



Report of the Fourth Ministerial Consultation on Overseas Employment and Contractual Labour for Countries of Origin in Asia

MIGRATION WITH DIGNITY

19 – 21 April, 2011
Dhaka, Bangladesh



IOM International Organization for Migration
OIM Organisation internationale pour les migrations
OIM Organización Internacional para las Migraciones

Executive Summary

This report presents a summary of the discussions and the key outcomes of the Fourth Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin in Asia (commonly referred to as the 'Colombo Process') organized by the Government of Bangladesh as Chair, and the International Organization for Migration (IOM). The consultation brought together representatives from the eleven member states: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam as well as representatives from six observer states. In addition, representatives from civil society and migrants' organizations participated during the open sessions.

The Fourth Colombo Process meeting with the theme *Migration with Dignity*, held in Dhaka on 20-21 April 2011 after a gap of six years, and in the immediate aftermath of the migration crisis from the Middle East North Africa (MENA) region generated high interest and had high level participation from all member countries. The two day Ministerial Consultation was preceded by a daylong Senior Officials Meeting (SOM), attended by representatives from the Colombo Process member states. The three day consultation successfully accomplished its primary objectives of: i) facilitating a constructive dialogue on contemporary issues and policy actions regarding the labour migration process in the region and protection and well being of the labour migrants themselves in keeping with the theme of *Migration with Dignity*; and ii) finalising the two outcome documents – Dhaka Declaration and the Operating Modalities.

The Dhaka Declaration and the Operating Modalities are the culmination of a series of consultations among Colombo Process countries – both at the expert level through the Permanent Missions in Geneva, as well as at the Senior Officials' Meeting preceding the Ministerial Consultations. The Operating Modalities outline operational guidelines and structure in order to enhance the regularity, sustainability and productivity of the Colombo Process meetings, delineating more clearly the roles of the various stakeholders. The Dhaka Declaration contain the final recommendations of the Colombo Process member states in areas of promotion of rights, welfare and dignity of migrant workers; capacity building of Colombo Process countries; emergency response to crisis situations and emerging issues and the need for enhanced dialogue and cooperation between Colombo Process members, countries of transit and countries of destination – all with the aim of ensuring *Migration with Dignity*. Following the review of the outcome documents at the expert level, the two documents were adopted by the Ministers and Heads of Delegations at the end of the two-day Ministerial Consultations in Dhaka.

A draft study on labour migration dynamics in the region commissioned by IOM was presented during the consultation. Member countries had the opportunity to engage in fruitful dialogue with IOM as to the status of the study, and how to further strengthen the study in its content. The study served as a background document for the discussions during the three day consultations as it identified regional labour migration trends, challenges and good practices within the region, including the need to address the protection of migrant workers' rights and their wellbeing.

Despite the recognition of the contribution of migrant workers to their countries of origin and destination, there continues to be a dearth of effective measures for the protection of their rights and wellbeing. Recognizing this, the theme of the Fourth Colombo Process meeting, *Migration with Dignity* incorporates the need to address the protection challenges of the growing number of migrants leaving their countries in search of employment opportunities. Migrant workers from the region tend to be employed in the low-skilled sector of the labour receiving countries, often on short contractual employment, incur high migration cost which is financed through loans and selling of assets, and the use of middle men and agencies to facilitate the migration process, sometimes through irregular channels. These factors contribute greatly to the vulnerability of migrant workers to exploitation at various stages of the migration process, in countries of origin, transit and destination. In addition, the recent emergency and crisis situations caused by man-made and natural disasters have necessitated the need for dialogue on how to establish an international response framework specific to the needs to vulnerable labour migrants under contract in countries of destination. Participants from Colombo Process member and observer countries, as well as international and civil society organizations engaged in extensive discussions on the above theme resulting in a rich collection of innovative ideas and best practices to reduce the vulnerabilities of migrants, and recommendations to more effectively respond to emergency crises.

The recent experience from the migration crisis resulting from the civil and political unrest in the MENA region which greatly affected the labour sending countries in the region highlighted the need for a collaborative and coordinated response. Consequently, a follow-up meeting at the expert level in Geneva to discuss a potential framework of response to emergency and crisis situations in countries of destination for Colombo Process labour migrants was proposed, and agreed upon by the participants during one of the thematic roundtable discussions. In addition, it was also suggested that a comprehensive study on the long term impacts of such complex emergencies would be a

useful tool in guiding policy discourse for the labour sending countries, with the aim of minimizing the negative impacts.

Through the three day consultation, the Member States reaffirmed the need for regular Colombo Process meetings and to continue to utilize this forum to further strengthen collaboration between the member countries, as well as to facilitate dialogue with countries of destination to improve existing policy practices to promote migration with dignity.

1. Background

Over 2.5 million Asian workers are estimated to leave their countries every year under contract to work abroad. A large proportion of workers from South and Southeast Asia migrate to the Gulf States to perform various types of skilled and low skilled jobs while others move to North America, Europe and Southeast Asian countries. It is projected that the overall number of Asian overseas workers will continue to rise with the increasing need for skilled workers and service personnel in countries of destination.

Given the contributions of the migrant workers to their communities and the economy, countries of origin are increasingly engaged in protecting their labour migrants from exploitative practices in recruitment and employment, promoting migration through regular channels while highlighting the consequences of irregular migration, reducing transfer costs and facilitating remittance channeling as well as providing necessary services, such as pre-departure information and orientation, welfare assistance during their stay abroad and reintegration assistance upon their return to the country of origin.

However, greater efforts are needed to optimize the benefits of organized labour migration, including the identification of new markets; formalizing remittance flows; building institutional capacity and inter-ministerial coordination; increasing cooperation with destination countries to protect migrant workers; providing better access to labour markets; and preventing irregular migration are all important aspects of an effective regional response to the challenges of labour migration.

Colombo Process

In response to calls from several Asian labour sending countries, the first Ministerial Consultation for Asian Labour Sending Countries was held in 2003 in Colombo, Sri Lanka. The meeting provided a platform for the ten initial participating states - Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam - to deliberate and make recommendations for the effective management of overseas employment programmes and agree to regular follow-up meetings. There have been two follow-up Ministerial Consultations in Manila, Philippines and Bali, Indonesia in 2004 and 2005 respectively, allowing for an exchange of best practices and discussion of key issues in migration management and possible areas for future actions. Afghanistan was welcomed as a new member to the group in the 2005 Bali meeting, after participating as an observer in 2004 in Manila.

Bangladesh took over the rotational chairmanship of this regional consultative process

on 14 December 2009. The Government of Bangladesh hosted the 'Fourth Ministerial Consultation for Asian Labour Sending Countries' on 20-21 April 2011, with a thematic focus on '*Migration with Dignity.*'

Objectives

The objectives of this consultation in addition to the general sharing of experiences and good practices, were to facilitate dialogue among member states, as well as with countries of destination and civil society representatives on issues of protection and well being of migrant workers, and to identify ways to ensure migration with dignity; and review best practices of how to work collaboratively in dealing with emergency or crisis situations in countries of destination. An additional objective was also to provide the Colombo Process with a more concrete operational structure to ensure regular, sustainable and effective consultations. These objectives are reflected in the two outcome documents – the Dhaka Declaration and the Operating Modalities. Both the outcome documents are a culmination of participatory review at the expert level by the member states, undertaken by their Permanent Missions in Geneva and at the SOM preceding the Ministerial Consultations in Dhaka, Bangladesh.

Outcome Documents

The Operating Modalities aim to provide overall guidelines for Colombo Process member states to institutionalize the process of dialogue and engagement and bring about regularity, predictability, and sustainability to the process. The operating modalities covered: the objective of the Colombo Process; procedures for the appointment and role of the chairmanship; format and hosting of meetings; ways of conducting dialogue with destination countries; funding structure; and the modalities to engage with civil society organizations and other stakeholders.

The Dhaka Declaration includes recommendations relating to: promotion of rights, welfare and dignity of migrant workers, services and capacity building, emergency response and emerging issues and enhanced dialogue and cooperation between Colombo Process members, countries of transit and countries of destination.

Participants

The Colombo Process meetings are generally conducted in two parts – the Senior Officials' Meeting and the Ministerial Consultations. It is the duty of the participating Senior Officials to ensure that the outcome documents are finalized and ready for adoption by the Ministers and Heads of Delegations at the Ministerial Consultations. The Dhaka SOM held on 19 April was represented by the senior officials of all the eleven

member states.

This year, in addition to the Ministers from the eleven member states, representatives from the countries of destination (referred to as ‘Observer States’) and civil society representatives were present at open sessions during the Ministerial Consultations. Representatives from the following Observer States participated in open sessions: Australia, Italy, South Korea, Switzerland, the United Arab Emirates (UAE) (as Chair of the Gulf Cooperation Council-GCC), and the United States. In addition, representatives from the United Nations and international organizations participated in the open sessions, which included the European Commission, International Labour Organization, International Organization for Migration, International Committee of the Red Cross, UNAIDS, United Nations Development Programme, and UN Women. Civil society organizations were represented by the Migrant Forum Asia, and Coordination of Action Research on AIDS and Mobility (CARAM) Asia.

2. Colombo Process 4th Ministerial Consultation by Session

Day 1 (19 April 2011): Senior Official's Meeting (SOM)

The two day Fourth Ministerial Consultations of the Colombo Process was preceded by a daylong Senior Official's Meeting (SOM) which was attended by representatives from all Colombo Process member states. The SOM consisted of three sessions, which have been summarized below.

Session 1: Inaugural Session

The inaugural session was co-chaired by Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates Welfare and Overseas Employment, and Ambassador Mostafa Kamal, Additional Foreign Secretary, Ministry of Foreign Affairs, Government of the People's Republic of Bangladesh.

In his welcome statement Dr. Zafar Ahmed Khan highlighted the importance of the Colombo Process and the unique opportunity it provided for the eleven member states and the destination countries to engage in constructive dialogue to promote and take constructive measures for safe and orderly migration in the regions. He underscored the importance of the two outcome documents – the Operating Modalities and the Dhaka Declaration, as well as that of the study carried out by IOM on challenges and good practices in labour migration among the Colombo Process member states. Dr. Khan also stated the opportunity provided by the timing of the fourth Colombo Process meeting to discuss the migration crisis resulting from the civil and political unrest in the MENA region since February 2011, greatly affecting the labour sending countries in the region. He reiterated the need for collective action, not only on the recent emergency situation in MENA, but also with regards to better migration management, protection of migrants' rights and their wellbeing, and in general, promoting *Migration with Dignity* – the theme of the Fourth Ministerial Consultations.

Co-chair, Ambassador Mostafa Kamal in his opening statement drew attention to how migration affects countries across the world, as countries of origin, destination or transit and particularly for major labour sending countries in the region. He highlighted the difficulties faced by many migrants at all stages of migration, and to the various types of exploitation they may be subjected to, including deprivation, human rights violation, xenophobia and racial backlash. Ambassador Kamal reiterated the importance of protection of migrant workers' rights and wellbeing, given their contribution to the

economies of the countries of origin as well as in countries of destination.

Session II (a): Sharing of study “Labour Migration from Colombo Process Countries: Good Practices, Challenges and Ways Forward”

Following the inaugural session, Session II began with the sharing of the study on ***Labour Migration from Colombo Process States: Good Practices, Challenges and Ways Forward***, commissioned by IOM at the request of the Colombo Process Member. The study showcases the current labour migration trends in the region, and builds upon existing research, studies and policy documents of the member states. The initial draft of the study was supplemented by comprehensive inputs from respective member governments. In total, it highlights 52 good practices in labour migration management through all three stages of the migration process, and offers a set of policy options for the region.

The study was shared with member states at the capitals and with their permanent missions in Geneva. To supplement the statistical information presented in the draft study, IOM requested additional inputs from member states given that it is a continual challenge to reach consensus on migration statistics not only in Colombo Process countries, but also in countries of destination, who have established mechanisms and regulations on recording expatriates workers in the country.

