

# **Impacts of the Economic Crisis: Women Migrant Workers in Asia**

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## **Introduction**

The surge in labour migration in East and Southeast Asia in the 1980s was linked with the rapid economic growth of the newly industrialized Asian economies (including Taiwan, Korea, Hong Kong, Thailand), when these economies' labour markets shifted from labour-surplus to labour-scarce. The growing movement of workers in the region was linked as well to the expansion in international supply chains which moved labour-intensive production from factories in higher-wage countries to lower-cost locations. Labour mobility, both regular and irregular, played a key role in the emergence of these "Asian Tigers" in the 1980s, new "growth triangles" (eg, the Singapore-Johore-Riau triangle centred on Batam Island), and the expansion of export processing zones. Migrant labour, of which women constitute about 50%, is now a structural feature of labour markets in Asia. It is unclear at present the extent to which the crisis in Asia will result in large scale deportations of temporary workers as in the wake of the 1997 crisis, for the region's export-oriented growth strategies still depend on a large migrant labour force.

The current economic crisis has demonstrated the vulnerability of Asia's reliance on export markets in Western Europe and the US: exports of electronics and garments, sectors which employ large numbers of women, have plummeted in 2009. There are also concerns about the effects of growing protectionism in some developed countries, for example, bailout measures that are dependent on the maintenance of domestic jobs (France, Italy and Spain). India, for example, has protested the US government's decision to exclude from stimulus tax breaks those US companies that move jobs overseas.<sup>2</sup>

While there have been massive job losses, there are differing reports on the impacts on migrant workers. Faced with the increasing likelihood of poor employment prospects at home, laid off documented workers may move into irregular status to accept precarious work in the host country. In addition, in the face of rising male unemployment or underemployment, more women are seeking work in foreign countries.<sup>3</sup> While large

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<sup>1</sup> An earlier version of this paper was presented to the UNIFEM/ILO Forum on the Gendered Impact of the Global Economic Crisis on Migrant Women, Bangkok, April 23-25, 2009.

<sup>2</sup> ICTSD, Protectionism in Times of Crisis, Vol. 13, No. 1, March 2009.

<sup>3</sup> Regional Thematic Working Group on International Migration Including Human Trafficking, Situation Report on International Migration in East and Southeast Asia", International Organization for Migration, 20 October 2008, [http://www.iom.int./jahia/webdav/shared/shared/mainsite/published\\_docs/brochures\\_and\\_info\\_sheets/iom\\_situation\\_report.pdf](http://www.iom.int./jahia/webdav/shared/shared/mainsite/published_docs/brochures_and_info_sheets/iom_situation_report.pdf)

numbers of women migrants work in factories in export processing zones, the majority are employed as domestic workers. They are at risk for abuse and discrimination, and are often ineligible for temporary foreign worker schemes that permit a change in visa status. In a region where women represent about half of all migrant workers (substantially more than half for some labour-sending countries), the need for gender-responsive strategies for migrant workers is critical. International standards on migrant workers, most recently CEDAW General Recommendation 26, offer guidelines for governments.

This paper begins with an overview of recent economic indicators for the Asia Pacific region, drawing attention to the employment effects of the sharp drop in exports of manufactured goods and garments to key markets in the European Union and the US. The employment implications for migrant workers, in particular for women migrant workers, are illustrated by the case of Malaysia, with brief commentary on the situation in Cambodia and Thailand. The paper then turns to the legal framework for migrant workers' rights, including in the Convention on the Elimination of All Forms of Discrimination Against Women, which recently issued a General Recommendation on Migrant Women. The paper concludes with some suggestions for governments.

