

Human Rights Advocacy and Migrant Workers in the Middle East and North Africa

Report on 4th Middle East
Capacity Building Program

Kuwait, November 2014

Migrant Forum Asia
Diplomacy Training Program
Hosted by the Kuwait Society for Human Rights

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List of Selected Acronyms

ACSFT	Arab Council Supporting Fair Trial and Human Rights
ADD	Abu Dhabi Dialogue
ANMR	Arab Network for Migrant Rights
CEDAW	Convention on the Elimination of Discrimination Against Women
CERD	Convention on the Elimination of Racial Discrimination
CIMS	Centre for Indian Migrants Studies
CLMC	Caritas Lebanon Migrants Center
CMW	International Convention on the Rights of Migrant Workers
CSO	Civil Society Organization
DTP	Diplomacy Training Program
GCC	Gulf Cooperation Council
HRC	Human Rights Council
HCHR	UN High Commissioner for Human Rights
KSHR	Kuwait Society for Human Rights
MENA	Middle East and North Africa
MFA	Migrant Forum Asia
NGO	Non Governmental Organization
NHRI	National Human Rights Institutions
OHCHR	Office of the High Commissioner for Human Rights
PNCC	Pravasi Nepali Coordination Committee
SDC	Swiss Development Cooperation Agency
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNSW	University of New South Wales, Australia
UPR	Universal Periodic Review

Executive Summary

This is a report on the 2014 Regional Capacity Building Program on Human Rights Advocacy and Migrant Workers in the Middle East and North Africa. Organised by the Diplomacy Training Program (DTP) and Migrant Forum Asia (MFA), and hosted by the Kuwait Society for Human Rights (KSHR), the program focused on assisting individuals and organisations committed to promoting and protecting the rights of migrant workers in the states of the Gulf Cooperation Council (GCC), Middle East and North Africa. It sought to build the knowledge, skills and networks of these individuals and organisations.

2014 marked the third year that DTP held its annual regional capacity building program on the rights of migrant workers in the GCC. The program brought together representatives of civil society and national human rights institutions (NHRIs) as well as government officials. The 22 participants came from Asia (mostly countries of origin for migrant workers); the Middle East (countries of destination¹); and from Egypt, a key country of origin, transit and destination for migrant workers. In addition, several other representatives of the Kuwait Society for Human Rights attended and participated in many of the sessions.

The five-day course was held in Arabic and English with simultaneous translation. Each day featured in-depth discussions and activities themed around a specific issue or skill set for advocacy. On the final day participants were asked to formally evaluate the program before joining the trainers and organisers in a circle of open discussion and reflection, followed by an awards ceremony.

The program was made possible with funding from the Swiss Development Cooperation agency (SDC) and by the generous in-kind support of the Kuwait Society for Human Rights, which hosted the program. DTP and MFA gratefully acknowledge the backing of both organizations. We would also like to extend our appreciation to the trainers for their pro-bono contribution and to the participants themselves, whose willingness to share and to listen immeasurably enriched the program.



¹ International Labour Organization preference is to use the neutral terminology of countries of “Origin” and “Destination”. Advocacy groups prefer “Sending” and “Receiving” countries as it emphasises the way both countries use migration as part of economic development strategies. Both are used in this report.

Program Partners

Migrant Forum Asia (MFA) is a regional network of non-governmental organizations (NGOs), associations and trade unions of migrant workers, and individual advocates in Asia who are committed to protecting and promoting the rights and welfare of migrant workers. It is guided by a vision of an alternative world system based on respect for human rights and dignity, social justice, and gender equity, particularly for migrant workers.

The Diplomacy Training Program (DTP) is an independent NGO seeking to advance human rights and empower civil society through quality education and training and the building of skills and capacity in NGOs. It was established by Nobel Peace Laureate Jose Ramos-Horta in 1989.

Program Location

The 2014 program was hosted by the Kuwait Society for Human Rights (KSHR) in Kuwait City; it had previously been held in Qatar. The program took place in parallel with the Abu Dhabi Dialogue Ministers Meeting, held at the same time in Kuwait.

The states of the Gulf Cooperation Council (GCC) attract millions of migrant workers from across the world, with most coming from countries in Asia. Migrant workers make up the majority of the population in Kuwait (63%) and in other GCC states. They work in all sectors of the economy, including as domestic workers. Their treatment is a central concern to GCC states, making the GCC an important location for this third regional capacity building program.

Participants

The participants in this program came mainly from a range of civil society organisations, working in countries both of origin and destination across Asia and the Middle East and playing active roles in NGOs, media, trade unions, and NHRIs, and in expatriate/community associations.

Most of the participants were nominated by MFA and organisations in its network. The KSHR also nominated participants from its staff. Each participant was asked to complete an application form demonstrating both their experience and their capacity to apply the program training to their ongoing work.

Please see the individual biographies attached as an appendix to this report.

Program Overview

The course was designed to develop knowledge and skills, and to provide opportunities for participants to build their networks and explore possibilities for future collaboration.

There is a particular value to bringing together participants from countries of origin and destination – both in building understanding of the issues, and in providing avenues for future work on specific cases and shared issues of concern. There are few other opportunities to build such links.

The course was structured to enable participants to identify their expectations of the program and specific issues of concern, before developing knowledge of key human rights standards and the UN human rights system and strategies for promoting respect for these rights, including engaging the media. There were also opportunities to look at specific issues such as recruitment processes.

Space was also made in the program for presentations by the participants on the situation in their countries and/or the specific issues that they focus on in their organisations. This enabled sharing of perspectives from government, NGOs, trade unions and NHRIs and was a particularly rich part of the program.

The trainers on this program were largely practitioners with long experience of working on these issues in the field in Asia and the MENA region. They included a number of alumni from previous DTP courses.

Highlights of this program included:

- field trips for participants with communities from the Philippines and from India, enabling them to engage with migrant workers living in Kuwait and gain insights into their lives
- an evening BBQ hosted by the Kuwait Society for Human Rights
- an opportunity for participants to hear from, and have a dialogue with, the diplomatic representatives of three countries of origin. These diplomats have to deal on a daily basis with very distressing circumstances of migrant workers in distress, some of whom are obliged to flee abusive employers and find themselves beyond the protection of the law.

More detail of the individual sessions is given in the following report.

Daily Highlights

Day 1: Introductions and Key Issues

Welcome Ceremony and Introduction to Human Rights

The official Welcome Ceremony included opening remarks from **Ellene Sana** (Director of the Centre for Migrant Advocacy in the Philippines and MFA representative) **Patrick Earle** (Executive Director of DTP), **Linda Al-Kalash** (Director of Tamkeen, Jordan and Representative of the Arab Network for Migrant Rights) and **Khaled Al Ajmi** (Chairman of the Board of Directors for KSHR).

Participants were then given the opportunity to introduce themselves and their organisations, as well as to identify key challenges facing migrant workers in their countries. Participants also discussed their expectations for the training program. Reflecting DTP's commitment to participatory teaching methodologies, participants agreed on 'tent rules'² to establish a safe and productive learning space in the training venue, and were allocated into groups to help manage the program.

Migrant Workers Rights as a Key Human Rights Concern: Setting the Scene

Ellene Sana and Linda Al-Kalash

Drawing on decades of advocacy experience working to promote and protect the rights of migrant workers in and from Asia, CMA Philippines director **Ellene Sana** outlined trends in migration and some of the main concerns for migrant workers in Asia and the Middle East.

Migrant workers from South and South East Asia migrate predominantly to the GCC countries, where most jobs are available; however, they cannot bring their families to the destination countries. The GCC refers to these workers as contracted labourers rather than migrant workers, emphasizing the "temporary" basis of their stay with the expectation of return after a contracted period of time.

Ellene highlighted the need for a change of attitudes towards migrant workers in destination countries where negative attitudes and stereotyping can underpin and reinforce many of the problems experienced by migrant workers.. There is unequal treatment and discrimination against migrant workers based on race, gender, religion, nationality, ethnicity, culture, job category and wages received. Gender based violence is also a significant issue. Labour laws cover both local and migrant workers, however they do not provide for domestic workers, rendering them very vulnerable to abuse.

The process of arriving in a new country may deny a migrant worker of their human rights – to freedom of association, freedom of speech, freedom of religion, the right to take part in cultural life, and family life for example. In countries where they don't speak the language, don't know the laws

² The training was held in a large tent, usually reserved used for weddings.

and customs and do not have the support networks of home and family, they are in a situation of increased vulnerability.

Ellen introduced the concept of the ‘feminisation of migration,’ reflecting the reality that an increasing proportion of migrant workers are women, engaged in domestic work, and particularly vulnerable to a range of abuses from officials and employers through the migration process. There are both negative and positive reasons driving more women to migrate for work; these include narrow and defined gender roles at home and a sense of better opportunities abroad, not only economic but also social (e.g. opportunities for greater independence). However, women are also subject to discriminatory practices in countries both of origin and destination and the migration process often makes them more vulnerable to a range of human rights violations, including violence against women.

However, recognising that labour migration is a process that can include multiple departures and returns, Ellene emphasised that effective and strategic advocacy must involve changing mindsets and attitudes in sending nations as well as receiving nations – ensuring that both understand their responsibilities to promote and protect the rights of migrant workers. While there has recently been a significant focus on destination countries, she argued that attention also needed to be given to countries of origin.

Before arriving in the country of destination, migrant workers may already have experienced abuse and been made more vulnerable to subsequent abuse in the destination countries:

- **Pre-departure** (in the origin countries): high recruitment fees can lead to a form of debt bondage on arrival in destination countries; false or double contracts are given to workers misleading them about the work they will be doing, their wages and conditions; a lack of proper pre-departure training or orientation can increase the risks to them
- **In transit:** workers can be stranded or trafficked along the way, particularly if they have long layovers in transit countries
- **Upon return:** there are many complex issues for returning migrants. Some return home with significant physical and psychological injuries as a result of workplace accidents or their experiences. Some return having experienced sexual harassment and assault and with unresolved complaints about their treatment and/or non-payment of wages. Some return to find their families fractured and partners in new relationships. Others return with their savings, but without the knowledge or support to begin their own enterprises.

Ellene also pointed out that countries of origin, like the Philippines, were increasingly likely to also be countries of destination - and this could pose challenges in attitudes.

