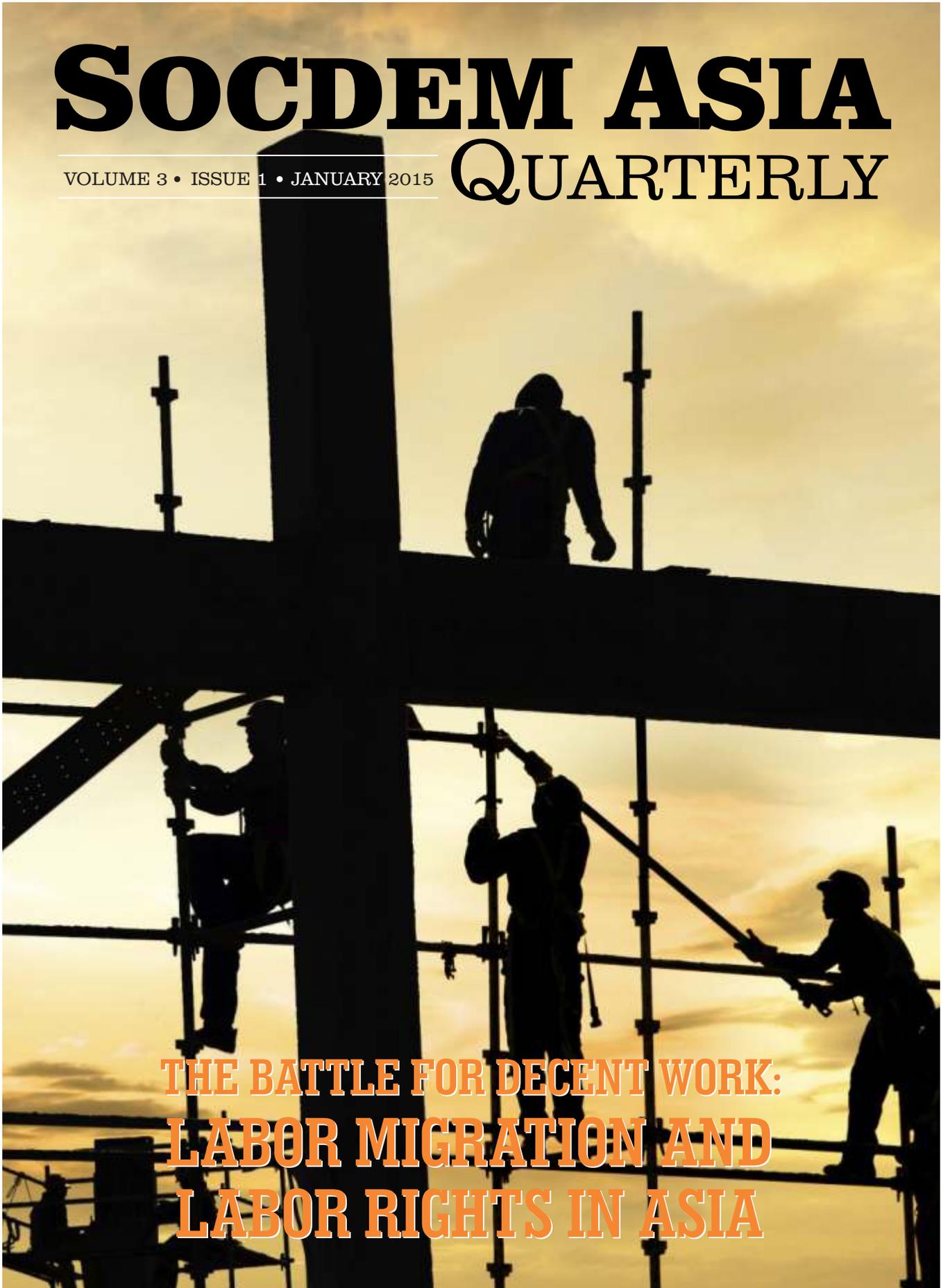


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The background of the cover is a photograph showing the silhouettes of several construction workers on a building site. They are working on a structure with a large vertical column and horizontal beams. The scene is set against a bright, hazy sky, likely at sunset or sunrise, which creates a strong backlighting effect. The workers are positioned at different heights and are engaged in various tasks, such as climbing ladders or handling materials. The overall mood is one of industriousness and the scale of modern construction.

**THE BATTLE FOR DECENT WORK:
LABOR MIGRATION AND
LABOR RIGHTS IN ASIA**

THE BATTLE FOR DECENT WORK: LABOR MIGRATION AND LABOR RIGHTS IN ASIA

Richard Javad Heydarian
Editor-in-Chief

All across the world, from Europe and Asia, to Africa and Latin America, the last three decades have witnessed the gradual and persistent retrenchment of state institutions, most especially in the realm of economics. Such seismic renegotiation in the relationship between the state and markets has been found upon a set of simplistic assumptions, namely the efficiency of markets as collective mechanisms of value-production and the rationality of individual market participants. Concerned with hyperinflation and chronic budget deficit, proponents of market reform have called for the overhaul of national and international economic order, shifting the balance of power in favor of private business interests at the expense of public welfare and social cohesion. With the dismantling of regulatory structures -- designed to rein in the excesses of markets, and strike a

balance between economic productivity and constitutional principles undermining the political order -- market liberalization has gone hand in hand with successive financial crises, which have, in turn, undermined the social fabric of many countries around the world.

From East Asia to Latin America and Eurasia, developing economies have been repeatedly battered by economic shocks, largely brought about by the dismemberment of regulatory institutions and the over-exposure of local economies to the vagaries of international trade and investment flows. The 2008 Great Recession proved that even the center-economies were not immune to the irrational drive of markets, which are mainly concerned with profit-maximization and capital-accumulation. Committed to driving the state to the peripheries, the markets

have defanged its regulatory capacity and hollowed its welfare responsibilities. As a result, a growing number of people, especially the youth, have suffered from under-investment in education and healthcare; the incessant privatization of public goods and modes of production has led to a sustained assault on the most fundamental rights of ordinary citizens.

The advent of "labor flexibilization" -- the systematic erosion of labor rights for purely profit-driven and productivity based considerations -- has led to the emasculation of labor unions, the deterioration of working conditions, and increased employment uncertainty, which have, in turn, further increased the grip of capital over labor markets. Consequently, recent years have seen a dramatic explosion in inequality and unemployment/underemployment rates across the world, both in post-



Image: asiancorrespondent.com

recession economies of the West as well as in the rapidly-developing regions of Asia and Africa. Many economies are suffering from either anemic growth or lack of inclusive growth. Against the backdrop of counter-productive neo-liberal economic reforms, the issue of work -- anchored by safe and enabling working conditions, protection of labor rights, vibrant labor unions, and the availability of meaningful employment opportunities for the greater majority of the population -- is of paramount importance.

As social democrats, who believe in the inseparability of inclusive development, basic social rights, and democratic governance, the issue of decent work represents a key priority, which will be central to addressing rising inequality, endemic poverty, and concentrated growth across regions, from Middle East and Africa to Latin America, Europe and Asia.

The advent of economic globalization, which has deepened inequality within and among countries, has also led to sustained labor migration on a transcontinental scale, often contributing to employment insecurity within host economies, especially among lower-skilled laborers, and exacerbating "brain drain" in the developing economies.

"The neoliberal paradigm of the 20th century dehumanized migrant workers by reducing them into temporary factors of production, while degrading individual countries into labour exporting/importing countries," explains Ellen Sana, a leading expert on labor migration issues from the Center for Migrant Advocacy (CMA), in the *Quarterly*. "Under the neo-liberal paradigm, migrants are perceived as a source of labour, foreign currency earning and remittances rather than human beings."

Today, countries like the Philippines, Nepal, Tajikistan, India, and Mexico have emerged as major labor-exporting countries, with hundreds of millions of people around the world depending on remittances of millions of migrant workers based in the developed world and oil-rich Persian Gulf kingdoms.

"Nepal, with 26.4 million population, has sent more than 10 percent of its people to work far away, who are of productive age group," explains Deepak Gajurel in the *Quarterly*, a Nepalese political scientist at Tribhuvan University. "Most [Nepal's] foreign currency [boost] comes from [remittances from] the unskilled or semi-skilled workers, majority of whom shed their sweat in the hot climate of the Gulf countries, including Qatar,

Saudi Arabia and United Arab Emirates." Multi-billion-dollar remittances have come to serve as the backbone of the national economy of many developing countries, with governments in countries such as the Philippines actively encouraging labor migration as a means to (a) ameliorate domestic employment gaps and (b) prop up the domestic economy. The growing dependence on labor export has deprived many developing countries of much-needed labor -- across the skills spectrum -- and structurally transformed their national economies, where remittances serve as the engine of domestic consumption and services-oriented production.

