

Advocacy and collaboration strategies for migrant workers' rights



NEPAL MARCH 2018
REFLECTION AND REVIEW PROGRAM



DIPLOMACY
TRAINING
PROGRAM

GLOSSARY

AMKAS	Aaprabasi Mahila Kamdar Samuha – Women Migrant Workers Group (Nepal)
ASEAN	Association of Southeast Asian Nations
CSO	Civil society organisation. In this report CSO is used to encompass organisations formed by migrant workers, as well as NGOs, women's organisations, faith-based groups and trade unions.
GCC	Gulf Cooperation Council
GCM	Global Compact on Safe Migration
ILO	International Labour Organization
LBB	Lawyers Beyond Borders
MFA	Migrant Forum in Asia
MOU	Memorandums of understanding
NGO	Non-government organisation
NHRC	National Human Rights Commission (Qatar)
NHRI	National Human Rights Institution
NNSM	National Network for Safe Migration (Nepal)
PNCC	Pravasi Nepali Coordination Committee
SAARC	South Asian Association for Regional Cooperation
UPR	Universal Periodic Review

In this report countries of origin and destination are also referred to as sending and receiving countries.

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The program was organised by DTP jointly with Migrant Forum in Asia.



ACFID
MEMBER



INTRODUCTION

The Reflection and Review Program, organised jointly by Diplomacy Training Program (DTP) and Migrant Forum in Asia (MFA), was held in Nepal over three days in March 2018. The program engaged with a range of civil society organisations (CSOs) in Asia and the Middle East working on the issues of migrant workers' rights in countries of origin and destination. The International Labour Organization (ILO) was involved in the Reflection and Review Program as the funder and as a contributor in sharing a case study.

The objectives of this program were to identify the key elements for effective collaboration on advocacy between countries of origin and destination; to enable reflection on the past and current initiatives; and to feed into planning for future capacity building priorities. Details of the program's participants and schedule are given in the appendix.

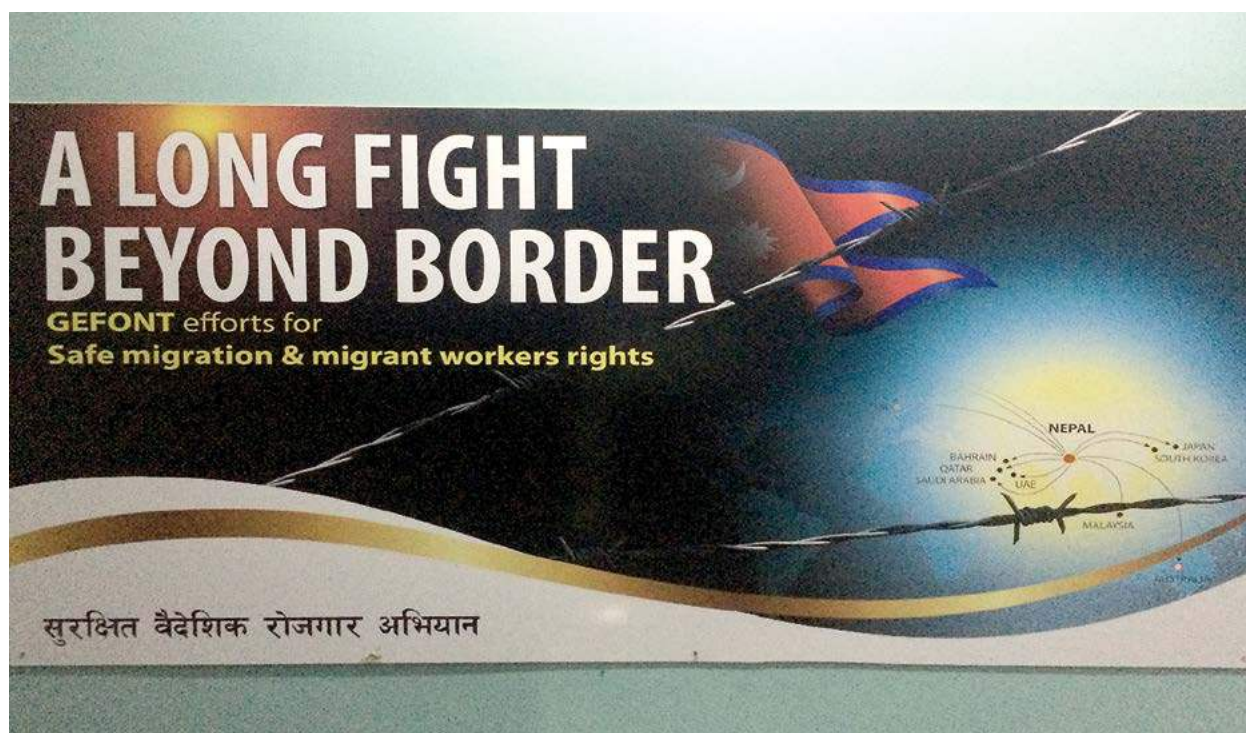
Selected participants were asked to identify successful case studies or stories of advocacy in their country and their networks. Crucially, the program built practical links between countries of origin and destination for both individuals and organisations. It is believed that this 'corridor approach' can encourage practical collaboration on cases and policy reform.