## **Economic trends – Asia Pacific**

### **GDP**

The Asian Development Bank has forecast 3.6% growth in East Asia in 2009, down from 6.6% in 2008; and 0.7% growth in Southeast Asia, down from 4.3% in 2008. Negative growth is forecast for Hong Kong, China, Korea, and Taiwan, a result of both a sharp drop in demand for exports and slower expansion in domestic demand in all countries.<sup>4</sup> In its May 2009 report on global employment trends, the ILO has also revised its forecast for growth in Southeast Asia and the Pacific downward by 5.5 percentage points since October, to -0.7 per cent.<sup>5</sup>

### **Exports**

The World Bank reports major declines in exports from all major Asian producers. According to the WB, three broad product groups account for about half of East Asia's exports: electronics, oil and garments. Countries that are heavily dependent on electronics (a major employer of women, especially migrant women, who constitute a flexible workforce that works on contract) have been worst affected. Those worst affected include Taiwan (whose merchandise exports dropped 44.5% in the 12 month period January 2008-2009), Thailand (-28%), Philippines (-40%), and Malaysia (-34%) (see Appendices, Table 1, East Asia: Merchandise Export Growth). Exports of electrical machinery have contracted sharply (Table 2, Exports of Electrical Machinery, Apparatus, and Appliances). Garment manufacturers have been hard hit, particularly Cambodia, most of whose exports are shipped to a single market, the US (Table 3, Exports of Apparel, Clothing, Accessories).<sup>6</sup>

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<sup>4</sup> Asian Development Bank, Asian Development Outlook 2009

<sup>5</sup> ILO, Global Employment Trends Update, May 2009. [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_106504.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_106504.pdf)

<sup>6</sup> World Bank, East Asia and Pacific Update: Battling the forces

These declines have major implications for employment. The *China Post* reports that as many as 400,000 Indonesians, about a tenth of those working in plantations, manufacturing and as domestic helpers in Malaysia, Singapore, Hong Kong and the Middle East, may be sent home in 2009 as companies such as Intel Corp. and Western Digital Corp. cut production. Malaysia, with about 2 million documented foreign workers (and has an irregular migrant workforce of about 500,000), recently announced a freeze in recruitment of foreign workers in manufacturing and services industries. Other reports say about 300,000 jobs may be lost in Singapore by 2010, two thirds of which are held by foreigners or permanent residents.

## **Employment**

The ILO Global Employment Trends for Women report released in March 2009 concluded that in most regions, female unemployment rates would increase more than male unemployment rates, reflecting women's disproportionate representation in temporary employment and substantial share of employment in export-oriented manufacturing industries. ILO data do not capture employment effects for migrant workers, however. In its May Employment Trends update, the ILO notes rising unemployment in East and Southeast Asia linked with factory closures.

Most developing countries in Asia report actual or expected declines in both foreign and domestic investment due to deterioration in access to credit or capital markets. Among industries most affected are residential and hotel construction, in Cambodia, Egypt, Jordan, Morocco and Thailand. UNDP anticipates declines in business opportunities in tourism-dependent countries, with attendant job losses.<sup>7</sup>

## **Remittances**

World Bank data show the compound rate of growth in migrants' remittances in the period 2001-2008 was almost 50% for Nepal (contributing 15.5% of that country's GDP in 2007), 30% for Bangladesh (9.5% of GDP) and Indonesia (1.5% of GDP), 25% for Pakistan (4.2%), and almost 16% for Vietnam (7.9% of GDP).<sup>8</sup> According to the World Bank, remittance flows for Asia and the Pacific increased in value from US\$ 35.4 billion

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of global recession, April 2009.

[http://siteresources.worldbank.org/INTEAPHALFYEARLYUPDATE/Resources/550192-1238574864269/5976918-1239010682147/update\\_april09\\_fullreport.pdf](http://siteresources.worldbank.org/INTEAPHALFYEARLYUPDATE/Resources/550192-1238574864269/5976918-1239010682147/update_april09_fullreport.pdf)

These figures may turn around as governments' fiscal stimulus packages kick in. For example, China Steel Corporation (CSC), Taiwan's largest integrated producer of steel products, saw an increase of 11.4% in sales in March. The company believes the demand for steel products will recover with the government hastening public works construction.

<sup>7</sup> UNDP, *The Economic Crisis: Countries and sectors suffering the crisis*, accessed July 2009.