Linda Al-Kalash, founding director of Tamkeen in Jordan and founding chair of the ANMR, asked participants whether receiving countries respected and protected the human rights of migrant workers – sparking a discussion of various rights currently denied them:

- According to Kuwait's constitution, the right to education is only for citizens. The right to nationality is tightly controlled. Migrants can never (or only exceptionally) become citizens; nor can their children, even if born and raised locally
- Labour rights in Egypt are denied to foreigners, for example they cannot join unions
- Most MENA countries' labour laws do not include agricultural or domestic workers – which places their wages and conditions beyond regulation and protection
- In Lebanon and Kuwait (and other MENA countries) there is no equality of access to justice in practice.

There was considerable discussion among the participants of the barriers to access to justice. One serious obstacle they highlighted was the problem of language, coupled with a lack of good translation/interpretation. In Oman, for example, everyone is covered under labour law, but cost and availability issues prevent migrant workers from accessing proper translation and thus from voicing their issues. Participants also cited the confiscation of passports by employers as a major obstacle to access to justice – as well as to health care, freedom of movement and the ability to leave employers even when they are abusive or refuse to pay salary entitlements. Confiscating passports turns leaving an employer into a crime, which should not be the case, as well as making individuals more vulnerable to abuse.

Linda also highlighted the lack of recognition of the role of migrant workers in the development of countries of destination, particularly in the Gulf. Without migrant workers there would be zero construction and no health services. In the country of origin they are seen as an economic asset; in destination countries they are seen as a commodity rather than as human beings. Presently the idea that migrants are a risk to state security in the Arab world plays a role in justifying deportations, particularly in light of the crisis in Syria.

Indeed, participants flagged negative public perceptions of migrants as contributing to their problems. However, Linda described how some of those perceptions had been successfully challenged in Lebanon. There, employers had previously justified passport confiscation as a means of preventing workers from 'absconding' before how their contracts had been fulfilled or recruitment costs recouped – but judges had recently begun to reject this excuse, opening the way to fine employers for confiscating passports.

Linda also shared how advocates in Jordan had used the Universal Periodic Review (UPR) and shadow reporting processes. The UPR process involves all governments having their human rights records reviewed by other governments in the UN Human Rights Council in a 4 year cycle. The government and civil society provide reports that inform the review. Recommendations are made to the State being reviewed – and these recommendations can support the changes being sought by NGOs and be used by advocates. Linda, and participants from Kuwait and Nepal, shared their experiences of engaging with the UPR and of submitting reports to try and inform the process and outcomes.

Migrant Workers Rights’ as a Key Human Rights Concern: Practical Exercise

Role Play Meeting with the Special Rapporteur on the Human Rights of Migrants

The next session involved a participatory exercise, continuing the process of drawing out concerns and identifying objectives for change while introducing the role of the UN’s human rights Special Procedures. These are known as Special Rapporteurs, Working Groups or Independent Experts. The exercise focussed on the mandate of the UN Special Rapporteur on the Human Rights of Migrants, a post currently held by Canadian law professor Francois Crepeau.

The UN’s human rights special procedures consist of independent experts appointed by the UN under the authority of the UN Charter with the objectives of promoting, monitoring, and protecting the human rights within their mandates. They can have a country or a thematic focus and there are many mandates relevant to the rights of migrant workers – including on housing, health and arbitrary detention.

Special Rapporteurs can make representations to governments, including through urgent actions/enquiries; conduct official country visits³ (missions); issue statements; and conduct thematic studies. For example, the Special Rapporteur on the human rights of migrants is currently looking at recruitment issues. They prepare an annual report that is submitted to the UN Human Rights Council. Official country visits are the responsibility of the host government, which arranges their stay and field study visits. They meet the representatives of government institutions and ministries; they may also meet NHRIs and civil society representatives, and visit shelters or detention centres, to develop a wider understanding of the issues. An example is Francois Crepeau’s visit to Qatar at the end of 2013.

Special procedures can also be invited to visit by civil society, although these visits are unofficial. DTP has, for example, invited Special Rapporteurs to train on its programs; they may then take the opportunity to meet informally with communities and officials. The UN’s Special Procedures are heavily reliant on information submitted to them by NGOs. For example, NGOs in Nepal submitted a case involving 27 Nepalese workers stranded in Saudi Arabia – unable to leave their employer or country because of the sponsor’s refusal to give permission, and being forced to work without wages. Following representations from the Special Rapporteur, the men were able to return home to Nepal.

In the exercise, Linda al-Kalash played the role of the UN Special Rapporteur on the Rights of Migrants, visiting Kuwait to learn about the situation of migrants there. Participants broke up into four groups, each preparing to meet the ‘Special Rapporteur’ to discuss their concerns and the changes they would like to see. The exercise enabled participants to share their knowledge and experience.

Key Issues and Recommendations for countries of origin:

- Reform to the Kafala system with regard to sponsorship, employment and repatriation

³ Subject to receiving an official invitation

- Ratification of ILO Conventions on protection of migrant and domestic workers
- Wage reform around a reference wage for migrant labourers, to prevent discrimination and differential pay on the basis of nationality
- Bilateral labour agreements with provisions on the right to information for both migrant workers and their families back home
- Inclusion of migrant workers in all level of policy and law reform linked to their employment
- Establishment of a committee, including government and CSO representatives, to monitor the recruitment of migrant workers and issuing of visas
- Improvements to shelters for migrant workers provided by embassies, governments or CSOs
- Improved repatriation processes, with strict compliance monitoring, for any and all deportations

Key Issues and Recommendations for countries of destination:

- The Kafala system increases vulnerability, including through increasing the number of undocumented workers – who are then automatically denied access to services, complaint mechanisms, health care etc.
- Confiscation of passports is a big issue and leads to more undocumented workers
- Workers (document and undocumented) need to be able to access a system where they can raise their concerns
- Workers need to know that they can access local labour courts (and how)
- A substantial number of migrant workers commit suicide. There needs to be a more in depth investigation of these deaths, looking at causes and advising on remedies and funding of preventative programs
- There is a need for more embassy assistance for migrant workers, including more help to secure access to justice
- Undocumented migrant workers (including those whose visas are expired) are particularly vulnerable
- Need for more ratification of human rights instruments in countries of destination

Key Issues in Kuwait

- Migrant workers make up 63% of the population of Kuwait. Official government policy is to lower the numbers every year, with efforts to send home more undocumented workers

- There are roughly 600,000 domestic workers in Kuwait. A law covering domestic workers has been drafted, but has not yet been discussed by the government or parliament
- KSHR has monitored many violations experienced by domestic workers, likened to slavery
- KSHR is calling for change in the language, discourse and public perceptions around domestic workers as this is contributing to their vulnerability and abuse – the value of their work needs to be recognised
- KSHR is also calling for better regulation and protection of domestic workers to maintain their dignity and stop the abuse
- KSHR has requested the government reform its laws on workers' rights in accordance with international standards
- There have been calls for the reform or abolition of the Kafala sponsorship system
- Migrants have not been allowed to study in Kuwait
- There should be a system in place where workers are hired on contracts based on a proper labour system and accountable to government ministries.

Human Rights Standards and the Framework of International Human Rights Law related to Migration: *Patrick Earle*

DTP executive director **Patrick Earle** noted that Increasing labour migration is a feature of globalisation as gaps between rich and poor widen, both within and between countries. Globalisation has not created the option of decent work for many in their own societies, but has created demand for labour in others. However, labour migration policy and practice has often neglected the rights of migrants themselves – rather seeing their overall economic value and contribution as workers and the senders of remittances. This has contributed to the abuses increasingly associated with labour migration.

This session focussed on developing participants' awareness that the rights of migrant workers were recognised by a framework of international human rights standards, adopted by governments through the UN since 1948 – and that membership of the UN itself bound governments to respect universal human rights standards.

Human rights are expressions of human dignity and define the relationship between the individual and the state. Individuals are rights holders and states are the primary duty bearers. States must respect (refrain from violating rights through polices, laws and programs); protect (protect from violations by recruiters and employers); and fulfil (knowledge, awareness, progress through budgets and programs) human rights.

Patrick explained that, in addition to human rights being part of the UN Charter, there are nine core human rights treaties⁴ – all of which have relevance to migrant workers and their families, and to the laws and policies concerning migrant workers.

Ratification of human rights treaties (like other international treaties) binds governments to apply their provisions – and they agree to report regularly to the international community on their progress in doing so. They agree to review their laws and policies to comply with the treaty, and to take measures (allocation of resources, development of policies and programs) to respect, protect and fulfil human rights. The process of treaty ratification and implementation can therefore lead to significant change in policies and laws. If a government has ratified a specific human rights treaty then this may be a significant factor in developing advocacy strategies. It can be used in advocacy for law reform in policy development and resource allocation and in litigation strategies. If a government has not ratified a treaty, then ratification may be an objective of advocacy.

While relatively few states (47) have ratified the International Convention on the Rights of Migrant Workers and Their Families, every government has ratified at least one of the core human rights treaties – and most have ratified more than one. These other human rights treaties, with their common emphasis on non-discrimination, may be highly relevant to the situation of migrant workers. Many of the abuses that migrants suffer are rooted in discrimination. The Convention on the Elimination of Discrimination Against Women (CEDAW) speaks directly to some of the abuses experienced by migrant domestic workers. The Convention on the Elimination of Racial Discrimination (CERD) is also highly relevant. Advocates therefore need to consider whether the treatment of migrant workers is covered by treaties that the countries have ratified, as this can open up different pathways for advocacy and accountability.

Patrick also noted that some measures taken by government with the aiming of protecting vulnerable groups may themselves be discriminatory – such as the age restriction on women leaving Nepal to work abroad.

Referencing internationally agreed human rights standards can give migrant worker advocates confidence in their campaigning and advocacy work. The assumption behind the work of advocates should be that governments have acknowledged their responsibility to make changes to better respect, protect and fulfil human rights. Knowledge of government responsibilities provides advocates with the ability to assess the gaps and shortcomings that governments need to address. It allows advocates to develop recommendations based on international law to advocate for at the national and international level.

⁴ The core human rights treaties cover Economic, Social and Cultural Rights; Civil and Political Rights; Rights for People with Disabilities; Rights of the Child; Discrimination Against Women; Racial Discrimination; Enforced Disappearances, Torture and the Rights of Migrant Workers and their Families

Day 2: The Migrant Workers Convention, UN Mechanisms and the ILO

The 1990 Convention on the Rights of Migrant Workers and their Families: *Patrick Earle*

DTP's **Patrick Earle** discussed the International Convention on the Rights of Migrant Workers (CMW), adopted on the 18th December 1990. It took ten years to negotiate and is the longest treaty of the nine core conventions. It took a further 13 years for a sufficient (20) number of governments to ratify it for it come into force as a core human rights treaty in 2003. Presently it is one of the least ratified treaties. Like other human rights treaties it builds on the foundations of the Universal Declaration of Human Rights (UDHR) and was developed to address the particular vulnerabilities and situation of migrant workers, addressing the responsibilities of countries both of origin and destination.

