

ANNEX I

Panel I Findings: The Stakeholders Roles

The panelists were members of the NGO community and trade union. Consequently the background information and much of the discussion focused on the roles of these two sectors while recognizing that there are numerous other stakeholders that are equally important. There was consensus among the group on the importance of the gender aspect of migration and in particular the need for the recognition women's work as work otherwise it will be continued to be seen as a women's duty and thus not protected by labour laws.

The working group acknowledged the following stakeholders: government, employers, trade unions, migrants, recruitment agencies, NGOs, international organizations, religious leaders, financial institutions, *academic institutions* etc...

R: regardless of legal status

The role of the media was acknowledged as an important tool to raise awareness about migrant issues and also in improving the perception of "foreign" workers in host countries.

In order for there to be effective participation of stakeholders, the working group recommended the following principles:

1. recognition of migrant workers as part of civil society (*R: Migrant workers and their families as well as their organizations and communities are main stakeholders .. Comment: An issue on whether migrants are part of civil society..*)
Refer and make consistent with ASEAN Declaration 2007, ASEAN GATS, ASEAN Charter and other ASEAN references
Also other countries state party to IMWC
Can refer to families left behind
Could reflect the differences in national policies, including families, similarly lobbying for harmonization of national laws

Note: There are restrictive conditions on work permits

Importance of standard agreements: these should not reduce rights ...note value of country-by country, employer-worker, employer-trade union collective agreements

2. recognition of all migrants in framework instrument regardless of (*R, remove legal*)status
3. the independence of stakeholders
4. the development of legal framework and standard employment contracts that comply the principles in the ASEAN Declaration (*R: and principles of decent work*)

During the discussion, the working group identified the following key roles for stakeholders:

1. Policy and advocacy roles v. implementation and direct services roles (meeting social needs of migrants). Not everyone necessarily has roles in both.
2. Stakeholders should commit themselves to the monitoring and implementation of the ASEAN Declaration. (*R. and the regional instrument*)
3. Stakeholders groups should organize themselves so that dialogue and discussion between different stakeholder groups can be facilitated. This would also improve representation at regional meetings.
4. Role of NGOs, trade unions and other members of civil society in social dialogue for development of policies.

R: standard agreements

5. The role of NGOs, trade unions, members civil society and international organizations that increase access and accessibility of services to migrants – health, education, protection, legal support, dissemination of information etc...
6. The role of trade unions to organize migrant workers. In order that policies are made which respond to the needs of those affected there must be true representation of this affected
7. The role of parliamentarians to promote dialogue and influence decision makers to develop policies and legislation that support the ASEAN Declaration.
8. The role of donors and international organizations to work with governments and implementing partners to support programming in support of the ASEAN Declaration framework instrument and rights based programming for migrants.

9. Non-government entities can identify problems in policy implementation and have the information to inform policy makers through formal channels. Influence of some stakeholders may be limited.

10. Stakeholders should be able to regularly participate in regional meetings to promote dialogue among stakeholders; participant stakeholders should ensure participant continuity.

11. A regional framework or instrument should be developed, in consultation with a broad range of stakeholders including employers and employer organizations.

How about recruiters and middle men/women, employers, private sector and businesses, and other business intermediaries – i.e. finance remittance agents?

They were not represented in the group discussion; not correct to have those recoms without those stakeholders

Incorporated in the preamble about need to engage more stakeholders (Government issues licenses which incorporates responsibilities of agents)

12. Systems should be established to improve information sharing across sectors and also between countries.