<sup>8</sup> Manolo Abella and Geoffrey Ducanes. *The Effect of the Global Economic Crisis on Asian Migrant Workers and Governments' Responses*, Technical Note prepared for the ILO conference, *Responding to the Economic Crisis – Coherent Policies for Growth, Employment and Decent Work in Asia and Pacific* Manila, Philippines, 18-20 February 2009, [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_101729.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_101729.pdf)

in 2003 to a projected US\$ 69.6 billion in 2008.<sup>9</sup> Estimates for 2009 are for declines ranging from 4.2 to 8 percent in 2009 linked partly with exchange rate fluctuations (due to the strengthened US dollar against the currencies of many major destination countries). The World Bank study notes, however, that although newspapers report large numbers of migrants returning, “new migration flows are still positive, implying that the stock of existing migrants continues to increase.”<sup>10</sup> This could suggest that worsening employment conditions in labour-sending countries are exerting strong pressures on workers to migrate. An increase in the stock of migrants coupled with a decrease in remittances could also suggest that in addition to the effects of exchange rates, wages for migrants may be dropping (as reported by several NGOs at the UNIFEM/ILO Forum), or costs of living for migrants may be increasing (as employers download some employment costs to workers, for example, housing, meals, foreign worker levies).

## **Employment impacts for migrant workers**

There are an estimated 15-20 million intra-regional migrant workers in Southeast and East Asia, the majority of whom are unregistered.<sup>11</sup> In the context of changing labour market structures that offer job opportunities in highly-gendered job categories, migration has become increasingly “feminized”. The case of Malaysia illustrates a number of features of temporary foreign worker programs: their tendency to become “permanent” and to be *ad hoc* responses to employer demands for cheap, flexible labour, as well as the difficulty of enforcing effective protection for migrants. This section also includes snapshots of the situation in Cambodia (whose garment sector has been hard hit) and Thailand (whose porous borders accommodate large numbers of documented and undocumented workers from neighbouring countries).

### ***Malaysia***

A labour importer for more than four decades, Malaysia has developed a structural reliance on migrant labour. Statistics on migrant workers vary: among the approximately 3 million migrant workers (in a total workforce of 11 million) are some 800,000 undocumented workers. About half the registered foreign workers in Malaysia are from Indonesia, and about 252,000 - 301,000 Indonesian women work as domestic helpers. Some estimate there are a further 80,000 undocumented domestic workers. Malaysia also exports workers: about 10-12% of the approximately 300,000 Malaysian foreign workers in Singapore are expected to be retrenched.<sup>12</sup>

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<sup>9</sup> World Bank, Global Development Finance 2009: East Asia and the Pacific, <http://web.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDECPROSPECTS/EXTGBLPROSPECTSAPRIL/0,,contentMDK:21335782~menuPK:665652~pagePK:2470434~piPK:4977459~theSitePK:659149~isCURL:Y.00.html>, accessed July 2009.

<sup>10</sup> World Bank, East Asia and Pacific Update, April 2009, op cit; Dilip Ratha and Sanket Mohapatra, Revised Outlook for Remittance Flows 2009-2011: Remittances expected to fall by 5 to 8 percent in 2009 Migration and Development Brief 9, March 23, 2009 [http://siteresources.worldbank.org/INTPROSPECTS/Resources/MD\\_Brief9\\_Mar2009.pdf](http://siteresources.worldbank.org/INTPROSPECTS/Resources/MD_Brief9_Mar2009.pdf)

<sup>11</sup> IOM Situation Report, October 2008.

<sup>12</sup> Abella and Ducanes, op cit.

The government has announced plans to reduce the number of foreign workers to 1.95 million in 2010 and 1.62 by 2015.<sup>13</sup> In January 2009, Malaysia announced a ban on hiring of foreign labour in manufacturing and services sectors; companies were ordered to lay off foreign workers first if they have to cut back (the so-called “foreign workers out first” policy). Skilled foreign labour needed in the manufacturing of electronic and electrical goods, textiles and furniture may be exempted, however.

