



South Asia Sub-Regional Conference on Global Compact for Migration

August 2023

Introduction

Over the past five years the Solidarity Center, in collaboration with the South Asian (SA) Regional Trade Union Council (SARTUC), has organized sub-regional migration workshops to bring together South Asian trade unions and ally CSOs to exchange information, build solidarity and discuss coordinated approaches in promoting migrant worker rights. Since 2018, when the Global Compact for Migration (GCM) was adopted in Marrakech, Morocco, these gatherings have provided a platform for regional stakeholders to discuss a worker-centered approach to GCM implementation.

The 2022 Sub-Regional Migration Workshop coincided with the GCM's first International Migration Review Forum (IMRF), an opportunity for UN member states and civil society stakeholders to assess progress on the GCM over the past four years and set the agenda for the next review in 2024 that will take place at a regional level. This year, trade union and civil society leadership from across the region gathered in Colombo to identify shared priorities for campaigns focused on the rights of migrant workers and explore opportunities for organizing in destination countries. Participants reviewed GCM commitments for each participating country and strategized for trade union and worker participation ahead of the 2024 GCM regional reviews.

GCM Commitments and Implementation

A United Nations Network for Migration (UNNM) staff person in the IOM Regional Office for Asia and the Pacific gave a presentation to workshop participants about the upcoming regional review in Asia. The regional office committed to continuing to engage unions in the region in the GCM implementation review process.

Through a panel discussion featuring speakers from across South Asia, Solidarity Center staff and partners reviewed progress on GCM commitments and implementation in the region ahead of the GCM regional review process scheduled for 2024. Panelists included Laxman Basnet of SARTUC, Bro. Shakil Akhter of SARTUC and the Workers Trade Union of Bangladesh, Padmarsisri Ranawakaarachchi of NTUF (Sri Lanka?), Bhakti Ram Ghimire of GEFONT (Nepal), Maharroof of TEAM (Maldives), and Sonia George of SEWA (India). Bro. Laxman reported earlier this year, SARTUC adopted a resolution at its conference emphasizing five key

points promoting migrant rights: fair and ethical recruitment; social security; reintegration; occupational health and safety; and freedom of association. SARTUC has a one year agreement with employers and will hold a conference with all stakeholders to start a dialogue with GCC countries. Bro. Shakil highlighted that GCM is just one commitment for migrant workers among many, including Decent Work, the Colombo process, and other dialogues; however, common among all these policies is the gap in implementation. Trade unions are not effectively participating in GCM implementation and there is no coordination among the stakeholders, and governments are not sufficiently utilizing social dialogue. Additional issues include mismatch of skills, psychological and economic support for reintegration, and capacity building. Sonia George highlighted that SEWA has initiated a discussion on GCM with the Indian government; the largest issue is that there is no connection between the labor ministry and migrant workers and trade unions and civil society are left out of the Indian government discussions related to migrant workers.

When asked how unions and workers can have their voices heard in the GCM process, speakers highlighted the need for governments to engage with trade unions and for trade unions to position themselves to voice migrant workers' concerns. The organizations assembled need to understand the union movement in countries of destination (COD), where often, like in the GCC, unions are not democratic or independent or lack power, and work to create a democratic labor movement. COD unions need to also be encouraged to organize migrant workers and support their full participation in unions. Unity among South Asia trade unionists is imperative to make an impact in COD. During the question and answer period, audience members raised additional matters including the impact of the Sri Lankan crisis on increasing rates of migration, women's participation in migrant worker policy conversations, and the need for cooperation between unions in countries of origin (COO) and COD.

Priorities and Common Needs

The closing session of the first day of the workshop focused on generating priorities and needs for effective engagement in the next Global Compact by country and across the region. By country, participants reviewed the 23 points of the GCM and identified the points most relevant for their country and need for strong engagement. Responses are captured in the table below:

	Priorities	Needs
Bangladesh	<ul style="list-style-type: none"> ● Fair and Ethical Recruiting (Obj. 6) ● Data (Obj. 1) 	<ul style="list-style-type: none"> ● Incorporate GCM objectives into local legislations

