









#### Report on **Side Event**

#### Condition of Workers and Labour Rights in South Asia, **Including Migrant Workers**

at

World Social Forum 2024 (WSF2024Nepal), Kathmandu "Another World is Possible" **17 February 2024** 3:00 pm - 4:30 pm



#### **EXECUTIVE SUMMARY**

SARTUC organised two Side Events in World Social Forum 2024 (WSF2024Nepal), Kathmandu "Another World is Possible" on 17th February 2024, in collaboration with International Trade Union Confederation - Asia Pacific (ITUC-AP), FNV Mondiaal, South Asia Gender Platform (SAGP), and Solidarity Center (SC); one of which was a Side Event on "Condition of Workers and Labour Rights in South Asia, Including Migrant Workers", organised with the collaboration with International Trade Union Confederation - Asia Pacific (ITUC-AP) and Solidarity Center (SC). The objectives of the side event were to provide a comprehensive overview of the current state of workers in South Asia, addressing issues such as working conditions, wages, job security, precarious work and the impact of the pandemic on the labour force; To explore the unique challenges faced by migrant workers in South Asia, including issues related to exploitation, discrimination, access to justice, and the recruitment process; examine existing labour laws, legal frameworks and protections for workers in South Asian countries, and assess their effectiveness in safeguarding labour rights; understand the impact of technological advancement and Artificial intelligence (AI) in the changing world of work, and the strategies of trade unions to cope with it; facilitate discussions on potential strategies, policies, and advocacy efforts that can contribute to







improving the condition of workers, updating labour laws and strengthening labour rights in the region.

The Side Event highlighted and discussed the challenges faced by workers, particularly focusing on the experiences of workers and labour rights in the region through the presentation and inclusive dialogue from South Asian trade union leaders. The side event at WSF 2024 was open to all the delegates and participants who attended WSF across the world, thus, the hall was fully occupied with more than 150 participants. Additionally, the South Asian trade union leaders discussed decent work and social protection to promote labour rights in the region.

The key discussion revolved around country-wise representing the condition of workers, labour laws, the situation of migrant workers, the impact of technologies on the changing world of work, and social protection of workers in the country. Additionally, the presenters highlighted best practices, potential solutions, and strategies to deal with the challenges representing their respective countries.

#### **BACKGROUND**

In the quest of envisioning "Another World is Possible," the World Social Forum 2024 (WSF2024Nepal) in Kathmandu provided a favourable space to trade unions to explore the pressing issues surrounding the condition of workers and labour rights in South Asia, including migrant workers. Despite being the backbone of the economy and society, workers in South Asia face significant challenges amidst the region's focus on economic growth. Trade unions in the region are struggling with backsliding democracy and violations of labour rights, as governments align with multinational corporations and are motivated by pro-capitalist policies, threatening workers' rights in the face of widening income inequalities exacerbated by globalization.

In the case of migrant workers in South Asia, despite commitments and standards on safe, orderly and dignified migration, there are still several challenges facing migrant workers globally. Migrant workers continue to face health risks, thousands of them lose their lives and get injured in destination countries. Various studies have demonstrated that these deaths are related to their living and working situations and conditions and are preventable. At worst, they are not protected by insurance and social protection schemes. The COVID-19 pandemic exacerbated these living and working challenges that migrant workers face in Countries of Destination (COD). Restrictions, arrest and deportation were imposed and carried out in inhumane conditions, which partly contributed to negatively affecting the mental health of migrant workers and members of their families. Most countries of origin in South Asia have struggled to ensure fair and ethical recruitment and curb unscrupulous recruitment practices, as well as to provide skilling opportunities to their youth.







Additionally, with the rapid adoption of technology, Artificial Intelligence (AI) and mechanisation of work, the world of work is going to drastically change. Millions of jobs are already lost during COVID-19 and more are likely going to be lost due to the increased use of technologies and AI for production and supplies. Further, workers and employees will need up-skilling and reskilling to stay relevant and fulfil skill gaps in the coming years and decades to thrive in future jobs. There is an increased risk of decent work deficits, amplification of informalisation and pressure to regulate the world of work.

#### **OPENING**

Mr Laxman Basnet, General Secretary of the SARTUC began the Side Event, welcoming all the delegates and participants, and providing an overview of the Side Event for the WSF 2024.