Background

Since 2004, DTP and MFA have worked together to build the capacity – knowledge, skills and networks – of advocates for the rights of migrant workers. Training programs have facilitated practical collaboration between participants from CSOs including NGOs, trade unions, and national human rights institutions (NHRIs), as well as the media. The programs have built links between civil society, the diplomatic missions of countries of origin, NHRIs, government officials and the private sector within each country as well as across borders and regions. DTP and MFA recognise the value of participants coming from countries of origin and destination as well as from different networks.

MFA is a regional network of NGOs, associations and trade unions of migrant workers advocates. It strategically engages within national, regional and international arenas to broaden and strengthen alliances and solidarity among networks and organisations.

DTP is an NGO affiliated with the Faculty of Law at the University of New South Wales, Sydney. It was established by Nobel Peace Laureate, José Ramos-Horta, to provide quality training to build the knowledge, skills and networks of human rights defenders and community advocates to enable them to be more effective.



Trade union poster from Nepal highlighting cross-border challenges

SUMMARY

The theme of the Reflection and Review Program was “building effective advocacy and collaboration strategies along key migration corridors”. There was acknowledgement of the scale of the challenge in protecting migrant workers who often start their journey to other countries burdened by debt and negative stereotypes. Their exploitation and abuse in homes, workplaces and public spaces is increasingly well documented. Reform has to overcome both the entrenched opposition from those who profit from vulnerability and exploitation, and the indifference of others.

Small numbers of committed and compassionate individuals and organisations challenge this system. To have impact they need to work together effectively. They need to develop shared priorities, and to share good practices. To dismantle the status quo requires alliances at various levels (individual, organisational and government) and across borders (bilaterally and regionally). Given the range and complexity of issues, it will also require iterations and creative thinking.

Global initiatives such as the Global Compact on Safe Migration (GCM) are evidence of migration moving up the global policy agenda. The GCM is firmly based on recognition of the human rights of all migrant workers, arguably as a result of effective and collaborative advocacy by CSOs. Shared commitment to human rights

DTP-MFA program
bringing together
CSOs, businesses
and government

standards, and engagement in UN and ILO monitoring processes also provide important opportunities for “joined-up” advocacy along migration corridors.

This program gave participants a platform for raising issues that would traditionally be considered uncomfortable – the need to critically examine our own work and our models of operation, the reliance on and competition for limited funding, and the difficulty of looking beyond case delivery to focus on big push items in policy-making.

Participants reported that collaborations across borders are especially crucial given the limited space for some CSOs, and the complementary roles that can be played. CSOs also reported that collaboration is needed because currently they are so overwhelmed with service delivery that they are unable to do more to influence policies.

In countries of origin CSOs need to consider a greater focus on reform to the systems that make migrants vulnerable in their own countries such as the costs of recruitment, the lack of proper pre-departure training, and government policies. Governments need to invest adequately in their embassies and labour attachés in destination countries, to include human rights in bilateral agreements and MOUs, and to join with other countries of origin in promoting standard contracts, minimum wages and conditions. CSOs need to reach out to build links and support to ensure that the rights of migrant workers are given political priority.



An encouraging development is the rise in the number of players in the destination countries who are sympathetic to, and vocal about, migration issues. In destination countries CSOs challenge the hostility and prejudice directed at migrant workers. They can press for effective regulation and accountability of government officials and the private sector and can help migrants access justice. They can advocate to increase the provision of services to migrants and end the discrimination in access to services.

Coupled with advances in communication through technology and social media, there is potential for migrant rights advocates to accomplish more through collaboration. In this context, some of the key challenges to effective collaboration are distance, lack of information and resources, and lack of opportunities to develop shared agendas and strategies for coordinated action.

Participants identified the value and need for future training to facilitate more collaborative and joint advocacy along migration corridors. More specifically, the following were identified as focus areas for more training:

- Tools for developing campaign strategies
- Knowledge and skills in using different advocacy tools
- Case studies identifying experiences of advocacy and lessons learned
- Knowledge of international human rights standards and UN/ILO human rights processes
- Media skills and influencing the media along migration corridors



Airport sign in Malaysia: discrimination starts on arrival

- Approaches to partnership and collaboration and strengthening networks across borders
- Models for generating rapid response between countries of origin and destination along migration corridors
- Models for sharing information along migration corridors such as changes to laws, compensation systems, and pre- and post-departure training systems
- Developing shared advocacy plans for specific migration corridors
- Strategies for engaging international processes such as the GCM, GFMD and UN

Participants highlighted the value of the programs for developing collaboration between the participants, enabling them to build friendships and share experience and ideas.

The key findings of the program are covered in more detail in the remainder of this report.