According to Tenaganita, a non-governmental organization that works to protect the rights of women and migrants in Malaysia, in 2006, the Malaysian government introduced outsourcing as a new form of recruitment for foreign workers. The experience is illustrative of problems associated with regulation of labour recruiters. Companies requiring fewer than 50 workers are required to use outsourcing companies for hiring while companies requiring more than 50 workers have discretion to use outsourcing or use direct hire. According to Tenaganita, employers have thus been absolved of all responsibilities toward their foreign employees. Domestic work is also covered by outsourcing with domestic workers categorized as “cleaners.” Research by Tenaganita has identified wide-ranging abuses in the out-sourcing policy, including over-recruitment, overwork, ill treatment and actual employment quite different from that promised. Following a widely-publicized case of a Malaysian employer torturing and killing an Indonesian maid, the Indonesian government announced in June 2009 that it would stop sending maids to Malaysia until stronger protection is implemented to safeguard them.<sup>14</sup>

So far, more than 270 outsourcing licenses have been issued by the Ministry of Home Affairs. There appears to be general agreement that the system has been abused – in a recent statement, the Federation of Malaysian Manufacturers (FMM) called for it to be terminated in order to address problems of indiscriminate recruitment and over supply.<sup>15</sup>

Various government measures to address political sensitivities around the large numbers of foreign workers have had mixed success. Ministry of Labour statistics on retrenchments in manufacturing sub-sectors for May 2009 (which do not reflect the large numbers of irregular migrant workers) show that more local workers than foreign workers had been retrenched: 5,688 local workers, compared with 178 foreign workers.<sup>16</sup> An FMM spokesperson explained to a recent UNIFEM conference that “employers tend to prefer blue collar level (migrant workers) because they are more industrious, more willing to work overtime and do not job hop.” Similarly, attempts to reduce Malaysia’s

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<sup>13</sup> Davies Danavaindran, Federation of Manufacturers of Malaysia (FMM), Gendered Perspectives – Impact on Migrant Workers in the Manufacturing Industries, Presentation to the UNIFEM/ILO Forum on the Gendered Impact of the Economic Crisis on Women Migrant Workers in Asia, April 23-25, 2009, Bangkok; Global Trade Alert, Malaysia: Policies towards the employment and replacement of foreign workers <http://www.globaltradealert.org/measure/malaysia-policies-towards-employment-and-replacement-foreign-workers>, 21 Jun 2009.

<sup>14</sup> Comments by Ms. Florida Sadanasamy, Tenaganita, at the UNIFEM/ILO Forum on the Impact of the Economic Crisis on Migrant Women Workers, Bangkok, April 2009.

<sup>15</sup> FMM, Deferment of Foreign Workers Levy Welcomed, May 5, 2009, [http://www.fmm.org.my/SharedImages/Library/pdf/F\\_1629.pdf](http://www.fmm.org.my/SharedImages/Library/pdf/F_1629.pdf)

<sup>16</sup> Labour Department, Malaysia: Retrenchment by Manufacturing Sub-sector, Citizenship and Gender, May 2009

dependence on foreign domestic helpers by training and recruiting Malaysian women do not seem to have met with much success, according to newspaper reports.<sup>17</sup>

### ***Cambodia***

The crisis has had major impacts on the garment sector (70% of the country's exports go to the US); exports have dropped 27%. Thirty garment factories closed during 2008 and 5 more in January 2009, with 30,000 workers losing their jobs.<sup>18</sup> Women represent 51.3% of Cambodia's migrants; porous borders mean that irregular migration and trafficking are major issues. The primary destinations for Cambodian migrants are Thailand, Korea and Malaysia. Women work as domestic workers in Malaysia. Cambodian men migrants work in fishing, construction and agriculture in Thailand, while women work there mostly as domestic workers, but also in construction and agriculture.