Hon. Dr. Shekher Koirala, Member of Parliament (Nepal) and Nepali Congress Leader -



welcomed all the distinguished delegates and SARTUC-affiliated trade union leaders across South Asia to the historic World Social Forum 2024 in Nepal, emphasizing the need for solidarity amidst global challenges. Reflecting on Nepal's Trade Union Movement's legacy – started by the Koirala family, he stressed SARTUC's pivotal role in advocating for workers' rights regionally. The speech underscored the importance of social justice, adaptation to technological advancements, and protection of migrant workers' rights. He emphasised the need for a just transition to address the climate crisis, and he called for tackling

societal inequalities, particularly gender, caste, and class discrimination, to ensure fairness and inclusivity in social dialogue. Finally, he expressed his confidence in SARTUC's leadership and concluded with a call for continued defence of democratic values and workers' solidarity.

#### Mr Shoya Yoshida, General Secretary of ITUC-AP, extended greetings on behalf of ITUC-AP.



He emphasized concerns on a variety of issues, including backsliding democracy, social security, migrant workers, fundamental rights at work, etc. Further, he highly emphasised the time for the highest priority is to negotiate a new social contract based on six demands: jobs, rights, wages, social protection, equality and inclusion. Advocating for a global commitment to empowering workers to escape poverty through fair employment, guaranteed rights at work, fair working conditions and adequate social protection for all







without discrimination, harassment and violence, importantly, organizing is a necessity for a new social contract. Furthermore, he emphasised that economic, social, and political rules have been designed under the influence of large companies, major financial businesses, and institutional investors. In order to change the rules to benefit the vast majority of people, including all workers and their families, and to uphold social justice for all, we must rebuild a countervailing force to gain stronger bargaining power in the negotiation for a new social contract. He strongly stated, it can be achieved through three means- building workers' power, making social dialogue work and creating social waves. Finally, in the face of significant challenges, he expressed confidence in the collective strength of trade unions to shape the future of workers and address these issues through unified action.

Mr. Harbhajan Singh Sidhu, President of SARTUC, voiced concerns over the growing influence of multinational corporations and large corporate entities in South Asian governments,

particularly in promoting corporatization and contractualization. He pointed out the situation in India post-2013, where the government consolidated 44 labour laws into four labour codes, ignoring the input of workers who had fought for these rights over seven decades. Emphasizing the urgency to address labour and human rights violations in the region, he called for solidarity among South Asian trade unions. Furthermore, he



criticized the Indian government for disregarding international standards and ILO Conventions, by drafting labour codes without consulting trade unions and workers. He emphasised the recent strike held in India where Central Trade Unions (CTUs) announced support for a nationwide rural strike organized by the farmers' collective *Samyukta Kisan Morcha* on February 16, 2024. CTUs expressed solidarity with farmers' demands for minimum support prices and opposed the government's push for the privatization of public sector undertakings various sectors, are set to participate in strikes. Finally, he expressed that the SARTUC platform shall discuss the issues of labour rights and human rights violations in the region, and all the trade unions shall work together as a collective voice for the protection of workers' rights in the South Asian region.

#### **COUNTRY REPORT** (BRIEF PRESENTATION)

The Conditions of Workers and Labour Rights in South Asia, Including Migrant Workers

- 1. Bangladesh Mr. Abu Ahmed, BLF
- 2. India Mr. Amit Yadav, INTUC
- 3. Maldives Ms. Aishath Rukhusana, MTUC
- 4. Nepal Mr. Yogendra Kunwar, NTUC
- 5. Pakistan Mr. Izzat Kamal Pasha, PWF
- 6. Sri Lanka Mr. Rajamany Siniah, CWC







#### BANGLADESH

Mr. Abu Ahmed from the Bangladesh Labour Federation (BLF), shed light on the trade union landscape in Bangladesh, emphasizing their crucial role in safeguarding workers' rights as preserved in the Bangladesh Labour Act 2006, including the right to organize, collective bargaining, and strike action. Despite this, only an estimated 4 per cent of workers are unionised, facing numerous obstacles such as hostile employers, bureaucratic hurdles, political interference, and threats of violence. Discussing the condition of workers in Bangladesh, he highlighted the significant labour force driving the country's economy, with many workers, especially low-skilled, informal, and migrant workers, facing poverty and precarious working conditions.