	<ul style="list-style-type: none"> ● Social Security (Obj. 22) ● Prevent Illegal Trafficking (Obj. 10) 	<ul style="list-style-type: none"> ● Capacity Building for Data collection ● Capacity building for organizers ● Access to National and International discussion on Migration ● Joint forum for Unions ● Ratifying ILO C-189, 190 ● Financial support for Unions and human resource
Nepal	<ul style="list-style-type: none"> ● Recruitment and decent work (Obj. 6) ● Social Security (Obj. 22) 	<ul style="list-style-type: none"> ● Free recruitment-it is in the policy but the policy is not implemented; free visa, free ticket and minimum basic wage/living wage in the destination country. ● All types of work should be respected; group demands security, safety, and human rights in the destination country. ● Workers must get minimum skill training and proper orientation during pre-departure. ● For workers who went through irregular channels, the Government of Nepal should provide legal authorisation, or the destination country

		<p>should give them the legal working authorization.</p> <ul style="list-style-type: none"> ● Workers should have social protection and social security in the destination country as well. ● Sustainability of the income and income security like a pension. If workers die there should be sustainable income for their dependents. ● There should be equal social security between formal and informal/migrant workers.
<p>India</p>	<ul style="list-style-type: none"> ● Data (Obj. 1) ● Legal identity and documentation (Obj. 4) ● Recruitment and decent work (Obj. 6) ● Reduce vulnerability (Obj. 7) ● Eradicate trafficking (Obj. 10) ● Manage borders (Obj. 11) ● Inclusion and social cohesion (Obj. 16) ● Eliminate discrimination (Obj. 17) ● Dignified return and reintegration (Obj. 21) ● Social Protection (Obj. 22) 	<ul style="list-style-type: none"> ● The union needs to support the collection of data ● Capacity Building for union members ● Membership for migrant workers ● Strengthen social dialogue ● Skilled human resources ● GCM objectives have to be mainstreamed into law ● Joint forum for Unions

	<ul style="list-style-type: none"> ● International cooperation (Obj. 23) 	
Sri Lanka	<ul style="list-style-type: none"> ● (Obj-6) – Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work ● (Obj-10) - Prevent, combat and eradicate trafficking in persons in the context of international migration ● (Obj-15) - Provide access to basic services for migrants ● (Obj-21) - Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration 	<ul style="list-style-type: none"> ● Access to discussions on International Migration issues. ● Financial support (Government needs to allocate for implementation) ● Recognition of Unions as key stakeholders and adequate capacity building issues. ● Unions need to build immediate and long term priorities and work accordingly.
Maldives	<ul style="list-style-type: none"> ● Recruitment and decent work (Obj. 4) ● Regular pathway (Obj. 5) ● Legal identity and documentation (Obj. 6) 	<ul style="list-style-type: none"> ● To identify the role of the government involvement of the GCM objectives ● How to engage with civil societies, trade unions? ● Push for the implementation of the 3 priorities

Almost all groups identified both Fair Recruitment and Decent Work and Social Protection as top priorities in the GCM. Capacity building is a shared need across the region, as well as efforts to

increase unions' data collection capacity and including GCM priorities in local and national legislation.

Organizing Migrant Workers in Origin and Destination Countries

Workshop participants split into groups to review challenges and successes in their efforts to organize migrant workers in COO and COD. Highlights are listed below:

Organizing challenges:

- Legal restrictions on FoA and freedom of expression in the destination countries.
- Some destination countries have no TUs at all. For example, Saudi Arabia and the Emirates. Some other countries have traditional unions that don't adopt progressive values or inclusive organizing approaches..
- In some contexts MWs are allowed to join TUs in the destination countries, but they are not allowed to form TUs or hold leadership positions. They are not engaged in collective bargaining processes.
- Difficulties of reaching out to MWs in order to organize them, especially in isolated sectors like the domestic work sector.
- Lack of workers documentation and difficulties of organizing undocumented workers, which requires addressing undocumented workers reasons including bans on women's migration.
- Language barriers.
- Fear of intimidation.
- Restrictions on freedom of movement.
- Lack of bilateral cooperation agreements between TUs in COOs and CODs.
- The governments of COOS and CODs bilateral agreements don't address MWs FoA.
- Xenophobia and racism
- Lack of ILO conventions ratification, especially conventions on the right to organize and CB and those related to MWs.
- Lack of recognition of informal economy workers as workers, which leads to denying them their labor rights, including the right to organize and CB.