The **key migration trends** highlighted in the study include:

- Labour migration in the Colombo Process countries was growing significantly in comparison to other regions. There has been an estimated 42 per cent increase in the number of migrants from the region over the last five years from 31.3 million in 2005 to 44.7 million in 2010.
- Remittance flows have doubled from USD 84 billion in 2005 to USD 173 billion in 2010.
- The global financial crisis has had a differentiated impact on migration trends from Colombo Process countries, with the decline more significant in some countries than others.
- The Gulf Cooperation Council (GCC) countries remain the main destinations for migrant workers originating from Colombo Process countries.
- Semi and less skilled migrants from Colombo Process countries continue to dominate labour migration flows.
- Migration through irregular channels remains significant and human smuggling and human trafficking continues to raise concerns.

- The number of women migrants leaving through formal channels has declined and needs to be assessed if it results from the introduction of stronger policies and restrictions in countries of origin.
- Primary data on migration remains limited in terms of statistics and analysis and there is a need to strengthen the link between knowledge and policy across countries of destination and origin.

The study also identified the **challenges** in the following four areas of migration management:

1. Dissemination of adequate and authentic information prior to departure:
 - Migrants have limited access to pre-departure orientation and related services
 - Pre-departure information is currently not suited to migrant requirements in countries of destination
 - Existing mismatch between migrants' needs and services rendered at the grassroots
2. Management of recruitment process:
 - Excessive and/or unauthorized fees charged by agencies keeps the cost of migration high for many migrants
 - Prevalence of informal agents remains an issue due to limited resources of government agencies to enforce and regulate
 - Government managed migration is difficult to scale and cannot meet the demands of a dynamic global labour market
 - Irregular migration remains a common problem in all the Colombo Process countries
 - Unilateral measures in countries of origin are difficult to enforce without the cooperation of migrant host countries.
3. Limited capacity to provide welfare support at countries of origin and destination:
 - Countries of origin lack experience in administering welfare funds and insurance schemes to mobile and highly vulnerable population
 - Migrants face difficulties to access welfare funds, insurance, and health services
 - Exclusion of irregular migrants who are among the most vulnerable and need

protection

- Limited capacity and resources of labour attachés to effectively deal with emerging migration issues
 - Building partnership with destination countries regarding migrant welfare can be a challenge
4. Maximizing benefits of labour migration in countries of destination and on return:
- Migrants continue to use informal service providers due to high remittance costs and lack of transparency in pricing
 - Limited savings and/or productive utilization of remittances due to lack of financial education and literacy
 - Limited information on return and re-integration of migrants poses a major challenge to policy interventions
 - Provision of reintegration programmes and services in particular legal and health, including psychosocial support addressing the needs of returnees remains undeveloped
 - The impact of migration on families left behind and the social cost of migration have not been well explored in the Colombo Process countries.

In addressing these challenges, the study highlighted the need to work closely with relevant stakeholders at the national level (national, regional, local government, civil society and private sector); at a regional level with other Colombo Process countries; and at the international level with countries of destination, international agencies and other actors. The ten key recommendations, covering the entire migration cycle are:

1. Develop and harmonize regulations on recruitment agencies
2. Expand use of standard contracts
3. Support self-regulation among agencies
4. Further develop government managed labour migration schemes
5. Improve existing pre departure orientation programmes
6. Develop and expand existing Migrant Resource Centres (MRCs) or information centres
7. Enhance welfare support mechanisms for migrants in the destination countries
8. Improve administration of and access to welfare funds and insurance schemes
9. Reduce remittance transfer costs
10. Facilitate reintegration of returning migrants

To achieve the above, the study put forward a three-pronged strategy:

1. Generating information, knowledge and policy relevant research
2. Building migration management capacity at various levels
3. Forging meaningful and formal migration partnerships through dialogue

At the end of the presentation of the main components of the study, the senior officials provided further comments and suggestions for incorporation into the final draft. There was consensus that the study serves as a basis for further deliberation and reflection during the consultations in order to improve both policy and practice in the area of labour migration.

The following key suggestions were made to the study by the senior officials included:

1. Include data from public sources to supplement the country statistics in the report;
2. Include more in-depth information on women migrants and further explore the downturn in women migration through formal channels;
3. Include a focus on migration and health issues, in particular the health needs of women migrants;
4. Recognize the growing South-North migration trends and labour market dynamics along with South-South movement;
5. Address growing anti-migrant sentiments and barriers to emigration;

The participants also highlighted the need to explore possibilities of partnership and collaboration among the Colombo Process member to implement the recommendations in the report.

It was recommended that the Colombo Process website be upgraded to introduce an online forum that can be accessed by authorized senior government officials, in order to discuss emerging migration issues and share recommendations and good practices.

Finally, the participants recommended further studies in the following areas:

1. To enhance understanding of regional labour migration dynamics, particularly with regard to the impact of the recent global economic and financial crisis.
2. To assess the impact on families of migrants left behind in countries of origin.
3. To review the impact of growing mobility of migrants from Asia to Europe

dictated by demographics of labour surplus in countries of origin and the need for labour force in countries of destination especially in view of the northern countries raising barriers on labour migration through protectionist measures.

4. To evaluate the downturn of women migrants leaving through formal channels in the Colombo Process countries despite the global trend at 50-50.
5. To enhance understanding of issues related to migration and health.

Session II (b): Discussion on 'Migration with Dignity'

Following the sharing of the study, the member states proceeded to have an open discussion on the theme of the meeting, 'Migration with Dignity'. The main areas of discussions as well as specific recommendations that came up included the following:

1. Promotion and protection of the rights of migrants

- Multilateral or bilateral agreements can be used to create effective mechanisms to ensure the rights and enhance the protection of migrant workers in destination countries.

2. Welfare of overseas workers and migrant returnees

- Provide pre-departure training and orientation to migrants as means to better equip them to protect themselves while abroad;
- Need to address the rising cost of migration due to unregulated recruitment agencies and practices ;
- Managing and regulating recruitment agencies could benefit from greater sharing of experiences and good practices among member states on this aspect of cooperation with the private sector;
- Need for more cohesive action among the member states in efforts to achieve a more collective approach in negotiations with recruiters in the destination countries;
- Pre-departure health screenings should go beyond communicable diseases to screen for non-communicable diseases, which have the possibility to negatively impact upon the health and well-being of the migrants. Similarly, the need for psychosocial counseling and support was raised;
- The issue of non-payment/underpayment by employers in countries of destination was raised and best practices to resolve this were shared, such as payments made directly to banks;
- Need for establishing reintegration programmes for returnees, and which could include local employment schemes, skills training facilities, loan

assistance programmes for small enterprises and business development counseling, etc., to encourage returnees to effectively reintegrate as well properly utilize their skills and remittances.

- Need to include families of migrants in reintegration programmes. This would include counseling, providing entrepreneurial skills, and reintegration preparation prior to departure.

3. Women labour migration

- The protection of women migrant workers was highlighted as a high priority by several member states. Good practices were shared on how to ensure support and protection mechanisms for women.
- Concerns were raised over the vulnerability of domestic workers, who generally tend to be women, and the need to pay special attention to this category of migrants in order to address factors of exploitation and abuse which is often also linked to irregular migration of women.

4. Effective responses to emergency crises in destination countries

- Develop communication networks to ease the exchange of information between and among countries of origin and destination as this would be of particular importance in emergency situations;
- Need to put in place mechanisms to enhance the sharing of information on best practices regarding emergency responses to situations where labour migrants are affected;
- Public-private partnerships can be effective in dealing with emergency crises. Employers and manpower agencies can share their responsibility to repatriate migrant workers in situations resulting from unpredictable emergencies.

5. Optimizing the benefits of regular migration and movement of labour

- Remittance management is major priority for all Colombo Process members to reduce transfer costs and encourage use of formal channels to send money.

Session III: Discussion of CP IV Outcome Documents

In the third session, senior officials considered the draft outcome documents (i.e. the Operating Modalities and the Dhaka Declaration). Both the documents were reviewed by the member states at the expert level in Geneva.

Operating Modalities

The current chair, Government of Bangladesh, in consultation with other Colombo Process Member States, built on the initiative taken by the Government of Indonesia during its chairmanship in developing draft operating modalities to determine the working modalities of the Colombo Process.

The Operating Modalities intend to provide overall guidelines for the member states to institutionalize the process of dialogue and engagement and bring about regularity, predictability, and sustainability to the process. The document covers: the objective of the Colombo Process, procedures for appointment and role of the chairmanship, format and hosting of meetings, ways of conducting dialogue with destination countries, funding structure, and the modalities to engage with civil society organizations and other stakeholders.

In view of no consensus on the principles and modalities for the rotation of the chairmanship, it was decided that this item would be left open for further discussions.

Dhaka Declaration

The Dhaka Declaration is the culmination of a series of consultations over the past year amongst Colombo Process member states at the experts level in Geneva. The draft Declaration included recommendations relating to the promotion of rights, welfare and dignity of migrant workers, services and capacity building, emergency response and emerging issues and enhanced dialogue and cooperation between Colombo Process members, countries of transit and countries of destination.

Upon review, both the documents were finalized by the senior officials and recommended for submission to the Ministers for adoption.

(Full text of the Dhaka Declaration is included in Appendix 1)

Day 2 (20 April 2011): Ministerial Consultations

The first day of the Fourth Ministerial Consultations of the Colombo Process consisted of four main sessions, starting with the inaugural session which was open to all.

Session I: Inaugural Session

The Ministerial Consultations was inaugurated on 20 April 2011, by H.E. Sheikh Hasina, Prime Minister, Government of the People's Republic of Bangladesh, and addressed among others by Ambassador William Lacy Swing, Director General, IOM; outgoing chair of the Colombo Process H.E. Dr. H.A. Muhaimin Iskandar, Msi, Minister, Ministry of Manpower and Transmigration, Republic of Indonesia; H.E. Abul Maal Abdul Muhith, MP, Minister, Ministry of Finance of Bangladesh; H.E. Engr Khandker Mosharraf Hossain MP, Minister, Ministry of Expatriates' Welfare and Overseas Employment of Bangladesh; H.E. Dr. Dipu Moni, MP, Foreign Minister of Bangladesh; and Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates Welfare and Overseas Employment, Bangladesh.

The session was attended by participating ministers and representatives of the Colombo Process, representatives of observer states, members of parliament and cabinet ministers from Bangladesh, representatives of the diplomatic community, UN and international organizations, and the civil society.

The inaugural session concluded with the launch of the Expatriates' Welfare Bank to serve Bangladeshi migrants both working overseas as well as potential and returnee migrants. The bank will provide special low cost remittance transfer services and soft term loans to potential migrants to cover migration cost, and to returnee migrants to undertake new enterprises for smooth reintegration.

In her welcome address, H.E. Sheikh Hasina MP, Prime Minister of Bangladesh highlighted that in spite of the benefits of migration to the Bangladesh economy, workers still remain vulnerable to unfair recruitment practices, discrimination, violation of their rights and in many cases trafficking. She noted that during times of economic and emergency crises, they are likely to be the first ones to be affected and the most vulnerable. Families left behind by migrant workers are also especially vulnerable and can face isolation, social indignities and insecurities.

She also emphasized on the need to respond to the increasing feminization of labour migration in Bangladesh with policies that recognize their potentials as well as their

vulnerability as migrants, given that they are over represented in low-skilled and informal sectors, such as housekeeping and care-giving.

Prime Minister Sheikh Hasina also reiterated the need to address the exorbitant cost of migration and that this must be done collectively with both countries of origin and destination in order to be effective and comprehensive.

She stressed on the need to develop partnerships at bilateral, regional and international level, with the aim to establish a set of norms that protect the migrant workers' interests. She also emphasized on the need for countries to work together to combat transnational organized crime and criminalize migration-related exploitation.