Issues such as low wages, long hours, unsafe workplaces, and discrimination are prevalent among Bangladeshi workers. Furthermore, addressing labour laws, he noted that while the Bangladesh Labour Act 2006 covers formal sector workers, those in the informal sector, including domestic and agricultural workers, and those in export processing zones (EPZs), are not adequately protected. Amendments made in 2013 and 2018 aimed to bridge some gaps, particularly regarding collective bargaining rights, but challenges persist.

Additionally, on the issue of migrant workers, he stressed the importance of safe migration for employment and national development, mentioning the significant remittance contribution to the economy. However, he highlighted challenges such as exploitation by middlemen, poor working conditions, and lack of legal protection and social security in the destination countries. Bangladesh's collaboration with international organizations like IOM, CP, and ADD aims to address these issues and ensure the welfare of migrant workers. Lastly, he discussed the impact of technology on the world of work, acknowledging its potential for higher productivity and safety but also highlighting its complex and evolving nature. Technologies such as robotics, artificial intelligence, and cloud computing present both opportunities and challenges, underscoring the need for careful consideration and adaptation in the workplace.

#### **INDIA**

**Mr. Amit Yadav** from the Indian National Trade Union Congress (INTUC), addressed the pressing issues faced by the working class in India, as well as globally, emphasizing the alarming situation they find themselves in. He highlighted the harmful impact of pro-corporate policies adopted by the Indian government, which directly undermine the interests of farmers, workers, and the general public, contrary to the nation's welfare. Moreover, he emphasised the collaborative efforts between central trade unions (CTUs) and farmers' unions such as *Sanyukta Kishan Morcha* (SKM), advocating for the rights and welfare of workers and farmers alike. He expressed concern over the introduction of new labour codes that facilitate outsourcing, fixed-term employment without minimum wage guarantees, widespread unemployment, and inadequate social security for







unorganised workers. Additionally, he addressed the challenges faced by internal and external migrant workers in India, shedding light on their plight and hardships.

He also discussed the impact of technological progress on the workforce, observing job losses due to automation, particularly affecting SMEs workers within industry closures. On labour rights, he acknowledged India's adoption of ILO recommendations but criticized new labour codes for abolishing key laws like the Trade Union Act 1926 and the Industrial Dispute Act 1947. Despite union efforts to voice concerns through protests, he expressed disappointment at the government's unwillingness to



address workers' issues, highlighting recent strike calls by CTUs and farmers' groups, garnering nationwide support. In conclusion, he declared that 2024 must be a year of intensified struggle, marked by sustained efforts to highlight and address the demands of the working class through combative agitation, campaigning, and collective action at all levels.

#### **MALDIVES**

Ms. Aishath Rukhusana, Vice President of the Maldives Trade Union Congress (MTUC), addressed critical issues surrounding labour conditions in the Maldives. Despite constitutional provisions for union organisation since 2008, there remains limited freedom of association and collective bargaining rights for workers, with existing unions advocating for legislative protection in line with international labour standards (ILS). Legislation in January 2024, the Occupational Safety and Health (OSH) and International Relations (IR) Acts (bills) are the jurisdictions for a period of three months. The political situation changes with the newly elected presidential government. OSH remains in serious concern.

Furthermore, she highlighted the growing informalisation of jobs, particularly exacerbated by the COVID-19 pandemic, with a significant increase in informal sector employment. Provisions of working hours, right to break, or overtime secured by the Employment Act 2008 and positive changes in labour laws are also the outcome of the campaigning by the union, such as the expansion of



labour rights for private sector workers. Additionally, she addressed the plight of migrant workers, who face various challenges including passport confiscation, low wages, and limited access to basic health services, emphasizing the importance of providing healthcare and legal protections. However, she mentioned the good practices adopted by the Maldives at the time of the COVID-







19 pandemic - health care was provided for all residents in respect of their legal status or undocumented migrant workers, access to health care was available free of charge and the Maldives provided vacation for free despite of their nationality or legal status. Lastly, she discussed the impact of technology and digitalisation on workers, stating both opportunities and challenges, along with existing social protection schemes - citizens over 65 years voluntary pension schemes, single parent schemes, and universal health care insurance - in the Maldives aimed at safeguarding citizens' welfare, particularly vulnerable groups.