More worryingly, large-scale labor migration has met socio-political backlash in some host countries, especially in periods of economic downturn and growing unemployment, while many migrant workers continue to be exposed to abuse at the hands of their employers with minimum-to-none legal protection in the host countries. The growing "feminization" of migrant labor -- many working in dangerous conditions as domestic workers or garment industry outlets -- has deepened vulnerability to abuse, further raising the necessity for urgent policy interventions to protect migrant labor. "Labor migration is a gendered phenomenon -- with an increasing number of women migrating independently from men," Sana explains in her article for the *Quarterly*. In 2013, female migrant workers accounted for 41.6% of total Asian migrants. There has also been a huge social cost for developing countries, as a growing number of mothers (and sisters) -- the backbone of family life -- leave behind their families in search of employment opportunities abroad.

Decent work is central to human dignity and the cornerstone of any democratic society; it is a primordial advocacy that should stand at the forefront of much-needed economic reforms to reverse the tragic decline of labor rights, public welfare, and social cohesion in recent decades. The International Labor Organization (ILO)

has succinctly captured the true essence of decent employment by defining work as “a source of personal dignity, family stability, peace in the community, democracies that deliver for people and economic growth that expands opportunities for productive jobs and enterprise development.” The ILO’s Decent Work Agenda rests on four pillars: namely, job creation, guaranteeing of employment rights, expansion of social protection, and promotion of social dialogue. The 2014 Asia-Europe Meeting (ASEM) as well as the Association of Southeast Asian Nations’ (ASEAN) ongoing negotiations on establishing a Common Market in 2015 have increasingly focused on the interrelationship between economic buoyancy, socio-political cohesion, and employment generation, highlighting the growing significance of decent labor as a key priority of countries across the world as well as the relevant international organizations and fora. The tasks of the meeting, therefore, are to analyze issues surrounding decent work and migration; share experiences and reflections among progressives and; explore concrete steps on how political actors like political parties, policy makers and trade unions can realize the decent work agenda as a cornerstone of national economies and the global economic order.

Towards a New Deal 2.0

Despite a decade of sustained economic expansion, poverty and unemployment continue to afflict many Asian economies. In the age of reduced social welfare, aggressive economic liberalization, and relentless trade opening, the lack of inclusive growth has become a common concern among many rapidly-developing economies around the world. In countries such as the Philippines, largely touted as the next tiger economy of Asia, about half-a-decade of above-average GDP growth rates have hardly changed double-digit poverty and underemployment figures. Meanwhile, few family-dominated conglomerates continue to swallow a disproportionate chunk of the newly-created growth.

No wonder, rising inequality is a huge concern across Asia and emerging markets around the world. In this sense, developing regions in Asia continue to struggle with structural and cyclical unemployment, especially among the youth, as well as rising inequality, as decades of neo-liberal reforms allowed major corporations to extract maximum profit at the expense of labor.

“Remnants of the once dominant economic policy of import substitution and the production economy syndrome that reined the South Asia region till the late 1980s still lingers strong in a new form of a blind competition to produce cheaper than the neighbor,” argues S.H.A.Mohamed the *Quarterly*. “This has led to an endless competition of cutting costs to keep prices low. There isn’t much one could squeeze on material input costs of the process of production to truncate prices. This makes the benefits of workers and the strategic aims of the decent work focus an easy prey to the cost cutting competition.”

Given the centrality of meaningful employment to human dignity and egalitarianism to social cohesion, the existing economic paradigm presents significant challenges to both established democracies in Europe as well as budding democracies in Asia and other developing regions. But the issue of labor rights has both domestic and trans-border dimensions: protecting the rights of migrant labor as well as ensuring decent jobs for those that stay behind as well as returning migrant laborers.

“The impact of outward migration on communities of origin is under-developed and warrants interrogation,” Greg Randolph of the JustJobs Network explains in the *Quarterly*. “Policy-makers, researchers and advocates must not only ask whether migrants are enjoying equal rights in destination countries, but also whether migration is driving positive social and economic transformation in their communities of origin.” Given the huge contribution of migrant labor to domestic economy of

many developing countries like Indonesia, Randolph argues, it is important for governments to focus on mechanisms that allow for an optimal investment of remittances to generate better business and employment opportunities back in labor-sending communities. The government, Randolph explains, should “facilitate the types of investment of remittance capital that could support a dynamic, local – and job-creating – economy.”

On the domestic front, in order “to keep and to maintain union power and influence in industrial relations, unions need to stay alert both on state and corporate policies as well as on the overall organizational landscape,” explains Indrasari Tjandraningsih, researcher, at AKATIGA, Center for Social Analysis, Bandung-Indonesia. “Developing good and effective strategies is a necessity, since capitalists continue to develop a strategy to conquer the labor movement. In the Indonesian context, trade unions also need the support of the wider community so they can reach out to more workers and have a formal, legal recognition as the representatives of the working classes.”

Any effort on this front must cut across borders, and involve a genuine multilateral dimension. “The international nature of migration makes international cooperation and dialogue amongst countries inherently imperative to the protection of migrants,” Sana explains. “[cross-border labor migration] has grown exponentially over the past decades and will continue to do so throughout the 21st century. The protection of migrants should be the primary and central concern of migration policies. Equitable economic growth is not viable when migration policies continue to allow abuse and exploitation.”

Even in more developed Asian countries such as South Korea, which have been the site of one of the most impressive economic miracles in modern history, the conditions of the working class has become increasingly precarious. “[South Koreans] go through

the process of “hierarchization” of labor force in their twenties: the competition for entering high-ranked university and the endeavor for enhancing one’s resume (called “spec(ifications)”), in Korean-English) is the key,’ explains Gibin Hong of the Global Political Economy Institute in the *Quarterly*. “When they get finally employed according to the position allocated in the hierarchy, they find working hour very long and salary/wage insufficient in relation to the length and intensity of work. Finally, there is no well-developed system of comprehensive social protection, so they are largely on their own when they are fired or retire from work.” Neo-liberal capitalism has effectively ended “life-time employment” in developmental Asian states such as Japan and South Korea, dramatically re-configuring the nature of employment for the new generation. As a result, most workers, eager to enhance their employment security and expand their employment horizons, end up in a culture whereby, as Gibin Hong explains, “it becomes almost social norm for the people in the age of 30s and 40s to boast of how much they overwork themselves, and they simply don’t have time and energy to maintain and develop their capacities in the long run.” South Korea’s think welfare system provides minimal protection for the increasingly precarious working population, necessitating the establishment of grass-roots-level support systems as well as a huge push for welfare provision on the national level. The result is a greater sense of insecurity, atomistic behavior, and endless competitive struggle in a society, which, in recent decades manage to so successfully and rapidly build one of Asia’s biggest middle class populations -- the very agent of the democratic struggles that ended military dictatorship in the Northeast Asian country. In emerging and developing economies of Asia, a tiny middle class is squeezed between a legion of underemployed masses and a tiny, but highly influential plutocracy at the peak of the social pyramid.



Historically, the middle classes have served as an anchor of democratic politics, advocating basic civil liberties and political rights as well as equitable distribution of wealth -- elements that are pivotal to any functioning liberal democracy. But the retrenchment of the welfare/developmental state in recent decades has led to the emergence of highly unequal, polarized societies, which has, in turn, precipitated a marked deterioration in the quality of democratic discourse and contestation across the world. In this sense, both Europe and Asia share serious challenges to sustaining their democratic gains and traditions. More than ever, against the backdrop of widening inequality and growing imbalances in the labor markets, it is important for nation-states to re-focus on the issue of labor rights and decent work, as part of a larger project to broaden and empower the working population -- especially the middle and working classes -- and expand opportunities for democratic politics.

The vibrancy and resilience of democracies is ultimately anchored by the status, working conditions, and living standards of its labor force. And

an empowered labor force is crucial to sustained economic development.

This edition of the *Quarterly* brings together views from leading experts and advocates from across the region and beyond, picking up on the discussions in the SOCDEM Asia & GPF-PES-S&D Politicians Meeting on the topic of “Developing Progressive Agenda and Forging Partnerships toward the ASEM Summit”, and Progressive Alliance and SOCDEM Asia Meeting on the topic of “Decent Work and Migration”, on 29-30 September 2014 in Makati, Holiday Inn and Suites Makati, Philippines.