Using Human Rights Standards and Mechanisms: Practical Exercises

Group work: what rights should migrant workers have?

Working in groups, participants were asked to discuss and write down what rights they thought migrant workers should have. When they reported back, those rights were then checked back against the rights listed in the CMW. The groups identified the majority of rights provided for in the Convention, as well as some additional rights.

One point of particular interest was that the Convention addresses discrimination on the grounds of nationality; participants noted that wages in the Gulf are commonly dependent on nationality (migrants from South Asia and from Africa being lowest paid) even where the work is the same.

The exercise was useful in developing knowledge of CMW and for reinforcing understanding that human rights treaties are informed responses to the realities of abuse, rather abstract legal documents.

Group work: the case study of John, William and Betty

Participants were given a scenario of three fictional individuals, migrating in different circumstances for different types of employment, with very different experiences. Participants were asked to work out in groups what the human rights issues were in each case, and what special procedures or organisations might be helpful in addressing them.

The exercise aimed to build knowledge of both human rights and the appropriate UN mechanisms that could be used by advocates to address issues.

Currently, advocates for migrant workers have not adequately explored the potential of using the special procedures, the UPR or treaty reporting process. To use these mechanisms effectively, NGOs need to provide credible, good quality evidence and research.

The UN's Human Rights System – Towards Accountability

The UN human rights system of monitoring and accountability continues to develop and evolve, deriving authority from two distinct sources: the UN Charter and human rights treaties.

1. **The United Nations Charter.** The promotion and protection of human rights is a central purpose of the UN and is included in the UN Charter. Drawing from this, the UN has established:
 - the Human Rights Council (HRC) - *created in 2006 it has 47 member states elected for 3 year terms.*
 - the High Commissioner for Human Rights (HCHR) – *the UN's high level official on human rights*
 - the Office of the High Commissioner for Human Rights (OHCHR) – *the specialised UN agency dedicated to human rights*
 - the Universal Periodic Review (UPR) – *process of HRC that reviews every government's human rights record every four years*
 - Human Rights Special Procedures. *There are 51 Special Procedure Mandate holders covering both country and thematic issues. Can be an individual expert or group of experts. Can make country visits, directly communicate with governments (including urgent appeals), make statements, initiate thematic studies, report to HRC.*
2. **Human Rights Treaties and the Treaty Monitoring Bodies.** These are independent committees comprised of experts drawn from different countries that engage governments in formal reporting processes on implementation of the treaties. They do country visits, albeit rarely. They also adopt **general comments**, which are elaborations on the meanings of different human rights, and receive individual complaints.

The UN's human rights mechanisms have developed with input from civil society, and rely heavily on civil society information and engagement to be effective. All of the mechanisms provide some opportunities for civil society advocates to promote their concerns and to seek action to address these concerns. None carry any specific sanction or enforcement power. Effective NGO advocacy can help to inform the recommendations and actions of these mechanisms and so knowledge of them is important.

Aside from a limited field presence, the UN's central human rights machinery is located in Geneva; there are a number of international NGOs that also have a permanent presence there, such as Amnesty International, Forum Asia and Human Rights Watch. These organisations can provide support for other civil society organisations seeking to engage with the UN in Geneva.

Migrant Workers and Core Labour Standards: an Introduction to the ILO Conventions

Ellene Sana

While the previous sessions emphasised that migrant workers are entitled to the same rights as other humans, these sessions on ILO labour standards and mechanisms – led by CMA Philippines director **Ellene Sana** – focussed on their rights as workers.

Group Activity: What are the rights and entitlements of a migrant worker?

The participants split into three groups to brainstorm around the question of what rights and entitlements a migrant should have. One group developed a country of origin perspective, another a destination country perspective and the third group was asked to identify the elements that should be outlined in a standard contract.

ILO Conventions

Ellene introduced the ILO conventions. The International Labour Organisation has a unique tripartite membership and governance structure of governments, employers' organisations and workers organisations, and currently spans 185 member countries. It has adopted 189 conventions; eight are core conventions that states are obliged to comply with whether they ratify them or not. These cover Freedom of Association and the Right to Collective Bargaining (C 87 and C98), Elimination of Forced & Compulsory Labor (C29 and C105), Elimination of Discrimination (Employment & Occupation) (C100 and C111) and the Abolition of Child Labor (C138 and C182).

There are a number of ILO Conventions focused on labour migration and migrant workers. These include: C97 (Migration for Employment), C118 (Equality of Treatment-Social Security), C143 (Migrant Workers), C181 (Private Employment Agencies), C189 (Domestic Workers) and the ILO Multilateral Rights-based Framework on Labor Migration of 2005. Ellene highlighted the new legally-binding Protocol to C29 on Forced Labour that strengthens the international legal framework by creating new obligations to prevent forced labour, protect victims and provide access to remedy, such as compensation for material and physical harm.

ILO member states report every two years to the ILO Committee of Experts on the Application of Conventions and Recommendations on Status of Core Conventions, and every five years for other conventions that they have ratified. Workers and employers organisations comment on the reports, and the Committee issues direct requests and observations to the states.

Convention 189 on Domestic Work is particularly relevant to the situation of the growing number of migrant domestic workers; its adoption followed a global campaign that brought trade unions, civil society and government together. Trade unions and CSOs continue to campaign together for ratification.

Later in the program, **Natasha Mahendran** from DTP gave participants an introduction to the ILO's online legal resources databases, NORMLEX and NATLEX, which are very useful for looking up cases and standards.

Migrant Workers and The Private Sector: An Introduction to Ethical Recruitment Practices

Dr Ahmed Al Hashemi

Group Activity: Case Study of Rose - what should a fair recruitment process look like?

Participants were given a case study of one migrant worker named Rose to identify the human rights abuses and violations she faced in the recruitment process and migration. They were then asked what the alternative – a fair process – should look like.

After participants voiced their ideas, Middle East Centre for Training and Development MD **Dr Ahmed Al Hashemi** shared with them the Dhaka Principles for the responsible recruitment and employment of migrant workers. These ten principles are based on the UN's framework and guiding principles on business and human rights, and on two core concepts: that all workers are treated equally and without discrimination, and that all workers enjoy the protection of employment law. International standards are clear that workers should not be charged a fee to secure their employment.

Group Activity: create a model fair recruitment agency

Participants were then divided into groups to develop a “model” fair recruitment agency based on what they had learned in the session, their own experiences, and the Dhaka Principles. Stipulations for this model agency included ensuring no fees were charged from migrant workers for recruitment; transparent contracts in the migrant worker's language; non-retention of passports and ID papers; provision for migrant workers in employer codes of conduct; non-discrimination; fair remuneration in line with local workers' wages and benefits; rights to freedom of association and collective bargaining; access to confidential, safe grievance mechanisms; adequate health and safety measures in relevant languages, and guaranteed safe and timely repatriation.

This process was very helpful in demonstrating that advocates need to be clear about their objectives and the basis of their recommendations in international standards, principles and best practice.

Day 3: Advocacy and Lobbying, the Abu Dhabi Dialogue and Field Trip

Advocacy and Lobbying for the Rights of Migrant Workers: Targets and Approaches

Linda Al-Kalash

Linda Al-Kalash, founding director of Tamkeen in Jordan and founding chair of the ANMR, defined advocacy is the process of influencing those in and with power; it can be political and social, pushing for change and campaigning for alternatives. She noted that advocacy often involves building support for an issue, from like-minded people, stakeholders and decision makers, and that it was about creating change not just in laws and policies but also in societal behaviour and habits.

To begin an advocacy campaign, Linda said that advocates need to study and understand the cause or topic that they are concerned about – and be clear about their objectives, the changes that they would like to see to address the problem. Objectives can also be expressed as minimum and maximum demands; they need to be realistic given the resources available and the social and political context. She also said that advocates needed to select their battles carefully, and not get involved in every campaign issue that arises.

When clear objectives have been agreed it is important to consider how best to advocate and lobby for change, identifying likely supporters and opponents of change. Linda noted that advocates often need to generate public opinion and support, and to raise awareness using the media, internet, and campaigns. The tactics and the strategies should be defined.

Linda highlighted two important things to consider:

- Is the advocacy suitable to the current political situation?
- How do advocates determine the social and political impact of their work?

Advocates can link up internationally, via alliances and networks. It is also important to understand that governments try to maintain a certain image in the international sphere. Exposing their shortcomings and faults – through UN processes, or when they are in the international spotlight hosting major events etc – can be very effective. Collaboration is important; foreign advocates need to work with groups within the country being criticised, finding common ground. Parallel events can be effective e.g. having civil society host an event alongside international dialogues.

Linda argued that campaigns need to be multi-form using social media, petitions, networks and alliance building as tools, and also drew attention to two new forms of advocacy:

- *Strategic Litigation*: using specific court cases to create wider change. There may be certain cases that people can sympathize with, such as cases of deportation, or cases that if won will lead to changes in policy and practice that affect lots of people. There are recent examples in Jordan – and Jordan's obligations under CEDAW have recently been cited in legal judgements, which is seen as a breakthrough
- *Budget Analysis*: this involves studying the state budget to analyse income and expenditure, measuring the extent of spending to fulfil the state's human rights responsibilities. In the

case of migrant workers this tool can also be used to effectively demonstrate how much the state is benefiting from migrant workers (in contrast to how much they spend in providing support to them - or detaining them). This can help to build economic arguments for change, as well as moral, legal and popular arguments.

Linda highlighted the need for accurate and reliable data and research in advocacy, for good documentation rather than anecdotes. Advocates need to ensure that the data is verifiable so that their voices can be trusted by others: journalists, UN officials, government officials, the public and other stakeholders from whom action and support is sought.

Group Activity: Develop an Advocacy Plan

Participants were split into small groups, with each asked to develop an advocacy strategy on one particular issue concerning migrant workers. Participants were told to consider the objective of the intervention, the target for the advocacy strategy and the steps that would need to be taken. Groups chose to focus on the ratification and adoption of ILO's Convention 189; a minimum wage for domestic workers in the GCC; and the situation for undocumented migrants.