#### **NEPAL**

**Mr. Yogendra Kunwar,** president – JTUCC & president – NTUC, could not present his paper/speech due to lack of time in the WSF 2024 - Side Event, however, he has provided his report/speech to SARTUC.

#### Summary of his report

Mr. Yogendra Kumar Kunwar, the Joint Trade Union Coordination Committee and President of the Nepal Trade Union Congress, expressed gratitude to SARTUC for the invitation and welcomed all the delegates to Nepal. The Speech highlights Nepal's employment challenges, the high youth unemployment rate and the prevalence of low-quality jobs in the informal economy, leading to underemployment and migration for better opportunities. The condition of work is poor in informal sectors. Despite recent legislative achievements, such as the Labour Act 2017 and Contribution-based Social Security Act 2017 which have been achieved and negotiated through tripartite dialogue. Still, concerns exist in Nepal regarding implementation gaps and threats to collective bargaining rights. The speech further highlights about the unified voice of trade unions in Nepal - JTUCC, dedicated to safeguarding the rights and welfare of labourers in Nepal, committed to non-compromise and collaboration with various entities for labour betterment. The speech pledges an unwavering commitment to labour rights and calls for solidarity in advancing the welfare of workers.

#### **PAKISTAN**

Mr. Izzat Kamal Pasha, from the Pakistan Workers Federation (PWF), addressed the critical



issue of workers' well-being and rights in Pakistan, emphasizing the diverse workforce across various sectors, from traditional agriculture to emerging technologies. He highlighted key challenges such as job insecurity, social protection, gender disparity, child labour, and inadequate minimum wage rates in the face of high inflation. He emphasized the importance of addressing these challenges collaboratively to ensure a fair and secure environment for workers.







Moreover, exploring labour laws, he expressed Pakistan's comprehensive legal framework covering various aspects of labour rights – working conditions and labour rights - but highlighted gaps in safety standards and informal labour practices. He stressed the need for a robust framework to promote legal equality and attract investment, ultimately creating more jobs for low-paid workers. Additionally, he discussed the plight of migrant workers facing exploitation, discrimination, and substandard working conditions abroad, calling for greater protection and fair treatment. Furthermore, he addressed the impact of technology on the workforce, acknowledging its benefits in efficiency and innovation but emphasizing the need for adaptation, education, and up-skilling to address challenges like job displacement and inequalities. Additionally, he explained the social protection for workers in Pakistan - three different programmes going in Pakistan: one is *BISP*; *Benazir Income Support Program (BISP)* and the second one is *EHSAAS* Programme, which programmes are to help financially assist the poor and needy people; and the third one is *EOBI* that is employee or age benefit institution. Social protection schemes have helped such as health care, education and employment. Finally, he concluded by advocating for collective efforts and the implementation of laws as the solution to labourers' issues in Pakistan and across the world.

#### **SRI LANKA**

Mr. Rajamany Siniah from the Ceylon Workers' Congress (CWC), Sri Lanka, provided an overview of the current situation in Sri Lanka, highlighting the challenges faced by the population amidst the COVID-19 pandemic and subsequent economic crises. With unemployment rates mounting and the Sri Lankan rupee depreciating significantly, the country is struggling with severe health, social, and economic impacts. Despite efforts to overcome the financial crisis with IMF assistance and strict



financial discipline, many citizens continue to undergo hardships.

Discussing workers' conditions, he highlighted disparities between the public and private sectors, where minimum wages are determined by sector-specific Tripartite Wages Boards. The economic downturn further exacerbated issues - leading to the closure of garment factories in Free Trade Zones and inadequate living conditions for plantation workers. Moreover, he expressed the workers' conditions in plantation sectors where they are not being maintained properly and the living conditions have not improved yet - living in small rooms, and no sufficient housing. Despite their long history, plantation workers lack proper rights, with demands for increased wages remaining unfulfilled. Additionally, he addressed that the Ministry of Labour and Foreign Employment is in the process of introducing a new labour law - the Single Employment Act (SEA), a bill introduced in parliament to replace multiple labour laws with a single law and the draft is







under review. He stated that the labour law has violations - removal of 8 hours; shift of 16 hours without overtime; reduction in annual leave; dismantling provision for the right to unionize and effective bargaining; and other violations. Finally, he outlined government initiatives for migrant workers and social protection schemes like the *Samurdi/Divinegulma* programme, which aims to support the poor and vulnerable in Sri Lanka.