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Decent Work Worldwide
Trabajo decente en todo el mundo
Travail décent dans le monde entier

Akbayan
Social Movement in Action

Contents

- 7** **LABOR MIGRATION
IN ASIA: A SURVEY**
by Ellene Sana
-

- The Socio-Economic Impact of
Labor Migration in Nepal:
13 **A PRELIMINARY
ASSESSMENT**
by Deepak Gajurel
-

- 16** **IS SOUTH ASIA HEADING
TOWARDS DECENT WORK?**
by S.H.A. Mohamed
-

- The “Global New Deal”:
19 **EMPLOYMENT IN
MIGRANTS’ COMMUNITIES
OF ORIRIGIN**
by Gregory Randolph
-

- 21** **LABOUR FLEXIBILITY
AND THE CHALLENGES
TO DECENT WORK**
by Indrasari Tjandraningsih
-

- 23** **“BURNOUT”:
THE PREDICAMENT OF
LABOR IN KOREAS’ POST
INDUSTRIAL CAPITALISM**
by Gibin Hong
-

- 26** **RISA HONTIVEROS’ Speech
During the SOCDEM Asia &
GPF-PES-S&D Politicians
Meeting**

LABOR MIGRATION IN ASIA: A SURVEY

by Ellene Sana

The Global Context: Migration Out of Necessity

The neoliberal paradigm of the 20th century dehumanized migrant workers by reducing them into temporary factors of production, while degrading individual countries into labour exporting/importing countries. Under the neo-liberal paradigm, migrants are perceived as a source of labour, foreign currency earning and remittances rather than human beings. The liberalization of labor markets is aimed toward maximizing economic growth, grossly neglecting respect for the rights of migrant workers and their families. Back in 2002, former Director-General of the ILO Juan Somavia, estimated that over one billion people were unemployed worldwide, prompting 120 million migrants to seek a brighter future abroad. He predicted it would require half a billion newly-

Globalization has gone hand in hand with increasing labor flexibility, which leads to job insecurity and short term contracts

created jobs in the coming decade in order to cope with the sheer number of new entrants entering the labor market across the developing countries (Somavia 2002). A decade since Somavia's statements, the number of migrants has grown from 175 million to 232 million, accounting for 3.2% of the world population. South-to-South migration has become as common as South-to-North migration. The Global South is home to 96 million international migrants, while 136 million migrants live in the Global North (UN population division 2013). Globalization has gone hand in hand with increasing labor flexibility, which leads to job insecurity and short term contracts. Neoliberalism accompanied with privatization has dismantled

social security systems for migrants, undermining labor rights and migrant protection (Stone 2006).

Labor Migration in Asia

Driven by trade liberalization, globalization led to an explosive increase in labor mobility in the Asia Pacific region, the world's most economic dynamic region. With over 30 million migrant workers, the Asia-Pacific Region is the second largest region for foreign workers after Europe (ILO 2013).

Labor migration flows from Asia are threefold: 1) From South and South-East Asia to the Gulf Cooperating Countries (GCC); 2) to and within the ASEAN region; and, 3) from South-East Asia to East Asia.(ILO 2014 p.3)

In 2013, the largest group of migrants came from Asia, accounting for 19 million migrants in Europe, 16 million in America and 3 million in Oceania. South Asians were the largest group of migrants living outside their home region. Of the migrants coming from South Asia, 13.5 million were living in oil producing Western Asian countries (UN population division 2013). In the Asia-Pacific region, a third of the foreign population lives in North or Central Asia. The South and South-West Asian region is the second largest region for migrant workers with over 16 million foreign workers. Together they comprise nearly two-thirds of the foreign worker population in the Asia-Pacific region (UN population division 2010).

The oil-fuelled economic growth in the 6-member Gulf Cooperation Council (GCC) countries created an immense influx of migrants from Asian countries to the GCC. Since the 1970s, the GCC countries experienced the highest growth of migrant workers globally during that period (Loori 2012 p.3). In 2005, nearly 50% of the population in the GCC were Asian nationals and over 70% were foreign nationals (Ditto p. 13). Table 1 illustrates the outward migration from selected Asian countries to the GCC. Despite the economic contribution of migrant workers, the Gulf region is notorious for its poor labor protection policies for migrant workers. Perpetuated by the exploitative sponsorship system or the *Kafala* system, migrants are not allowed to leave or change their employer or leave the country without written permission of their employer/s.

The majority of migrant workers from Asia are recruited through private recruitment agencies. Exorbitant placement fees, misrepresentation, failure to meet placement obligations, debt bondage and contract substitution are common forms of exploitation by recruitment agencies (ILO 2014 p. 17). With labor migration becoming a lucrative business opportunity in Asia, recruitment agencies including their sub-agents and brokers abound in both countries of origin and destination. Despite efforts to regulate and monitor

Table 1: Outflow of workers from selected Asian countries to the GCC in 2012.

| Destination Origin | Bahrain | Kuwait | Oman | Qatar | Saudi Arabia | UAE | Total |
|--------------------------------|---------------|----------------|----------------|----------------|------------------|----------------|------------------|
| Bangladesh | 21,777 | 2 | 170,326 | 28,801 | 21,232 | 215,452 | 457,590 |
| India | 20,150 | 55,868 | 84,384 | 63,096 | 357,503 | 141,138 | 722,139 |
| Nepal | 33,076 | 64,219 | 17,083 | 690,395 | 492,896 | 313,416 | 1,611,085 |
| Pakistan | 10,530 | 5 | 69,407 | 7,320 | 358,560 | 182,630 | 628,452 |
| Sri Lanka | 4,536 | 44,242 | 4,885 | 57,506 | 97,967 | 38,295 | 247,431 |
| Philippines | 22,271 | 75,286 | 48,835 | 104,622 | 330,040 | 259,546 | 791,765 |
| Indonesia (as of Sep. 2012) | 4,725 | 1,766 | 6,247 | 14,889 | 27,859 | 24,986 | 80,472 |
| Vietnam (as of Sep. 2011) | 32 | — | — | 300 | 11,300 | 7,600 | 19,232 |
| Total | 88,657 | 201,492 | 338,294 | 378,764 | 1,258,511 | 954,829 | 3,420,565 |

Source: International Labour Organization 2014; Figure for Philippines to Oman was estimate number of temporary migrant workers by end December 2012. Source: Commission on Filipinos Overseas.

the activities of recruitment agencies, migrants continue to fall prey to unscrupulous agencies –both licensed and non-licensed.

Due to lack of proper information, Asian migrants also resort to unregulated, unsafe and irregular channels of migration to escape extreme poverty in their home country. Porous borders between contiguous countries, 'visa-free' arrangements and low-cost airlines are also factors exploited to illegally recruit and traffic prospective migrants. In countries like South Korea, Malaysia and more recently in Saudi Arabia, there have been sustained crackdowns against undocumented migrants.

Feminization of Migration – the case of domestic workers

Labor migration is a gendered phenomenon -- with an increasing number of women migrating independently from men. Women migrants accounted for 41.6% of total Asian migrants in 2013. (UNDESA-OECD World Migration in Figures. 2013). Women migrants are mostly

concentrated in domestic work in places like Hong Kong, Singapore, Malaysia, the GCC, and other Arab countries. Migrant domestic workers are considered in vulnerable working and living conditions, because they are in private households and domestic work continues to remain excluded from labor and social laws of host countries. The recent adoption and entry into force of ILO Convention 189 on decent work for domestic workers re-focuses the global agenda on decent work for the benefit and protection of all domestic workers.

Remittances and Other Benefits from Migration

The most obvious benefit of labor migration is remittances that migrants send to their families back home. In 2013, 7 in the top ten recipient countries of migrants' remittances were from Asia¹ (World Bank 2014). This is consistent with the report of UN Secretary General Kofi Annan that the potential benefits from migration are larger than the potential gains of freer international trade (UN secretary General 2006).

¹ Top ten country-recipients of migrant remittances, 2013: India (US\$70B); China (US\$60B); Philippines (US\$25B); Mexico (US\$22B); Nigeria (US\$21B); Egypt (US\$17B); Pakistan (US\$15B); Bangladesh (US\$14B); Vietnam (US\$11B); Ukraine (US\$10B)

Wanted: Decent Work and Dignity for All Migrant Workers and members of their families

Adherence to internationally-recognized human and labor rights standards as manifested in State ratifications is very weak in many countries of destination. The International Convention on the Protection of the Rights of All Migrant Workers and Member of Their Families (MWC) has only been ratified by countries of origin. Only four of the 47 countries that have ratified the convention are in Asia. Of the 8 core ILO conventions, Asian and GCC countries are overrepresented in the countries that have not ratified the respective conventions.

Policies and Platforms on Labor Migration

The phenomenon of international labor migration today is one that is borne out of necessity for many migrants and their families that make them more vulnerable to abuse and exploitation. Policies in the States of origin are a mix of protection as well as promotion of labor migration with the latter taking dominance particularly in practice. In the States of destination, on the other hand, policies are geared toward ensuring the temporary nature of labor migration by clearly defining the links between labor migration and immigration -- and by emphasizing the non-national character of labor migration.

Indeed for the most part, the thrusts of labor migration policies are more to promote temporary labor migration; weak effective mechanism for protection of the rights of migrant migrants; border control more than relaxation of immigration control; criminalisation of undocumented migration; bias for the so-called skilled migration; restrictions on family reunification and paths to citizenship; privatization of social protection obligations amongst others. Basic and fundamental rights at work to ensure decent living and working conditions of migrant workers including the right to form workers organization and join trade unions are

also absent generally in migrant worker policies. Discriminatory policies and practices such as restrictive mobility, access to health and medical services remain strong in many destination countries in Asia.