The resulting group presentations spurred discussion about the following points:

- To target governments, advocates must demonstrate the benefits of settling the status of migrants or ratifying conventions, not just highlight the negatives
- At the end of a campaign, there needs to be continued follow up and progress reporting
- The most successful campaigns happen when organizations come together and contribute their individual strengths. Some organizations have good relations with government, some have strong legal support, some have access to migrant communities, etc. When there is collaboration, there is good advocacy
- Advocacy is a long process; it may not result in 'quick wins', but continued efforts are critical
- Major sporting events and global policy events need to be taken advantage of in advocacy. Many countries worry about their international image. Advocates need to know the tools to target international processes and organizations
- It is important to propose alternatives. When advocating to governments or ministries for the abolishment or reform of a system or policy, advocates should have alternatives to propose.

Update and Insights from the Abu Dhabi Dialogue

SDC representatives

The training program took place in parallel to a meeting of the Abu Dhabi Dialogue (ADD) in Kuwait City. Unlike previous meetings, and most other intergovernmental forums, civil society participation

in this meeting was not allowed; however, representatives of the Swiss development agency (SDC) were there as observers and they agreed to provide participants with their insights from the meeting, as follows.

The ADD was formed in 2008 and composed of member state from origin and destination countries, as well as observer states:

- 7 destination countries, including all GCC countries plus Malaysia
- 11 origin countries (Colombo Process Countries)
- 3 observer states: Japan, Korea, and Singapore.

The ADD brings together very different perspectives of countries of origin and destination – and at least the perception of conflicting interests. This makes it difficult to come up with joint positions on issues.

This year for the first time Switzerland was invited as an observer state, which was welcomed as a positive opportunity – reflecting the extent of Swiss engagement on the issues of migration and development.

The ADD is moving to become more institutionalised. Four governments will be the main active members of the organization: the past chair (Philippines), the current chair (Kuwait), the incoming chair (to be decided), and the UAE - because they host the permanent secretariat of the ADD.

The ADD process involves a Senior Officials Meeting that precedes the Ministerial meeting. The fact that almost all the issues on this year's Ministerial agenda were adopted silently and automatically indicates that the substantive work is done at the Senior Officials Meeting – and that there is a high level of trust and cooperation between officials and ministers. These meetings provide an excellent opportunity for bilateral talks as there were nearly 20 ministers in the same room.

Overall the atmosphere of the two days was very much oriented towards listening to what others had to say. There were no areas of expressed conflict between destination and origin countries. Statements were focused on facts and finding a common agenda and strategy to issues forward. The ministers from all the destination countries agreed that protection of migrant workers was important.

However, there was a sense that the most important actors who were not present in the process are the employers; the private sector has not been effectively engaged, and it is vital that this changes.

During the ADD, Qatar's Minister of Labour made a statement acknowledging the existence of problems and that much work needs to be done. The Minister said that the migrant workers who build the stadiums for FIFA 2022 deserved to be treated with respect and equal conditions. The Minister encouraged discussion and expressed openness to change and dialogue.

A number of practical pilot projects/research proposals came out of the ADD:

- The UAE and Kuwait decided to initiate a pilot project on skills development with India, Philippines, and Pakistan. The governments of UAE and Kuwait would like to engage with these sending countries through four companies who have agreed to be a part of the project. Five professions in the construction sector have been targeted, including scaffolding and carpentry. Workers will be provided with skills certifications in their country of origin; these will be recognized by companies in countries of destination, which will increase wages for certified workers
- The second pilot project, put forth by the Philippines and endorsed unanimously, was the Comprehensive Information Orientation Program. This program will examine the whole migration cycle: pre-employment, pre-departure, post-arrival, and return and reintegration
- The third project will be a joint initiative by ILO/IOM. Under the ILO's Fair Recruitment Initiative, the organizations will conduct a 1-year study on recruitment issues to understand how recruitment affects both the origin and destination states⁵. There are 3 partners involved: Nepal (Kathmandu University), India (Kerala), and the UAE (Zayed University).

The participation of CSOs and other countries was also discussed. It was suggested for example that Jordan, which is in a similar situation to countries in Asia, could ask to participate in ADD. However, it was not clear whether civil society participation would be enabled going forward. Formal CSO participation will be possible only with a consensus between all 18 participating states; CSOs probably need to begin the process of lobbying ADD members at the national level.

The ADD concluded with the Kuwait Declaration, which acknowledges the need for protection of migrant workers.

Field Trips: Visiting Communities, Meeting Migrant Workers

For the second part of the day, participants were divided into two groups for field trips. This was an opportunity to develop a better understanding of the realities facing migrant workers in Kuwait, and to learn first-hand the human rights issues involved.

Field Trip 1: Kerala Art Lovers Association (KALA)

As in other countries in the GCC, there are a significant number of migrant workers from Kerala, India living in Kuwait. Their presence goes back many years, pre-dating the influx of migrant workers associated with the 1970s oil boom, and they form a large and well established community in Kuwait – although its members have always had limited residency rights.

⁵ Research has apparently shown that there is no correlation between recruitment fees and wages received. Rather, the relationship was found between the level of skills and the country of origin. Those migrant workers that are less educated and from a more vulnerable country of origin, pay higher recruitment fees.

KALA is perhaps the key organisation that brings together the Kerala community and represents their interests. Located in a migrant worker urban area in Kuwait, it organizes activities for the community, acts to support migrant workers in distress and raises funds for charitable purposes. It has three sections: a general section, a women's group and a children's wing. Training participants were able to meet the women's wing of the association and to speak with its members, share experiences and ask questions about the types of problems migrant workers face in Kuwait – as well as the available services to assist them.



Field Trip 2: Philippines Embassy Migrant Workers' Cultural Event

A visit to the Philippines 'fiesta' event allowed for a smaller group of participants to engage in dialogue with the Consul General. He spoke about the abuses faced by Filipino domestic workers and the assistance services provided by the Embassy. These abuses include a distressing level of sexual abuse, rapes and abductions of women domestic workers. Participants were also able to witness a community social event and interact with Filipino migrant workers based in Kuwait at a celebration hosted by the Embassy; these events provide migrant workers with a time and a space to meet their embassy representatives. Such events are important for strengthening and bringing together migrant communities, especially in GCC countries where social life and freedom of movement can be restricted.

Day 4: Gender and Migration, Building Strategic Alliances and Using the Media

Labour migration is becoming increasingly feminised, with female migrant workers now comprising nearly 50% of all migrant workers. Women migrant workers are concentrated in particular occupations: in the service industry and as domestic workers, where they may be particularly vulnerable to abuse. They may face discrimination both as women and as migrants.

CEDAW & C189: The Rights of Women, Gender, Domestic Workers and Migration

Ellene Sana

CMA Philippines director **Ellene Sana** asked the participants to work in groups to identify examples of discrimination against women in migration, in the areas of states' laws, policies, and practices. They highlighted the following examples:

- In Nepal there is a ban on women workers going abroad to GCC countries
- Discourse surrounding women domestics such as maids, help, etc. discriminates against women and domestic employment, diminishing the value of their work
- Domestic workers are formally excluded from labour law in many countries, blocking them from the protection of standards, regulations and regulatory/inspection regimes
- Women are discriminated against in terms of salaries, treatment, and promotions
- In the GCC, nationalities of both men and women migrants determine wages
- In Bangladesh women require their husband's or a male family member's permission to migrate
- Minimum age requirements are only set for women to migrate (e.g. 22 years in Bangladesh).

Following the group discussion, Ellene led participants in a discussion on the feminization of migration. This goes beyond the increasing number of female migrants; the majority of the jobs assigned to women are within the 'female' sectors of labour (based on gender stereotypes of reproduction, childcare, household work). Women are sought after by employers because they are seen as 'docile' and 'compliant' instead of for their skills, qualifications and abilities. Participants also discussed cultural sensitivities attached to women working in certain sectors.

Convention on the Elimination of Discrimination Against Women (CEDAW)

While few states, and no countries of origin, have ratified CMW, most states have ratified CEDAW - and the obligations it imposes to address discrimination against women are highly relevant to female migrant workers.

Advocates can use the periodic reporting process and CEDAW's complaint mechanisms to promote the rights of migrant women. The articles particularly pertaining to women migrant workers are Article 1,2, 6, 9, 11, and 16, and General Recommendations 12, 13, 24, and 26. General

Recommendation 26 outlines the rights and protections for those women migrant workers in the low wage sectors of employment.

ILO Convention 189 on Domestic Workers and ILO Recommendation 201

Ellene highlighted that domestic workers are workers; they should not be regarded as helpers. As such, they should have the same rights as other workers. Addressing this, ILO C189 – a reflection of universal minimum standards for domestic workers – has now entered into force. Building on the provisions of ILO C189 is recommendation 201, a non-binding instrument that offers practical guidance for the strengthening of national law and policies on domestic work.

Under C189, domestic workers – defined as any workers in a household⁶ – have the right to information on their terms and conditions of employment. They also have the right to regulated working time. There has been ongoing debate about ‘stand by hours’, those hours where the domestic worker may have already finished their work for the day or the ‘in between’ hours before picking children up from school for example. However, even those hours are counted as part of the 8-hour working day.

Remuneration for domestic workers must include the minimum wage and not reflect discrimination. Wages must be paid on time, in regular intervals with no deductions, and in monetary form – not in the form of clothing or other goods.

Occupational health and safety standards must be applied, and domestic workers must be trained to safely perform their duties. There also need to be protections for particular groups, for example, local and migrant domestic workers. Written contracts are required for domestic workers, not informal agreements; they must be enforceable in countries of origin and destination.

There is recognition that homes are private and sacred spaces in some cultures and countries. However, they are both work and living space for domestic workers, which can create tensions in relation to appropriate workplace inspection regimes. There is much ongoing debate on this in the region, but steps have been taken in some countries.

Ellene asked participants to share their knowledge in groups and identify protective measures that have been put in place by state or non-state entities to promote and uphold the rights of migrant domestic workers. They came up with the following:

- Shelters (run by embassies and NGOs)
- Psycho-social support programs
- Ratification of C189
- Social protection
- Inclusion into the labour law without discrimination

⁶ There is ongoing debate about the status of drivers, as although they are employed in households they have a very specific skill set.

- Providing mandatory health protection and insurance (Qatar)
- Medical insurance (Kuwait)
- Provision of Legal Aid
- Anti-trafficking committees (e.g. Jordan, Maldives)
- Mandatory mobile phones (UAE)
- Minimum wage, guaranteed money at the embassy, requirement that the family of employer has to be maximum of 6 persons (per worker) and that the worker must have access to a mobile phone (India)

Developing Strategic Alliances for Promoting and Protecting Migrant Workers in the MENA Region *Ellene Sana*

Building alliances is critical for advocacy. Migrant workers are often part of minorities in their countries of origin and destination. Even in countries of destination where migrant workers form a majority of the population, it is a majority comprised of many minorities – all of them relatively disadvantaged under national law. Migrant workers are also often economically, socially and politically marginalised and to influence change they need to work with others. Alliances are also critical given the trans-border nature of the abuses migrant workers experience.

