsive family and community context need to be ensured. The same applies to the physical and psychological wellbeing of migrant women and their family members, especially children, at all stages of the migration cycle.

This chapter has highlighted the importance of safe conditions for migration, work and return for women migrant workers to achieve their full potential as agents of sustainable and inclusive development in ASEAN. We have also emphasized the importance of recognizing and valuing the work of women migrant workers, especially domestic workers, at national and regional levels. Migration is far more likely to empower migrant women workers and their communities if they can make informed choices, access legal protection and services, and most of all engage in decent and valued work.

Migration is far more likely to empower migrant women workers and their communities if they can make informed choices, access legal protection and services, and most of all engage in decent and valued work.

^{vii} Nepal's Foreign Employment Policy 2012, for instance, proposes social and economic reintegration packages via the development of entrepreneurship, capital formation and investment, use of returnees as trainers for pre-departure and skills training, provision of psycho-social counselling and creation of rehabilitation centres.

^{viii} The ILO has drafted guidelines for skills recognition of returning migrants.

Box 2

ILO's Regional Model Competency Standards

The issue of skills recognition, and the development of national skills standards is relevant globally as well as at a regional level. Increased labor mobility triggers the need for recognition of skill development and training systems across borders. In response, the ILO developed **The Regional Model Competency Standards (RMCS)** – reference standards at the regional level in Asia that can be used to underpin efficient and effective skill development. The standards have the potential to protect migrant workers and their rights and to ensure a more successful reintegration benefiting both migrants and their families as well as their home countries. The ILO Regional Office for Asia and the Pacific has also developed the RMCS for Domestic Work, which covers key tasks of domestic workers (i.e. housekeeping, cooking, caring for infants, children and the elderly etc.) as well as core competencies of communications skills, organizing and work management. The standards “constitute a set of benchmarks that define the skills, knowledge and attributes required for domestic work. They are designed to be used as a basis for developing national standards and as a regional reference point.”

Source: Guidelines for Development of Regional Model Competency Standards (RMCS), ILO, Regional Skills and Employability Programme (SKILLS-AP) Regional Model Competency Standards: Domestic work, ILO

Endnotes

- ¹ 2016. United Nations, Department of Economic and Social Affairs, Population Division. International Migration Report 2015: Highlights (ST/ESA/SER.A/375).
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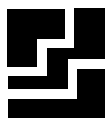
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