Ambassador Swing, Director General of IOM highlighted that the efforts of the Colombo Process to engage with the broadest array of stakeholders possible, emphasizes that migration is a matter of shared concern. He urged the Colombo Process member countries to consolidate the gains made and offered to work together with members to enhance the regularity and predictability of meetings to deliberate, plan, and monitor the implementation of agreed follow-up actions.

The outgoing Chair of the Colombo Process, H.E. Dr. H.A. Muhaimin Iskandar highlighted the trans-boundary and complex nature of the problems facing migrant workers, and underscored the need for effective regional and international coordination to improve the management of international migration. He reiterated that strengthening cooperation and collaboration between sending, transit and receiving countries was critical to formulate a comprehensive and sustainable approach in addressing issues related to migrant workers.

H.E. Abul Maal Abdul Muhith MP, Minister, Ministry of Finance, Government of the People's Republic of Bangladesh highlighted the importance of proper financial management in order to fully reap the benefits of overseas employment. He called for close cooperation from the banking sector in providing fast, efficient and user friendly services to migrants and their families. He reiterated that he also expected that the Expatriates' Welfare Bank would not only serve the Bangladeshi migrants working overseas, but also potential and returnee migrants in order to help streamline and organize the whole migration process more effectively.

H.E. Engr Khandker Mosharraf Hossain MP, Minister for Expatriates' Welfare and Overseas Employment of Bangladesh, in his statement also highlighted the importance

of the Colombo Process as an important regional consultative process that allows its eleven members to deliberate on joint activities and exchange best practices in short-term labour migration. He emphasized on the need for engagement and dialogue with destination countries, international organizations, and civil society and migrants organizations which further enables exchange of views on protecting the rights and wellbeing of migrants' throughout the migration process. And in this regard, he underscored the need for continued engagement with observer states through the Abu Dhabi Dialogue and the Asia-EU Dialogue.

He reiterated the need to develop inter-country and inter-regional approaches and strategies to migration management in Asia. Articulation at a political level for a common approach to address the challenges and opportunities in the field of migration was critical to reinvigorate the Colombo Process, he said.

In her opening statement, Foreign Minister Dr. Dipu Moni highlighted on the contribution of migrant workers to the economy and development of their host countries through remittances, as well as new skills and expertise, ideas and outlooks and acquired social values that they bring with them on return.

She expressed concern about the frequent incidents of discrimination, exploitation and violation of human rights beginning with recruitment through transit and at the workplace. She highlighted the xenophobic and racial backlash that migrant workers often face as a result of adverse public perception especially in times of economic stress. In the event of an emergency, political or otherwise, migrants are the first to lose their jobs and return without adequate compensation, and can face a challenging evacuation process. She reiterated the importance of a proper emergency evacuation framework with provisions for compensation or an insurance scheme can ensure financial security and prevent from the destitution of many.

In his welcome remarks, Dr. Zafar Ahmed Khan reiterated the need for the Colombo Process to evolve into a more structured forum for deeper engagement and greater exchange of ideas to promote safe and regular migration, and to safeguard the interest of contractual labour for the mutual benefit of all countries. He stated that a robust monitoring system and an effective regulatory framework were required to deal with recruitment agents and their sub agents who are often involved in unfair and unscrupulous practices and exploit potential migrants.

Dr. Khan emphasized on the merits of forging greater interaction and collaboration with

other processes such as the Abu Dhabi Dialogue, and the Global Forum for Migration and Development. He also stated that there was immense potential for countries in Asia to develop a better understanding of the realities and challenges of migration management through the Colombo Process and that the process is enhanced with the participation of international organizations, such as IOM.

Session II: General Debate

Session II of the Ministerial Consultation was devoted to country statements by the Ministers and Heads of Delegations of the member countries. The session was chaired by Engr. Khandker Mosharraf Hossain MP, Minister for Expatriates' Welfare and Overseas Employment of Bangladesh

1. Afghanistan

[H.E. Seema Ghani, Deputy Minister, Ministry of Labour, Social Affairs, Martyrs and Disabled]

The Deputy Minister stated at the outset that Afghanistan was entering a new phase of reconstruction and development, and the new focus on reconstruction had resulted in a high and urgent demand for inward labour migration. Labour migration, both inward and outward, had become a key growth area for employment and economic development. However there were challenges faced by Afghanistan when it came to its labour migrants due to the lack of language proficiency, security issues and the association with war – all of which made it difficult for Afghan migrants to compete in the international labour market.

The Deputy Minister mentioned that Afghanistan was now focusing on education, particularly in vocational training and capacity development in a bid to develop potential outward labour migrants and increase their competitive advantage. The Government was currently in negotiations with potential countries of destination, such as Saudi Arabia and Qatar, to draw up bilateral agreements. The Afghanistan delegate concluded by highlighting the need to learn from other Colombo Process countries and forge meaningful partnerships for exchange of ideas and best practices, as well as exchange of labour migrants, to enable capacity building in Afghanistan and promote South-South labour migration.

2. Bangladesh

[Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare & Overseas Employment]

Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare & Overseas Employment shared that although Bangladesh has made substantial progress in introducing and implementing measures to reduce fraudulent practices, improve the quality of recruits, and raise awareness of safe and regular migration practice, significant challenges remain and these include: the high cost of migration, unscrupulous recruitment agencies and employers in receiving countries,

restrictive visa regimes of receiving countries, unacceptable working conditions and the lack of health insurance or social security for the migrant workers. He highlighted that a particular concern for Bangladesh was the threat of environmental and ecological damage, such as climate change, as it leads to large-scale internal displacement and migration and thus increase the burden of migration management.

He provided an overview of a number of initiatives that have been introduced in Bangladesh to cover all aspects of the migration management process, and highlighted a few, which include: (1) the establishment of a skills development fund that aims to upgrade labour migrants' skills to match demands from countries of destination; (2) the mobilization of the welfare fund to reduce the costs and enable soft loans for returnees smooth reintegration; (3) the introduction of mobile banking to ease transfer of remittances; (4) the establishment of migration information centres; and (5) the introduction of individual digital smart cards that holds data on every migrant worker and allows easy verification of information in countries of destination and transit.

3. China

[Mr. Wang Yu, Charge d'Affaires, Embassy of China to Bangladesh]

Mr. Wang Yu, Charge d'Affaires, Embassy of China to Bangladesh in his country presentation shared that labour migration from China started in the 1970s and the number of migrants reached approximately 5.4 million in 2010. He highlighted that migration from China was primarily organized, regulated and managed through bilateral agreements, which enables regular communication with countries of destination. These agreements require Chinese workers to return upon completion of their contracts to prevent the problem of visa or work permits overstay and its consequences for both the migrants as well as the host countries.

4. India

[Mr. Vayalar Ravi, Minister of Overseas Indian Affairs and Civil Aviation]

Mr. Vayalar Ravi, Minister of Overseas Indian Affairs and Civil Aviation shared a number of good practices introduced by the Government of India, including: (1) the introduction of a comprehensive web-based emigration clearance system accessible to all stakeholders, which further enables a transparent and orderly movement of migrant workers; (2) the establishment of an Overseas Workers Resource Centre, which operates a 24-hours, toll-free information helpline and

mechanisms for migrant workers and their families to address grievances; (3) the establishment of special centres in selected countries of destination and the provision of additional on-site assistance through the Indian Community Welfare Fund in missions abroad; and (4) awareness raising on the migration process, among existing an potential and existing migrants

He shared that the Government of India had also entered into multiple social security agreements with countries of destination in Europe and in the Gulf to ensure the protection of migrant workers.

Mr. Ravi recommended further consultation amongst Colombo Process countries on the following proposals: (1) creating a model contract, which would standardize documentation requirements and instruments for legal entry; (2) addressing domestic and informal sector workers and their specific needs; and (3) putting instruments in place to link wage structure with the cost of living index and protection mechanisms to ensure employers honour contracts.

5. Indonesia

[H.E. Dr. Muhaimin Iskander, Minister of Manpower and Transmigration]

Dr. Muhaimin Iskander, Minister of Manpower and Transmigration shared that in light of unemployment challenges in Indonesia, overseas migration presents a vital employment opportunity for the Indonesian population. He highlighted that in addition to the placement of overseas migrant workers, the Government of Indonesia was also committed to the protection of overseas migrant workers and continuously updates and reviews regulatory measures.

He highlighted that the government had taken various measures for migration management which included: (1) the development of documentation services including the integration and computerization of recruitment programmes and data collection systems, in order to provide more reliable and efficient information on the movement and welfare of migrant workers; (2) the implementation of pre-departure, post-arrival and on-site training for overseas migrant workers; (3) the provision of financial access sources for labour migrants; and (4) the implementation of public information campaigns about overseas labour migration across the country.

Dr. Iskander mentioned that Indonesia hosted the fourth meeting of the ASEAN forum for the Committee on the Implementation of the ASEAN Declaration on the

Protection and Promotion of the Rights of Migrant Workers (ACMW) and this had reinforced the commitment to work jointly with other countries in the region to ensure the protection and promotion of migrant worker rights.

He stated that Indonesia strongly advocates using the Colombo Process forum to strengthen collaboration and cooperation among sending, transit and receiving countries to resolve challenges and to share innovative practices in the region.

6. Nepal

[H.E. Topbahadur Rayamajhi, Minister, Ministry for Labour and Transport Management]

Mr. Topbahadur Rayamajhi, Minister, Ministry for Labour and Transport Management in his country presentation highlighted the positive efforts taken by his government to address challenges in migration management. These efforts included: (1) the introduction of a Foreign Employment Act in 2007 as an initial step to ensure that the process for labour migration from Nepal was safe, systematic and decent; (2) the provision of welfare services for labour migrants and enable legal assistance in cases of exploitation; and (3) the development of a five-year strategy and action plan to further enhance their migration management mechanisms with the aim of providing dignity for migration workers.

He stressed on the lack of protection for women migrant workers, many of whom working in the informal or domestic sectors, as a common challenge that needs to be addressed by both countries of origin and destination. He said that Nepal is often a source country for the trafficking of labour migrants, including women migrants, and this was a form of organized crime that required international support and cooperation. Such problems were made worse by unfair and competitive practices of recruitment agencies, and lack of protections ensuring the health, safety and rights of labour migrants. He urged that '*Migration with Dignity*' should be made a common agenda through which such challenges can be addressed.

7. Pakistan

[Muhammed Arif Azim, Secretary, Ministry of Labour and Manpower]

Mr. Muhammed Arif Azim, Secretary, Ministry of Labour and Manpower shared that the Government of Pakistan had introduced measures to make the migration process as efficient and transparent as possible for migrant workers and for the management authorities. He highlighted on two major steps that have been taken, which include: (1) the launch of a computerized data storage system for migrant workers; and (2) the introduction of mechanisms for passports to be machine-readable and thereby ease the movement process for migrants.

He stated that in addition to providing comprehensive pre-departure training and briefing for migrants prior to departure was extremely important, it was important to continuously enhance the capacity of diplomatic missions in countries of destination so that migrant workers have a quick and effective recourse to consular assistance and support in times of need. He iterated that his government's emphasis to provide insurance for migrant workers had reduced fees and increased levels of compensation. Such measures, he said, need to be met with corresponding measures taken by countries of destination in order to be fully effective.

8. The Philippines

[H.E. Rosalinda Dimapilis-Baldoz, Secretary, Department of Labour and Employment]

Ms. Rosalinda Dimapilis-Baldoz, Secretary, Department of Labour and Employment highlighted the achievements of her government in the area of labour migration management, which include: (1) the promotion of investment opportunities for overseas workers and their families with loan packages; (2) technology transfer; (3) provision of integration services; (4) standardization of process for transparency; (5) the ratification of international conventions and treaties especially pertaining to domestic workers; (6) provision of reintegration services; (7) provision of trainings for returnees; (8) skills development of migrant workers and family; and (9) establishment of shelters in destination country for migrants in case of distress.

She mentioned that the Philippines Government identified three fundamental needs for labour sending countries in the area of migration management, namely: (1) institutional readiness to manage labour migration in an orderly manner; (2)

recognition and upholding of rights in culturally different countries of destination; and (3) the cooperation of government and international bodies to manage labour movement with dignity during emergency and crisis situations.