Ellene Sana began this session with a group activity. On a huge paper canvas, participants were asked to draw all actors involved in a migrant’s journey, including those who were helpful and those who could cause them problems. After finishing the picture, participants were asked to reflect on the connections and networks they could see between the actors. They were then asked: What networks were they involved in? What was the value added of joining networks? Why would the participants at this training want to work together in future?

Participants identified actors including trade unions, NGOs, embassies, hospitals, business establishments, companies and airlines. Some were potential allies; others were institutions/organisations that could be reached out to or requested to act.



Participants from Bangladesh and Lebanon gave examples of how their organisations had worked with the private sector and recruitment agencies. For example, Caritas in Lebanon worked with recruitment agencies to develop a code of conduct and work together to check complaints, they have also worked with currency transfer companies such as Moneygram to raise awareness about migrant rights.

In considering alliances or networks – between NGOs or between NGOs and trade unions, for example – it is important to consider the common issues that could form a basis for cooperation. There might be differences in approach, but shared objectives. Once created, the basis of an alliance and its organizational principles must be clarified, as well as its clear objectives; each member must be able to see the value added to its own work. There is little utility to unity of itself.

It must be clear how each network member is accountable to the others, and there should be a commitment to transparency. Building trust between network/alliance members is important. It is also important to ensure that the network is properly maintained. Participants gave examples of sustaining networks through joint email list serves, Facebook groups and regular Skype meetings.

Migrant Workers Rights and the Media: Developing Media Strategies and Skills for Advocacy *Rafeek Ravuther*

Media work is an important part of much advocacy. In many societies the media (print, radio, TV, social) plays a key role in reflecting and shaping society's attitudes, in informing and influencing the public and those in power. The media can expose harms and tell stories.

There is lively media coverage of migrant workers' communities in the GCC countries and participants were privileged to hear the stories of two experienced media practitioners, with great personal commitment and a long history of exposing and addressing injustice. Dubai-based journalist and author **VM Sathish** has, through his work, exposed the abuse of many migrant workers. **Rafeek Ravuther** is a TV producer and founding presenter/producer of the ground-breaking *Pravasalokam*, one of the most watched programs on TV throughout the GCC. Produced in Kerala, it focuses on one of the hidden and most disturbing aspects of migration – missing relatives and family break-ups. Launched by Rafeek ten years ago as a response to pleas for help from family members, it tells intensely human stories of fathers, brothers or sons who simply fall off the map after migrating from Kerala to work in the GCC. *Pravasalokam* has tracked down thousands of missing migrants, providing the legal, consular, medical, and travel assistance required to reunite them with their families in their countries of origin thanks to the generous support of its viewers and various sponsors – and has exposed major problems facing migrant workers such as sexual exploitation, delayed or denied wages, torture, visa forgery and forced labour tracking.

Sathish and Rafeek shared their experiences and the challenges they faced working on these issues. Rafeek then screened the 10th anniversary video of his television program. The program highlighted the successful cases of recovered migrants, showing the abuses they had faced, and the stories of the families left behind. In the subsequent discussion, participants said they were very moved by the stories, with many inspired to continue in their own efforts to support migrant workers and their families. Participants also noted the importance of international networks to follow up on individual cases of exploited migrant workers as well as for advocacy strategies for these transnational issues.

Group Activity: Social Media and Human Rights Abuses - what would you do?

Rafeek shared a sample case study of a video he received via social media (WhatsApp) from a victim of trafficking who was trapped in a forced labour situation. The victim arrived in one country for legitimate employment, but upon arrival was trafficked to a neighbouring country and forced to work on a camel farm. The video showed the victim and the farm where he was trapped. He was clearly in a state of great distress. Rafeek asked each participant to share what they would do if they received such a video. Responses ranged from sharing further on social media, to contacting partner organisations in the country, to contacting relevant embassies and authorities. There was much debate about whether such videos, which easily go viral online and could be later found to not be genuine, could be trusted.

Finally, Rafeek outlined the great responsibility rights defenders and media personnel have when receiving such cases via social media. He outlined that the first thing to do is check the legitimacy of the video or photographic evidence and to verify the original source of the content prior to taking action. He emphasised the importance of the principle to “do no harm”, in considering the consequences for the individual of any course of action.

Day 5: The Role of Diplomats and Labour Attachés; Engaging Government in Dialogue

Introduction to Effective Lobbying and Missions Engagement

Patrick Earle and Ellene Sana

The morning began with discussion among the participants about lobbying as an advocacy technique – a process of influencing and persuading those with power to make a difference. Lobbying can be both planned and spontaneous, but usually effective lobbying involves developing positive relationships over time.

It is important for advocates to be clear about their objectives. Drawing up a ‘political map’ is one way of working out who to lobby. A political map can identify existing and potential allies, as well as those who may oppose the changes you are proposing. A timetable is also important for planning lobbying, showing the schedule of parliament/government decision making as well as any other significant domestic or international events such as HRC sessions, UN treaty reporting and the UPR schedule.

Effective lobbying meetings require preparation. It is important for advocates to ask themselves: What do we want? Who can give it to us? Who will support it? Who could block or stop it? It is good to prepare and practice key arguments and recommendations. This could include for example having a practice run, with two to three people in a delegation and one person playing the role of the person or organization to be lobbied, to try out various arguments and consider potential objections or counters. It is important to consider the location and dress code for meetings, to remain focused, and to create an atmosphere of positive exchange and dialogue. It is also important for advocates to always be ready for opportunities when they arise, with an ‘elevator pitch’ to communicate what they want to say to those in power in a short and concise way.

Ellene Sana then provided an overview of the role of diplomatic missions: the embassies of sending countries. Under the Vienna Convention, embassies have a recognised consular role to play in relation to the nationals of their own country as well as managing broader bilateral relationships. They are expected to render assistance to their nationals in times of distress. With the increase in the volume and economic value of migration, the roles and expectations of missions have shifted significantly and the demands on embassies have grown substantially. Some embassies have now set up additional offices that focus solely on labour issues. Embassies have also established shelters for migrant workers in distress, although sometimes these are just open to women. Embassies can also sometimes be seen to have conflicting roles; on the one hand to maintain good relations and to expand the number of migrant workers from their countries, and on the other to make representations on behalf of migrant workers who may be in conflict with local authorities or employers.

Perspectives from Missions in Kuwait: A Panel Discussion and Q&A with the Diplomatic Representatives of Bangladesh, Philippines and Sri Lanka

Moderated by Ellene Sana

The aim of the session was for participants to learn more about the work of missions, and of how officials in the missions see the challenges and their responsibilities. It provided an opportunity for participants to engage directly in dialogue with senior government officials on the issues, to raise concerns and in some cases to initiate relationships relevant to their advocacy.

Representative 1: Raul Hora Dado, Consul General of the Philippines in Kuwait.

There are approximately 200,000 Filipinos working in Kuwait, of whom half are domestic workers. Many of these are young women. There are about 100,000 Filipino workers working in tourism and the service sector. There are an estimated 5,000 Filipino undocumented workers in Kuwait.

Many of the houses in Kuwait are very large and require long hours of work to maintain them. The Kafala system and custom means that the women domestic workers are largely confined to these houses during their work contracts. Migrant domestic workers are very vulnerable to abuse and harassment. The mission is supposed to be the support system for migrant workers in distress.

Mr Dado arrived in 2013 and is a lawyer by background. On his arrival he set up a legal desk, with the assistance of lawyers both from Kuwait and from the University of the Philippines. He described the most disturbing part of his work as being the incredibly high rate of rape cases involving Filipino domestic workers taking place – an average of 2-3 rape cases a week.

When Mr. Dado first arrived, many of the cases were being settled for 100KD (about 200 USD) because of the lack of legal support. Cases were not pursued and there was an acceptance of effective immunity. It took about a year to establish a proper legal desk with quality lawyers. They are now winning many cases.

The Philippine government pays for the legal assistance at the mission. Each rape case costs an average of US\$5,000. The Philippines government spends a great deal of money on such assistance.

The embassy also receives reports of workers in distress who require rescuing from workplaces. There is no systematic inspection of houses/workplaces, but reports can come from phone calls, social media or through organisations. Sometimes the precise address of the worker has to be established. Embassy officials have no right to enter homes of workplaces without permission so they contact relevant agencies (such as the police) in Kuwait. Embassy and agency staff will do joint visits to homes. In some cases the police act to remove the worker from the workplace to bring the abuse to an end. There have also been a very disturbing number of reports of abductions of women domestic workers – for example when they take rubbish out on to the street – and the embassy has had to seek high level police involvement to resolve cases.

The official Philippines policy is to now hold agencies accountable for the entire migration cycle – and through this to identify agencies that are placing workers in unsafe environments.

The Philippines has a new shelter in Kuwait, the only official one in the Foreign Service. It costs about 1 million pesos (US\$ 23,000) a month to run. This is where they house the victims of really serious cases of rape and abuse. There are on site counsellors, social workers, and lawyers. At the moment there are around 40-50 Filipinos there, all awaiting repatriation back to the Philippines. The embassy sadly does not have a shelter for men; however they do take in male senior citizens who need assistance.

The embassy sends teams every day to visit detention centres, investigate cases, and ensure that abuses and harassment were not occurring. There were many cases of abuse and harassment in the prisons and detention centres themselves, so they have to monitor this.

There is a program under the DOA office in the Philippines Government that supports the return, repatriation, and counselling of rape victims to the Philippines.

Mr Dado explained the Kuwait government pays for the repatriation of those undocumented cases or those with expired visas. There is significant pressure to get tickets from the employers or sponsors, although this can be difficult.

A big part of the job is building relationships of trust with communities. Social media has proved helpful in creating openness and sharing information and cases.

The number and nature of cases requires mission staff to be legal advocates more than diplomats, and this can be difficult as diplomats have to be careful not to offend host governments – making some unwilling to fight for change.

In Mr Dado's experience the higher authorities have been very helpful and supportive, even when cases of abuse have involved lower level police officers and officials. Building relationships with these higher level authorities has been important.

Participants working in Kuwait contended that they had experienced situations where migrants had come to them for assistance after their own missions had sent them away due to a lack of paperwork and documents, or demanded letters from the department of immigration or sponsors saying that they had lost their documentation. In response, Mr Dado said that the Philippines embassy only requires a police report for the lost or stolen items, which he said was not a cumbersome process; he said that there were two to three cases of passport misplacement per day and that the embassy reissued them.