### ***Thailand***

Thailand is both a labour importer and exporter. It has some 1.8 million foreign workers, mainly from Myanmar, Laos and Cambodia, and about the same number of unregistered workers. Foreign workers in manufacturing and agriculture are considered to be most vulnerable in the current crisis. According to the Thailand Development Research Institute, about 330,000 jobs in these sectors may be lost as the Thai government is urging businesses to keep national workers employed. Demand for household domestic workers is not expected to be affected. The government has announced that no new work permits will be issued; the work permits of about 500,000 foreign workers will not be renewed for 2010, and authorities have threatened to deport undocumented migrant workers.<sup>19</sup> More than 160,000 Thais, mostly males, work overseas through officially sanctioned migration schemes, mainly in East Asia and the Middle East.

In summary, the reported effects in many countries and sectors include:<sup>20</sup>

- loss of employment
- a shift to undocumented status when workers seek alternative employment (often with lower wages, poorer working conditions, fewer hours) in the host country rather than return home. Undocumented workers are vulnerable to exploitation and abuse. Women in particular are vulnerable to sexual abuse, sexual harassment and physical violence, especially in the sectors where they predominate (domestic work and factories)
- wages are likely to fall (pay cuts, not being paid on time, reductions in working days). Research suggests that women migrants are the most frequent remitters,

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<sup>17</sup> Nurbaita Hamdan, Msians not interest in working as maids, The Star Online, June 29, 2009. <http://thestar.com.my/news/story.asp?file=/2009/6/29/nation/20090629173309&sec=nation>

<sup>18</sup> UNDP, The Economic Crisis: Countries and sectors suffering the crisis [http://www.undp.org/economic\\_crisis/country\\_sector.shtml](http://www.undp.org/economic_crisis/country_sector.shtml), accessed April 2009

<sup>19</sup> Manolo and Ducanes.

<sup>20</sup> This summary draws from reports presented at the UNIFEM/ILO Forum on the Gendered Impact of the Global Economic Crisis on Migrant Women Workers, Bangkok, April 23-25, 2009, and a presentation by Heike Wagner, IOM, "The Impact of the Global Financial Crisis on Female Migration", to the OSCE Conference, Brdo, 19.02.2009.

albeit in smaller amounts (reflecting their lower wages).<sup>21</sup> Participants at the UNIFEM/ILO Forum reported that migrant women may take on additional part-time work to make up for wage reductions, in order to send home enough money. In the home country, women are often extremely dependent on remittances and may be severely affected by a decline.

- work conditions may worsen (eg: employers do not live up to obligations for migrant worker housing, health care, food)
- host countries may adopt more restrictive immigration policies with implications for increased irregular migration (eg: Korea has stopped issuing new visas through its Employment Permit System; many countries are cracking down on undocumented foreigners)
- migrants who return home are likely to encounter high unemployment and poverty (these may be worse conditions than those they left; for women, this may mean losing any gains in economic independence and empowerment achieved through migration)
- potential increase in trafficking of migrant women workers who have been laid off
- potential for increased discrimination and xenophobia as migrants may be mistakenly perceived as taking jobs of local workers (eg: “British Jobs for British Workers” slogans in the UK)

## **The legal framework for migrant workers’ rights**

The structural dependence of key economic sectors in export-oriented Asian economies on migrant workers suggests that labour migration will continue through the economic crisis, but that conditions for migrant workers will probably worsen. Policy responses to the financial crisis then need to include measures to protect the rights of migrants.

There are three major universal agreements that provide a framework for migrant workers’ right; according to the UN Office of the High Commissioner for Human Rights, 82 states have ratified or acceded to at least one of them.<sup>22</sup>

- 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW – as of 30 March 2009, it has 41 accessions or ratifications, almost all of them labour-sending countries)
- ILO Migration for Employment Convention, 1949 (C-97, 49 ratifications)
- ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (C-143, 23 ratifications)

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<sup>21</sup> For example, UN INSTRAW, Development and Migration from a Gender Perspective, 2008.