She stressed that the utmost priority in countries of origin should be given to in-country investments in human resources to ensure that employability is based on social justice; opportunities are provided for jobs as a means to rise above poverty; investments to improve national competitiveness; and supporting programmes that show the option to move abroad for jobs arises out of personal choice rather than necessity.

9. Sri Lanka

[H.E. Dilan Perera, Minister, Ministry of Foreign Employment Promotion and Welfare]

In his statement, Mr. Dilan Perera, Minister, Ministry of Foreign Employment Promotion and Welfare congratulated the Colombo Process members for making significant progress in identifying challenges and sharing best practices in how to solve them, and for successfully drafting modalities for effective operations.

He stressed that the challenges common to all member countries include: (1) unscrupulous recruitment agencies; (2) inadequate pre-departure skills training; (3) poor working conditions in destinations; (4) lack of guaranteed payment of salary; and (5) inadequate reintegration programmes for migrant returnees. He stated that engagement with countries of destination through the Abu Dhabi Dialogue is a promising direction in working to solve existing challenges through collaborative efforts.

10. Thailand

[H.E. Mr. Yuph Nana, Vice Minister for Labour of the Kingdom of Thailand]

As both a labour sending and receiving country, Thailand has a policy focus on promoting the quality of life and protection of both Thai migrant workers and those migrants who arrive in Thailand to work, stated Mr. Yuph Nana, Vice Minister for Labour of the Kingdom of Thailand in his country statement.

Highlighting on the specific measures taken by the Government of Thailand, he mentioned: (1) reduction of recruitment agencies' service charges for job seekers; (2) provision of fair and transparent recruitment services and skills development programmes by recruitment agencies for job seekers; (3)

continuous review and improvement of a database of migrant worker information, referred to as the Labour Bank to serve as a portal to advertise overseas positions, and to facilitate recruitment agencies and employers to select suitable workers with the required level of skills; (4) administration of mental and physical health check-ups by Thai foreign missions abroad to ensure the health of migrant workers abroad; (5) introduction of measures to protect the rights of migrant workers who work in Thailand, under the Labour Protection Act; (6) dissemination of public information on migrant worker rights and access to legal services in the relevant languages for in-country migrant workers; (7) provision of assistance to victims of trafficking and persecution of those who violate labour laws; and (8) provision of training to local government staff on labour laws so they can easily coordinate with labour inspector and identify violation of labour migrants' rights.

Mr. Nana focused on the need to develop labour migrants' skills before they depart for overseas work in order to upgrade them to skilled or semi-skilled workers and compete for higher-paying jobs.

11. Vietnam:

[Mr. Duan Mau Diep, Vice Minister of Labour, Invalids and Social Affairs]

At the onset, Mr. Duan Mau Diep, Vice Minister of Labour, Invalids and Social Affairs shared that the Government of Vietnam had passed a law that provided a framework to monitor labour migration activities and to protect the rights and interests of migrant workers. In addition, he said that a number of agreements and Memorandums of Understanding (MOUs) had also been established to serve as a basis for protecting the rights, welfare and dignity of migrant workers in countries of destination.

In highlighting some important measures taken by his government, Mr. Diep mentioned that a Board of Labour Management had been set up to increase capacity in foreign missions to provide timely and comprehensive assistance to labour migrants abroad. Measures have also been implemented to ensure that foreign workers received by Vietnam are not discriminated against and their rights are protected. The government had also conducted information and advocacy campaigns for potential migrant workers and their families about safe and legal overseas work opportunities, risks associated with irregular migration, recruitment procedures and how to maximize remittances.

He stated that the Colombo Process should continue to be a forum where successful models of training, information on labour market, laws and policies regarding labour migration, ideas on how to best monitor migrant workers, protect theirs and their families' interests and rights, and in particular vulnerable groups such as women migrants, should be shared.

Session III: Statements by Observer States and Civil Society Representatives

This was an **open session** to enable Heads of Delegations of Observer States and Agencies, and Civil Society representatives to present their statements to the Colombo Process.

1. Special Ambassador for International Cooperation on Migration Issues

[Mr. Eduard Gnesa, Ministry of Foreign Affairs, Switzerland]

Mr. Eduard Gnesa, Special Ambassador for International Cooperation on Migration Issues presented a draft concept note on the future modalities of the Global Forum on Migration and Development (GFMD), including the need to examine the key strategies to support human development of migrants and their families. It was also recommended that a thematic workshop be held in Asia to foster cooperation amongst all stakeholders to jointly face growing challenges, strengthen links between development and human rights; private sector engagement; develop linkages and improve planning between migration and labour market.

Mr. Gnesa highlighted that while irregular migration is often handled at bilateral and regional levels, there was a need for inter-state and inter-agency cooperation to achieve effective leverage. He reiterated the need to particularly address women migration both at the countries of origin as well as countries of destination, given that a large percentage of all women migrate through irregular channels, exposing them to greater risks leading to increased vulnerability.

Mr. Gnesa emphasized the need for evidence based migration policies, and development policies which utilize key tools including migration and development assessment indicators for maximum effectiveness.

2. Delegation of the European Commission to Bangladesh

[H.E. William Hanna, Ambassador and Head of Delegation]

H.E. William Hanna reiterated the importance of the Colombo Process Ministerial Consultation, and highlighting that it will ensure continuity of the deliberations of the second Asia-EU Dialogue on Labour Migration, held in Brussels in February 2011. He emphasized the importance of such dialogues for greater exchange of information, cooperation and collaboration between countries of origin, transit, and destination which will foster coherence and coordination for effective migration management both at the national and international level.

He highlighted that as migration is a key feature of today's globalizing world, if managed well, migration can benefit countries of origin, destination and migrants themselves, reduce poverty and contribute to the achievement of the Millennium Development Goals. Management of migration flows is a shared responsibility and should be addressed in the spirit of genuine partnerships taking into account the interests of all relevant stakeholders, while ensuring protection and wellbeing of the migrants themselves.

Ambassador Hanna stressed the necessity for optimizing positive development especially in relation to women, and ensuring that migration policies offer equal opportunities to both men and women. He emphasized that it is a common responsibility to address safe and legal migration through the development and implementation of gender responsive and gender sensitive policies contributing to mutual human and social development.

3. United Arab Emirates

[H.E. Mubarrak Al Dhaheri, Undersecretary, Ministry of Labour]

Mr. Mubarrak Al Dhaheri focused on the need for lawful, fair and transparent labour recruitment practices, as one of the key concerns to countries of origin and destination. He reiterated the need for promoting partnership and shared responsibility with regards to recruitment practices, and highlighted the outcome of the Abu Dhabi Dialogue which led to a draft guiding principles for a regional framework on collaboration for labour recruitment. These guiding principles will be presented at the next Abu Dhabi Dialogue for further deliberations and improvement.

Mr. Dhaheri presented an outline of the new system UAE had introduced to ensure the validation and registration of labour contracts for all incoming workers from Colombo Process countries, pending bi-lateral agreements with individual countries of origin on the implementation of this system. This web-based system will: a) capture the full terms of the contract upon filing the application by the UAE employer for a work permit; b) make the contract available for access over the internet by an authorized agency in the country of origin; and c) ensure that the processing and the issuance the work permit is conditional on attested approval of the terms of the contract by the worker and the government of the country of origin.

4. Republic of Korea

[H.E. Taiyung Cho, Ambassador to Bangladesh]

H.E. Taiyung Cho highlighted that with the Korean economy growing by about three percent each year, the need for migrant workers was also increasing and with it new challenges in labour migration management. He stressed that cooperation between countries of origin and destination was vital for ensuring protection and wellbeing of migrant workers, and the Government of Korea was already undertaking several measures in this regard. Measures already being taken include: establishment of support centres to provide counseling services, Korean language classes and cultural education programmes and training for newly arrived migrant workers.

In conclusion, Mr. Cho emphasized that in addition to the measures being taken by the Government, the civil society in Korea played an effective and strong “watchdog” role, and have been particularly effective in highlighting the need to improve migration management policies and practices, particularly with regards to migrant workers themselves.

5. UN Women: Ms. Anne F. Stenhammer, Regional Programme Director-Programme, South Asia Sub-regional Office

Ms. Anne Stenhammer emphasized the role of women migrants globally – with women forming half of the migrant population. She stressed that as long as women continue to face poverty, discrimination, and unemployment in their countries of origin, their willingness to move to affluent countries, even in low-paid jobs, will remain. Ms. Stenhammer further highlighted that bans on women’s mobility, the complicated and expensive processes of migration and gender insensitive migration policies tend to push women to migrate through irregular channels making them even more vulnerable to human smuggling, trafficking and other exploitative practices.

Ms. Stenhammer underscored that migration can be a positive experience for women as long as gender differences are understood and addressed through gender sensitive responses. The governments of countries of origin are urged to recognize domestic work as a profession, provide labour and social protection, and provide skills and capacity development training that especially targets women migrant workers. She concluded by emphasizing that there was a need to strengthen national capacity in countries of origin and destination to deal with migrant women’s issues including implementing campaigns to eliminate stigma,

discrimination, and violence against women especially domestic workers.

6. Italy

[H.E. Giorgio Gujlielmino, Ambassador to Bangladesh]

H.E. Giorgio Gujlielmino drew attention to the significance of Italy's participation as an observer in the Colombo Process, given that Italy was both a major country of destination for migrants, as well as an important country of origin, as eight percent of Italians live outside the country as migrants. As such, Italy was well aware of the issues faced by both the countries of origin and destination with regard to migration.

Ambassador. Gujlielmino highlighted that for many Bangladeshi migrants to Europe, Italy was the first point of entry or destination, with thousands of migrant workers arriving on a seasonal or permanent basis. He mentioned that Italy was the only EU country which had established a bilateral process with Bangladesh with the aim of ensuring that migrants receive equal and full rights in the host country.

7. International Organization for Migration (IOM), Regional Office for Southeast Asia and Pacific Joint United Nations Programme on HIV/AIDS (UNAIDS)

[Dr. Jamie Calderon, Asian Regional Migration Health Manager, IOM and Ms. Dawn Foderingham, Regional Programme Advisor, UNAIDS]

The International Organization for Migration (IOM) and UNAIDS made a joint statement on the health challenges for Asian migrant workers. In their statement, Dr. Jamie Calderon and Ms. Dawn Foderingham drew attention to the outcome of a Regional Dialogue held in Bangkok in July 2010 on the health challenges for Asian migrants which had brought together health, migration and labour officials from member governments of the Colombo Process, and underscored the need for increased cooperation and collaboration amongst migrant sending and receiving countries and various sectors in addressing and securing the health of migrants. They emphasized that respecting and protecting migrants' right to health was critical to ensure migration with dignity. They informed that in growing recognition of the importance of migrant workers' health, a resolution was adopted by the World Health Assembly in 2008 promoting inclusive health policies and equitable rights - access to health care, recognizes equal rights to migrants and their families.

Dr. Calderon and Ms. Foderingham emphasized that special attention should be paid to the health needs and vulnerabilities of migrant women, and participation of migrant workers in all aspects of health, including policy formulation and programme implementation. They stressed that any medical test carried out on migrant workers should comply with international standards, particularly in terms of confidentiality, informed consent and counseling.

They underscored the importance of inclusion of migrant workers and their families to health entitlements and health insurance their health and wellbeing, which should be a key component of any policy decisions and bilateral agreements.

8. United States of America

[Mark Taylor, Senior Coordinator for the Office to Monitor and Combat Trafficking in Person]

Mr. Mark Taylor highlighted that at a time when migrant needs are accentuated by political crises, the Colombo Process played a key role in facilitating dialogue between member countries as well as countries of destination in order to ensure migration with dignity. He stressed that the high-profile inclusion of civil societies this year will expand this discussion for best practices and in developing standards for better protection measures.