Presentation 2: Mohamed Anas, Head of Chancery, Sri Lanka

There are roughly 120,000 Sri Lankan workers in Kuwait, 65-70% of whom are female. 90% are domestic workers (drivers, domestic labourers, cooks, etc). Domestic workers are not covered under the labour law, so workers cannot go to the labour office to deal with their cases but must go to the office specifically allocated for domestic workers.

The Embassy runs a shelter for Sri Lankan women migrant workers who have left employment for some reason, or who are victims of abuse. Leaving an employer without permission is a crime under

the Kafala system, and domestic workers who do so are commonly described as ‘runaways’ (commentators have highlighted that this is a term associated with slavery and should be challenged). As their identity documents are often seized by their sponsor/employer they must seek refuge at the embassy – or risk detention and prosecution for not having their documents.

The shelter provides a safe place for these workers prior to deportation/return home, and sometimes while legal cases are pursued. When Mr. Anas first arrived 3 years ago, they had 600 Sri Lankan *runaways* in their shelter; now they are down to 200 (divided between the embassy shelter and the Kuwaiti Government shelter). The embassy is alerted to around 4-5 cases of abuse every week. The Sri Lankan embassy also has a male shelter for those in situations of distress, currently housing about 40 people; the embassy provides shelter and food for them. In addition, a number of embassy officials also make and report on regular visits to the detention centres.

Each day approximately 10-15 Sri Lankan domestic workers seek safety and refuge in the embassy’s shelter. The most common reasons for leaving employers/sponsors include:

- Employers/sponsors forcing workers to stay on after their contracts have ended, as it is very expensive and difficult to get a new domestic worker
- Non-payment of wages. Mr Anas cited one case where a woman was not paid for three years and had her ID card and passport confiscated by her sponsor; ultimately, she earned only 440 KWD for her labour.
- Overwork. Many workers are driven to leave their employers during Ramadan as the hours of work are increased significantly, often with only a few hours’ rest a day – and sometimes many more family members to look after.
- Physical and sexual abuse and harassment
- Different conditions and wages to those originally agreed.

The mission also has both a consular and labour division to settle work related cases in Kuwait. When workers leave their employers and appeal to the embassy, the embassy first contacts sponsors to try and settle the dispute. The intention is to pre-empt the sponsor making an absconding case against the worker, which can make it very difficult for the worker to leave.

Mr Anas noted that for repatriation tickets, the sponsor has to pay if the case is absconding, but often the cost falls on the embassy if there is no case and the worker has no money. The Sri Lankan embassy also issues documentation cards or passports whenever they get requests or reports from the police.

Presentation 3: Mr. Abdul Latif Khan, Counsellor (Labour), Bangladesh

Mr Khan is newly appointed and had been in Kuwait for 3 weeks at the time of the program, having worked in the Ministry of Labour in Bangladesh.

There are roughly 9 million Bangladeshi workers abroad in 159 countries, with a high percentage in the GCC region. There are about 190,000 Bangladesh workers in Kuwait. Most of them are men as there has been a ban in Bangladesh on women leaving to work in Kuwait. Of the relatively few women, the majority have been with their employers for some time and are in good positions. There are limited reports or complaints of major issues faced by Bangladeshis. Where there are problems regarding absconding cases, long work hours and overtime, legal issues, etc. Mr Khan said that officials of the Kuwait government were cordial in helping to settle issues of Bangladeshi migrant workers.

There are two wings at the Bangladeshi mission: consular and labour. When workers come with complaints, the embassy speaks with them about their problems. Labour attachés make visits to their work areas, rescue workers where necessary and hold talks with senior authorities – including in relation to expanding work opportunities. The embassy is looking into renewing the deployment of women workers to Kuwait. The support services provided by the Bangladeshi embassy include a helpline for workers to call. They also have four officers who visit the detention centres regularly.

Open Discussion/Q&A Session

Participants discussed the unionisation of migrant workers in Kuwait, and whether the embassies were aware of the Migrant Worker Department of the Kuwait Congress of Trade Unions. It transpired that representatives of the Philippines had previously met with them – but very few migrant workers are unionised. Participants also asked about cooperation or coordination between embassies or organizations on blacklisted agencies and employers; both the Philippines and Sri Lankan embassies do keep lists of agents and employers who violate conditions, exploit, or abuse their labourers. These include companies that don't cooperate with the embassy as well. However, neither embassy shares this information. They said they were always open to best practices, though, and that the time was right for more openness between embassies.

Other participants were interested in the age limits for migrating and the basis for such limits. The Philippines age limit is 18 for migration and 23 for domestic workers. However, there were often younger workers coming through informal channels or being trafficked. In Sri Lanka the age limit is now 21 for female migrant workers, but the government is now discussing an increase of the age to 25. They generally found that those women abused as domestic workers tended to be younger, although this was not based on any firm statistics.

The session closed with discussion on how NGOs and rights advocates could be more effective in their engagement with missions, and in their future advocacy and support work for migrant rights. For those working in Kuwait the first practical steps would be to share contact details and discuss areas for collaboration with the missions present. The missions expressed interest in collaborating further with civil society.

Reflection and Evaluation Session

The final session of the program was dedicated to completing written evaluations of the program and to a final session for participants to share their reflections on the week-long program. Both the written evaluations and the shared reflections affirmed the richness and the value of the program.

Closing Ceremony: Certificates

At the conclusion of the program, participants were awarded certificates of participation by DTP and the UNSW Faculty of Law.



Reflections, Follow-Up and Recommendations

There is clearly an urgent need for action to address the range of abuses experienced by migrant workers in Asia and the Middle East. Migrant workers cannot achieve that change by themselves, but their voices are beginning to be heard – as reflected in the work of the UN and ILO, international foundations and NGOs, and donors like SDC. There is now a wider recognition of the scale and complexities of the problems.

Change efforts need to be focussed on countries of origin and destination and on government and the private sector. Governments in countries of origin can address issues in recruitment, including regulation and accountability of recruitment agencies. They also need to address issues of social security, return and reintegration. Human rights standards should guide their efforts to protect their nationals. It is clear, not least in the work of missions, that there is a range of approaches and practice – and that there is benefit in seeking to learn from and replicate better practices. Engaging pro-bono legal support for missions – including from law schools in the countries of origin – was an example of good practice that may have wider application. One of the values of these programs is in bringing together representatives of missions and encouraging a sharing with each other – and with civil society representatives. It deepens understanding of the issues, and enables relationships to be built that can be the foundation of future action.

Being able to hold this program in Kuwait is also indicative of an emerging, if fragile, openness to discussion of the problems in more destination countries. It is the nationals, and the governments, of these countries that are key to substantive change. Recognition that there are problems is a necessary first step to addressing them, but change anywhere can be a difficult and lengthy process.

MFA/DTP capacity building programs recognise the commitment of individuals and organisations to making change, and empower them to do so. They recognise that individuals in government, the private sector and CSOs are key drivers of changes. The programs are based on the key principle that there is value in building the knowledge, skills and networks of these individuals and organisations; and that international human rights standards are important, including as reference points for advocacy and as guides to sound policy and practice.

Part of the value of these programs lies in bringing together people from different institutions/sectors – and from countries both of origin and countries of destination. It is inspiring to learn of the work that has been, and is being done. This coming together opens the door for mutual learning and support, and real and continuing collaboration. While this collaboration will be self-driven, DTP and MFA will make efforts to facilitate post-program collaboration.

Appendices

1. Program Schedule
2. Participant Biographies
3. Participant Presentations – Summary
4. Trainer Biographies

Appendix 1: Program Schedule	Wednesday 26	Thursday 27	Friday 28	Saturday 29	Sunday 30
Morning 1 8:30 to 10:30	8.30 – 9.00: Registration 9.00: Welcome Ceremony -Kuwait Human Rights Society -Arab Network for Migrant Rights -Migrant Forum Asia -DTP	<i>Feedback session / Participants' presentations</i> 9.00-10.30 The 1990 Convention on the Rights of Migrant Workers	<i>Feedback session / Participants' presentations</i> 9.00-10.30 Advocacy and Lobbying for the Rights of Migrant Workers – Targets and Approaches	<i>Feedback session / Reflections on Field Trip</i> 9.00-10.30 CEDAW & C189 -The Rights of Women, Gender, Domestic Workers and Migration	<i>Feedback session / Participants' presentations</i> 9.00-10.30 UPR, Effective Lobbying and Introduction to Missions Dialogue
Facilitator(s)	KSHR/MFA/DTP/AN	Patrick Earle	Linda Al-Kalash	Ellene Sana	Patrick Earle and Ellene Sana
Tea 10:30-10:45					
Morning 2 10:45-12:45	Participants' introduction/ Expectations/ Training outline / identification of key issues	Using Human Rights Standards & Mechanisms – Practical Exercise Using Standards	Advocacy and Lobbying – Practical Exercise	Developing Strategic Alliances for promoting and protecting migrant workers – in MENA	The Role of Labour Attaches- Perspectives from Missions in Kuwait – Panel Discussion and Q&A
Facilitator(s)	DTP/MFA	Patrick Earle	Linda Al-Kalash	Ellene Sana	Abdul Latif Khan (Bangladesh), Raul Hora Dado (Philippines) and Mohamed Anas (Sri Lanka)
Lunch 12:45-1:45					
1.45 – 2.00pm	<i>Participants' presentations</i>	<i>Participants' presentations</i>	<i>Participants' presentations</i>	<i>Participants' presentations</i>	<i>Participants' presentations</i>
Afternoon 1 2.00 - 3:30	Migrant Workers Rights as a Key Human Rights Concern – Setting the Scene & Practical Exercise	Migrant Workers and Core Labour Standards - an Introduction to the ILO Conventions	Abu Dhabi Dialogue (ADD)	Migrant Workers Rights and the Media	Discussion on Next Steps and Participant Evaluations
Facilitator(s)	Ellene Sana and Linda Al Kalash	Ellene Sana	SDC	Rafeek Ravuther	Patrick Earle
Afternoon Tea 3:30-3:45					
Afternoon 2 3:45-5:30pm	Human Rights Standards and the Framework of International Human Rights Law related to Migration	Migrant Workers and The Private Sector – An Introduction to Ethical Recruitment Practices	Field Visits	Migrant Workers Rights and the Media – Developing Media Strategies and Skills for Advocacy	Closing Ceremony – Certificates
Facilitator(s)	Patrick Earle	Ahmed Al Hashami		Rafeek Ravuther	MFA /DTP
Evening Exercises	Diary Exercise	Diary Exercise	Diary Exercise	Diary Exercise	
Evening Events	Dinner	Dinner – BBQ	Dinner	Dinner	

Appendix 2: Participant Biographies

AUSTRALIA

Chantal Nguyen, Lawyer

Chantal Nguyen is a lawyer based in Sydney, Australia. She has provided legal assistance to the Diplomacy Training Program since 2013. Her background and interests include international humanitarian law and human rights in the Asia-Pacific. She has contributed to the International Committee of the Red Cross' study on customary international humanitarian law, and has represented Australia before the Executive Committee of the UN High Commissioner for Refugees and the UN Human Rights Council (including for resolutions on Migrants, Right to Nationality, and Trafficking in Persons). In Sydney, Chantal has worked for the Australian Human Rights Centre's Migrant and Refugee Rights Project, and was the 2013 UNSW Human Rights Fellow to Legal Aid New South Wales, where she acted as a lawyer on refugee and immigration matters. Chantal will be the 2015 Associate to Justice Griffiths of the Federal Court of Australia, where she is looking forward to working on the immigration appeals that come before the Court.