Construction work in Qatar relies on armies of migrant workers



BUILDING COLLABORATION ALONG MIGRATION CORRIDORS

There was unanimous agreement among participants on the need for better collaboration along the migration corridors. Joined-up advocacy is particularly important where solutions require actions in more than one country. There are increasing examples of collaborative advocacy, but much of this is based on opportunity and on the existence of personal relationships.

Capacity building programs have been immensely useful in bringing advocates from sending and receiving countries together. They have built relationships and encouraged a broader understanding of the entire migration process as a whole cycle from the pre-departure stage to the return of the migrants. It has helped identify key issues such as the recruitment process which increases vulnerability to abuse.

The challenge for advocates is to translate this awareness and understanding into collaborative action.

In **Nepal**, Pourakhi and AMKAS – two NGOs supporting Nepalese women migrant workers – pick up stranded returning migrants at the airport and take them to shelters to help them with transition and assess their needs. CSOs in destination countries could refer cases directly to these Nepalese organisations or could advise the migrants to contact them and to look out for the help desk at the airport.

In **India** a group including lawyers, advocates and returnees have created a Whatsapp group to help deal with cases of Indian migrants. This has worked successfully because most of the cases have come from within the group's networks in India and countries of destination. It has enabled coordinated advocacy within India to resolve cases from within the group's networks in India and countries of destination. It has enabled coordinated advocacy within India to resolve cases.

Although some collaborations have had successful outcomes (as discussed in this report), participants noted the need to be more systematic and to move beyond collaboration on cases. Technology and social media provide underutilised potential. Participants identified several key issues needing more collaboration:

- challenging prejudice and negative stereotypes in countries of destination and building positive images of migrants and their contributions
- post-arrival training, orientation and support programs that can help migrant workers navigate through the complexities of cultural, legal and language differences
- pre-departure training to ensure relevance of information about the destination country.

Following are some areas where collaboration could be fostered.

Sharing information

Improved information sharing is one of the most critical areas where more collaboration could lead to joint advocacy initiatives, more effective individual case-work, and legal and policy reform. Lack of knowledge of CSOs and services at the other end of the migration corridor can lead to missed opportunities, gaps in advocacy, and lack of access to justice and remedy. For example, when migrants are deported from a destination country, NGOs there often cannot pursue complaints or claims for compensation for unpaid wages, injury, workplace accidents or abuse because of the difficulty in maintaining contact.

Policy awareness

Policies in both sending and receiving countries impact on the vulnerability of migrants to abuse. Advocates therefore need to be aware of current policies, particularly when reforms can have major implications, including for the treatment of undocumented or irregular migrants. Examples were cited of laws against paying recruitment fees in Qatar, of recent changes in the Kafala system there, and of changes in charges levied on migrant workers and employers in Malaysia.

Similarly, some countries such as the Philippines, Indonesia, Bangladesh and Nepal have restrictions



Opportunities for sharing knowledge and experience are critical

- help ensure good policy and adequate resourcing by governments in countries of origin – there is a wide variation in practice
- encourage effective engagement by CSOs with the diplomatic missions and representatives of countries of origins, which can be critical in ensuring action and services for migrant workers
- enable diplomatic missions to reach out more effectively to migrant communities
- assist migrant communities and their representatives to engage directly with diplomatic missions and the host governments in countries of destination
- encourage greater collaboration among diplomatic missions of sending countries re promotion of minimum standards and reforms, or sharing records of abusive employers and agencies.

In **Malaysia**, the Migration Working Group and North South Institute have assisted domestic worker organisations from the Philippines and Indonesia in their advocacy to the Malaysian government and employers, as well as with their respective diplomatic missions. Their knowledge and understanding of Malaysian society, and the networks of relationships they have inside and outside government are invaluable.

Improved training and orientation

Engagement of CSOs in pre-departure and post-arrival training and orientation programs could have a significant impact. CSOs in countries of destination and origin can work with each other to help ensure that pre-departure information and training programs are relevant and up to date. They can also encourage effective post-arrival orientation programs and ensure that migrants have information on their rights, accessing support and seeking redress.

Collaboration on pre-departure information can help update curricula. For example, in Qatar and Saudi Arabia salaries are now transferred to banks via the Wage Protection System; in Bahrain and Qatar workers don't need permission from their current employer to change jobs; in Qatar there are help desks for migrants at the National Human Rights Commission.

Similarly, migrants should be aware that CSOs in destination countries may provide shelter and legal support or run information and language centres.

Caritas and Migrant Resource Centres in Lebanon help domestic workers from various countries with language lessons and access to legal information, and Caritas also runs shelters.

Legal support and strategic litigation

Lawyers Beyond Borders (LBB), established by MFA, is an international network of legal experts advocating for the rights of migrant workers. It has an emphasis on identifying common legal challenges, cooperating across borders to overcome those, and securing favorable legal outcomes through impact litigation and policy reforms. LBB also forges important connections among lawyers, grassroots organisations and migrant communities in countries of both origin and destination.