Mr. Taylor assured the participants of the support of the US Government both to IOM and Colombo Process member countries in its aim to improve international standards to meet the needs of migrant domestic workers, particularly with regards to the increasing need for greater protection for the expanding population of domestic workers migrating abroad.

Mr. Taylor reiterated that the migrant workers from Colombo Process countries are responsible collectively for half of the world's remittances, and that there should be focus on addressing the exploitation of migrant workers by recruitment agencies and in finding solutions through all stages of migration process.

9. International Organization for Labour (ILO) Bangladesh

[Andre Bogui, Country Director]

Mr. Andre Bogui stated that the theme of “*Migration with Dignity*” encapsulates what ILO stands and works for, with its focus on promoting a set of principles to be observed at the workplace known as “decent work”. The primary goal of ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity. ILO promotes and encourages its member states to implement international labour standards governing the treatment of migrant workers.

Mr. Bogui highlighted that current global challenges required policies and resources to be linked to manage labour migration for the benefit of both origin and destination countries and the migrants’. He further stressed that broad social consensus entails establishing tripartite bodies that can assist governments in formulating and implementing labour migration policy. National and international bodies should recognize that migrants are in search of decent work, and should be supported through development of mobility and circulation-friendly policies especially for low skilled workers.

Mr. Bogui underscored the importance of cooperation at all levels (bilateral, regional and multilateral) between governments, social partners and stakeholders which was essential for improving migration governance, ensuring the rights and protection of migrant workers and securing development benefits of labour migration.

10. Migrant Forum in Asia:

[William Gois, Representative]

Mr. William Gois made a statement presenting the outcome of a civil society consultation held 18 April with representatives from 14 countries of destination and origin. From the joint statement adopted at that meeting he highlighted that Governments participating in the Colombo Process should evaluate the progress of programmes implemented for improving the lives of the migrant workers. He underscored that existing bilateral agreements were non-binding, weak in terms of protection, not sensitive to gender needs and lack effective mechanisms for implementation and monitoring. Agreements are further affected by uneven bargaining power between the countries of destination and origin, lack of consultation with civil society and stakeholders, and agreements once finalized

were not always publicly accessible. Mr. Gois further highlighted that excessive recruitment fees, contract substitution and failure to assist workers remain problems in the labour migrant recruitment sector. He also drew attention to the lack of standardized contracts, the *kafaala* (sponsorship) system, inadequate capacity of embassies, and existing labour migration management has fallen short in securing international consensus standards, lack protection and fail to ensure justice to migrants.

Mr. Gois concluded by highlighting some of the recommendations made in the joint statement which included the need to pursue a collective approach and engage in constructive dialogue with all stakeholders in enhancing reform measures to reflect rights based approach to labour migration; enforcing regulations of recruiters in countries of origin and destination, with strict measures such as imprisonment and rescinding contracts, regular and spot inspections and independent commissions to investigate corruption and nepotism; creating a standardised and enforceable contract in negotiation with countries of destination; and finally urging all governments to ratify the ILO convention on domestic workers.

11. Coordination of Action Research on AIDS and Mobility (CARAM) in Asia

[Ms. Irene Fernandez, Human Rights Activist]

CARAM Asia met with members from 12 countries in preparation for the fourth ministerial consultation of the Colombo Process in Dhaka, and Ms. Irene Fernandez shared a summary of the joint statement adopted. She stated that the joint statement focused on four broad themes including human rights and dignity of migrant workers, women migrants and their rights, migration and health and lastly the effect of emergency situations on migration and migrants.

Ms. Fernandes reiterated the need for all Colombo Process member countries to ratify key ILO Conventions including the ILO convention on domestic workers and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in order to ensure a common, gender sensitive migration management framework. She also underscored the need for collective dialogue among all stakeholders, including with destination countries. Ms. Fernandes also stressed the need for a unified stand to ensure access to health care services for all migrant workers and their families, including a comprehensive health insurance.

In conclusion, Ms. Fernandez highlighted upon the recent emergency situation in the Middle East North Africa (MENA) region, and urged the governments to create a rapid response policy and support programme in order to provide necessary services to migrant workers in crises situations, timely provision of humanitarian aid and movement of migrant workers away from the danger, followed by safe repatriation and reintegration programmes.

Day 3 (21 April 2011): Ministerial Consultations

The final day of the Ministerial Consultations consisted of two thematic round table discussions and the concluding session to adopt the outcome documents. The two roundtable discussions were open sessions and witnessed active participation by observer delegations, including members of civil society and migrants' organizations.

Session IV: Round Table Dialogue 1 on 'Migration with Dignity: Protection of Migrant Workers' Rights and their Well Being'

[Chair: H.E. Dilan Perera, Minister of Foreign Employment Promotion and Welfare, Democratic Socialist Republic of Sri Lanka]

The discussions covered the overarching theme of the meeting and covered the challenges, opportunities, experiences and good practices that exist to ensure migration with dignity, and key recommendations that came up for addressing some of these challenges are summarized below, according to the guiding notes that were before the participants to facilitate the discussions.

1. What are the main challenges with regards to the protection of migrant workers' rights and their wellbeing?

The following challenges were highlighted:

- Regulatory concerns: civil society organizations and member states underlined the lack of binding regulations to maintain working standards and honour contractual obligations across different countries. There was a need for further collaboration on this aspect from both countries of origin and destination and variations in capacity and resources in different countries of origin need to be recognized and addressed through a collective approach.
- Monitoring: the tasks of improving and monitoring the working conditions of the migrant workers were usually considered to be the responsibility of migrant origin countries, but collaboration between both the countries of origin and destination was needed for effective monitoring, particularly during times of emergency.
- Corresponding supply and demand: the skill competencies of prospective

migrant workers often do not correspond with demand from labour receiving countries, and therefore the needs of both countries of origin and destination should be synthesized when considering pre-departure training, recruitment agency activity and matching migrant workers with overseas employers, in order to maximize the benefits for migrant workers in the countries of destination.

- Other major challenges highlighted included the rise in negative feelings and perceptions toward labour migrants in countries of destination as a result of the global financial crisis, and the need for this to be addressed.
- Furthermore, the need to protect vulnerable migrant workers such as women migrants was highlighted as a common challenge. Such migrants often work in informal and unprotected sectors, and there is a danger of pushing this informal sector further underground by introducing stringent legislation. Migration leading to bonded labour situation should also be recognized as a form of trafficking and actions needed to be taken to address this problem. Participants urged the need to consider the unintended impact of restrictive policies on legal migration and how this can adversely affect vulnerable migrant workers.

2. What are some of the existing innovative approaches, which can be used to address these challenges?

The discussion covered recommendations of innovative practices in migration management, for replication in other Colombo Process countries.

- Mobilizing migrant worker communities in countries of destination to supplement capacity gaps in foreign embassies, was highlighted as a innovative approach. When countries of origin collaborate with communities of migrant workers abroad, they can establish strong networks and allow home country governments to increase their reach and support and monitoring of migrant workers, particularly in times of crises.
- Migrant worker resource centres, located in the countries of destination, can provide skills training, post-arrival seminars and orientations and act as facilitators for social and cultural activities and provide counseling

during distress and thus increase capacity for ensuring migrant workers are protected and their rights and welfare are promoted and maintained. Such resource centres can also be located in the countries of origin to not only provide support and information to potential migrants, but also to families left behind as well returnees for reintegration.

- Comprehensive public information campaigns regarding all parts of the migration process starting from pre-departure orientation until return are also conducted in countries of origin and destination to educate potential labour migrants about labour migration opportunities, the recruitment process and the risks associated with irregular migration.
- Innovative monitoring, evaluation and communication practices include tightening documentation and recruitment processes for migrant workers, storing migrant worker data on digitalized identity cards, and computerized databases. Using information technology in communication, particularly SMS for domestic workers can be useful in case of emergencies and effective in monitoring the welfare of migrant workers. Reliable and systematic data storage that can retrieve migrant worker data with regard to their movement, location and information is another innovative practice and this has proved vital in emergency crises such as the Libya evacuation.
- In order to ensure that overseas employers uphold the terms of the contract, and ensure the protection of migrant workers, dispute settlement units can be established with a hotline to embassies and consulates that can collect necessary information, coordinate with overseas employers, or negotiate directly with local governments to assist migrant workers.
- Training for labour officials and recruitment agencies as well as migrants in both countries of destination and origin, including gender-sensitive training was cited as another example of innovative practice. Such training includes informing and providing pre-departure orientation to migrant workers on custom, laws and social practices of destination countries. Embassy and labour officials and recruitment can also undergo pre-departure seminars on potential issues that could confront them when dealing with migrant workers, so they learn what their legal obligations

are and avoid common misunderstandings.

- Finally, accreditation for employment agencies can help establish certain criteria and create a higher standard for protecting workers rights.

3. What types of capacity are needed to better protect migrants' rights and welfare?

- A cross-cutting issue that was discussed at the round table was capacity building to ensure successful labour migration management. There was also a need to share information between labour-sending countries, improve the capacity of labour attachès to address the welfare of overseas workers, and ensure that countries of destination follow minimum standards.
- Countries of origin should recognize their responsibility to check the health of outgoing migrant workers and this needs to continue in the country of destination and even after the migrants' return. Therefore, overall health management capacity needs to be strengthened with strong coordination between the countries of origin and destination.
- Participants also highlighted that promoting migrant workers' welfare had two dimensions: in pre-departure trainings and protection of property in the countries of origin but also in countries of destination, where welfare measure such as shelters, or centres that address the welfare of the workers and are easily accessible to migrant workers could be established. These measures should be seen as supplementary to the efforts already being put in place by migrant origin countries rather than intervention by countries of destination.

4. What different roles can countries of origin, transit and destination play with regards to minimize the risks of migration and promoting safe migration?

The specific roles of countries of origin, transit and destination was also a recurring theme of the round table discussion.

- Participants emphasized the need to ensure that both private and public stakeholders in countries of destination minimize risks to migrant workers by authenticating offers of employment, checking credibility, and ensuring skills correspond with job requirements, and contractual obligations are adhered to.
- The need for Colombo Process countries to link with the Abu Dhabi Dialogue was also highlighted as discussions on solving challenges and best practices in labour migration required the involvement and cooperation of the countries of destination.
- The role of countries of origin in ensuring health of migrant workers, preparing potential migrant workers through public education measures and upgrading skills for better overseas employability prospects was also discussed extensively. Access to healthcare could be ensured through insurance and social benefit schemes in the countries of origin, and provided, even to undocumented workers, in countries of destination.
- Participants also discussed the need to continue the cooperation and dialogue on arrest and detention of migrant workers in countries of destination. Communication mechanisms were required to be strengthened so that foreign embassies are informed immediately when migrant workers are arrested and detained and that consular services can be immediately provided. The need for major migrant receiving countries to formalize systems that allow a direct interface between countries of origin and destination during times of emergency or difficult for migrant workers was also highlighted, as well as the need to harmonize policies of recruitment agencies to prevent exploitation of migrant workers.

Session V: Round Table Dialogue 2 on 'Scope of Collaboration and Possible Institutionalized Response During Emergencies Impacting Migrant Workers'

[Co-Chairs: H.E. Dr. Dipu Moni, Foreign Minister, Government of People's Republic of Bangladesh, and H.E. Rosalinda Dimapilis-Baldoz, Secretary, Department of Labour and Employment, Republic of the Philippines.]

Coming in the backdrop of the MENA crisis which had impacted almost all Colombo Process countries, discussions focused on sharing experiences of past emergencies, the longer term impact of such emergencies, and to initiate discussions on possible avenues for collaboration and potential institutionalization of responses to minimize the negative impact on both migrant workers and national economies. Discussions were guided under the following sub-themes:

1. Overall response with regard to the Middle East and North Africa (MENA) unrest

Migrant workers were one of the most seriously affected by the crisis in the MENA region, especially the conflict in Libya. The conflict led to the closure of businesses, and the breakdown of internal services, resulting in thousands of migrant workers fleeing the country. In situations of such conflict and natural disasters, where safety and security is threatened, migrant workers find themselves particularly vulnerable to a variety of abuses and rights violations, and this more so for women migrants.