BANGLADESH

Anisur Rahman Khan, IMA Research Foundation

Anisur Rahman Khan is the Executive Director of IMA Research Foundation, a community-based grassroots migrant organization in Bangladesh. IMA works to promote the rights and wellbeing of migrant workers and members of their families, and is the pioneering foundation in Bangladesh to ensure migrants' compensation through arbitration. Anisur is a returnee migrant, a migrant rights activist, and a community organizer. He has participated in various training on labour migration and has represented his organization in national and international forums at home and abroad. He has expertise in community intervention and information/data collection. A DTP Alumnus, Anisur has a Master's degree in History from Dhaka University, as well as having been the founder Secretary General of the Welfare Association of Repatriated Bangladeshi Employees (WARBE) in 1997 and WARBE Development Foundation in 2007. He is the master trainer of the IOM training pool, Dhaka Office, and the ICB member of IMA International, an international grassroots network of migrants and refugees. He was also an Executive Committee member of the Migrant Forum in Asia.

EGYPT

Ibrahim Abou Senna, Egyptian Foundation for Refugee Rights (EFRR)

Ibrahim Abou Senna is currently a Refugee Status Determination (RSD) Legal Officer at the Egyptian Foundation for Refugee Rights (EFRR). In 2012 he received his B.A. in French Law from the University of Paris 1, Sorbonne and in 2013 received his B.A. from Cairo University. Determined to work in the field of irregular migration and refugees, upon graduation he began working in the United Nations Office on Drugs and Crime in Cairo, and in January 2014 began a six months internship at Africa and Middle East Refugee Assistance (AMERA) as an RSD Legal Advisor. Upon completion of his internship he was appointed as an RSD Legal Officer at EFRR. His work with refugees and asylum-seekers has provided him with a holistic and detailed view of the problems faced by refugees and asylum seekers who are often at the same time working in the country of asylum. In Egypt, asylum-seekers and refugees are not allowed to engage in any form of formal labour leaving them in the same situation

as migrant workers, facing grave human rights abuse because of the lack of a legal status that could preserve their rights.

Cristina Barco Urquizo, Arab Council Supporting Fair Trial and Human Rights (ACSFT)

Cristina Barco Urquizo is a Spanish national and a Magister of Humanitarian Action, Development and Refugees and Asylum Laws, graduating from Carlos III University, Madrid. She is also a graduate from the Faculty of Business Administration from Carlos III University, and a graduate of Arabic Civilization at Aix en Provence University in France. Currently she is a Project Officer of 'Providing legal aid to refugees and asylum seekers' at the Arab Council Supporting Fair Trial and Human Rights (ACSFT). ACSFT was established in 2006 as an NGO to defend human rights and freedoms in Egypt and other Arab countries. The council aims to support the right to a fair and just trial according to national, regional and international standards. The organization has been developing and expanding since its inception. As a consequence it became a UNHCR legal partner in 2009 providing legal aid to refugees and asylum seekers. ACSFT provides legal aid and support for all individuals in need within Egypt, including migrants and refugees.

Mohamed Abdel Hamid, ACSFT

Mohamed Abdel Hamid is an Egyptian national who graduated at the Faculty of Law at Ain Shams University in Cairo. Currently he is the head of the lawyers' team at ACSFT.

INDIA

Rafeek Ravuther, Centre for Indian Migrants Studies (CIMS)

Rafeek is the director of the Centre for Indian Migrants Studies (CIMS) in Aluva Ernakulam, India. CIMS was established to help families to locate their missing relatives who migrated from different parts of India into various parts of the world. CIMS' initiative "Pravasalokam" (a weekly TV programme) opened a floodgate of issues to be handled in order to support stranded migrant workers in the Gulf. CIMS is seeking systematic intervention to assist migrant workers, especially from Kerala, which has a high rate of unskilled labour migration. Rafeek has been involved in raising public awareness on the plight of migrant workers and their families and on protecting the human rights of migrant workers.

JORDAN

Mohammad Al Kafawin, Tamkeen for Legal Aid and Human Rights

Mohammad Al Kafawin is a lawyer at Tamkeen Fields for Aid. He primarily handles cases in regard to migrant workers, helping them to secure the rights agreed on with their employers or that they are entitled to under law; he also defends workers in cases where employers have filed claims against them. In general, he works on cases related to improving the situation for migrant workers in terms of labour, financial rights or working environment; he also works on human trafficking cases and cases filed in arbitrary situations that are not based on any legal grounds. He is a graduate of Al Isra's Private University in Jordan with a B.A. in Law.

KUWAIT

Saleh Alhasan, Kuwait Society for Human Rights

Originally from Syria, but a resident in Kuwait, Saleh holds a Bachelor of Law from Damascus University. He worked as a legal researcher in Qatar from 2008 to 2011 and is now working at the Kuwait Society for Human Rights also as a legal researcher. He has participated in a number of courses in the field of human rights protection and has helped prepare various local, regional, and international reports, including his most recent contribution to a UPR report.

Sahl Algunaid, Kuwait Society for Human Rights

Sahl holds a Bachelor's degree in Accounting and has worked for a number of positions in civil society organizations both in financial management and financial management. He has taken part in writing and preparing various software rights and projects, particularly concerning the rights of migrant related labour. He has helped launch many youth initiatives of local and regional social networks, as well as participating in many writing project courses and consultancy and advising projects with the Yemen Ringing Foundation and the Centre for Women for Research and Training in Yemen. Currently he works as the director of programs and projects for the Kuwait Society for Human Rights.

Mohammad Alajmi, Kuwait Society for Human Rights

Mohammad is currently a student in the Faculty of Law at Kuwait University. He also acts as a volunteer for the Kuwait Society for Human Rights, working specifically in the international relations committee. He is one of the founders of Vigorous Volunteer Group working on the Rohangia issue with the Rohangia committee, as well as a co-founder of various other campaigns such as 'cry without voice', also dedicated to Rohangia refugees, and 'Winder Clothing', dedicated to assisting street cleaners in Kuwait.

Jenan Bader Alenazi, Kuwait Society for Human Rights

Jenan is currently a 3rd year student in the Faculty of Law at Kuwait University. She also acts as the Chairperson of the Committee on the Rights of Rohingya within the Kuwait Society for Human Rights, as well as the Chairperson of the Department of Minority Alrhangia at the International Gulf Organization in Dubai. Additionally, she is a part of the International Relations Committee at the Kuwait Society for Human Rights and one of the founders of Vigorous Volunteer Group, as well as a co-founder of various other campaigns such as 'cry without voice', also dedicated to Rohangia refugees, and 'Winder Clothing', dedicated to assisting street cleaners in Kuwait.

Thomas Mathew Kadavil, Coordinator for Kairali Pravasalokam

Thomas is the Coordinator for Kairali Pravasalokam in Kuwait. Pravasalokam ('Migrant's World') was established in August 2000 through Kairali TV by two independent TV journalists, Anasuddin Aseez and Rafeek Ravuther. In 2002 a chapter of Pravasalokam began working in Kuwait. The programme was originally designed to help low-income families locate their missing loved ones who had migrated to various parts of the world, especially in Gulf Countries. The programme in Kuwait has tracked down approximately 50 missing migrants and has provided legal, consular, medical, and travel assistance required to reunite them with their families back home. In the pursuit to find these missing migrants, many other related social problems have also surfaced, leading to Pravasalokam's intervention in other major issues such as sexual exploitation, delayed or denial of wages, disputed insurance claims, torture, medical care, visa trafficking, trafficking to sheep/camel herding,

unclaimed dead bodies, illegal absconding, and theft cases, among others. On average, Pravasalokam receives about 20 cases or calls for aid and legal advice of various types per week, particularly from migrants of Indian, Nepalese, and Sri Lankan origins.

LEBANON

Eline Caillaud, Insan Association

Eline Caillaud is currently the Fundraising Officer & International Partnership Officer at Insan Association. Funds are fundamental to help migrants gain quality access to justice through social and legal advices. Insan is campaigning in Lebanon to improve migrant domestic workers' situation, particularly their relationship with their employers and defending their right in court. Children of migrants also hold an important place within our programs. As such, Insan provides them with education, psychosocial support and facilitates outdoor activities in order to better integrate them into the community. Eline also takes care of Insan's communication strategies, relationship with funders, and supports Insan with the launch of new programs. Prior to Insan, Eline studied International Cooperation and Communication in France, as well as developed strong abilities to work with asylum seekers, within a French association.

Yara Khoury, Insan Association

Yara is a social worker with over two years' experience providing high quality care and support. Working especially with migrant workers and their children, she provides social support to those who are either socially excluded or experiencing problems in their lives. She has extensive knowledge and an in-depth understanding of social work principles and procedures, techniques and practices, as well as their application to complex cases, group work, and community issues. As such, she has a consistent track record of successfully working with individuals, families, and groups within a variety of settings.

Noha Roukoss, Caritas Lebanon

Noha is a medical social worker who been working for Caritas Lebanon Migrants Centre (CLMC) for 14 years. She started her career in CLMC's main projects at the administrative detention centre for foreigners, where she gave counselling for migrants, refugees and asylum-seekers. Her role included following up with their legal files and accelerating the release of special cases, such as sick persons and pregnant women; raising awareness of their rights and protections from abuse; and work in an emergency unit developed to intervene in crisis situations and train the Caritas staff on how to do proper follow-up on fieldwork. Since November 2008, she has been responsible for the training department and awareness raising for all targeted CLMC society categories such as universities, schools, and NGOs, as well as stakeholders in and outside the country such as embassies, country of origin partners, and potential migrants. Currently she is developing and conducting training, as well as organizing different activities and events concerning women domestic migrant workers, refugees, and women victims of human trafficking and gender based violence. She has also helped develop human rights training material for the staff of various NGOs in Syria, Nepal and Bangladesh, as well as training curricula for law enforcement on Human Rights, and Identifying Victims of Human Trafficking. In addition, she is taking part in the MENA region forum on monitoring of torture in places of detention.