Successes:

- **Jordan:** while MWs in the DW and AG sectors are not allowed to form TUs, SC helped migrant workers in the domestic work sector organize in an alternative organizing model, which is a multinational DWs network. They managed to affiliate to the IDWF, although

not recognized at the national level. The network built alliances with CSOs and labor activists to fight for DWs rights including their right to FoA. In the agricultural sector, SC helped the independent union for AGWs adopt an inclusive intersectional organizing approach that includes MWs in the union's membership and gives them important roles in the unions' campaigns.

- **Bahrain:** IDWF and GFBTU helped migrant DWs form the 1st DWs union in Bahrain in June 2023.
- **Nepal:** GEFONT Support Group representatives in many destination countries, including in Gulf countries and the GUFs support.
- **Maldives:** MWs have the right to join unions in Maldives, but there are implementation challenges. Despite the challenges, there are examples of unions of which migrant members have leadership positions.
- **India:** Pre-departure awareness raising through women workers forums in the areas where they migrate from.
- **Bangladesh:** BOMSA has submitted 260 cases of wage theft of returned migrant workers to the government that have successfully resulted in money for workers totalling 1 million taka (\$9,138).

Action Plan

Building on the final session of the first day, participants voted for top 3 priorities that would be the basis of a coordinated campaign. Next, they brainstormed activities under each priority, see below:

1. Fair and Ethical Recruitment

- Identify recruitment agencies/process
- Minimizing the cost of recruitment
- Campaign to register and regulate subagents of recruitment agencies or other unregulated recruiters
- Involve local government in the regularization of the recruitment process
- Eliminating gender based discrimination in recruitment
- Capacity building of the TU on fair recruitment
- Make the recruitment process transparent with proper documentation, contracts, fixing of minimum wages, social security etc. for the workers
- Prioritize MW worker issues with national and global unions
- Create database of MWs
- Lobby the government for safety of migrant workers in destination country
- Mainstream GCM objectives with national unions and lobby governments
- Research on migrant workers and sharing findings with national and South Asia regional allies

2. Data/Evidence Based

- Lobby with the government for creating a national database
- Find existing data and validate it
- Create an information hub that is inclusive of trade unions
- Lobby the government to prepare a database, make it publicly available and make decisions based on it
- Involve local governments in th worker database
- Specific campaigns to include the undocumented workers in the database
- Include workers with temporary status(ie. Visit visa or tourist visa) in the database as workers
- Database of union members who work in destination countries
- Collect and share migrant worker stories with allies
- Data should not be maintained by a government agency that might use the data to target migrant workers for deportation

3. Freedom of Association

- Influence government in the country of origin and country of destination for the right to freedom of association
- Motivation and sensitization of the migrant workers on workers' rights, including the right to organize and collectively bargain
- Campaigns, lobbying and advocacy
- Form independent democratic trade unions in destination countries
- Networking with origin and destination country unions
- Campaigning and networking with the UN agencies, human rights organizations, Global Union Federations for the formation of workers' organization in destination countries
- We need more support to make connections between unions/migrant organizations across migration coordinators
 - i. We need concrete structure, procedures, handbook for establishing and maintaining these connections
 - ii. Start with Maldives and Jordan, maybe Malaysia
 - iii. We need a communication mechanism (WhatsApp, Listserv) to coordinate between origin and destination countries

Next Steps

- Work with the MENA team to facilitate additional virtual conversations/exchange between Bangladesh garment unions (SGSF) and workers in Jordan.

- Do a mapping of South Asian origin countries, destination countries in MENA or Asia, the key sectors in those countries, key partners in those countries, and the SC POCs in those countries to improve communication and collaboration.
- Connecting partners in SA COOs with partners in MENA CODs in certain sectors or certain migration corridors to think of future strategic cooperation initiatives in organizing workers, educating workers, enhancing MWs access to justice, joint advocacy to put pressure on COOs governments and embassies and CODs governments to make the needed reforms or adopt alternatives for the current labor migration systems through unified rights based bilateral agreements, ILO conventions ratification and implementation and aligning national laws with international standards, and cooperation as well regarding reintegration.
- Support in the translation of awareness raising and advocacy campaign materials between SA and MENA offices