

# **ANNEX G**

# **ASEAN STAKEHOLDERS AND THEIR ROLES**

JACKIE POLLOCK  
[WWW.MAPFOUNDATIONCM.ORG](http://WWW.MAPFOUNDATIONCM.ORG)

**WHO ARE THE STAKEHOLDERS  
OR PARTNERS OF THE  
GOVERNMENTS FOR THE  
PROMOTION AND  
PROTECTION OF MIGRANTS  
RIGHTS IN ASEAN?**

**THE PERSONS, GROUPS OR ORGANISATIONS WHICH ARE AFFECTED by AND who CAN AFFECT**

- MIGRANT WORKERS AND THEIR FAMILIES (in country of origin and destination)
- TRADE UNIONS
- EMPLOYERS and their associations
- ACADEMICS
- RELIGIOUS LEADERS
- HEALTH CARE PROVIDERS (private or alternative)

**More stakeholders**

- RECRUITMENT AGENCIES
- INSURANCE COMPANIES
- FINANCIAL INSTITUTIONS
- LANGUAGE INSTITUTES
- AIRLINES/TRANSPORTATION
- INFORMAL BROKERS

## **More stakeholders**

- ▶ **MIGRANT WORKERS AND THEIR ASSOCIATIONS, CBOs, NGOs, cross border**  
Organised by like membership:
  - ▶ including workers' associations, sex workers groups, domestic workers groups
  - ▶ women's groups, children's groups, youth groups, HIV+ positive groups
- Or by issues:
- ▶ Labour, Health, education, human rights
  - ▶ (incl. undocumented affected by omission)

## **Are all stakeholders equal partners?**

- Informal brokers
- Locally recruited paramilitary or civilian auxiliaries, village militia
- Paid Informers
- Privatised services (detention etc)

## **REPRESENTATIVE STAKEHOLDERS**

- ▶ THOSE WHO:
- ▶ CONTRIBUTE DIRECTLY TO THE PROMOTION AND PROTECTION OF THE RIGHTS OF MIGRANT WORKERS
- ▶ ARE MIGRANT WORKERS OR THEIR REPRESENTATIVES

## **What is the advantage of inclusion of different stakeholders?**

- ▶ The ASEAN Socio-Cultural Community Plan of Action contains as one of its key features that “civil society is engaged in providing inputs for policy choices.”
- ▶ Social cohesion
- ▶ Peace and stability

## **Advantages including different stakeholders:**

- ▶ Responding to a reality: migrant workers are people not just workers with a range of human needs
- ▶ Bring different experiences/lessons learned
- ▶ Bring vast wealth of expertise
- ▶ Greater chance of success of implementation if all on board
- ▶ different sectors of civil society also need different sectors of government to engage with (different ministries)

## **National or cross border role of NGOs/CBOs/migrant associations**

- ▶ SERVICE PROVISION:
- ▶ Filling in the gaps or increase access to existing services:
  - health,
  - education,
  - legal aid,
  - access to information
  - Micro-credit/income generating

## **WHAT IS THE ROLE OF CBOs and NGO'S?**

ADVOCATE for the protection of rights of all Migrants

SUPPORT MIGRANTS TO ORGANISE (link to trade unions, creation of unions, associations, etc)

IDENTIFY GAPS IN POLICY IMPLEMENTATION

MONITOR IMPLEMENTATION

ALERT IN CASES OF ABUSE...

(employers, recruiting agencies)

## ***Social Dialogue.***

- ▶ *The Global Unions asserts that “social dialogue must be at the heart of migration policy”.*
- ▶ *The multiplicity of interest and groupings involved in migration requires engagement and cooperation as various levels (global, regional, national, sectoral and thematic).*

## ***Tripartism Plus***

- ▶ *“to indicate the inclusiveness that would include other civil society and private sector actors which are not traditional tripartite partners.*
- ▶ Also in recognition that migrants are not always represented by trade unions
- ▶ while the tri-partite system for national workers runs parallel to other systems to address the other needs of the population, for migrants this may be all there is

## **Social dialogue: Possible Activities**

- ▶ mutual exchange of information,
- ▶ open discussion,
- ▶ exchanges of opinion,
- ▶ consultations and negotiation
- ▶ Think tanks
- ▶ Public forums



## **ASEAN FRAMEWORK INSTRUMENT**

improve and broaden current mechanisms and processes to ensure genuine representation and participation of migrant workers in the governance of key Government agencies working with migrants, possibly through use of advisory boards or other systems, in order to institutionalize consultations with migrants, and ensure transparency in operations and in collaboration with civil society

### **At regional level**

- ▶ Regular regional meetings.
- ▶ Joint Meetings on the framework drafting
- ▶ Civil society organise for representation, in Jakarta for Secretariat, regional representation, national representation
- ▶ Is there any space on the Migrant Worker Committee for other stakeholders?

## Other ASEAN mechanisms

- ▶ Set up a Subcommittee under the ASEAN Human Rights Commission for migrant workers.
- ▶ Through this migrants could consult and be consulted and might in the future evolve into a formal mechanism
- ▶ Working with different ASEAN Commissions ie on women and children
- ▶ ASEAN Human Rights Resource Centre (with migrant stakeholders) (future)
- ▶ Joint (GO/NGO) comparative studies of other regions

## For sustainability

- ▶ Migrants recognised as part of civil society and afforded the rights to be able to engage
- ▶ Recognise the independence of stakeholders – including the right to campaign and to comment on government policy

## **For sustainability**

- ▶ For the ASEAN Declaration on the Promotion and Protection of Migrant Workers to be legally binding (and include all migrant workers)
- ▶ For formal recognition of civil society's involvement in the formal framework development . Development of Terms of Reference for civil society to participate

▶ THANK YOU