Translations of contract laws, and clarification of confusing legal provisions are further areas where more cross-border collaboration is needed.

Other organisations specialise in providing support for strategic litigation as an advocacy technique to bring about systemic change.

Reuniting families and finding missing migrants

An unknown number of migrant workers go missing each year for multiple reasons, leaving families at home in limbo and often without their primary source of income. CSOs in destination countries can use their connections and links to help trace missing migrants and may have access to detention centres and jails to gather information.

Particular reference was made to Pravasalokam, an exemplary television program which helps Kerala families track down missing migrant workers. As well as raising awareness of their plight it has also become a tool to show that migrant work is fraught with widespread abuses.

The success of Pravasalokam has inspired similar initiatives in Nepal. With funding from the Safe Migration Project in Nepal, Dosh Pradesh has started making YouTube videos capturing stories of missing migrants.

Case study

Pravasalokam means “migrant’s world” in Malayalam. This television show was started by Rafeeq Ravuther, a DTP alumnus, and his brother in 2000 and is produced by the Centre for Indian Migrant Studies in Kerala. Targeting Kerala’s diaspora communities in the Gulf, it initially featured Keralites’ rags-to-riches stories but also ran a couple of stories on missing migrants. After finding and rescuing one man who had disappeared for 12 years, the program started receiving similar stories and now it essentially assists people to track down their missing relatives abroad.

The high number of cases the producers receive from the relatives of missing migrant workers is a measure of Pravasalokam’s success and influence. The program opened a floodgate on issues affecting thousands of stranded workers and demonstrated the need for systematic intervention to assist them. This is especially acute in Kerala which has a high level of migration by workers who mostly end up in low-paid unskilled jobs.

The program uses the influence of visual media with the assistance of viewers, social workers and migrant forums. Stringers in destination countries help in the rescue and repatriation of the migrants, a task made easier with the rise of social media tools. Cultural centres and clubs help with funding. It is shown in India and the Middle East.

Involving the families who ask the missing workers to get in touch, the show has managed to locate at least eight migrants – an impressive result from only about 14 videos.

Other activities

Collaboration between CSOs along migration corridors is critical to addressing the myths, misconceptions and prejudices that underpin the continuing vulnerability of migrants to abuses. CSOs lack capacity and resources but recognise the need to engage with manpower agencies and employers and their representatives in countries of origin and destination. Developing channels of communication could potentially enable quicker and more effective action on cases and issues of concern.

BUILDING NATIONAL AND CROSS-BORDER COLLABORATIONS

Advocacy and service provision for migrant workers have developed differently in each country, reflecting different histories, patterns and cultures of labour migration. Ad-hoc cross-border collaborations along migration corridors have developed, sometimes through personal connections, and through the DTP–MFA programs. These collaborations could be more effective if they could be more systemized between CSOs, and between national networks in the different countries.

Building national networks

There was recognition among CSO representatives in countries of origin that they have a common interest in collaborating and sharing good practice, such as standard contracts for domestic workers or advocating for minimum wages and conditions. Additionally, collaborations within countries – such as between NGOs, trade unions, faith-based organisations and NHRIs – are necessary for effective advocacy.

Participants shared models of successful collaboration, and two examples featured prominently as examples of networks that are working well.

In **Malaysia**, Migration Working Group is a network of key NGOs and individuals working on migrant welfare issues. In addition to direct migration NGOs, it also includes members with backgrounds in areas such as health and education, and has been vital in bringing different NGOs and rights groups from across Malaysia to coordinate on key issues. As well as benefiting from a louder collective voice on human rights issues, the group can also draw on individual strengths in niche backgrounds so that case referrals among members can be taken up by whoever can make the biggest impact.

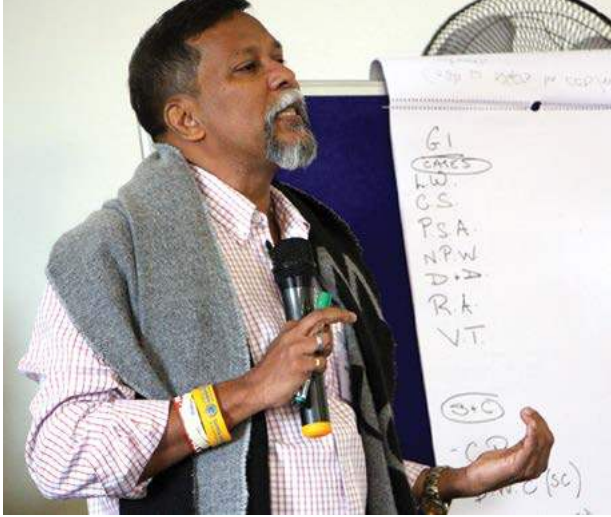
In **Nepal**, the National Network for Safe Migration (NNSM) is an umbrella institution of 19 CSOs working in migration. Created in 2007, and reinvigorated in 2012, during the DTP–MFA program in Nepal, NNSM brings together experience in policy advocacy and migrant

Nepal and the PNCC model

The operating model of Pravasi Nepali Coordination Committee (PNCC) was discussed as a good example of working creatively along migration corridors. PNCC is a non-profit organisation of returned migrant workers who are dedicated to protecting and promoting migrant workers' rights at national, regional and international levels. Having started as a rescue organisation with a focus on Saudi Arabia, PNCC expanded its work to all major destination countries, took on the need for advocacy and became a vital member of NNSM.