Inter-State Cooperation through Bilaterals

Cognizant of inadequate and insufficient mechanisms to protect migrant workers at the national levels -- because of the cross-border, trans-national nature of migration -- inter-state cooperation and bilateral negotiations have become a key area of mutual concern for states. The aim is to facilitate open dialogues, strengthen protection mechanism for migrants in all stages of migration, make both states of origin and destination responsible and accountable for the migrants, and harmonise policies and programs for migrants.

Bilateral agreements may be job-specific such as the bilateral negotiations between the Philippines and Saudi Arabia to promote decent working and living conditions for Filipino migrant domestic workers in Saudi Arabia. The agreements are largely based on the Philippine government's Household Service Worker Policy Reform package. Bilateral deals could also be on general labor migration agreements to facilitate recruitment and deployment of migrant workers. Contravening provisions may also be resolved bilaterally by specifying certain exemptions in the application of national laws and policies. Provisions in bilateral agreements may not be limited to working and living conditions of migrants. Specific provisions that may address related concerns, for example brain drain in the origin countries, may be included. There could also be bilateral agreements on portability of social security.

A key challenge to bilateral agreements is the political resolve by the two contracting government parties to effectively implement the provisions of the agreement. Indicators for this will include the creation of a joint monitoring mechanism with resource-provision; wide and effective

information dissemination, periodic tracking and monitoring; and dialogues with all parties concerned. Tied to this will be the long-term thrust of governments to vigorously pursue decent job creations for their own workers.

Regional and Sub-Regional Processes

ASEAN Declaration and Instrument of Protection and Promotion of the rights of migrant workers

Initiatives at the regional level are also underway. After almost 40 years of existence, the 10-member Association of South East Asian Nations (ASEAN) adopted the ASEAN Declaration on the Protection and the Promotion of the Rights of Migrant Workers in 2007. An ASEAN Committee on Migrant Workers (ACMW) was formed and it is currently finalising the ASEAN Protection Instrument for migrant workers that will give teeth to the 2007 Declaration.

The ACMW hopes to finalise the Protection Instrument this year without making much progress in addressing the contentious issues identified right on day one in 2007 -- namely, how to address the issue of (1) undocumented migrants which is very real in Malaysia, Singapore and Thailand; (2) family reunification in the destination countries; and the binding nature of the Instrument. The latter is quite important particularly from the perspective of the countries of origin like the Philippines and Indonesia, concerns of which extend to identifying mechanisms in destination countries to protect their migrants. The instrument should acknowledge also the gender dimension of labor migration and must provide strong provisions for the protection of migrant domestic workers.

It is imperative also that appreciation of these initiatives are taken in the broader context of the ASEAN Community Project that is rule-based, with three pillars: namely, political-security, economic pillar and socio-cultural -- the latter is where the protection of migrant workers is addressed alongside the concerns of many other sectors.



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The Colombo Process and Abu Dhabi Dialogues

New trends in labor rights-related negotiations are what have come to be referred to as Regional Consultative Processes (RCPS) such as the Colombo Process (CP) and the Abu Dhabi Dialogue (ADD) (IOM, 2014). These RCPS were thought about as informal government-led forums for purposes of information exchange and sharing of experiences and best practices of the member States and other shared concerns on labor migration.

The Colombo Process (CP) was formed in 2003 in Colombo, Sri Lanka hence the name Colombo Process. To date, it has 11 Member States, namely: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand and Vietnam. The CP's main areas of activities are as follows: protection and provision of services to workers; ethical recruitment and labour practices; labour migration/mobility; development of overseas labour markets and Remittance flows.

At its foundation, CP members agreed to meet every year. This, however, was not realised after only three successive meetings in 2003, 2004, and 2005, because of many factors, foremost of

which was insufficient logistics. The winds of change sweeping the Arab world from North Africa to West Asia from December 2010 onwards prompted CP to meet again in 2011 to discuss the situation of Asian migrants caught in conflict situations. This was followed by the Senior officials meeting in May 2014 in Colombo with Sri Lanka serving as its current chair. They agreed to push for only one contract for migrants that will be binding and valid in both origin and destination countries. They also upheld the principle of zero placement fee for migrant workers. They also discussed the matter of logistics for future meetings and activities of the CP. Invitations to the May 2014 were extended also to 5 CSOs in open sessions of the CP.

The CP is a good idea and initiative for origin countries to come together to share and exchange information, experiences and best practices on labor migration. It is also a good forum to promote and strengthen cooperation amongst origin countries especially in addressing common issues such as, for example, effective protection for migrant domestic workers and other low-skilled workers, regulation of private recruitment agencies, reducing migration costs and charges on remittances, promoting only one binding contract and even agreeing on

the idea of a common help and information desk for Asian migrants in West Asia. All these discussions are promoted in the CP in order to prevent a race to the bottom competition amongst origin countries. Numerous recommendations on these issues were agreed upon in the meetings. What remains to be seen however is how these recommendations are followed up, resourced, monitored and implemented.

Abu Dhabi Dialogue (ADD)

The Abu Dhabi Dialogue is an initiative of GCC States. It was formed in 2008 in Abu Dhabi with the UAE Minister of Labor as founding chair. It is a dialogue forum among the 11 member States of the CP and 9 states of destination including all the GCC Member States. The ADD members are the following: Afghanistan, Bahrain, Bangladesh, China, India, Indonesia, Kuwait, Malaysia, Nepal, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Sri Lanka, Thailand, United Arab Emirates, Viet Nam and Yemen.

Its main areas of activity are the following: labour market trends; skills profiles; remittances policies and flows; relationship to development; labour demand and supply; illegal recruitment; welfare and protection measures and framework to manage temporary contractual mobility.

The ADD is a welcome complementation of the CP, since efforts from the origin countries to address concerns on labor migration can be reinforced and be more effective with the support and cooperation of destination countries. The ADD meets every two years and the next meeting is expected to be hosted by Kuwait in November 2014. Current chair of ADD is the Philippines.

One observation in the ADD is the dominant role of the GCC in setting the agenda which perhaps is understandable. However, the dialogue nature of the forum cannot be realized if origin countries will remain passive in the meetings and this is where the CP finds its rightful place in better preparing the origin countries for the ADD engagement.

The High Level Dialogue on Migration and the Global Forum on Migration and Development

At the multilateral level, international labor migration has found its place and space in the United Nations through the High Level Dialogue (HLD) on international migration and the Global Forum on Migration and Development (GFMD) -- the latter to be held outside the UN and hosted by a UN Member State. These forums aim to discuss multifaceted dimensions of migration in the context of development and how the development benefits of migration may be further enhanced while minimizing its negative impacts. The HLD in particular must also tackle migration in the context of the millenium development goals (MDGs).

HLD in 2006 and 2013

From the two HLDs convened in 2006 and 2013, member states of the UN agreed on an 8-point agenda for action as follows:

1. Protect the human rights of all migrants;
2. Reduce the costs of labor migration;
3. Eliminate migrant exploitation including human trafficking;
4. Address the plight of stranded migrants;
5. Improve public perception of migrants;
6. Integrate migration into the development agenda;
7. Strengthen the migration-evidence base;
8. Enhance migration partnership and cooperation.

For its part, global civil society organizations submitted their own 8-action points over 5 years for collaboration with member states and in complementation of the HLD 8-point agenda for action. The CSOs' own 8 -point agenda over 5 years are as follows:

1. Focusing on development issues – integrate migration into the post-2015 development agenda;

2. Develop models and frameworks that facilitate the engagement of diaspora and migrant associations;
3. Focusing on the rights of migrants – to have reliable and multi-actor meshcanism to address the assistance and protection needs of migrants stranded / in distress;
4. Develop and adopt models and frameworks that address the needs and rights of women migrants in their specificity;
5. Focusing on partnerships – to establish benchmarks for promoting the exchange of good practices and enactment and implementation of national lesgilation;
6. Redefine the interaction of international mechanisms of migrants rights protection;
7. Focusing on labor mobility – Identification, creating and

implementation of effective standards and mechanisms to regulate the impact of labor recruitment industry;

8. Mechanism to guarantee labor rights for migrant workers.

Again, the challenge here is how the recommendations above may be realized at the local, national, regional and global level. Noteworthy is reference to protection of human rights of all migrants. How this is interpreted by member States of the UN is the big question mark. Will it be in accordance with the normative framework of the UN as manifested in the international conventions and treaties of the UN and ILO or will all these be subject to existing national legislations where border control and immigration policies take primacy over all facet of migration.

Image: khabarsouthasia.com



The international nature of migration makes international cooperation and dialogue amongst countries inherently imperative to the protection of migrants.

Global Forum on Migration and Development

In-between the two HLDs were the annual Global Forum on Migration and Development (GFMD) – a government-led, informal, non-binding and voluntary forum for governments to dialogue and cooperate on international migration issues. The GFMD is expected to deliver concrete calls to action that are time-bound and specific. These forums of the HLD and GFMD also serve as avenues for networking, partnership and common undertakings amongst member States.