In the Libyan crisis, the issue of non-payment or delayed payment of salaries (some going as far back as the six months) was one that commonly affected labour migrants from all Colombo Process countries. In addition, migrants were also looted or robbed not only during the crisis but also in the process of evacuation. These events have highlighted the need for national governments to effectively respond to emergency and conflict situations that may happen in future, including the need for dialogue with destination countries to negotiate compensation for the affected migrant workers.

The individual experiences of affected Colombo Process countries in responding to recent crisis and emergency situations were shared during the roundtable discussion:

- Bangladesh diverted 16 flights of its national carrier to transport Bangladeshi migrant workers including some other nationals in addition to the massive

evacuation carried out by IOM;

- India maintains a database of Indian migrant workers, as employers are required to register information on Indian nationals, which greatly minimized the effort they had to invest in identifying their nationals during the Libyan crisis. The employers of the Indian migrant workers facilitated the evacuation of their workers. The Government also used several aircraft sorties to airlift their nationals out of the conflict area;
- Indonesia assigned focal points among the migrant worker communities enhancing the ability to coordinate rapid evacuation of the migrant workers;
- Nepal received support from India and China who assisted by sharing information, establishing the number of Nepalese nationals in conflict areas, and with their repatriation;
- The Philippines engaged in public-private partnerships to effectively repatriate their labour migrants. In accordance to previously set agreements, recruitment agencies and employers in the country of destination facilitated and bore the cost of repatriating almost 60 per cent of Filipino migrant workers;
- Vietnam communicated with diplomatic missions of the Philippines and Thailand to share information. Vietnam chartered nine flights for rescue missions and within a four-week period, all of its nationals were evacuated.

2. Improvement of crisis response

Suggestions for improving responses in the future included the following:

- Enhance modalities to share data and information between the Colombo Process countries as obtaining speedy and accurate information is vital in crisis management. To achieve this, it was suggested that countries establish and maintain a common database of migrant workers in countries of destination.
- Establish mechanisms to pool the resources of the Colombo Process member countries for coordinated global engagement and collective efforts.

- Initiate bilateral agreements with the aim to collaborate through local consulates. This is an urgent need as several countries do not have representative offices in destination countries.
- Introduce an “early warning alert system” in destination countries where migrant workers are mostly working in.
- Mobilize community organizations to reach out for irregular migrant or illegal workers with an understanding that their interest will be safeguarded in times of crisis. Non-governmental organizations are important to the process as their access and ability to obtain information may differ vastly from a formal agency.
- Establish common holding areas that could function as migrant safe zones or corridors with the same recognition as International Red Cross areas.
- Develop a handbook to be universally applied in crisis situations that could be provided as part of the pre-departure package to migrant workers. During the Gulf war, workers were provided with a handbook dealing with protection against chemical warfare.
- Partnership with countries of destination and employers is essential for developing any future programmes to enhance the safety and security of migrant workers.
- Assess internal capacity of national governments that can be quickly accessed during times of crisis, in preparing for response to crisis situations. In the current climate of donor fatigue due to the global economic crisis, it helps for donor countries to know that countries of origin are also investing their efforts in bringing their migrant workers back to their country.
- Establish the level of assistance and programmes national governments will provide to their returnees to ensure migrant workers are protected at all stages of migration including re-integration post crisis.

3. Impact on labour migration

- Participants felt it was too early to assess the full impact of the crisis on labour migration, and thus recommended a comprehensive study be undertaken by IOM to assess the impact of the recent crisis on labour migration, role of international agencies in crisis management, including improvements to emergency response mechanisms.
- The evacuation process is ongoing, and IOM continues to work with de-camping and moving the migrant population waiting in the camps. IOM plans to evaluate and assess its role in crisis management including the impact of the MENA crisis on the administration of labour migration programmes.

4. Policy and institutional measures to ensure better management of crisis situation

A coordinated response between Colombo Process member states, countries of destination and international agencies should incorporate the following:

- Establish a framework for collaboration through dialogue, and bilateral and multilateral agreements
- Develop a rapid response mechanism linking international agencies and rescue/relief missions such as MSF to ensure that a range of issues including women migration and health are addressed.
- Engage globally to establish a mandate for an active presence of international agencies inside the conflict zone to assist with rescue operation, and to mobilize local communities.
- Jointly negotiate legal frameworks with countries of destination, companies and employers of foreign workers to make them accountable to their responsibilities to support migrant workers in case of emergencies.
- The dialogue should also include: development and effective crisis management measures for migrant workers, abolish retention of passports by employers or recruiting agents as this obstructs the migrant workers'

ability to move easily in emergency situations, standardized contracts with improved working and living conditions.

- Create a common database: the MENA crisis highlighted the need to develop and maintain a collective database on migrant workers providing accurate and timely information in emergencies. Registration is an important step in this process in order to track migrant movement and to maintain information on future movements by establishing mutual registration to share information on migrant workers.
- The Colombo Process countries could set up referral systems supported by collective database, with support of international agencies, and a centralized crisis communication centre to enhance communication with workers, their families, the government, and civil society.
- Based on the ASEAN experience, establish third country consular cooperation whereby Colombo Process member countries could assist one another in similar manner during emergencies.

5. Develop gender sensitive guidelines to support women migrants

Women's needs are different in a crisis situation and it is crucial to obtain sex-disaggregated data to develop gender sensitive measures in planning evacuation and reintegration programme with assistance from relevant UN/international agencies.

- Establish post-conflict programmes to support re-integration of women migrant workers.
- Share good practices on compensation measures and programmes to assist evacuated migrant workers, particularly women.
- Ensure programmes that address reintegration of returning women migrant workers in countries of origin. Reintegration needs to include migrant workers and their families with livelihood programmes without increasing their debt burden, and placement in new jobs in secure and safe environment.

- Negotiate with international and financial institutions to protect the savings of migrant workers, as many migrants have seen their life savings depleted due to currency fluctuations.
- In addition, national governments could introduce matching grants. The remittance from migrants is part of a billion dollar industry from which migrant workers should benefit as well.
- Undertake sensitization initiatives and campaigns to reduce the social taboos often associated with women migration in conservative societies.

6. Scope for collaboration and institutionalizing response

There is no clear mandate to any particular UN or international agencies on how to respond to emergency and crisis situations, and the existing support systems have proven inadequate. Handling mass movement of migrants in emergency situations have often proven a massive challenge, and there is clearly a need for collective and cooperative action by all stakeholders at local, regional and international level.

The participants at the round table discussion agreed that:

- a) A consultation workshop with all stakeholders should take place in Geneva with the objective to establish a common understanding of resources and commitments required for coordinated response, and to define the mandate and operating modalities for all stakeholders, especially of the UN and international organizations. The proposed consultation should bring together the Colombo Process member states, IOM, UNHCR, ICRC and other relevant international agencies and civil society organizations, and the destination countries.
- b) A handbook or SOP should be developed to provide guidelines on how to effectively respond to crisis and emergency situations.

Session VI: Finalization and Adoption of Outcome Documents

The Outcome Documents: the Operating Modalities and the Dhaka Declaration were both adopted by acclamation at the final working session of the Ministerial Consultation on 21 April 2011. The meeting was chaired by Eng. Khandker Mosharraf Hossain, MP, Minister for Expatriates' Welfare and Overseas Employment.

Session VII: Concluding Session

The concluding session of the Fourth Ministerial Consultations ended with statements by Engr. Khandker Mosharraf Hossain, Minister for Expatriates' Welfare and Overseas Employment, Government of People's Republic of Bangladesh and Ambassador William Lacy Swing, Director General of IOM. Vote of thanks of behalf of the participating member states was made by H.E. Rosalinda Dimapilis-Baldoz, Secretary, Department of Labor and Employment. In his closing statement, Ambassador William Lacy Swing highlighted that the Colombo Process has made significant progress since it came into being in 2003. On behalf of IOM, he applauded the Colombo Process member states on this accomplishment and urged that steps now be taken to consolidate the gains made so far in promoting regular migration for the purposes of labour from this region.

He congratulated the member governments for adopting the Operating Modalities, which he believed would enhance the predictability and regularity of meetings and the overall functioning of the Colombo Process. He also commended the adoption of the Dhaka Declaration which sets out the collective vision and aspirations of the member countries and noted in particular the forward-looking recommendations for actions to ensure migration with dignity.

He stressed on the need for enhanced dialogue with countries of destination particularly the Gulf Cooperation Council countries to address existing challenges and to come up with practical solutions. He congratulated the Colombo Process for finally having agreed upon a mechanism to engage constructively with the civil society organizations, as member countries could benefit from such engagement.

Ambassador Swing thanked and applauded the Government of Bangladesh for the excellent organization of the Fourth Ministerial Consultation and its efforts to reinvigorate the Colombo Process by ensuring strong participation from all eleven member countries.

Engr. Khandker Mosharraf Hossain, Chair of the Colombo Process in his concluding remarks thanked all member governments for their support in making the meeting productive and successful. He thanked IOM for the support and assistance provided in organizing this meeting and he stated that IOM's support will be essential in moving forward the important recommendations that had emanated from the meeting.

He said that the Fourth Ministerial Consultation which was held after a gap of 6 years marked a new beginning for the Colombo Process, with member states demonstrating a true resolve to work together to ensure *migration with dignity*. He stated that the Dhaka Declaration embodies the vision, the goal and the means, to make the Colombo Process a responsive and relevant forum. Further, the Operating Modalities also places the Colombo Process on a firmer and structured framework of operation. He expressed the hope that through the adoption of these two outcome documents, the member governments commit themselves to collaborative and responsible partnership for the betterment of their migrant workers. He also thanked the destination countries and the migrants' and civil society organizations for their constructive contribution and participation at the meeting.

The meeting concluded with a vote of thanks to all

5. Conclusion

A number of recommendations and proposals for how to better manage the process of labour migration whilst maintaining stability and the dignity of migrants, and for the direction of the Colombo Process itself emerged over the course of the fourth Ministerial Consultations.

Summary of Recommendations:

1. Migration with Dignity

In terms of the overall process of migration management, there was repeated emphasis from Colombo Process member states, observer states and organizations on the need for closer partnerships between countries of origin, countries of transit and countries of destination through information sharing, resource sharing during times of emergency, skills development, monitoring and harmonized legal and policy instruments that can curb malpractice amongst recruitment agencies. It was also strongly recommended across the board for governments to introduce gender sensitive policies to address the risks of women migrants who dominate the informal and domestic sectors, and recommendations regarding training and public information courses to increase the awareness of migrant workers and their families on topics such as the full process of migration, employment opportunities, opportunities upon return and dangers of irregular migration.

Closer cooperation and partnerships among countries of origin, countries of transit and countries of destination

This recommendation cuts across several issues: monitoring of migrant workers, tightening penalties for illegal recruitment agencies, introducing measures to protect migrants from high recruitment agency fees and general malpractices, working to solve criminal activity regarding the movement of migrants such as trafficking, harmonising legal instruments so that the restrictions in a country of origin will correspond with those in countries of transit or destination and creating shared databases of migrant data accessible to both countries of origin and destination.

Gender sensitive migration policies

There was broad consensus amongst all participants at the fourth Ministerial Consultations of the Colombo Process that the plight of vulnerable migrant workers – particular the informal and domestic sectors which are dominated by women migrants

should be recognised by policy makers and the private sectors. Careful measures should be taken to protect women migrants who work, unprotected, in the domestic and informal sectors.

Training and public information courses delivered at both ends of the migration process

Colombo Process participants recommended that substantive training be provided to potential migrant workers, migrant workers and their families in both countries of origin and destination during all three parts of the migration process: pre-departure orientation; on-site orientation upon arrival and post-return orientation and training to facilitate a smooth return and reintegration back into the country of origin. Strong recommendations were also made to conduct public information campaigns to potential migrants, and to provide training and orientation to employers or migrant workers to encourage safe, orderly and systematic migration practice.