The PNCC model relies on a rapid response mechanism for the rescue of stranded and distressed Nepali migrants and provides them with immediate support. PNCC provides basic legal aid services to migrants and their families, regardless of their documentation status. For cross-border collaborations, PNCC has ties with Nepal's embassies and missions, government officials, the Human Rights Commission, the bar council and cultural groups. In some countries of destination such as Qatar and Malaysia, PNCC has deployed staff, while elsewhere it works through informal support networks. PNCC case referrals come from a variety of sources: from families of migrants, through information centres set up by the Safe Migration Project in Nepal; via the PNCC network located both inside and outside Nepal; and through formal channels such as embassies, government agencies and other CSOs.

After preparing a case based on initial information, PNCC forwards it to the appropriate network. This could be by formal outreach in Malaysia and Qatar, by informal outreach in other destination countries, or to embassy staff, NHRIs, etc. Once the case then gets taken up, ideally it is resolved and the victims get repatriated. PNCC has shelters in Nepal which help migrants to transition and also offers support for family reunification and income generation. This model, employing a high level of formal and informal cross-border collaborations, has worked very well for PNCC.



welfare, and coordinates organisations in a shared platform. It has played crucial roles in policy advocacy regarding the rights of migrant workers and their families, in empowerment and capacity development of its member organisations, in network building, and in research to make international labour migration safe, dignified and productive. For example, NNSM has been active in policy advocacy to the new government, pressing for changes in governance of recruitment agencies, no-fee recruitment and bilateral agreements. It has also coordinated national level advocacy in relation to UN processes for Nepal and other countries, and organised effective engagement with the UN's human rights special procedures.

Malaysia and Nepal serve as positive examples of effective networking at the national level, enabling a unified voice on certain issues and capacity to draw on individual strengths, comparative advantages and expertise for improved case-work and policy advocacy. There are examples in other countries too.

Trade unions

While relationships between NGOs and the trade union movement can be difficult, many recognise the need for cooperation to promote and uphold the rights of all workers, including migrant workers. Unions have a formal role in the tripartite processes of the ILO, enabling them to pursue complaints and remedy in specific situations and countries such as Qatar. They have their own international structures and have resources and influence. In some countries migrant workers have joined established trade unions or formed their own, while in some others they are restricted from doing either. Thus different approaches are needed in response to local laws. In Korea and Lebanon migrant workers have won legal battles to be able to unionise.

Elsewhere trade unions in sending countries (such as Nepal and Vietnam) sign MOUs with a counterpart in a receiving country (such as Malaysia). Trade unions from the sending country have limited space to operate in destination countries, so support from destination-based unions can go a long way towards protecting workers. There are an increasing number of different models to draw from.

National human rights institutions

More countries of origin and destination now have independent NHRIs that have a statutory responsibility for promoting, protecting and reporting on human rights within their national jurisdictions – including the rights of migrant workers – and importantly also have opportunities for cross-border collaboration along migration corridors.

As independent watchdogs with resources and independent standing in UN human rights reporting mechanisms, NHRIs are well placed to bring up issues of migration and human rights. CSOs can leverage their own experience and knowledge to increase the priority NHRIs give to migrant workers and can submit cases for action; they can encourage NHRIs to include migrant workers' rights in their reports to the UN mechanisms including the UPR. NHRIs can collaborate with each other and with CSOs on education and awareness efforts, including engaging the private sector and holding it accountable, as well as helping promote policy change to governments.

In Qatar the National Human Rights Commission has established migrant desks staffed by migrant community representatives that can hear and mediate individual cases. MOUs signed with counterparts in Nepal and the Philippines should facilitate collaboration on individual

Migrant Forum in Asia has ensured that the voices of migrant workers are heard



Programs build understanding between advocates in countries of origin and destination

Hom Karki has participated in DTP courses in both Dubai and Nepal. He has been working on migration issues since 2009 and has written over 1000 stories for *Kantipur* highlighting the situation of migrant workers, focusing on their priorities and letting them raise their own voices.

While based in Qatar, Hom traveled around the region every few months, covering topics such as forced labour, unpaid salaries, compensation, access to justice, and domestic worker issues. He also pressed for Nepal's embassy in Qatar to be better resourced to help with such cases.

