

Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration

10–12 MARCH 2021

Time	Title	Organizer(s) and partners	
Wednesday, 10 March 2021			
12:30-13:30(1)	A migrant's journey: a human perspective and humanitarian implications	The International Committee of the Red Cross (ICRC)	<p>Migrants' challenges and hurdles were thoroughly discussed and dissected during the different stakeholders' meetings leading to this Regional Review. The ICRC contributes to the humanitarian debate on migration by taking part in regional and global forums, drawing on our first-hand understanding of the experience and protection needs of migrants. We have contributed to the development of the Global Compact for Safe, Orderly and Regular Migration (GCM) and have worked alongside States to duly consider the humanitarian problems that migrants may face.</p> <p>Migrants are individuals who are complex and unique. Reasons for migrating can change during the journey. Individuals involved in the migration process do not necessarily foresee a worst-case scenario. For example: dilemmas faced by all sides during operations at sea and when crossing land borders or in the case of missing migrants: the long-lasting impact on families. Or deceased migrants: the long and sensitive/complex process for the dignified management of the bodies</p> <p>At the heart of the GCM and the efforts of the States to work towards an orderly, safe and regular migration, lie the complex and often misconceived decisions/actions of women and men who viewed their options for a safe and worthwhile future limited and uncertain. Starting from the authentic experience of migrants met in the field, and through the lenses of a forensic specialist, an armed and security forces expert as well as other senior humanitarian experts, we aim at showing the complexity of the humanitarian issues at stake and how the action scope of each authority/State is essential.</p>

			<p>Register at:</p> <p>https://tinyurl.com/2m233d2e</p>
Thursday, 11 March 2021			
12:30-13:30(1)	<p>Labor Mobility and Human Rights: Examining Migrant Labor Governance in the Middle East in the Context of Global Compact for Safe, Orderly and Regular Migration</p>	<p>Government of the Philippines Department of Foreign Affairs – Office of the Undersecretary for Migrant Workers’ Affairs, Kingdom of Bahrain</p>	<p>In the Middle East, there are two major factors that have unfortunately perpetuated the unbalanced, inequitable and sometimes abusive relationship between the employers and migrant workers. First, the unintended byproducts of the “kafala” system, although harmless in its cultural context, have led numerous abuses committed by sponsors against migrant workers, notably the latter being prevented under any condition to transfer employers or exit the country of destination without the consent of the former, diminishing the worker’s ability to exercise basic human rights. Second, the high recruitment costs of hiring a migrant worker has become a sizeable investment for which employers need to ensure a good return in the form of extended working hours and continuous work days without holidays. In both cases, the sponsors or employers find it difficult to let go of any employee who is already unable and/or unwilling to work, which often leads to further deterioration of the already unequal contractual relationship. The worker’s mobility and ability to enjoy his rights is eventually left at the mercy of the employer.</p> <p>The Philippines, a model country of origin known for its sterling record in migration governance anchored in migrant labor protection, has vigorously lobbied for the provisions and sub-provisions of the GCM, particularly paragraphs 22 (g) and (h) which deal with labor mobility in the context of safeguarding of conditions that ensure decent work. The Philippines also stands ready to work with countries in the Middle East that are embarking on path towards the progressive realization of reforms in migrant labor governance.</p> <p>Countries in the Middle East are host to millions of migrant workers. For example, the Kingdom of Saudi Arabia hosts the biggest number of migrant workers, approximately 10 million, most of them coming from South Asia and Southeast Asia. The Philippines alone has some 850 thousand migrant workers in the Kingdom of Saudi Arabia.</p> <p>A wave of labor governance reforms is currently sweeping in the Middle East with initiatives being introduced in several countries at improving labor mobility for migrant workers. Reforms are now being implemented in Bahrain and Qatar. The Kingdom of Saudi Arabia and Oman are also pursuing their own reforms.</p>