2. Response to Emergency Situations:

Recent events in the Middle East and Northern Africa illustrated the need for a coherent and institutionalised response framework for safely evacuating migrants and minimising the damage to their livelihoods and wellbeing.

A coordinated policy response and institutional measures between Colombo Process member states, countries of destination and international agencies to better manage crisis situations should include:

- Establishing a framework for collaboration through dialogue and bilateral/multilateral agreements
- Creating mechanisms to establish a common database on migrant workers from Colombo Process countries
- Developing gender-sensitive guidelines to support women migrants especially in times of crisis
- Establishing post-conflict programmes to support re-integration of migrant workers

In conclusion, the participants at the second round table discussion agreed that a consultation should take place in Geneva with all the stakeholders leading to a concrete proposal with a time frame for a workshop to establish a common understanding of resources and commitments required to respond effectively and collaboratively to emergency and crisis situations in countries of destination.

3. Colombo Process

The Fourth Ministerial Consultations meetings recommended the need for agencies such as the IOM and IRFC (as well as others) to carry out a study and workshop with a view to produce a handbook from which Colombo Process members can draw in emergency situations that necessitate the evacuation of their migrant workers caught up in conflict situations.

In addition, a second, broader study should be undertaken with the aim to:

- Enhance understanding of regional labour migration dynamics, particularly with regards to the impact of the recent global economic and financial crisis
- Assess the impact on families of migrants left behind in countries of origin.
- Assess the impact of growing mobility of migrants from Asia to Europe dictated by demographics of labour surplus in countries of origin and the need for labour force in countries of destination especially in view of the northern countries raising barriers on labour migration through protectionist measures.
- Assess the downturn in women migrants leaving through formal channels from the Colombo Process countries despite the global trend at 50-50, and its ramifications.

Overall recommendations for the future of the Colombo Process were consolidated and finalized in the outcome documents.

Going forward, an overall proposal to use forums such as the Abu Dhabi dialogue to enable closer collaboration and sustained communication regarding good practices in migration and guiding principles among Colombo Process member states and countries of destination, was made.

Appendix 1: Dhaka Declaration as of 21 April 2011

Draft Dhaka Declaration of Colombo Process Member Countries

WE, THE MINISTERS OF THE COLOMBO PROCESS MEMBER COUNTRIES,
GATHERED IN DHAKA, BANGLADESH ON THE 20TH AND 21ST APRIL 2011 IN THE
FOURTH LABOUR MIGRATION MINISTERIAL CONSULTATIONS FOR COUNTRIES OF
ORIGIN IN ASIA;

Affirming the theme of the Meeting – “Migration with Dignity”, to focus on all related aspects of labour migration that impact on the rights, welfare, dignity and well-being of migrant workers;

Acknowledging that the promotion and protection of the rights of migrant workers and their families, and improving the welfare, dignity and well-being of migrant workers, especially those of women, remain a constant and formidable challenge;

Recognizing the contribution of migrant workers to the development of both countries of origin and countries of destination;

Also recognizing the contribution of countries of destination to the development of effective approaches to the management of overseas employment;

Acknowledging that the shift in demographic patterns as well as changes in employment structures in many countries create a situation of mutual interest and benefit for labour surplus and deficit countries;

Recognizing that sustained bilateral and regional consultations can significantly contribute to the pursuit of humane and orderly labour migration management;

Reaffirming the importance of further strengthening the engagement and dialogue amongst countries of origin, destination and transit to promote and protect the rights of migrant workers and ensure their welfare, dignity and well-being;

Recognizing that labour migration from Countries of Origin in Asia has been increasingly feminized in recent years, with employment opportunities and number of destinations for women migrant workers increasing worldwide;

Taking note of the adverse impact of the recent global financial and economic crisis on labour migration;

Also taking note with concern of the impact of the recent political unrest and conflicts in certain parts of the world, including in some key destination countries for Asian migrant workers;

Appreciating the efforts by the Colombo Process Member Countries to take forward the consultative process, with continued support from relevant international organizations, particularly the International Organization of Migration (IOM), including for the study entitled “Labour Migration from Colombo Process Countries: Good Practices, Challenges and Ways Forward”;

MAKE THE FOLLOWING RECOMMENDATIONS:

1. Promoting Rights, Welfare and Dignity:

- i) To ensure the promotion and protection of the rights of all migrants and their families, including their social and economic rights, as well as improving the welfare, dignity and well-being of all migrant workers, especially women;
- ii) To develop employment and labour market policies and formulate rules, regulations and procedures that are conducive to the pursuit of legal, humane and orderly labour migration;
- iii) To eliminate all forms of occupational and socio-cultural discriminations against migrant workers.
- iv) To promote Decent Work for migrant workers, including in low-skill and low-wage sectors, and to design employment contracts based on existing good practice models;
- v) To develop and streamline policy, legal and institutional mechanisms to eliminate unethical practices concerning migrant workers including deduction / non-payment in violation of contractual provisions, rationalize migration costs, promote transparency and openness in recruitment processes, strengthen monitoring and supervision of recruitment practices, and prevent slippage of regular migrant workers into any form of irregularities;

vi) To effectively address the specific needs and concerns of vulnerable groups of migrant workers, especially women, domestic workers, low-skilled and low-wage workers;

vii) To promote rest and recreation facilities for migrant workers and their families, increase opportunities for family reunion, and facilitate their access to basic services, particularly education;

viii) To promote the implementation of migrant-inclusive health policies to ensure equitable access to health care and services as well as occupational safety and health for migrant workers;

2. Services and Capacity Building:

i) To strengthen information and advocacy campaigns in collaboration with the concerned stakeholders to brief and advise potential migrant workers and their families about safe and legal employment opportunities as well as the risks associated with irregular migration;

ii) To strengthen information and advocacy campaigns for sensitizing migrant workers about the benefits accruing from formal remittance channels, and develop policy incentives and institutional mechanisms and programmes to streamline the flow of remittances through formal channels, including reducing cost of remittance, and promote their productive use for development gains;

iii) To invest in skills training and development of potential migrant workers to secure their employment opportunities in occupational areas where such labour and skills are in demand, and to facilitate mutual recognition of qualifications and certifications;

iv) To promote employment and labour markets research capacity, to duly assess the current and projected labour markets' needs as well as the shifting demographic trends and employment structures;

v) To support capacity building of national partners, including employers' and workers' organizations, non-governmental organizations and migrant workers' organizations to help gather, organize and disseminate relevant legal, procedural,

labour market, socioeconomic and socio-cultural information to migrant workers;

vi) To promote establishment of institutional mechanisms such as one-stop migrant workers' resource centres to provide information, orientation courses and services to migrant workers, including in pre-departure and post-arrival situations;

vii) To continue to build capacity of labour welfare, consular and immigration offices with a view to enhancing provision of needed support services to migrant workers, especially women;

viii) To encourage mobility in job market, consistent with national regulations.

3. Emergency Response and Emerging Issues:

i) To develop appropriate policy and institutional response capacity to mitigate the impact of emergency situations on migrant workers, including ensuring their safety, security and well-being as well as early evacuation, repatriation, compensation and opportunities to return to their jobs;

ii) To further explore the possible nexus between environmental degradation and climate change on one hand and human mobility on the other, and its likely implications on labour migration;

4. Enhanced Dialogue and Cooperation:

i) To strengthen information exchange and sharing of best practices on labour migration management among the Colombo Process Member Countries;

ii) To promote enhanced dialogue and cooperation among countries of origin, destination and transit to address issues concerning migrant workers;

iii) To encourage participation in regular bilateral, regional and multilateral consultations on labour migration issues, involving, among others, relevant regional and international organizations;

iv) To follow up on these recommendations through regular consultations, including at the Ministerial level.

Adopt the operating modalities for the Colombo Process;

Agree that the fifth Colombo Process ministerial consultation for countries of origin in Asia (Colombo Process) will be held in 2013;

Express gratitude to the government of Bangladesh for chairing the meeting and the excellent arrangements provided.

Adopted in Dhaka, Bangladesh on 21 April 2011 by the attending Ministers of the following countries:

Islamic Republic of Afghanistan,
People's Republic of Bangladesh,
People's Republic of China,
Republic of India,
Republic of Indonesia,
Federal Democratic Republic of Nepal,

Islamic Republic of Pakistan,
Republic of the Philippines,
Democratic Socialist Republic of Sri Lanka,
Kingdom of Thailand,
Socialist Republic of Vietnam.

Appendix 2: Agenda

MIGRATION WITH DIGNITY
Agenda of the Fourth Ministerial Consultation
on Overseas Employment and Contractual Labour for Countries of Origin in Asia
Hotel Pan Pacific Sonargaon, Dhaka, Bangladesh
19 - 21 April, 2011

SENIOR OFFICIALS' MEETING¹ Day 1: 19 April, 2011 Venue: Surma, Hotel Sonargaon	
08:30-09:00	Senior officials arrive and take their seats
<u>Session I: Inaugural Session</u>	
09:00-09:30	<ul style="list-style-type: none"> - Welcome Statement by Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh - Welcome Statement by Mr. M. Mijarul Quayes, Foreign Secretary, Ministry of Foreign Affairs, Government of the People's Republic of Bangladesh
<u>Session II: Sharing of study "Labour Migration from Colombo Process Countries: Good Practices, Challenges and Ways Forward"</u>	
09:30-10:30	Summary findings of the study presented by Mr. Md. Shahidul Haque, Director, International Cooperation and Partnerships, International Organization for Migration (IOM)
10:30-11:00	Tea/Coffee Break
11:00 – 13:00	Discussion on "Migration with Dignity": <ul style="list-style-type: none"> • Challenges on migration with dignity and possible policy response • Specific issues related to promotion and protection of rights of migrants • Specific issues related to welfare of overseas workers • Optimizing the benefits of regular migration and movement of labour • Institutional capacity building and inter-state cooperation • Women labour migration
13:00 – 14:30	Lunch (Café Bazaar, Hotel Sonargaon)
<u>Session III: Discussion on CP IV Outcome Documents</u>	
14:30 – 16:00	Drafting Committee: <ul style="list-style-type: none"> - Operating Modalities - Dhaka Declaration
16:00-16:15	Tea/Coffee Break
16:15-17:30	Continuation of Drafting Committee
17:30-17:45	Wrap and Closing
19:30	Dinner hosted by Dr. Zafar Ahmed Khan Venue: Ciao, Hotel Sonargaon

¹ The Senior Officials' Meeting is only open to Colombo Process member states

MINISTERIAL CONSULTATIONS Day 2: 20 April, 2011 Venue: Ballroom, Sonargaon	
08:45-09:00	Ministers, Senior Officials and guests arrive and take their seats
OPEN SESSION <u>Session I: Inaugural Session</u>	
09:00-11:00	<ul style="list-style-type: none"> - National Anthem - Welcome Statement by Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh - Statement by Ambassador William Lacy Swing, Director General, International Organization for Migration - Statement by H.E. Drs. H.A. Muhaimin Iskandar, Msi, Minister, Ministry of Manpower and Transmigration, Indonesia - Statement by H.E. Dr. Dipu Moni MP, Minister, Ministry of Foreign Affairs, Government of the People's Republic of Bangladesh - Statement by H.E. Abul Maal Abdul Muhith MP, Minister, Ministry of Finance, Government of the People's Republic of Bangladesh - Address and Official Inauguration of the 4th Colombo Process Ministerial Consultation by H.E. Sheikh Hasina MP, Honourable Prime Minister, Government of the People's Republic of Bangladesh - Statement by H.E. Engr. Khandker Mosharraf Hossain MP, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh - Photo Session (<i>Heads of Delegations with H.E. Sheikh Hasina MP, Honourable Prime Minister, Government of the People's Republic of Bangladesh</i>)
11:00-11:30	Tea/Coffee Break
CLOSED SESSION² <u>Session II: General Debate</u>	
11:30-13:30	Statements by Ministers/Heads of Delegations of the Colombo Process Member States (<i>in alphabetical order</i>)

² Closed Sessions are only open to the 11 Colombo Process Member States. Sessions are open unless specified otherwise.