<sup>22</sup> International Steering Committee for the Campaign for Ratification of the Migrants Rights Convention, Guide on Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW), April 2009.  
<http://www.ohchr.org/Documents/Press/HandbookFINAL.PDF>

The ILO Multilateral Framework on Labour Migration interprets key principles on labour migration from ILO conventions with suggestions for governments on implementation. This framework is not binding on governments. Decent work for domestic workers will be on the agenda of the International Labour Conference (ILC) in 2010; there is a proposal for an International Labour Organization convention on domestic workers to strengthen protection of the fundamental rights of all domestic workers, local and migrant. The UNIFEM Asia-Pacific and Arab States Regional Programme on Empowering Women Migrant Workers is one example of a collaborative approach to promoting safe migration of women migrant workers, with a special focus on domestic workers. Countries covered by the program include both sending countries - Bangladesh, Cambodia, Lao PDR, Nepal, Indonesia, Philippines, and labour-receiving countries - Hong Kong, Thailand and Jordan.<sup>23</sup>

The **Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW, 1979), defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.<sup>24</sup> Signatories are to bring domestic legislation into conformance with CEDAW. In 2008, the Committee on the Elimination of All Forms of Discrimination against Women issued a recommendation on women migrant workers (General Recommendation 26 – GR 26).<sup>25</sup> GR 26 elaborates on the responsibilities of countries of origin, transit and destination for migrant women workers, noting that while states are entitled to control their borders and regulate migration, they must do so in compliance with their obligations as parties to the human rights treaties they have ratified or to which they have acceded.

The **ASEAN Declaration on the Promotion and the Protection of the Rights of Migrant Workers** (12<sup>th</sup> ASEAN Summit, January 2007, Cebu, Philippines) sets out commitments and obligations of labour-sending, labour-receiving countries and ASEAN, including commitments to intensify efforts to protect the fundamental human rights, promote the welfare and uphold human dignity of migrant workers. The Taskforce on ASEAN Migrant Workers, UNIFEM, Southeast Asia Regional Cooperation on Human Development recommended in November 2008 that ASEAN mainstream gender-responsive, rights based policies into both the ASEAN Declaration and national government policies, beginning with labour and other laws affecting migrant workers.

The OSCE (Organization for Security and Co-operation in Europe) has developed a new tool to assist national governments develop gender sensitive labour migration policies. The **Guide on Gender-Sensitive Labour Migration Policies** takes a rights-based approach to promoting:

- women's rights to legal migration opportunities
- women's rights within the migration process (to safe and secure recruitment, fair remuneration and decent working conditions)

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<sup>23</sup> A description of UNIFEM South and Southeast Asia's program of work promoting migrant women's rights can be found at [http://unifem-eseasia.org/projects/migrant/mig\\_pub.htm](http://unifem-eseasia.org/projects/migrant/mig_pub.htm)

<sup>24</sup> UN Division for the Advancement of Women, CEDAW, <http://www.un.org/womenwatch/daw/cedaw/>, accessed July 2009

<sup>25</sup> CEDAW, General recommendation No. 26 on women migrant workers, [http://www2.ohchr.org/english/bodies/cedaw/docs/GR\\_26\\_on\\_women\\_migrant\\_workers\\_en.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/GR_26_on_women_migrant_workers_en.pdf)

- women's rights realized through migration, such as encouraging potentially positive outcomes.<sup>26</sup>

## **Bilateral labour agreements<sup>27</sup>**

Labour-sending countries do not negotiate from strength on the issue of labour migration: labour-receiving countries do not want to include migration, particularly for lower-skilled workers, in trade agreements, particularly at a time of economic recession and rising unemployment. Some have argued, however, that labour mobility needs to be included within an FTA to make any workers' scheme binding, and thereby prevent labour-receiving countries from sending workers home when unemployment rises or if political relations sour with a particular country.<sup>28</sup> Participants at the April 2009 UNIFEM/ILO Forum on the Gendered Impact of the Global Economic Crisis on Migrant Women Workers in Bangkok emphasized that in the absence of effective domestic labour legislation to protect migrant workers' rights, particularly for domestic workers, bilateral agreements (including Memoranda of Understanding (MoUs)) are simply political gestures that do little to move forward the decent work conditions of migrant workers.

The **Philippines** has bilateral labour agreements with 13 countries (12 labour receiving, 1 labour sending) and MoUs with several Canadian provinces, the UAE, and Bahrain.