			<p>It bears noting that all the countries in the Gulf region adopted the GCM and are committed to abide GCM as a framework for international migration governance, and for the purposes of this forum, GCM’s Objective 6: on facilitating fair and ethical recruitment and safeguard conditions that ensure decent work. There is much reason for optimism that the labor governance reforms being pursued by several countries in the Gulf region will bring about meaningful, inclusive, and lasting improvements in labor mobility and other migrant workers’ rights.</p> <ul style="list-style-type: none"> • What motivated the countries to pursue the path of labor governance reforms? What were the main challenges that deterred migrant labor reforms from taking place before? How are these reforms related to the Objectives of the Global Compact for Migration? • What are the envisioned key challenges and opportunities to be faced by employers and workers as well as migrant sending countries with migrant labor governance reforms? What are the benefits of entry and exit visa reforms for the migrant workers? • What measures are in place to ensure that migrant workers are protected under transition period? What measures are in place to evaluate the impact of the reforms? <p>This virtual forum will examine the application of GCM Objective 6, particularly paragraphs 22 (g) and (h), in the context of the reforms in migrant labor governance in the Middle East, with particular focus on the recently announced reforms on migrant labor mobility in several countries in the Middle East.</p> <p>Keynote speakers from the Philippines and Bahrain will be delivering statements on the above questions. A moderated panel discussion among representatives of the Philippines, Bahrain, and IOM Missions will then be conducted, to be followed by the opening of the floor for an interactive discussion among participants.</p> <p>The webinar can be accessed at: http://bit.ly/labormobilityhumanrights</p>
12:30-13:30(2)	On the move and out of school: Migrant children's struggles to access education in Asia	Save the Children, Child Rights Coalition Asia (Regional network of child rights and human rights organisations), Teacher Focus	Across Asia, millions of migrant children struggle to access quality education. Children who have crossed an international border, either alone or with their parents, are often excluded from national education systems, while language and cost barriers prevent them from accessing private schooling. The COVID-19 pandemic has made an already bad situation worse, as few migrant children have access to distance learning, while migrant families have been particularly hard hit by the ensuing financial crisis.

			<p>There are notable positive exceptions in the region. Thailand has, for example, passed legislation to mandate free education for "unregistered" children across the country, while in 2019 the ASEAN Member States passed a promising new declaration on the rights of migrant children in the region, including to education. Such initiatives, while promising, have however yet to be fully implemented in practice.</p> <ul style="list-style-type: none"> - Children on the move are among those most vulnerable anywhere, yet millions of migrant children still struggle to access an education across Asia. Exclusionary laws, language barriers, costs and stigma all contribute to leaving a generation of migrant children without access to proper schooling. - Governments in Asia must redouble efforts to ensure that migrant children can access quality education. This should involve including migrant children in national education systems, reducing costs, and providing training for teachers on the particular needs of children on the move. - Governments in Asia can learn from promising practices across the region. Countries like Thailand have taken progressive steps towards including migrant children in national education system. While the implementation has not been perfect, it has helped thousands of children to access schooling and hope for a better future. <p>Millions of migrant children across Asia still live on the margins of society without access to quality schooling. This event will explore the many inter-connected reasons why, proposed practical solutions for governments and CSOs, and provide a snapshot of Thailand's efforts to better include migrant children in the national education system.</p> <p>Please go to this link to register for the event: http://bit.ly/migrantandeducation</p> <p>This event will also be live streamed on Save the Children Asia's Facebook page: https://www.facebook.com/savethechildreninasia</p> <p>For any questions, please get in touch with Olof Blomqvist on: olof.blomqvist@savethechildren.org</p>
<p>Friday, 12 March 2021</p>			