CLOSED SESSION <u>Session III: Consideration of the Report of the Senior Officials' Meeting</u>	
13:30-14:00	Presentation of Report of the Senior Officials' Meeting by Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh
14:00-15:30	Lunch (Café Bazaar, Hotel Sonargaon)
OPEN SESSION <u>Session IV: Statements by Observers and CSOs</u>	
15:30-17:00	Statements by Heads of Delegations of Observer States and Agencies Statement by a civil society representative to present the outcome of an event organized in the sidelines of the Colombo Process Ministerial Consultation by the civil society organizations
17:00-17:15	OPEN SESSION <u>Session V: Wrap up and Closing</u>
17:15-17:30	Refreshments
19:00	Cultural Programme and Dinner hosted by H.E. Engr. Khandker Mosharraf Hossain MP, Minister, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh Venue: Ballroom, Sonargaon

MINISTERIAL CONSULTATIONS Day 3: 21 April, 2011 Venue: Ballroom, Sonargaon	
OPEN SESSION <u>Session VI: Round Table Dialogue 1</u>	
09:30-11:00	Round table on <i>Migration with Dignity: Protection of Migrant Workers' Rights and their Well Being</i> General Discussion
11:00-11:30	Tea/Coffee Break
OPEN SESSION <u>Session VI Cont'd: Round Table Dialogue 2</u>	
11:30-13:00	Round table on the <i>Scope of Collaboration and Possible Institutionalized Response During Emergencies Impacting Migrant Workers</i> General Discussion

13:00-14:30	<i>Lunch (Café Bazaar, Hotel Sonargaon)</i>
CLOSED SESSION³ <u>Session VII: Finalization and Adoption of CP Outcome Documents</u>	
14:30-15:30	Finalization and Adoption of: <ul style="list-style-type: none"> - Colombo Process Operating Modalities - Dhaka Declaration of the 4th Colombo Process Ministerial Consultations
<u>Session VIII: Concluding Session</u>	
15:30-16:30	<p>Statements by Ambassador William Lacy Swing, Director General, International Organization for Migration</p> <p>Statement by H.E. Engr. Khandker Mosharraf Hossain, Minister, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh</p> <p>Vote of Thanks by Dr. Zafar Ahmed Khan, Secretary, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh</p>
16:30-17:00	<i>Refreshments</i>
17:00-17:30	Press Conference by H.E. Engr. Khandker Mosharraf Hossain, Minister, Ministry of Expatriates' Welfare and Overseas Employment, Government of the People's Republic of Bangladesh <i>and</i> Ambassador William Lacy Swing, Director General, International Organization for Migration

³ Closed Sessions are only open to the 11 Colombo Process Member States. Sessions are open unless specified otherwise

Appendix 3: List of Participants

List of the Participants from the CP Member States

	Name of the Delegation
Afghanistan	H.E. Ms. Seema Ghani Deputy Minister Ministry of Labour, Social Affairs, Martyrs and Disabled
	Mr. Khair Mohammad Khowah Niru Director General - Manpower
	Mr. Naqibullah Hafizi Director General - UN and Int'l Conferences Department of Foreign Affairs
Bangladesh	H.E. Engr. Khandker Mosharraf Hossain MP Minister Ministry of Expatriates' Welfare and Overseas Employment
	Dr. Zafar Ahmed Khan Secretary Ministry of Expatriates' Welfare and Overseas Employment
	Mr. Shafique Alam Mehdi Secretary-in-Charge Ministry of Labour and Employment
	Mr. Khurshed Alam Chowdhury Director General Bureau of Manpower, Employment and Training (BMET)
	H.E. Mr. M. A. Hannan Ambassador and Permanent Representative Bangladesh Permanent Mission - Geneva
	Mr. Md. Ashadul Islam Joint Secretary – Employment, Policy and Research, Ministry of Expatriates' Welfare and Overseas Employment
	Ms. Begum Shamsun Nahar Joint Secretary – Administration Ministry of Expatriates' Welfare and Overseas Employment
	H.E. Mr. Md. Nazmul Quaunine Ambassador of Bangladesh to UAE
	Mr. Sufiur Rahman Director General – EA Ministry of Foreign Affairs
	Dr. Kamal Uddin Ahmed Joint Secretary – Political Ministry of Home Affairs
	Mr. Sarder Abul Kalam Joint Secretary – Administration Ministry of Civil Aviation and Tourism
	Mr. Md. Moniruzzaman Deputy Secretary Ministry of Expatriates' Welfare and Overseas Employment

	Mr. Khandker Mohammed Talha Counsellor Bangladesh Permanent Mission - Geneva
	Mr. Salahuddin Noman Chowdhury Director – EA Ministry of Foreign Affairs
	Dr. Md. Nurul Islam Director – CRM Bureau of Manpower, Employment and Training (BMET)
	Mr. Kazi Abul Kalam Deputy Secretary Ministry of Expatriates' Welfare and Overseas Employment
China	Mr. Wang Yu Head of Chinese Delegation Charge d' the Affairs Embassy of China to Bangladesh
	Mr. Xiao Wensheng First Secretary Division of Outward Investment and Economic Cooperation Ministry of Commerce
	Mr. Zhu Hong Deputy Director General of Dept of International Trade and Economic Affairs Ministry of Commerce
	Mr. Shen Xiaokai Deputy Director International Department Ministry of Commerce
India	H.E.Mr. Vayalar Ravi Minister of Overseas Indian Affairs (MOIA)
	Ms. Sadhna Sanker PS to the Hon'ble Minister
	Mr. G. Gurucharan Joint Secretary and CEO Indian Council for Overseas Employment, Ministry of Overseas Indian Affairs (MOIA)
	Mr. K.C. Badhok Director (Emigration Service) Ministry of Overseas Indian Affairs (MOIA)
	Mr. M. Subbarayudu Counselor High Commission of India in Dhaka
Indonesia	H.E. Drs. Abdul Muhaimin Iskandar Msi, Minister of Manpower and Transmigration (MoMT)
	Mr. Dian Triansyah Djani Ambassador of Indonesian Permanent Mission to the UN WTO and other organizations, MOFA
	Mr. Abdul Wahid Maktub Special Staff of the Minister Ministry of Manpower and Transmigration

	Ms. Reyna Usman, Director General Ministry of Manpower and Transmigration
	Ms. Roostiwati, Director of Migrant Worker Replacement Ministry of Manpower and Transmigration
	Mr. Achsanul Habib Counsellor Permanenet Mission of Indonesia to the UN - Geneva
	Mr. Nugroho Yuwono Aribhimo Deputy Director for Protection of Indonesia Ministry of foreign Affairs
	Ms. Eva Trisiana Head of Inernational Cooperation Division Ministry of Manpower and Transmigration
	Ms. Siti Kusmiati Head of Division ILO Multilateral Cooperation Ministry of Manpower and Transmigration
	Mr. Samsuri Deputy Director Ministry of Manpower and Transmigration
	Mr. W Sunan Ali Asrori Head of International Manpower Section Ministry of Foreign Affairs
	Mr. Rendra Setiawan Head of Multilateral and Regional Section Ministry of Manpower and Transmigration
	Mr. Tri Surya Embassy of Indonesia to Bangladesh
	Ms. Lucky Nugraha Embassy of Indonesia to Bangladesh
Nepal	Mr. Dinesh Hari Adhikari Secretary Ministry of Labour and Transport Management
	Mr. Purna Chandra Bhattarai Joint Secretary Ministry of Labour and Transport Management
	Mr. Dhan Bahadur Oli Undersecretary Ministry of Foreign Affairs
	Mr. Krishna Chandra Aryal Counsellor Minister Embassy of Nepal in Dhaka
Pakistan	Mr. Muhammad Arif Azim Secretary Ministry of Labour and Manpower
	Mr. Afzaal Mahmood Deputy High Commissioner High Commission for Pakistan

	Mr. Muhammad Umer Moriyó Director General Bureau of Emigration and Overseas Employment Ministry of Labour and Manpower
	Mr. Saeed Ahmed Shaikh Managing Director Overseas Employment and Corporation Ministry of Labour and Manpower
Philippines	H.E. Rosalinda Dimapilis-Baldoz Secretary Department of Labor and Employment
	Ms. Carmelita Singian Dimzon Administrator Overseas Workers Welfare Administration Department of Labor and Employment
	Ms. Celeste Marquez Valderrama Director Department of Labor and Employment
Sri Lanka	H.E. Dilan Perera Hon'ble Minister of Foreign Employment Promotion and Welfare
	Mr. Nissanka Wijeratne Secretary Ministry of Foreign Employment Promotion and Welfare
	Mr. U.L.M. Jauhar Minister Permanent Mission of Sri Lanka in Geneva
	Mr. M. Somasundram Secretary to the Minister of Foreign Employment Promotion and Welfare
	Ms. Kanaka Abeygunawardana Co-ordinating Secretary to the Minister of Foreign Employment Promotion and Welfare
	Mr. Sumith Weerasinghe Coordinating Secretary, Foreign Employment Agency
	Dr. Susie Perera De Silva Director Policy Analysis and Development Ministry of Health
Mr. Nalin Gamlath Working Director Sri Lanka Bureau of Foreign Employment	
Thailand	H.E. Mr. Yuph Nana Vice Minister Ministry of Labour
	H.E. Ms. Tasanawadee Mian Charoen Ambassador Embassy of Thailand in Bangladesh
	Mr. Shinghadet Chu-Umnart Director - International Cooperation Bureau Ministry of Labour

	Mr. Suthi Sukosol Director Overseas Employment Administration Office
	Mr. Ruengratt Adhikari International Affairs Specialists Ministry of Labour
	Mr. Phisek Panupet First Secretary Embassy of Thailand in Bangladesh
Vietnam	H.E. Doan Mau Diep Deputy Minister Ministry of Labour, War Invalids and Social Affairs
	Mr. Le Quang Trung Deputy Director General International Relations Department Ministry of Labour, War Invalids and Social Affairs
	Mr. Dao Cong Hai Deputy Director General Department of Overseas Labour
	Ms. Nguyen Thi Yen Expert Department for International Cooperation

Observers to the Colombo Process Meeting

	Name Designation, Ministry/Agency/Organization
UAE	H.E. Mubarrak Al Dhaheri Undersecretary Ministry of Labour
	Mr. Alex Zalami Advisor to H.E. Minister Ministry of Labour
	H.E. Khalfan Battal Ali Al-Mansoori-UAE Ambassador UAE Embassy-Dhaka
	Md. Hafizur Rahman Information Officer UAE Embassy-Dhaka
Australia	Mr. Andrew Albert Durston First Secretary Australian High Commission New Delhi
ICRC	Ms. Elisa Querci Migration Advisor ICRC migration, Geneva
UN Women	Ms. Anne F. Stenhammer Director - Regional Programme South Asia Sub-Regional Office
	Ms. Naheed Ahmed National Programme Manager UN Women
South Korea	H.E. Taiyung Cho Ambassador Republic of Korea in Dhaka
	Mr. Doyeon Won Deputy Chief of Mission Republic of Korea in Dhaka
Italy	H.E. Giorgio Gujlielmino Ambassador Embassy of Italy in Bangladesh
	Mr. Edmondo Falconi Deputy Head of Mission Embassy of Italy in Bangladesh
	Dr. Germana Viglietta Senior Officer Migration Policies of the General Directorate for Immigration
	Ms. Patrizia De Felici Officer Ministry of Labour & Welfare
Switzerland	Mr. Gnesa Eduard Special Ambassador Ministry of Foreign Affairs
	Mr. Gabriele Derighetti Swiss Embassy in Dhaka

	Mr. Shabarinath Gopinathan Nair Programme Officer – GFMD Swiss Agency for Development and Cooperation
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