As part of Hom's groundwork he helped victims deal with courts and hospitals and is positive about the willingness of the Nepali diaspora to help fellow migrants. He believed that these groups and community leaders could further benefit from training in areas such as leadership, labour rights or how best to coordinate with government agencies in destination countries, and other resources such as labour courts. Hom also referred cases to PNCC.

cases and encourage exchange visits for staff to develop awareness of the issues and build collaborative relationships. NHRIs in Asia and the Middle East are all members of the Asia-Pacific Forum of NHRIs.

Media

Advocates agreed on the importance of the media in all aspects of the migration process, whether it is to influence attitudes, raise important issues and support reforms, facilitate rescues or help stranded migrants. Participants agreed on the need for advocates and CSOs to reach out and build good media relationships.

The lack of media freedom, and the personal risks to journalists, are significant concerns and barriers to reporting in some countries. Labour migration is a difficult topic for the media and there is a need for journalists and CSOs working in sending and receiving countries to be better acquainted with each other's way of looking at these issues.

Participants shared some creative examples of good media collaborations.

The ILO has established a prize for good reporting on migration and a migration fellowship for journalists in destination countries, similar to the media fellowship offered by Panos South Asia.

South Asian Media for Migrants is a network of South Asian journalists based in both origin and destination countries of migrant workers. Its purpose is to share information and raise awareness on the rights and welfare of migrant workers and their families, and to strengthen the voice of advocacy on their behalf.

The value of involving journalists in the DTP-MFA programs was highlighted. It has enabled journalists to learn about relevant standards, the perspectives of migrants and the wider context. It has also enabled the development of relationships between participants leading to collaboration on specific cases and issues.

Some journalists who are familiar with the on-the-ground realities of migration, such as Hom Karki from *Kantipur* and the *Kathmandu Post* in Nepal, have played a significant role in bringing the human rights issues to a wider audience.

CSOs – SERVICE PROVISION AND POLICY ADVOCACY

As mass labour migration has grown migrant worker organisations and CSOs have grown organically in countries of origin and destination to respond to the rising tide of abuses being experienced. Many have begun with an urgent focus on individual cases. They seek to address the gaps left by governments unable or unwilling to address the number of abuses from migration.



Many CSOs realize the need to be more involved in making policy changes in addition to service delivery. Moving into advocacy on policy and system reform is recognised as a priority, but is not an easy shift for many. Participants identified multiple priorities for policy advocacy, citing examples where they have succeeded.

Bilateral agreements and memorandums of understanding

Some countries of origin and destination have developed bilateral labour agreements or memorandums of understanding (MOUs) to govern labour migration between them. These agreements are usually negotiated confidentially between officials, without transparency of process or content and excluding CSOs, and in some cases are later shown not to reflect the human rights treaty commitments of either government.

CSOs can push for transparency, with a role for civil society in countries of origin and destination to have input on the content of the agreements as well as the monitoring and implementation processes.

Where governments do not actively seek their inputs, CSOs need to be creative to find ways of being heard. In a bilateral agreement signed between Malaysia and Indonesia, both governments effectively excluded CSOs. After obtaining a draft from an Indonesian official, a Malaysian CSO identified deficiencies in the protection of rights for Indonesian migrant workers and recommended changes. Indonesian CSOs were then able to press their government for these to be included.

When Saudi Arabia and Bangladesh were in negotiations for a bilateral agreement, the Welfare Association of Returned Bangladeshi Employees (WARBE) – a key CSO – prepared a shadow policy document on behalf of CSOs in Bangladesh with recommendations based

on their cases. After submitting this document to the Bangladesh ministry staff, the highlighted issues were discussed during negotiations.

MOUs are also signed between NHRIs and between trade unions in countries of origin and destination.

The media can be critical, including linking missing migrants and their families

The role of embassies and missions

As noted previously the missions of countries of origin play a potentially critical role in protecting and promoting the rights and welfare of their migrant workers. CSOs recognise that missions can be conflicted by the imperative to preserve or increase “market share” for their nationals in the labour force (with the remittance income, fees and often kick-backs that come with this) weighed against the duty to protect their nationals from abuse. Missions are frequently understaffed and under-resourced to meet these needs, even where they have the will and qualifications.

CSOs in countries of origin and destination can play a critical role in making embassies more effective. Country of origin CSOs can work to increase the resourcing of missions and the training of staff. By offering expertise in local law, policies and access to support, destination-based CSOs may be able to help embassy staff increase their influence and to support their representations on issues. MFA has prepared policy briefs and guidance on the role of missions, and the ILO and others have also developed guidance and training programs for labour attachés in missions. In Malaysia, for example, Tenagenita provided training to embassy staff from various countries to familiarise them with Malaysian laws and to promote collaboration for worker protection.

An NGO in Malaysia wanted to collaborate with various foreign missions but found that they all operate separately even when they face common issues. It brought together labour attachés in a consultation program for a series of eight meetings that allowed an open discussion on migrant issues and familiarised them with matters such as Malaysian laws, laws on immigration and trafficking, and the situation of workers at detention centres. The program also opened avenues for collaboration which is key because labour attachés are usually overworked with the sheer volume of migrants they are expected to serve. By briefing them on areas where local NGOs could help, the consultations opened avenues for collaboration that helped embassies and attachés to perform their functions better.