The two HLDs and the 7 GFMDs thus far have come up with numerous recommendations and activities – some are worthwhile to pursue, some are not. However, unless the recommendations are substantially acted upon, provided support and adequate resources, then there is really nothing much that has been accomplished. Equally important is the monitoring mechanism for the fulfilment of the recommendations. Another which is perhaps far more important is the rights-based, gender-sensitive and responsive perspective and framework that must go with the recommendations. In several GFMD forums, it has been mentioned that the ILO must be present, visible and aggressive in setting forth the importance of the labor rights standards.

Limited and Restricted Spaces for CSOs and TUs

In the platforms above, spaces for CSOs and TUs are always negotiated-spaces as these are not institutionalised much less welcomed by some member States. Hence these must be asserted and fought hard over, since there are practically no spaces allowed for them in these forums.

Asserting Rights and Dignity for Migrant Workers and Families

The order of things is bound to change for the better for migrant workers and their families. How fast or slow these changes will take place will depend on many factors. For one, many states continue to manifest strong resistance to embrace their obligations and responsibilities toward migrant workers in their territories asserting that their duty is foremost to their nationals even if they are so wanting in migrant labor for their economic development. And that is the paradox. The international nature of migration makes international cooperation and dialogue amongst countries inherently imperative to the protection of migrants. Cooperation among governments and with civil society may shift the paradigm of economic growth to the protection of migrants. Labor migration is a global phenomenon. It has grown exponentially over the past decades and will continue to do so throughout the 21st century. The protection of migrants should be the primary and central concern of migration policies. Equitable economic growth is not viable when migration policies continue to allow abuse and exploitation.

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THE SOCIO-ECONOMIC IMPACT OF LABOR MIGRATION IN NEPAL: A PRELIMINARY ASSESSMENT

by Deepak Gajurel

The history of formal labor migration begins in 1814-1816, after the Nepal-British India war.

An estimated three million Nepalis are migrant workers who have gone abroad earning foreign currencies. The nation, with 26.4 million population, has sent more than 10 percent of its people to work far away, who are of productive age group, i.e. from 20 to 40 years of age. This figure does not include the population who are employed in India, estimated to be around 3 million. Since Nepalis do not need visa and work-permit to work in Indian job market, no exact figure can be maintained and obtained for this trend that dates back centuries.

Government data shows that a majority of the migrant Nepali workers are engaged in 3D works (Difficult, Dirty, Dangerous works) in various countries, from Qatar to Malaysia and from South Korea to Israel.¹ However, negligible portions of this work force has found managerial or some kind of 'decent' jobs in the host countries.

The number of Nepali workers leaving home for foreign employment is increasing every year. An official figure shows that a total of 527,814 Nepali men and women (number of women are insignificant, though) left the country in a single year, fiscal year 2013-2014, ending mid-July. This amounts to 16.4 percent year-on-year growth.²

Data maintained by Department of Foreign Employment (DoFE) does not include records of individuals who leave the country for foreign employment illegally via India or with support of middlemen.

1. History of labor migration in Nepal

The history of formal labor migration begins in 1814-1816, after the Nepal-British India war. A total of 4,650 Nepalese youngsters were recruited to the British armed forces as a British-Gurkha regiment after the conclusion of the war and signing of the Treaty of Sugauli in 1816.

2. Impacts on economy

According to a recent report brought out by the country's central bank, Nepal Rastra Bank, Nepal received 5.5 billion US dollars in remittance during last fiscal year, ending mid-July 2014, up from 4.3 billion US dollars in the previous one.³

The rise in remittance income boosted the country's foreign exchange reserve as well as put the country's overall Balance of Payment (BoP) into surplus. The gross foreign exchange reserve reached to 6.7 billion US dollars in mid-July 2014, up from \$5.4 billion recorded in mid-July last year, the same report says. For a country with around \$ 6 billion US dollars of annual budget, remittance has been a major chunk of Nepal's foreign currency earning sources.

Most of this foreign currency comes from the unskilled or semi-skilled workers, majority of whom shed their sweat in the hot climate of the Gulf countries, including Qatar, Saudi Arabia and United Arab Emirates.

Qatar alone is providing employment to six hundred thousand Nepali workers, according to a report.⁴ Most of these Nepalis work in construction activities, such as building and road construction. The government statistics show that 74 percent Nepali workers employed in foreign labor markets are unskilled. Such workers normally choose to leave for low paying labor destinations.⁵ Although the government grants permissions to work in 109 countries for foreign employment, a majority of workers are leaving for countries like Malaysia, Qatar, United Arab Emirates, Saudi Arabia and Kuwait.

The direct impact of remittance to nation's GDP would be only one side of the whole story, as the other side would clarify how this global phenomenon has indirectly resulted in poverty reduction, employment generation, increasing household income and capital formation in the nation. Remittance and migration



There are many villages in Nepal where labor migration has been established as a culture of the communities

driven economy has reduced poverty in Nepal from 42 percent in 1996 to 25.16 percent in 2012, according to Nepal Living Standard Survey-3.⁶

The downward trend in incidents of poverty has aided the diversification of livelihoods as well as greater ownership and acquisition of assets and capital. This, in turn, has contributed to increased financial capital, education for the children, social capital, and migration-specific knowledge.

3. Pushing/pulling factors behind labor migration

The pushing and pulling factors behind labor migration are almost the same in Nepal as in other parts of the world. Poverty, limited employment opportunities, deteriorating agricultural productivity, and armed conflict are some of the motives behind international labor migration. There are many villages in Nepal where labor migration has been established as a culture of the communities; that is, going abroad for work on a temporary basis and returning with some money and the experience of living in a different geographical location, preferably in towns and cities. The

influence of friends, relatives and well-wishers has also played a prominent role in the promotion of labor migration in this Himalayan nation.

There is also the element of conflict and political instability encouraging outward migration. The youth population displaced by Maoist-led 10 years-long armed conflict (1996-2006) has found foreign employment a lucrative and safe alternative for a living and safety, which in time turned to be a necessity for them.

4. Impact on the Nepalese society

More than one sector has been affected by Labor migration in Nepal. Some notable variables of this effect are: internal migration, increase in drug addiction, family breakups, single spouses, bad orientations of children etc.

Families which have increased income from remittance tend to migrate from villages to urban areas, where they spend, not invest, money for luxurious lifestyle. 'Growing towns and cities across the country is an indication of money spent in 'better' living,' says Tribhuvan University economist Bhagwat Mishra. Mishra further opines,



'Very little of the remittance has been brought into nation's infrastructure development.'

'Some of the young members of the remittance earning families have fallen into drug addition, flying-away from education and training, according to one news report.⁷ Family breakaway is another implication of labor migration in the Nepali society. Sociologist Pawan Sharma sees a different picture painted by quick-earned wealth. 'While the husband is away for a long period, with money he sends back home in abundance, the wife generally finds herself in lonely and isolated situation. Psychological state and physical needs make things worse, sometimes breaking the family' Sharma interprets.

5. Perils of labor migration

Most of the migrant workers abroad are working in vulnerable situations without any effective legal protection by the Nepalese government or the receiving countries' government.⁸ Workplace exploitation by employers are reported frequently. However, the Nepalese government has not been effective in protecting its citizens. Frequent serious cases are reported in the news media about the desperate situation of many Nepalese migrants working in unauthorized countries without any legal or social protection by the host countries.⁹

International provisions are found to be very sound and applicable in the protection of the rights of migrant workers but governments in both sending and receiving countries do not seem to be committed in the domestic application and adaptation of the spirit of international instruments, conference recommendations and plans of action.¹⁰

6. Efforts by the government to deal with the implications of labor migration

Giving importance to labor migration and remittance, the Nepalese Government has formulated appropriate policies and programs for the betterment of labor migrants. Several legal frameworks, for instance the Foreign Employment Act 2012, are in place that regulate the 'Manpower Companies,' financial intermediaries in charge of remittances, and others. However, in practice, frequent complaints come up on issues of implementations of the policies and legal provisions.

Experts suggest some concrete measures to be taken in this regards. Urgently negotiating and finalizing bilateral labor agreements, among other things, with the governments of the destination countries -- in order to expand employment opportunities for Nepalese migrants, enhance their working conditions and personal security -- are a step in the right direction.

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IS SOUTH ASIA HEADING TOWARDS DECENT WORK?

by S.H.A. Mohamed

The demographic significance of South Asia with a quarter of the world's population represents an important cross-view of the global social fabric. A universal decent work agenda is not realistic as long as South Asia is not incorporated into it. Where does the Indian sub-continent region stand in terms of regional political ideology vis-à-vis the principles of decent work? Does it have a strong and vibrant social force or civil society movements that have the potency to rearrange political agendas so as to drive the policy process of the states down the decent work track? Is decent work realistically compatible with the economic models pursued by the states of the region? Answers to these questions and a careful analysis of them would certainly offer vital insights into where the region stands and is heading on the topic of decent work.

The flow of investments is more often than not driven with tax-haven style arrangements and endless deviations from prevailing rules to sustain them.