#### **CLOSING REMARKS**

In conclusion, Mr. Harbhajan Singh Sidhu, President, SARTUC, emphasized the necessity of

unification of all central trade unions and national unions. He highlighted the unified front against capitalists and governments, who prioritise investment and could create divisions among unions. He advocated for national-level commitment, citing the successful collaboration of 10 out of 12 central unions in India over the past 15 years. He also pointed to the example of Nepal's JTUCC as a model for other countries in the region to follow, promoting cooperation and solidarity among unions on a unified platform.



**Participants listening to speakers** 

#### **CONCLUSION**

Trade unions in South Asia are passing through a critical phase, moreover, workers and trade unions are facing difficult times. The governments in South Asia are working closely with multinational companies and big corporate houses with pro-capital, anti-labour mind-sets, ignoring the conditions of workers, labour rights and labour laws. The workers' rights which have been achieved through the tireless struggle of trade unions are getting under threat in the region. Social protection for all shall be implemented without any discrimination and the schemes are vital support for the workers, the poor and the vulnerable. The plight of migrant workers, facing health risks and exploitation exacerbated by COVID-19, underscores the need for better protection and ethical recruitment practices. Additionally, the advent of AI and mechanisation poses further challenges, necessitating up-skilling initiatives to address potential job losses and informalisation. This is a high time to advocate for a global commitment to empowering workers to escape poverty through fair employment, guaranteed rights at work, fair working conditions and adequate social protection for all without discrimination, harassment and violence, importantly, organising is a necessity for a new social contract. Solidarity and strategic action are imperative to safeguard workers' fundamental rights in South Asia, therefore, trade unions shall work under a unified platform leading the collective action and campaigning by adopting a new social contract based on six demands: jobs, rights, wages, social protection, equality and inclusion.







17 February 2	2024 (Saturday)	
15:00 – 15:20	Opening  a) Welcome address by General Secretary, SARTUC - Mr. Lax b) Address by Member of Parliament (Nepal) – Hon. Dr. Shekh c) Address by General Secretary, ITUC-AP - Mr. Shoya Yoshio d) Address by President, SARTUC – Mr. Harbhajan Singh Sid	er Koirala da
15:20 – 16:00	Brief Presentation (Country-wise) about the Conditions of	Mr. Laxman
10.00	Workers and Labour Rights in South Asia, Including Migrant	
	workers	Secretary,
	7. Mr. Abu Ahmed, BLF, Bangladesh	SARTUC
	8. Mr. Amit Yadav, INTUC, India	
	9. <b>Ms. Aishath Rukhusana</b> , MTUC, Maldives	
	10. Mr. Yogendra Kunwar, NTUC, Nepal	
	11. Mr. Izzat Kamal Pasha, PWF, Pakistan	
	12. <b>Mr. Rajamany Siniah</b> , CWC, Sri Lanka	
	Note for presenters: The presentations (reports) shall be focused on the country's - workers' condition, labour laws, the situation of migrant workers, the impact of technologies on the changing world of work, and the social protection of workers. Additionally, the presentation shall also highlight best practices, potential solutions, and strategies to deal with the challenges.	
16:00 – 16:25	Q&A session	
16:25 – 16:30	Closing SARTUC President – Mr. Harbhajan Singh Sidhu	

# CONDITION OF WORKERS AND LABOUR RIGHTS IN SOUTH ASIA, INCLUDING MIGRANT WORKERS

Perspectives from the Trade Union leaders of South Asia





















#### ATTENDANCE LIST

#### Side Event

#### Condition of Workers and Labour Rights in South Asia, Including Migrant Workers

World Social Forum 2024 (WSF2024Nepal), Kathmandu "Another World is Possible" 17 February 2024, 3 pm – 4:30 pm Kathmandu, Nepal

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#### World Social Forum 2024 (WSF2024Nepal), Kathmandu "Another World is Possible" 17 February 2024, 11 am – 12:30 pm

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