Ramia Awada, Ministry of Labour

Ramia Awada is a social worker, mediator, public health officer, and instructor from Lebanon. Currently she is employed at the Ministry of Labour, working particularly with migrant workers in jail and domestic workers to help them resolve their problems.

Wassim Rifi, International Federation of Building and Wood Workers (BWI)

Wassim is currently the Projector Coordinator Administrator for the International Federation of Building and Wood Workers (BWI) in the MENA region. BWI is a global union federation of democratic and free trade unions. He is responsible for developing, implementing and monitoring annual work plans and ensuring that BWI policies are reflected in project activities. In addition, Wassim is responsible for ensuring the overall logistical arrangements for the BWI conferences and seminars in the region. Wassim holds a BA in Business Administration from the University of Detroit.

MALDIVES

Shifana Aishath, Human Rights Commission of the Maldives

Shifana has been working in the Human Rights Commission of the Maldives as the Senior Education Officer in the Advocacy Department for the past three years. As such, she is primarily responsible for overlooking the work of the Education Team. In addition, she coordinates many training programs, seminars and other such activities. She also acts as the focal point for the Advocacy Department's Migrant Focal Group to promote and protect the rights of migrant workers living in Maldives. Her contributions to this group include organizing awareness programs on rights of migrant workers, commenting on migrant workers related laws and regulations, as well as various other works performed by the focal group.

NEPAL

Som Prasad Lamichhane, Pravasi Nepali Coordination Committee (PNCC)

Som Prasad Lamichhane is a returnee migrant worker from Saudi Arabia, where he spent five years. During this period, he was actively engaged with Diaspora communities as a representative of Pravasi Nepali Sewa Samaj. He holds a Bachelor's degree in management and has over six years' experience in the field of human rights of migrant workers. He currently works as a General Secretary of Pravasi Nepali Coordination Committee (PNCC), a leading organization of returnee migrant workers. As such, he has been supporting to the different programs of PNCC activities, including preparing proposals and documents needed for its successful implementation of project activities. He is also the spokesperson of PNCC, as well as a focal person in handling cases and providing support and rescue to the distressed and destitute migrant workers and their families.

OMAN

P.M. Jabir, Indian Social Club

A veteran migrant rights activist based in Muscat, Sultanate of Oman, Jabir has in his three decades of social service has handled over 3,000 death cases, dealt with hundreds of distressed domestic workers issues and thousands of labour related concerns. He played an instrumental role in getting a general amnesty announced for undocumented migrants in Oman in the years 2001, 2006 and 2009. He is at present the Community Welfare Secretary of the Indian Social Club, Oman. He is also the Oman Coordinator of Pravasalokam, a program telecast on India's Kairali channel attempting to help people in India find their missing relatives in migrant lands. Jabir with his team has been able to

locate and repatriate back to India 120 such Indians, the most from any country in the world. He has a Master's degree in Economics and currently runs his own insurance brokerage. He is known for selflessly championing migrant workers' rights irrespective of nationality, religion, gender or age in the entire Gulf.

PHILIPPINES

Erwin R. Puhawan, Kanlungan Centre Foundation Inc.

Erwin R. Puhawan is a labour and human rights defender from the Philippines, with a background in law and politics. He started as a student leader in 1997 as the national chairperson of Katipunan ng mga nak Ng Manggawang Pilipino (Children of working class Filipinos), and at the same time became the central committee member of Bukluran ng Manggagawang Pilipino (Solidarity of Filipino Workers). In 2001, he became the Secretary General of the National Capital Region and 5th nominee for the 2013 party list election of Sanlakas, a multi-sector organization that advocates social justice with social progress. In 2005 he became an advocacy officer and paralegal for the Kanlungan Centre Foundation Inc. a centre for migrant workers and continuously provides voluntary legal services to migrant workers up to this date. He is also an active member of MFA's Lawyers Beyond Borders. He continues to do voluntary work with other NGOs such as BALAY rehabilitation centre, as their legal officer handling cases of political detainees who are victims of torture and human rights violations, and with Asian Bridge as their community educator since 2008. He worked briefly in government service as the Chief of staff of the Vice Mayor's office of the City of Malabon in the Philippines. Currently he is working with the Freedom from Debt Coalition (FDC) as the coalition's program coordinator for power, working on campaigns and rights to essential services and recently convened the Power to the People Coalition, a broad multi-sector group demanding the repeal of the energy law in the Philippines. In his free time he plays with his band Soulfull in rallies and benefit concerts.

UAE

V. M. Sathish, Journalist

Sathish is a Dubai based senior journalist who has been predominantly covering stories involving issues and challenges faced by expatriates in the UAE/Middle East. He is the author of *Distressing Encounters: Real Life Stories from a Reporter's Diary, Volume One*, which is a compilation of human interest stories from 10 leading English dailies from the region about migrant workers living in the Gulf region. He is also involved in campaigns that promote the welfare of the expatriate community in the Gulf and uses the media as an advocacy tool and as a means of informing the people about the human rights violations occurring in the region. For the last 15 years, Sathish has successfully employed media intervention to help low income workers in the region receive medical aid and financial support.

Appendix 3: Participant Presentations

Noha Roukoss from Caritas Lebanon and **Ramia Awada** from the Ministry of Labour Lebanon presented on the situation of migrant workers in Lebanon and highlighted some initiatives undertaken by their respective organisations to assist migrant workers in distress.

Wassim Rifi, of the Building and Wood Worker's International (BWI) union, presented on the work of BWI on the rights of migrant workers in the construction and other related industries.

Erwin Puhawan of the MFA Lawyers Network spoke about his work with the Kangleon Centre / Freedom from Debt Coalition in the Philippines.

Anisur Rahman Khan's presentation covered the situation of Bangladeshi Domestic Workers whose rights had been violated while abroad.

P.M. Jabir presented on the work of the Indian Social Club in Oman on behalf of migrant workers.

Mohammad Kafawin, a lawyer for Tamkeen Fields for Aid in Jordan, shared some of his organisation's good practices. Examples included pamphlets printed in the languages of countries of origin, with those given to migrant workers outlining all their rights and responsibilities, and those given to their employers outlining the rights of migrant workers.

Eline Caillaud of the INSAN Foundation in Lebanon spoke about the issues faced by migrant workers, including poorly regulated recruitment agencies and the high risk of suicide by migrant workers in Lebanon. She noted that in 2014 the Ministry of Labour announced that they will make efforts to better regulate recruitment agencies, and work alongside NGOs. Insan is looking to set up an ethical recruitment agency, with one branch working with live-ins and the other working with live-out domestic workers. Those live-ins would have regular social worker visits to ensure their decent working conditions.

Cristina Barco from the Arab Council Supporting Fair Trade and Human Rights in Egypt gave an overview of asylum seekers and refugees in Egypt and their limited access to human rights, and highlighted that Egypt is both an origin and destination country.

Som Prasad Lamichhane presented the work of the Pravasi Nepali Coordination Committee (PNCC) in Nepal for promoting the rights of migrant workers.

Appendix 4: Trainer Biographies

CENTRE FOR MIGRANT ADVOCACY

Ellene Sana

Ellene is the Executive Director of the Centre for Migrant Advocacy (CMA) in Manila. She is also co-coordinator of ICOFVR and coordinator of Philippine Solidarity for East Timor (Phil-Seti). Ellene has over 20 years' experience of working to advance respect for human rights in the Philippines and internationally. Ellene is a regular resource person in Congressional meetings and public hearings on migration-related policies and issues in the Philippines; she is also the main spokesperson of CMA regarding migration-related issues. The Centre for Migrant Advocacy engages with policies at various levels - locally, with local government officials and community-based groups; nationally, with policy makers and executive agencies; and regionally, with organisation like ASEAN, ILO, ILC and UNHCR.

CENTRE FOR INDIAN MIGRANTS STUDIES

Rafeek Ravuther

Rafeek is the director of the Centre for Indian Migrants Studies (CIMS) in Aluva Ernakulam, India. CIMS was established to help families to locate their missing relatives who migrated from different parts of India into various parts of the world. CIMS' initiative "Pravasalokam" (a weekly TV programme) opened a floodgate of issues to be handled in order to support stranded migrant workers in the Gulf. CMIS is seeking systematic intervention to assist migrant workers, especially from Kerala, which has a high rate of unskilled labour migration. Rafeek has been involved in raising public awareness on the plight of migrant workers and their families and on protecting the human rights of migrant workers.

DIPLOMACY TRAINING PROGRAM

Patrick Earle

Patrick has over 20 years' experience working in the human rights movement, both in Australia and internationally. Since 2003 Patrick has been the Executive Director of the Diplomacy Training Program, and in this role has developed and facilitated human rights courses in the region – including new thematic courses focusing on human rights business, human rights and migrant workers and the rights of Indigenous peoples. From 1996 until 2003, Patrick worked with the Human Rights Council of Australia with a focus on its ground breaking project on the relationship between human rights and development and is co-author of "The Rights Way to Development – Policy and Practice". Prior to that Patrick worked for Amnesty International in London and produced their first International Campaigning Manual. Patrick is on the Steering Committee of UNSW's Initiative on Health and Human Rights, a member of the Human Rights Council of Australia, and aVisiting Fellow at the Faculty of Law at UNSW.

MIDDLE EAST CENTRE FOR TRAINING AND DEVELOPMENT

Dr Ahmed Alhashemi

Ahmed is the managing director for the Middle East Centre for Training and Development in Dubai. With a view that knowledge eliminates all evils, the Centre was set up with a vision of creating awareness and bridging gaps between regulatory authorities and migrant workers. The Centre also

seeks to do a comparative study of positive practices around migration issues globally and in the region.

TAMKEEN FOR LEGAL AID AND HUMAN RIGHTS

Linda Alkalash

Linda is the founder and director of Tamkeen: an NGO focused on Legal Aid and Human Rights in Amman, Jordan. She is responsible for developing project plans and strategies with her team. Her work includes legal advocacy as the primary mission of Tamkeen is to defend migrant workers' rights, providing legal aid exclusively to migrants, preparing annual reports about the status of migrant workers in the country, engaging in dialogue with authorities / lobbying to discuss forms of violation that the migrant workers face in Jordan.