The stated definition of the International Labour Organisation (ILO) sums up Decent Work as *“the aspirations of the people in their working lives that involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all men and women”*. The ILO's global drive towards decent work focuses on four strategic objectives. In essence this deals with creating jobs, guaranteeing rights at work, extending social protection and promotion of social dialogue. These aims seek to realize the

creation of job opportunities, sustainable livelihoods, enabling the exercise of minimum standards set by the instruments of the ILO, ensuring a socially inclusive decent living, facilitating organized representation of workers and employers, and enabling their concerns to be heard and engaged. The realization of these aims demand a solid political will to genuinely accept and implement the ILO conventions, anchored by a commitment to the founding principles of the organization.

The South Asian region is desperate to attract foreign direct investments (FDI) to propel its national economies. The flow of investments is more often than not driven with tax-haven style arrangements and endless deviations

from prevailing rules to sustain them. This, on the other hand increases the tax burden on its people as they are called upon to foot the loss of revenue to the state resulting from these concessions. Re-distribution of socio-economic benefits of these FDIs still have not reached tangible proportions that can make a visible impact on the lives of the people in most regions. The widening rich-poor gap seems a very conspicuous phenomenon in society. This underpins the decent work dialogue and its social significance. Decent work conditions are essential pre-requisites to ensure the benefits of economic growth will reflect in social progress of a region that is trying to shrug off poverty.

Remnants of the once dominant economic policy of import substitution and the production economy syndrome that reined the region till the late 1980s still lingers strong in a new form of a blind competition to produce cheaper than the neighbour. This has led to an endless competition of cutting costs to keep prices low. There isn't much one could squeeze on material input costs of the process of production to truncate prices. This makes the benefits of workers and the strategic aims of the decent work focus an easy prey to the cost cutting competition. It takes the form of low and stagnant wages, lack of social protection, precarious work, prolonged hours of work, among others. This competitiveness is pursued at the cost of social benefits the workforce deserves. This relentless cycle leads to a race to the bottom phenomenon resulting in states competing with one another to prune democratic workplace freedoms and social benefits, thus making it possible to commoditize labour. The Bangladeshi Rana Plaza catastrophe is just an example of the scary social cost of this style of ingrained economic competition that the nations of the region are determined to pursue. Though no such frequent fatalities are reported in one workplace often, the misery is widespread throughout the subcontinent in a different or probably lower scale in individual places of work, where the scale of the total



Smaller neighbours of India have a tendency of yearning to pursue the example of their big brother.

fatalities is too frighteningly huge to be ignored and is continuing to escalate steadily.

It needs to be reckoned that the region's populist political-economic thinking is still guided by nationalist, conservative thought than trying to produce or deliver products and services that could have the most advantageous configuration in terms of the four factors of production namely land, capital, labour and entrepreneurship that can take the high road model of development over the low wage low skill centred low road model. The varying resentment towards a knowledge based service economy cuts across the region. Neither the economies nor the socio-educational structures of the subcontinent are sufficiently geared towards a long term strategy that harnesses the potentials of the knowledge based economy. Instead, the regional governments fancy being the production backyard of the West and of the MNCs. The 2014 Independence Day speech of Prime Minister Modi calls precisely for this. Smaller neighbours of India have a tendency of yearning to pursue the example of their big brother. It was the same when India went all out for the now abandoned import substitution

economic model. An economic agenda as such would not always and at all times suit all South Asian nations on an equal footing given their disproportionately imbalanced scales of economies. Whether principles of decent work could go in tandem with this race to the bottom framework remains seriously questionable.

It is interesting to examine how nations of the region perceive fundamental freedoms, concepts of universal human rights and the role of the UN and its specialized agencies vis-à-vis issues of national sovereignty. How many of the South Asian nations are willing to harmonise their local legal systems with the quintessence of international instruments such as conventions, covenants, among other things. Many nations in the region still vehemently resist decisions of supervisory bodies of the ILO and similar UN treaty bodies. Leaving aside the rest of the core conventions of the ILO with the exception of its two most fundamental conventions, there still exist serious political contradictions in law and practice on the application of the provisions of conventions on freedom of association and collective bargaining. Provisions of these (labor rights-

related) instruments are picked and chosen only and as and when they suit the needs of regimes.

Instead of a radical shift of political allegiance towards acceptance and achieving conformity with conventions of the ILO, it is possible to witness a leaning towards a call for alliance of regional states that puts national sovereignty ahead over universal obligations. The Modi political doctrine has reinforced this political thinking in the region and commands wide support from nations all across the subcontinent including from once deemed friend and foe. The reading between the lines of the possibilities of this new development portends a stronger political voice within the ILO governing structures and supervisory bodies for the lobby that has failed to agree on some fundamental aspects of core conventions of the ILO. On the civil society front, except for a few exceptions organisations of workers are not the most vibrant, empowered, democratic and are certainly not the ones that have

changed and modernised with aspirations of the emerging society. They have not been able to engage governments in a manner that could facilitate change in addressing the core issues of ILO conventions on provisions that are politically sensitive. In most instances these outfits are governed and controlled by a few and tend to perform a subservient political role or confine themselves to narrow domains. On the other hand the role of the civil society movement in addressing issues head on and garnering mass peoples support for policy changes is very limited. In many South Asian states a significant number of civil society movements are foreign donor driven rather than constructively striving towards real issues that affect the people.

Whether the prevailing status quo could be defined as fertile political soil for the sustenance of decent work remains an open ended question. The region needs to address issues of critical significance that are associated

with the decent work agenda to guarantee a just and fair deal towards its workforce and the society. Precarious work, exploitation, suppression of rights, the inability to exercise the right to freedom of association and collective bargaining, insecure work environments, absence of social dialogue are turning to be the order of the day in most new jobs created and in emerging sectors of the economy. The absence of real decent work has a telling impact on the region's large younger workforce. The gender issues it unravels is equally alarming. The region needs to urgently resolve how it wants economic progress to be reflected in social progress and how its yard sticks of measurement would conform with international labour standards. It is time to seriously revisit the strategy to re arrange the fundamentals.

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THE "GLOBAL NEW DEAL": EMPLOYMENT IN MIGRANTS' COMMUNITIES OF ORIGIN

by Gregory Randolph

The impact of
outward migration
on communities
of origin is
underdeveloped
and warrants
interrogation.

Economic integration – characterized by trade and global value chains, cheaper and quicker transportation, and increasing flows of capital and investments – is prompting an ever-increasing number of people to cross borders in pursuit of new employment opportunities. The landscape of human mobility continues to grow more complex, especially in light of new South-South migration patterns, the proliferation of labor recruitment firms, and a rise in temporary contracts.

This changing environment warrants a new conversation on the relationship between migration and inclusive growth, and the rights of migrants not only in destination countries but also in their communities of origin. Is labor migration contributing to the broader aims of social and economic development? Is it building the types of local economies that promote just jobs?

Overlaying the current trends in labor migration with a rights-based development framework, progressives have tended to focus on two distinct aims: (1) ensuring the basic rights of migrant workers in destination countries; and (2) critiquing an economic development strategy that dehumanizes workers by treating labor as an export commodity. While both of these issues are critical, the progressive approach to labor migration must also address a third dimension. The impact of outward migration on communities of origin is underdeveloped and warrants interrogation. Policymakers, researchers and advocates must not only ask whether migrants are enjoying equal rights in destination countries, but also whether migration is driving positive social and economic transformation in their communities of origin.



Total remittances worldwide are now three times greater than official development assistance

Moreover, the progressive discourse around migrants has, intentionally or not, fashioned them as the victims of globalization. While it is undeniable that migrants face various forms of abuse and exploitation, they are also agents who make choices and often possess the capacity to transform their communities for the better.

In addition to advocating for migrant workers' rights in places of destination, a progressive agenda on labor migration should embrace three imperatives:

1. Build policy to create more and better employment opportunities in sending communities

All around the world, governments are increasingly recognizing that their citizens have the right to a high-quality job. As job losses mounted after the financial crisis of 2008, this spawned a new set of social policies aimed at guaranteeing people jobs.

What many of these policies fail to account for, however, is the geographic dimension job creation. Migration has always and will always be a fundamental aspect of our economies and societies, and migrants make valuable contributions to the economies of their host countries and communities. But governments must

work toward correcting a labor market that is so uneven that people have no choice but to flee their communities of origin in search of a just job. Labor migration should be an option, but not the only option.

2. Understand and respond to the drivers of migration

Building effective policies that protect would-be migrants and grant them better opportunities at home also requires a deep understanding of what drives people to leave their places of origin. In many parts of the Global South, distress migration, from rural to urban areas, is brought on by low and/or unreliable agricultural productivity. For this type of migrant, stronger and expanded social safety nets would offer him/her relief in difficult harvests. India's National Rural Employment Guarantee Act, for example, has attempted to provide basic income support to rural households.