- The **Japan-Philippines Economic Partnership Agreement** includes a Framework on the Movement of Natural Persons and Memorandum of Understanding on the deployment and acceptance of a specified number of nurses and caregivers to Japan.
- The **2003 bilateral labour agreement between Philippines and Indonesia** addresses promotion and protection of the welfare and rights of migrant workers of both countries; training and certification of migrant workers; and, provision of legal aid for the protection of the rights of migrant workers.
- **Philippine MoUs with Canadian provinces**, signed by Canadian provincial Ministers for Employment and Immigration and the Philippine Ministry of Labour, include provisions for contracts, annual review meetings, measures to control recruitment, and credential recognition. They also include undertakings for the Canadian provinces to promote human resources development activities in the Philippines.<sup>29</sup>
- The **Partnership and Cooperation Agreement** between the Philippines and the EU is reported to contain provisions on migration and corruption (promote legal migration and stamp out illegal migration).<sup>30</sup>

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<sup>26</sup> Organization for Security and Co-operation in Europe, OSCE Guide on Gender-Sensitive Labour Migration Policies, 2009

[http://www.osce.org/publications/eea/2009/05/37689\\_1289\\_en.pdf](http://www.osce.org/publications/eea/2009/05/37689_1289_en.pdf)

<sup>27</sup> This section draws from Stella P. Go, Asian Labour Migrant Labour and Similar Agreements

<sup>28</sup> Islands Business, August 2008

<sup>29</sup> Details of Philippine MoUs can be found on the Philippine Overseas Employment Administration website, <http://www.poea.gov.ph/>

<sup>30</sup> Veronica Uy, Enquirer, Feb. 10, 2009

**Taiwan** has bilateral labour agreements with Thailand and Vietnam through their respective Economic and Cultural Offices' for employment of Thai and Vietnamese workers;

**Korea** has MoUs with the Philippines, Thailand, Vietnam, Indonesia, Mongolia and Sri Lanka for hiring foreign workers under its Employment Permit System. National laws of Korea are to apply to migrant workers.

These MoUs could be strengthened to protect women migrants by drawing from CEDAW GR 26, for example, by extending protective provisions to sectors not covered by national labour law (domestic work), and including specific measures to ensure fair work and wages, access to and coverage by health care and social security benefits, portability of benefits, and flexible provisions for family reunification.

#### **Returning migrants:**

Some governments have developed initiatives to assist returning migrants.

- **India:** The Indian government announced (January 13, 2009) that it has set up a fund for the welfare of overseas Indian workers in distress in foreign countries. The fund is operational at Indian missions in the 17 Emigration Clearance Required Countries (mainly Middle East, Malaysia, Indonesia, Thailand, Iraq). The fund provides boarding and lodging for distressed overseas Indians in the household/domestic sectors and unskilled labourers; air passage to stranded overseas Indians in need, and initial legal assistance. The fund is administered through Ministry of Overseas Indian Affairs.
- **India, the Philippines and United Arab Emirates:** The governments have launched a pilot project to test and identify best practices in managing temporary contractual employment (The “Abu Dhabi Declaration”), with what they call a holistic approach that protects workers from all forms of exploitation. The approach is aimed at guaranteeing fair and safe working conditions, the ability of workers to seek redress of legitimate grievances. It prepares workers for return to home country, and helps workers reintegrate into home communities

#### **Measures to promote the rights of women migrant workers**

- National governments and regional organizations concerned with migration could promote “good practice” in gender sensitive migration policy in both labour-sending and labour-receiving countries by implementing CEDAW CR 26. Most countries have ratified CEDAW – it may provide more traction than the UN and ILO agreements which relatively few labour-receiving countries have signed. In addition, the CSW offers a mechanism for monitoring compliance and sharing promising practices.
- National governments could offer better protection to migrant women who work as caregivers and domestic workers by including domestic work in national labour

legislation, and taking steps to ensure that employers and workers understand their respective obligations and rights.