Increased collaboration between CSOs has the potential not just to make individual embassies more effective in protecting migrant workers' rights but also to increase collaboration between embassies and spread good practice.

Regional and global intergovernmental processes

International governance of labour migration is the focus of a number of regional and global forums including the Colombo Process, the Abu Dhabi Dialogue, the Global Forum on Migration and Development

DTP-MFA trainers donate their time and expertise to invest in advocates

(GFMD), ASEAN and SAARC. A major focus of MFA in recent years has been to secure CSO participation and to put the human rights of migrants on the agenda – with considerable success. Alumni of DTP-MFA trainings feature prominently in the CSOs at these forums, influencing the policy agenda while also building relationships and collaboration.

The UN and its specialised agencies

Advocates recognised there is a key need for further training in how to use ILO and human rights standards in advocacy. Participants were able to share experiences of advocacy using human rights standards and human rights mechanisms such as the UPR, UN Human Rights Treaty Bodies and UN Human Rights Council special procedures. This included submitting their own reports and recommendations to the UN to influence the outcomes of government reporting to the UN.

Specific issues

Participants also noted the value of coming together to work on specific issues and campaigns. These included the successful campaigns in Indonesia and Bangladesh for ratification of the International Convention on the Rights of Migrant Workers and Their Families – which in turn required review and reform of national legislative frameworks governing migration. Other issues include recruitment reform and the death penalty.





DEVELOPING POLITICAL SUPPORT AND CONSTITUENCIES

A key challenge facing many advocates for migrant workers is the lack of political priority accorded to the rights of migrant workers by governments, with the exception of the Philippines and to a lesser extent Indonesia. Some attributed this to the fact that most countries do not allow their migrants a vote in elections.

Participants discussed different approaches. Following CSO advocacy, the parliaments of both the Philippines and Indonesia have established parliamentary committees with specific responsibilities in relation to migrant workers. This helps hold government and officials to account, and ensures a level of priority to the issues.

Some program participants highlighted the value of developing a parliamentary caucus. In Bangladesh, WARBE was involved in the formation of a seven-member parliamentary caucus on migration and development, which acts as a focal group of parliamentary members who will help develop a legal framework and migrant-friendly deals in national, regional and international arenas. They also draw the attention of parliamentary members to issues pertaining to migrants, and ensure such initiatives receive sufficient allocations in the national budget.

The challenge of getting political support can be even greater in countries of destination, where attitudes to

migrants are often negative and migrants are not voters. In Malaysia, CSOs work hard to develop the sympathy and support of parliamentarians as this can make their advocacy more influential.

MFA has also worked hard to develop support for migrant rights in parliaments across Asia and has supported the development of a network of parliamentarians. Asian Parliamentarians for Migrants Rights started in 2007 from a workshop for parliamentarians and focuses on promoting the issues of migrant workers at the national, regional and international level.

Valuing data

Migration advocacy is over-reliant on anecdotes and individual stories of abuse rather than comprehensive data that could be used as the basis of policy advocacy. With the growing volume of cases many CSOs struggle to respond to the needs of individuals and their families, so that gathering data is often seen as an additional burden. A further complication is that where CSOs do collect data they have their own systems and methodology which can make it difficult to standardise results.

The value of data cannot be overstated both for evidence-based policy advocacy and for effective case management, especially when working across jurisdictions. DTP and MFA have helped to develop common reporting templates. MFA

Advocacy for domestic workers in Lebanon has broken new ground

has invested in developing the Migrants Rights Violation Reporting System which standardises data collection on cases in countries of origin and destination. This is promoted in the DTP courses and other MFA programs. Such a system is critical for more effective advocacy on different migration corridors, enabling differing patterns of abuses to be visible, and more effective case management.

Knowledge and skills in documentation have consequently become a more consistent part of the DTP–MFA curriculum in recent years. Future training topics could include how to de-identify or anonymize data so it can be used for policy-making, and how data can be better utilized to further the understanding of migration issues.

THE ROLE OF FUNDERS

As the problems associated with mass labour migration have become more evident, and the practices of debt bondage, forced labour, modern-day slavery and trafficking have gained prominence, more international donors have begun to fund in this area.

CSOs can be seen as being more effective and efficient service providers than governments, so international funders give support to CSOs providing the services and supports that governments are responsible for. Unfortunately this can further reinforce the imbalance that exists between service delivery and case-work on one hand and policy advocacy and accountability on the other.



Gathering and reporting data in origin and destination countries is vital

Some funding of CSOs may also undermine collaboration. As donor agencies bring their own priorities, methodologies and influence, CSOs seeking funding adapt to follow these. Funders seeking case metrics and measurable outcomes may encourage competition by these CSOs to demonstrate their unique impact and effectiveness. Funding models that encourage competition and a project-based approach can therefore serve to undermine critical efforts towards greater collaboration and sustainable movement building strategies. Rather than competing to get a bigger slice of the existing pie, CSOs should ideally focus more on how to make the funding pie bigger and together have bigger impacts.