In other cases, migration is driven not by absolute destitution, but instead by a lack of formal sector job opportunities in either the community or country of origin. For instance, in primary research conducted by JustJobs Network in Indonesia, migrants claimed that without working abroad they would be unable to fund more

than six to eight years of their children's education. Respondents desired a job with a regular and reliable salary so that they could effectively save for needs like education and healthcare. Governments must also address, therefore, the lack of formal sector job opportunities in communities of origin. Further, they must realize the tremendous social and economic benefit of expanding social safety nets – health and education – in underserved communities of origin, where people often migrate to finance these needs.

3. Consider the migrant's role in building local, job-creating economies

Advocates, policymakers, and politicians are embroiled in a heated debate regarding the role of migration in economic development strategies. The issue is especially controversial in the case of countries like the Philippines, Bangladesh, and El Salvador, which see labor as an exportable commodity – a way to deal with poverty, a large labor force, and too few jobs. Many argue that it is this fundamental principle – that labor can be treated as an export – that lies at the root of rampant abuse of migrant workers.

With this ideological battle taking center stage, precious little attention is given to the question of whether migrants – and their remittances – *are* indeed fostering economic development in their communities of origin, and if they are: what kind of development? A small cohort of academics is investigating this question in specific and technical ways, but not asking the most obvious question: If remittances create growth and growth creates opportunities, then why is the pace of migration accelerating from the same communities it is supposedly benefiting?

Interviews with government officials in a district in eastern Indonesia shed light on this question. These officials blame high rates of emigration on lack of jobs, and they blame the lack of jobs on the lack of investment. Meanwhile, nearly \$100 million has been remitted to this tiny district of 400,000 people in the last

five years. The growth-minded government only sees migrants as consumers. And many migrant rights activists see them as victims. Few in the district see them as potential micro-investors or job creators. No efforts, therefore, have been undertaken by the government to facilitate the types of investment of remittance capital that could support a dynamic, local – and job-creating – economy.

The potential for migrants to foster sustainable economic development is hard to underestimate. Total remittances worldwide are now three times greater than official development assistance. Harnessing that potential toward more and better job creation is a crucial step toward transforming today's sending communities into places people are no longer compelled to leave. If progressives seek to defeat the labor-as-export development model, they can start by making migrants their allies in creating a different kind of local economy.

These three principles should guide progressives in linking their advocacy on labor migration issues to a broader inclusive growth agenda. Moving toward a “Global New Deal” entails not only the inclusion of migrants but also their communities of origin. Moreover, it requires a vision of migrants as agents of economic change.

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LABOUR FLEXIBILITY AND THE CHALLENGES TO DECENT WORK

by Indrasari Tjandraningsih

ILO's agenda on decent work is facing more challenges within the neoliberal world. As defined by ILO 'Decent Work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men'. The above criteria for decent work faced real challenges by the practice of 'labor flexibility'.

Flexible labor markets, which have now become a norm in industrial relations, has changed the formal labor relation into the informal one, leaving out workers protection and job security and degrading the role of union. With the

Flexible labor markets, which have now become a norm in industrial relations, has changed the formal labor relation into the informal one, leaving out workers protection and job security and degrading the role of union.

informal labour relations workers protection is obliterated, stable job opportunity becomes limited, individuality replaces collectivity -- with union and collective organization losing its relevance. Informal labor relations that consist of piece-rate payment, on-call work and contracts with a duration of only one week or (a maximum of) a few months (Beerepoort et al 2013) is applied in various formal business. Under the informal labour relations "...employers

opt to retain a small core of regular workers and hire other workers on an informal basis in order to avoid payroll taxes, employer contributions to social security or pensions, or other employer obligations” (Chen, 2012 in Beerepoort 2013).

The conditions of the employment relations is a direct consequence of labour outsourcing, mediated by labor (or manpower) agencies. Labor outsourcing mechanism transferred the company labor-rights obligations to the third party, i.e the labor agency, and reduce labor costs. The working conditions under labor outsourcing are thus the antithesis of decent work principles.

Labour Flexibility: The Practices

Labour flexibility has been the common practice of industrial relations in Asia since the 1990s. In Indonesia, this practice has become widespread since 2004, after the Labor Law number 13 of 2003 was implemented. This practice is applied in various sectors of industry and services in the private and public companies. In general, the practice of labor flexibility has reduced the quality of job, contributing to the deterioration of working conditions. This phenomenon has become the concern of the workers – and has ignited a series of workers actions nation-wide for almost 10 years now, which demand the abolition of outsourcing practices that harm workers. In addition to mass action, trade unions also take legal actions in the form of a judicial review of the articles in Law No. 13 of 2003 on Employment of outsourcing practices. The detrimental impact of the practice has been validated by research (Tjandraningsih et al, 2010; Dewayanti et al 2011; Beerepoort et al, 2013; Serrano 2014).

These studies demonstrate the practice of flexibilization of labor in private companies in labor-intensive industries. In general, these studies show that labor flexibility had an adverse impact for workers with the loss of job security, lowering the welfare of workers and the absence of the need to join union. Specifically, the practice of labour outsourcing has led

to discrimination, exploitation and fragmentation of labor. Discrimination occurs in the wage sector. For instance, in the same job with the same hours in the same place outsourced workers in metal company received an average salary of nearly 30% lower than permanent workers (Tjandraningsih et al 2010). Besides discrimination there is also a high compensation gap between outsourced workers and permanent workers. The study by Herawati et al. found that in the banking sector the outsourced workers's basic wages was on average 75% lower than permanent workers (2011).

Within the framework of industrial relations the role of labor agencies in labor flexibility became very central since they are now the actor with high determination on working conditions. As a lucrative business, many people are interested in running a labour agency. In Indonesia, all the parties, either individually or business entities engage in this business and most take advantage in an exploitative manner. In addition to take levy from workers wage the agency also cut the wages of workers with a variety of reasons. The outsourcing practice resembles the caste system : at least there are 3 categories of workers: permanent workers, contract workers recruited directly by the company and contract workers recruited through labor agency. The permanent workers are in the top of the ladder, enjoying the best working conditions and social security while outsourced workers sit at the bottom, and are entitled to least rights.

Labor flexibility also applies to the public service sectors in the same manner and with the same result. Baseline studies by *Public Service International* on the practice of outsourcing and contract workers showed workers' vulnerability in the health and transportation sector, where most workers do not have a written employment contract, suffer discrimination in wages, paid below the minimum wage, not entitled to social security and have no career path and none of the workers joined the union (2014).

Unions Against Labor Outsourcing

Working conditions and the welfare of workers that showed a decreasing

trend as a result of the labor outsourcing practices has become the trigger for a wave of resistance. Although there are some ambiguities in understanding of outsourcing practices, the adverse impact on labor has become the common concern. Since 2011, various union actions against outsourcing has become one of the signs of Indonesia union movement revitalization. For instance, the protest against outsourcing unions is based on a multivarious strategy that includes: street protests, massive demonstration, research-based advocacy, lobbying the parliament, negotiation with national and local policy makers, judicial review, building alliance with local community, academics and NGO activists. These combined strategy at some level has proven to be effective to bring changes in the world of work – and ameliorate the detrimental effects of labour outsourcing on wider public and, most importantly, bring back union as part of policy making actor. There are several new and/or revised national and local regulations on outsourcing as the result of the struggle. The rise of union movement also has pressured the Indonesian government to involve trade unions in discussions on investment policy and include union in the Investment Committee.

The revitalisation of trade union movement in Indonesia is highly related to and significantly contributed by internal as well as external factor that work simultaneously. By internal factor we talk about new generation of union activists with new traits i.e. highly educated, exposed to international community and network, mastering the IT, knowledgeable, aware and proud of the role of union and confident on theirself in dealing with the government and employers. All those traits reflected in the organizing and fighting strategy. The joining strength of three strongest union confederations i.e KSPI, KSPSI and KSBSI in Indonesia is also a determining factor that contribute to the increasing union influence. The key point that brings success to raise union power is the demand on the issue of wages, and outsourcing and social security, which are the main concerns

of Indonesian workers. While external factor has to do with the evolving political landscape, particularly the *reformasi* and growing respect for freedom of association, and the support of international union and social-political organization to Indonesian unions. The international organizations played vital role in strengthening Indonesian unions among others through trainings, exchange international visits and networking .

While one of the aim of neoliberal policy is cracking down on workers' collective bargaining power, the Indonesian workers movements have tried to regain the momentum and upperhand. As mentioned above there are enabling interrelated factors that contribute to such changes.

However, to keep and to maintain union power and influence in industrial relations, unions need to stay alert both on state and corporate policies as well as on the overall organisational situation. Developing good and effective strategies is a necessity, since capitalists continue to develop a strategy to conquer the labor movement. In the Indonesian context, trade unions also need the support of the wider community so they can reach out to more workers and have a formal, legal recognition as the representatives of the working classes.