8:30-9:30	Making Migrants' Vulnerability History: Highlighting and addressing living and working vulnerabilities of migrant workers	Migrants Trade Union Korea, International Trade Union Confederation Asia Pacific (TBC), International Organization on Migration (TBC), ILO	<p>The side event will be a dialogue among migrant workers and civil society, governments and UN agencies to discuss the growing problem of migrant workers' living conditions as highlighted during the COVID-19 pandemic and put forward recommendations to resolve this vulnerability.</p> <p>Advocates of migrant workers' groups , trade unions and campaigns have initiated on the issues related to the challenges confronting migrant workers in the COVID-19 pandemic. Advocacy recommendations put forward during the online forum will be submitted to governments as well as the UN Migration Network.</p> <p>The COVID pandemic has highlighted and aggravated the vulnerabilities of migrants, particularly their living and working conditions. Thus, the focus and theme of the side event is very much relevant to the agenda of the Asia-Pacific Regional Review of the Global Compact and an important advocacy concern that needs to be spotlighted and put forward for governments to recognize, act upon and place in their action agenda in the implementation of the GCM.</p> <ol style="list-style-type: none"> 1. Vulnerable living and working conditions of migrant workers are a major concern in the GCM for governments to urgently resolve. 2. Migrant workers are major stakeholders in the GCM and should be included in the process of the GCM implementation, review and follow-up, especially at the national level. 3. Whole of government and whole of society approach in making vulnerabilities of migrants history is crucial. <p>Achieving decent work for all includes resolving the problem of poor living conditions of migrant workers in the region. The cramped dormitories in Singapore. The greenhouse accommodations in Korea. The side event aims to gather in a multi-stakeholder dialogue.</p> <p>Invited to speak in the forum are Udaya Rai of the Migrants Trade Union (South Korea), Dennis Maga of FIRST Union (New Zealand) and Pervez Siddiqui of Films4Peace Foundation (Bangladesh). Anna Olsen, a technical specialist from the International Labour Organization (ILO), has been invited to give a reaction to the presentation of our speakers.</p> <p>Register here: http://bit.ly/NoMoreVulnerability</p>
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			Find out more: https://www.unescap.org/sites/default/d8files/event-documents/Making_Migrants_History.pdf
9:30-10:30	Implementing Alternatives to Detention: Lessons Learned from the Global Pandemic	Boniği Monitoring, International Detention Coalition (IDC), Government of Thailand, Ministry of Foreign Affairs (MOFA)/ Ministry of Social Development and Human Security (MSDHS) (TBC), UN Major Group for Children and Youth	<p>The key objective of the GCM that this side event will cover is Objective 13, which focuses on the commitment of states to use detention only as a last resort and work towards alternatives. This objective also includes a commitment to work to end the practice of child detention in the context of international migration. As relevant, it will also weave in reference to other objectives such as the commitment of states to collect and utilize accurate and disaggregated data as a basis for evidence-based policies (Objective 1). A panel of speakers drawn from government, civil society and people with lived experience of immigration detention will come together to explore:</p> <p>How alternatives to detention frameworks operate from the perspective of:</p> <ul style="list-style-type: none"> • Governments • Migrants in or vulnerable to immigration detention • Civil society organisations working on promoting and implementing ATDs. <p>Why immigration detention should be used as a last resort and, in the case of children, how to implement laws, policies and practices to end child immigration detention. When alternatives are a better public policy choice.</p> <p>What states might do to raise awareness of and ensure compliance with international standards and best practice.</p> <p>Register here: https://tinyurl.com/7sae7m68</p> <p>Find more information here: https://www.unescap.org/sites/default/d8files/event-documents/Programme_Alternatives_detention.pdf</p>
10:30-11:30	Migrants, Wages, and the Pandemic: Where are we now on the issue of wage theft?	Migrants Forum in Asia, Council of Global Unions (CGU) / Building and Wood Workers' International (BWI), Parliamentarians' Caucus on Migration and Development in Bangladesh, and the Commission on Human	<p>The issue of wage theft is a cross-cutting issue that severely impacts several GCM objectives such as Objectives 6, 16, 19, and 20 if it's left unresolved. Most importantly, wage theft is experienced directly not only by the migrants but also by their families and communities back home. The Asia – Pacific Regional Review of the GCM comes at a time when we are in a pandemic, where many migrant workers were repatriated without going through due process, thus, leaving them with no space to file complaints against any labour rights violations, including wage theft and non-payment of their end of service benefits, before being repatriated. In this Regional Review, it would be vital that as we look at where countries are in their implementation of the GCM, the issue of wage theft is not overlooked given its cross-cutting nature.</p>

		Rights of the Philippines (TBC)	<p>- In relation to Objectives 6 and 16, how has the issue of wage theft affected migrants' socio-economic contributions of migrants to their family and their communities, and their participation in society?</p> <p>- In relation to Objectives 19 and 20, it is well-recognized that migrants through the remittances they send back to their families contribute heavily to the development of their societies. Aside from their economic contributions, the skills and knowledge they bring back to their origin countries further develop their society in terms of technological advancement and infrastructures. In this regard, to what extent will the impact of wage theft affect the smallest unit of society, and what is the role of stakeholders in ensuring that the issue does not cripple returnee migrants and their families?</p> <p>The COVID-19 pandemic has posed great challenges to migrant workers due to the closure of businesses amid lockdowns, which have caused employers to terminate their workers without giving their earned wages and end of service benefits. Migrant workers have been repatriated without providing them an avenue to express their grievances or any means to seek redress for grievances related to wage theft.</p> <p>While wage theft is not a new issue, it is an issue that has become aggravated, causing an exponential increase in cases which existing justice systems cannot handle. Recognizing the magnitude of the issue, the side event will provide an avenue for an interactive exchange between stakeholders present and touch upon what has been done and what still needs to be done.</p> <p>Register here: http://bit.ly/385A5Rj</p>
11:30-12:30	Regular pathways for migrants in vulnerable situations in Asia and the Pacific	Office of the United Nations High Commissioner for Human Rights, Asia Pacific Refugee Rights Network; UN Migration Network Working Group on pathways for migrants in vulnerable situations	<p>In the Global Compact for Safe, Orderly and Regular Migration (GCM), States recognized that providing access to a regular migration status can be an effective means to address and reduce a variety of vulnerabilities. In particular, there is a commitment to expand and diversify the availability and flexibility of pathways for safe, orderly and regular migration in order to respond to the needs of migrants in situations of vulnerability. To achieve this, Member States are encouraged to build and expand on existing national and regional practices for admission and stay, including where based on compassionate, humanitarian, human rights or other considerations.</p> <p>What types of regular pathways are available in the Asia Pacific region for migrants in situations of vulnerability?</p>