While service delivery is critical, donors should invest funding to enable CSOs to develop more systemic approaches. Greater promise of sustainable impact may be achieved through policy reform, increased government resourcing and services, improved implementation of existing laws and policy commitments, and efforts to ensure access to justice and remedy.



On conclusion, trainers and participants receive Certificates of Appreciation from UNSW Law – networks are maintained

APPENDIX – PARTICIPANTS, FACILITATORS AND SCHEDULE

Participants

Name	Organisation	Country
Abu Ahmed Faijul Kabir	Ain O Salish Kendra	Bangladesh
Ansaruddin Anas	Refugee and Migratory Movements Research Unit	Bangladesh
Barun Ghimire	Law and Policy Forum for Social Justice	Nepal
Basanta Karki	Helvetas	Nepal
Chandani Rana	Pourakhi	Nepal
Charles Nasrallah	Cross-Regional Center for Refugees and Migrants	Lebanon
Eswari Das	CIMS	India
Hari Bahadur Thapa	NNSM	Nepal
Hom Karki	<i>Kantipur</i>	Nepal
Jasiya Khatoon	WARBE	Bangladesh
Kamal Thapa Kshetri	National Human Rights Commission of Nepal	Nepal
Kanaka Rao	Confederation of Free Trade Unions of India	India
Kazi Abu Shaleh	Ovibashi Karmi Unnayan Program	Bangladesh
Krishna Gurung	Pourakhi	Nepal
Krishna Prasad Neupane	People Forum	Nepal
Kul Prasad Karki	PNCC	Nepal
Lala Arabian	Insan Association	Lebanon
Laure Makarem	Migrant Community Center	Lebanon
Mervat Jumhawiy	Al Hassan Workers' Center	Jordan
Mohammed Basheer Ahmed	Emigrants Welfare Forum	India
Rayan Rai	AMKAS	Nepal
Ruchira Gunasekera	LBB, Sri Lanka	Sri Lanka
Sabal Ghimire	Asian Forum	Nepal
Shreeram Chaudhary		Nepal
Sr Asha George	National Domestic Workers' Movement	India
Sumitha Shaanthinni Kishna	Migration Working Group	Malaysia
Sushmita Bista	AMKAS	Nepal

Trainers and facilitators

Name	Organisation
Phil Fishman	International Labour Organization
Kamal Thapa Kshetri	National Human Rights Commission of Nepal
Sumitha Shaanthinni Kishna	Migration Working Group, Malaysia
Roula Hamati	Cross-Regional Center for Refugees and Migrants, Lebanon
Mervat Jumhawiy	Al Hassan Workers' Center, Jordan
Dina Habib	The Middle East Centre for Training and Development, Dubai
Sita Ghimire	Helvetas, Nepal
William Gois	Migrant Forum in Asia
Patrick Earle	Diplomacy Training Program

Program schedule

	Day 1 21 March	Day 2 22 March	Day 3 23 March	Day 4 24 March SaMi Network Program
Morning session 1	Registration Opening ceremony Participants' introduction Training outline – identification of key objectives (MFA/DTP)	Feedback session Case studies of collaborative advocacy – building coalitions and networks in countries of origin and destination (Sumitha Kishna Shaanthinni, MWG Malaysia)	Feedback session ILO Jordan – programs and initiatives on workers rights – from recruitment to pay, conditions of work and housing (Phil Fishman, ILO)	Participants introduction Briefing on the work of SaMi Network and NNSM
Tea break				
Morning session 2	Case studies of collaborative advocacy, session 1: Working together on individual cases of abuse Effective case management – referral – access to justice (DTP/MFA)	Case studies of collaborative advocacy – developing insitutional MOUs and the role of civil society Examples from NHRIs (Kamal Thapa Chettri, NHRC Nepal)	Models of collaboration Jordan–Nepal collaboration on reform (Phil Fishman, ILO)	Engagement between SaMi Network and advocates from Malaysia, Jordan, Lebanon and UAE – sharing concerns and issues – sharing policies and practices from COD
Lunch				
Afternoon session 1	Case studies of collaborative advocacy – session 2: Documentation – the MRVRS plus – How can Case Documentation support collaborative advocacy – good practice/examples? (DTP/MFA)	Building collaborative advocacy: engaging the labour attachés and missions (Sumitha Kishna Shaanthinni, MWG Malaysia)	Collaborating on international policy frameworks – Advocacy on the Global Compact (William Gois, MFA)	Developing collaboration and communication networks
Tea break				
Afternoon session 2	Case studies of collaborative advocacy – the UN System – the UPR and Treaty Bodies (DTP/MFA)	Building collaborative advocacy – domestic workers – recruitment reform	Drawing the threads together on technology and other issues Evaluation and closing remarks Certificate distribution	
Dinner	Dinner – Solidarity Night			



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