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"BURNOUT": THE PREDICAMENT OF LABOR IN KOREA'S POST INDUSTRIAL CAPITALISM

by Gibin Hong

The notion of "Decent Work" must have various aspects and could be defined accordingly, but one of the possible definitions certainly relevant to the conditions of working people in Korea nowadays would be *the process in which one can develop his or her own productive capacities continuously for the whole life time*. In other words, it should be an opportunity for discovering and developing the possibilities inherent in one's body and mind spontaneously and endlessly. This aspect becomes all the more significant because of two things: post-industrial conditions of work and the extension of life-expectancy. The era of lifetime employment is long gone. Rapid restructuring of industry has become a routine in global capitalism, and so has the alternation of skill training/ education and unemployment/ (re)employment in everyday life of many people. If a job does not allow the

worker to enjoy the opportunities described above, he or she would face a situation of helplessness when the time of losing the job is imminent. Moreover, securing the source of income for seniority is becoming one of the most important risks in Korea. No matter what comes out of the ongoing pension reform, the delay of retirement age would be an inevitable option for individuals as well as for the society as a whole, in a foreseeable future. However, the predominant "neoliberal" mindset seems to regard the nature of work very differently, as *the process in which the productivity embedded in worker's body and mind should be maximally extracted at the minimum cost and time*. As the notion of *L* in "production function" implies, human beings are not different from any other "productive inputs". So they also have to be re-aligned corresponding to their individual "quality", utilized as

efficiently (intensively) as possible, and “dispensed” at the minimum cost when the utilization is done. This roughly explains the features of labor regime as experienced by most working people in Korea. They go through the process of “hierarchization” of labor force in their twenties: the competition for entering high-ranked university and the endeavor for enhancing one’s resume (called “spec(ifications)”), in Korean-English is the key. When they get finally employed according to the position allocated in the hierarchy, they find working hour very long and salary/wage insufficient in relation to the length and intensity of work. Finally, there is no well-developed system of comprehensive social protection, so they are largely on their own when they are fired or retire from work. All of these results in the enormous risks and the feeling of insecurity suffered by Korea’s working population.

Going through the “hierarchization” process is not only risky but very expensive, but one must provide the expenses for oneself by and large. Long and intensive working hours would jeopardize their lives in many ways, from universal deterioration of health, inconvenient housing (whose prices in the city of Seoul are exceptionally high by international comparison), dissolution of familial bonds, etc., and most of them require extra expenses for recovery. And the underdevelopment or lack of comprehensive welfare system drives them to heavily rely on private insurances and other vehicles, especially for their old age security. This situation makes our definition of “Decent Work” put forward above almost entirely irrelevant to the people in labor market in Korea. Many of them enter labor market very late (almost 30) after going through the “hierarchization”, and have to face the “prestigious retirement” (circumlocution for lay-off in Korea) before the age of 50 even in highly envied and stable workplaces. Therefore, the length of time in their life-cycle in which they can earn a “regular” income has been shortened to less than 20 years. To make matters worse, they feel

The trade union movement in Korea is largely based on three sectors: schools, public sector, and big corporations (chaebol conglomerates).

enormous pressure because they have to earn all the “expenses for three generations” described above for this period of 20 years. (This describes the condition of “regular” laborers working in relatively favorable settings such as labor union, corporate welfare, stability of full-time job. Casualized workers and marginalized small-business people are facing much worse situation.) One result is “burnout”. It becomes almost social “norm” for the people in the age of 30s and 40s to boast of how much they overwork themselves, and they simply don’t have time and energy to maintain and develop their capacities in the long run. Unfortunately, “earning all the expenses for three generations” is by and large an impossible mission, considering the average level of salaries/wages in Korean labor market. They have to lead their lives of insecurity since they turn their mid-50s, with their capacities almost exhausted and with no sufficient financial back-up.

I would call this situation (to borrow from Leon Trotsky minus the implication of “world revolution”) “combined and uneven development” of industrial and postindustrial capitalism. On top of the lack of social protection for the conventional risks, various “new social risks” are being added to the lives of working people since Korean economy has been massively post-industrialized, specifically in the last decade. Ironically enough, this situation is jeopardizing the possibility of “Decent Work” as defined at the beginning of this paper, which is one of the most needed for the economic success in this postindustrial era. In this situation, among the things urgently needed in order to bring (back) “Decent Work” are installment of comprehensive and universalist welfare system and the reform of skill training/education system. Korean people had had recourse to informal relations such as familial and relative ties in the absence of state-centered welfare regime during the

industrialization of 1970s and 1980s, but they were overused and began to dissolve since the 1997 financial crisis. The construction of welfare regime that can offer universal and comprehensive protection from the entanglement of “old” and “new” social risks is not to be postponed. And the skill training/education system should be so re-arranged as to enhance the working people’s sensitivity and capability for handling/internalizing/acquiring knowledge in general, not to be used as a vehicle of “hierarchization” of working force and justification for it.

The problem is how to build a political bloc that will champion these changes -- and what social forces are there to be mobilized for this. The conventional strategies for welfare state building from Western experiences are difficult to imitate in Korea because of the impotence and/or reluctance of the organized labor. The trade union movement in Korea is largely based on three sectors: schools, public sector, and big corporations (*chaebol* conglomerates). The workers in these sectors enjoy a relative advantages of job security and various entitlements and allowances (so-called “corporate welfare”), and the establishment of comprehensive and universalist welfare regime in national scale hardly emerges as their main agenda. This apathy on the part of organized labor toward the welfare state building also makes it doubtful to expect party politics, on the national level, could be an effective vehicle for the needed reform. In this context, there are some groups of activist and scholar who argue that the Korean peculiarities make it imperative to start the work of political bloc building in the form of civil right movement from grass-root level, with the tripod of municipal community building-social economy. A “welfare state movement” would be the alternative recipe in the absence of the initiative of labor movement and/or social democratic party.

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RISA HONTIVEROS' Speech during the SOCDEM Asia & GPF-PES-S&D Politicians Meeting

Good morning, dear comrades and friends in SocDem Asia, the Global Progressive Forum, the Party of European Socialists and Socialists and Democrats in the European Parliament! & welcome to the comradely embrace of Akbayan Party, to our Meeting and to the Philippines.

Akbayan Party is proud and moved to host you in our country where for the first time in Philippine history, a social Democratic Party, a socialist party, is a coalition partner in government in the almost complete absence of genuine political parties and in the vacuum of a mature political party system, so that, in a very real sense, we are making up the rules - of being a real party, shaping policy in parliament, governing at the local level, being in coalition & engaging the bureaucracy - we are making up the rules for these as we go along.

Developing a progressive agenda is nothing new to all of us; that is the political task of our lives. Forging partnerships is also a familiar need, the exercise by which we build the organizational muscle for our common struggles. But setting our sights on the ASEM Summit is a leap of faith. We bolster our spirits by making it in the company of kindred spirits & fellow travelers, but it is a leap of faith nonetheless.

Progressive Filipino activists & politicians would not have ASEM top-of-mind as an arena of struggle, probably because of our disappointing experience so far w/ the ASEAN, whose policy of so-called "constructive engagement" enabled it to avoid engaging the military junta in Burma on questions of democracy & human rights & now China on the conflicting claims in the West Philippine Sea. We don't have a regional intergovernmental body that is a friendly space for progressive thought & action. When Machris Cabrerros said at our Welcome Dinner last night that social democracy is not popular in the Asia-Pacific, she was making the understatement of the year. So it is hard for us to imagine an interregional governmental body that is more open to our vision of the world.

In "18 Years of the ASEM: A Briefer," Hansley Juliano also observed that "The Asia-Europe Cooperation Framework 2000 referred to the respect for democracy, the rule of law, equality, Justice & human rights" as common interests & aspirations. Yet cooperation in the area of the promotion of democracy & human rights is neither mentioned as a principle, nor included in the listed objectives & priorities. Democracy & human rights issues are therefore easily sidelined by other issues in the ASEM process." Juliano goes on to surmise why this is so, w/c reminds of what Jens Orbach was reflecting on at our dinner table, the dilemma between interests & values.

One of the objectives of our own Meeting today, dear comrades and friends, is to share reflections and develop comparative assessments on practices among parties and policy makers on issues of climate change, inclusive growth, sustainable development and democracy - and bring these to the upcoming ASEM Summit.

In the absence of an Asian intergovernmental building block, we still dare to achieve just that, through the network of progressive parties, civil society organizations and parliamentarians gathered for our Meeting today. Our operation is not mathematics, but geometry. Not the addition only of 1 + 1 may equal 2, but the transformation of space through the action of new and dynamic factors.

And so, on behalf of Akbayan Party, I joyfully welcome you, not only to our Meeting & to our beloved country, but to a pitstop on the way to our next destination, the ASEM Summit, and beyond that, the better world we want to create for the children of our two regions, especially the poor and the powerless, & of the whole planet.

Marami pong Salamat sa inyo at Mabuhay po Tayong lahat! Thank you very much & long live!

*Risa Hontiveros is the chairman of the
Akbayan Citizens' Action Party.*