			<p>How do these available pathways address migrants' needs on the ground and how are they being implemented in practice?</p> <p>Which relevant responses to the Covid-19 Pandemic in terms of respective admission and stay legislation and policy have been developed in the region and which good practice examples can be named?</p> <p>The side event aims to give an overview on the extent to which safe and regular pathways are currently available and accessible to migrants in situations of vulnerability in the region, as well as existing legal protection mechanisms for migrants in situations of vulnerability through national legislation and administrative procedure, including in the context of the COVID-19 pandemic.</p> <p>Register/find out more here: https://www.unescap.org/sites/default/d8files/event-documents/Pathways for Migrants.pdf</p>
12:30-13:30	Realizing the Rights of Children in the Context of Migration in ASEAN	Government of Thailand (Ministry of Social Development and Human Security), UNICEF, UNHCR, IOM, Terre des Hommes Germany	<p>Migration and related child protection risks are a significant concern in the ASEAN region. The ASEAN region encompasses countries of origin, transit, destination and combination origin/destination, with internal and cross-border migration being significant features. The drivers of migration include: poverty, inequalities, social exclusion and discrimination, conflicts, insecurity and violence, disaster and persecution, better economic and educational opportunities, intra-regional migrant labour flows, trafficking, internal labour migration, the environmental impact of climate change, and increased regional connectivity and integration. Key child protection risks in the region include child immigration detention, lack of protection for refugee and asylum-seeking children, unaccompanied and separated children, children who are stateless or at risk of statelessness, and children of migrant workers; discrimination in access to basic services (e.g., health, education, protection etc.); exploitation by smugglers and traffickers; the sale of children; millions of children remaining in origin countries while their parents migrate for work, facing risks of violence, abuse and exploitation; and lack of data on the situation of children in the context of migration contributing to their vulnerability.</p> <p>ASEAN Member States (AMS) have committed to respect, protect and fulfill the rights of all children, including in the context of migration. A number of relevant regional efforts have been made, including the adoption of the ASEAN Declaration on the Rights of Children in the Context of Migration. At the 35th ASEAN summit on 2 November 2019 in Bangkok, Thailand, the ASEAN Leaders adopted the ASEAN Declaration on the Rights of Children in the Context of Migration (the Declaration). The</p>

			<p>Declaration ensures that children’s rights contained in the Convention on the Rights of the Child can be fully enjoyed by all children in the region, including those on the move.</p> <p>The Declaration specifically acknowledges the increased vulnerability suffered by children in the context of migration through greater risk of exploitation, deprivation and discrimination. It lays out the need for the development of mechanisms to protect these children’s rights in order to ensure ASEAN Member States comply with already agreed upon international instruments, regional agreements and fulfilment of the Sustainable Development Goals.</p> <p>Reaching the consensus needed to develop and endorse the Declaration is a significant achievement for ASEAN Member States. Nevertheless, efforts must be made at both national and regional levels to familiarize a wider audience with the Declaration, to encourage its full and effective implementation, and to elevate attention to and action on the issues pertaining to children in the context of migration through active engagements with diverse partners and stakeholders.</p> <p>Towards this end, in order to translate the principles and commitments as enshrined in the Declaration into concretized actions, Thailand through the Ministry of Social Development and Human Security, in collaboration with relevant partners, namely UNICEF, is taking the initiative to develop a regional plan of action on the implementation of the Declaration. The development of the regional plan of action is a joint initiative of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and the ASEAN Senior Officials Meeting on Social Welfare and Development (SOMSWD). Therefore, an ACWC-SOMSWD Technical Working Group has been established to develop the draft document. In addition to UNICEF, UNHCR and IOM are active members of this Working Group. Once ad-referendum endorsement by SOMSWD and AMMSWD is obtained, it is expected that the regional plan of action will be submitted as an outcome document at the 38th ASEAN Summit in October 2021 under the ASEAN Chairmanship of Brunei Darussalam.</p>
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