- Labour migration is a structural feature of Asia's regional economy. The persisting absence of a regional labour mobility policy or common position on migrant management in Asia hinders a coordinated regional response to what is expected to be a major crisis in many labour-sending countries as their workers are sent home. National and regional stimulus packages should address the interests and needs of migrant workers, including the specific needs of women migrants, in remedial measures. At the same time, governments and agencies need to be aware of gender dimensions of other inter-connecting policy areas including labour market policies, border and security policies, social policies, and trade negotiations.
- Governments need more and better sex-disaggregated data on migrant workers to have a more complete picture of their foreign worker population and to support gender impact assessments of labour migration policies. Labour ministries require the cooperation of employers and labour recruiters for data collection.

**Table 1. East Asia: Merchandise Export Growth (World Bank 2009)** (in current U.S. dollars, percent change from a year earlier)

	<b>2007</b>	<b>2008</b>	<b>Q4 2008</b>	<b>Jan 09</b>	<b>Feb 09</b>
East Asia	16.8	13.3	-4.8	-27.3	
South Asia	12.2	13.9	-11.3	-33.3	
<b>Indonesia</b>	<b>13.2</b>	<b>20.0</b>	<b>-6.4</b>	<b>-36.1</b>	<b>-32.9</b>
<b>Malaysia</b>	<b>9.7</b>	<b>13.3</b>	<b>-12.6</b>	<b>-34.0</b>	
<b>Philippines</b>	<b>7.1</b>	<b>-2.9</b>	<b>-22.5</b>	<b>-40.6</b>	
Thailand	16.5	15.7	-10.0	-28.3	-13.7
China	25.7	17.3	4.4	-17.5	-25.7
NIEs	10.9	9.3	-11.2	-34.2	-24.1
Hong Kong	8.8	5.3	-1.8	-21.3	-22.6
Korea	14.1	13.8	-9.1	-34.2	-18.3
Singapore	10.1	12.9	-14.0	-40.4	-29.1
<b>Taiwan</b>	<b>10.3</b>	<b>3.7</b>	<b>-24.9</b>	<b>-44.5</b>	<b>-29.2</b>

Adapted from World Bank, East Asia and Pacific Update: Battling the forces of global recession, April 2009.

**Table 2. Exports of Electrical Machinery, Apparatus, and Appliances nes (SITC 77) (WB 2009)**

	<b>Rank</b>	<b>% Change Year Over Year</b>			
	*	<b>2007</b>	<b>2008</b>	<b>Jan 09</b>	<b>Feb 09</b>
China	3	26.0	19.1	-26.9	-24.6
Hong Kong	1	17.1	6.6	-28.3	-15.3
Singapore	2	3.4	2.1	-42.1	-34.6
Taiwan	1	10.0	-1.7	--	--
Korea	2	5.0	-3.5	-43.1	--
Malaysia	1	8.7	-3.6	-36.3	--
Philippines	1	7.8	-8.5	-47.6	--
Thailand	1	18.2	0.9	-37.1	-33.0

Adapted from World Bank, East Asia and Pacific Update: Battling the forces of global recession, April 2009.  
Source: UN COMTRADE, CEIC, and World Bank staff calculations.

\* Rank among country's two-digit exports

**Table 3. Exports of Apparel, Clothing Accessories (SITC 84)**

	<b>Rank</b>	<b>% Change Year Over Year</b>			
	*	<b>2007</b>	<b>2008</b>	<b>Jan 09</b>	<b>Feb 09</b>
China	4	20.9	4.1	5.7	-36.7
Hong Kong	5	1.4	-3.0	14.2	-44.7
Vietnam	2	32.4	17.7	-12.3	--
Indonesia	6	1.9	17.2	--	--
Thailand	11	-1.9	6.2	-0.4	-14.0
Cambodia	1	8.1	3.3	-30.8	--
Lao PDR	5	19	21.6	11.1	--
Philippines	3	-13.1	-17.2	-21.6	--

Adapted from World Bank, East Asia and Pacific Update: Battling the forces of global recession, April 2009.  
Source: UN COMTRADE, CEIC, and World Bank staff calculations.

\* Rank among country's two-digit exports