



Spotlight Initiative

*To eliminate violence
against women and girls*

Regional Planning Meeting for Promoting ASEAN Women Migrant Workers' Rights through Organizing

Executive summary: Meeting report
forthcoming

Bangkok, Thailand
11-12 October 2018

Safe and Fair: Realizing women migrant
workers' rights and opportunities
in the ASEAN region

International Labour Organization
2019



Executive summary

Women are increasingly migrating for work within the Association of South East Asian Nations (ASEAN) region, and today women make up 47.8 per cent of migrant workers between the ages of 20 and 64 in ASEAN.¹ While women migrant workers are disproportionately represented in the domestic work and care sectors, women migrant workers are also found in large numbers in other sectors in ASEAN countries, including construction, agriculture, manufacturing, services, home-based work and entertainment.

“Participation in worker organizations, cooperatives, trade unions and self-help groups play an important role in upholding women’s labour rights, ensuring decent work and defining policy priorities.”

- Ms Panudda Boonpala, Deputy Regional Director,
ILO Regional Office for Asia and the Pacific

One of the most effective ways of preventing the exploitation of migrant workers, including women and those in informal sectors, is by guaranteeing the right to organize, collectively bargain, and to join trade unions in destination countries. There are lower levels of labour exploitation, child labour, trafficking, and forced labour found in industries with strong trade union representation.² Organizing is an entry point to increase new members of trade unions, to address their concerns, to provide better access to education and training, and eventually enable them to bargain collectively to reduce gender pay gaps, increase pay and benefits, and improve working conditions, including preventing violence and exploitation.³ It is not uncommon in the region for employers to prohibit worker organizing and collective bargaining.

Unions are often not legally allowed to include migrant workers at all or in leadership positions. Sectors which predominately employ women, such as domestic work, also face restrictions regarding freedom of association, the right to organize and collectively bargain for both national and migrant workers, meaning women face additional challenges and restrictions in forming and joining trade unions. In addition to legal restrictions against freedom of association and collective bargaining, women migrant workers face other barriers to organizing such as long working hours, lack of days off, isolated workplaces, language, and limited knowledge of rights. Many also fear being fired or facing sanctions from local authorities.⁴

¹ UNDESA: *international migration policies 2013 chart*, www.un.org/en/development/desa/population/publications/pdf/policy/InternationalMigrationPolicies2013/InternationalMigrationPolicies2013_WallChart.pdf

²A. Gallagher: *The international law of human trafficking* (Cambridge University Press, 2012), p. 439; J. Beirnaert: “A Trade union perspective on combating trafficking and forced labour in Europe”, in C. Rijken (ed.): *Combating trafficking in human beings for labour exploitation* (Wolf Legal Publishers, 2011), p. 483.

³ Opening remarks of Ms Melissa Alvarado, EAW Project Manager, UN Women Regional Office for Asia and the Pacific.

⁴ ILO: *Towards achieving decent work for domestic workers in ASEAN*, 10th ASEAN Forum on Migrant Labour (AFML), Thematic background paper, 25–26 October 2017, Manila, Philippines; E. Marks and A. Olsen: *The role of trade unions in reducing migrant workers’ vulnerability to forced labour and human trafficking in the Greater Mekong Subregion*, *Anti-Trafficking Review*, issue 5, 2015, pp. 111–128.

If they are able to and want to be involved in organizing, migrant women workers commonly face a deterring triple burden of paid employment responsibilities, care and household work, and union responsibilities.

There is also a documented gender gap in trade union representation and leadership,⁵ with more men represented through national, regional and global trade union meetings, although a lack of gender disaggregated data on trade union leadership means this issue is not well documented. Progress towards greater representation of women in trade unions is essential given the important role trade unions play as frontline service providers, including for women who have experienced violence, and gendered forms of labour exploitation including trafficking.

“We have learned that unequivocal leadership is key to preventing violence against women – this includes the leadership of unions.”

- Melissa Alvarado, Programme Manager for Ending Violence Against Women, UN Women Regional Office for Asia and the Pacific

In the face of restrictions to organize, women migrant workers are building their own networks and finding innovative ways to connect and protect their rights.⁶ Migrant workers, women migrant workers, domestic workers, and entertainment/sex workers often organize in parallel to trade union movements, through solidarity groups and associations. Furthermore, unions in Hong Kong, China and Indonesia have shown that creative collective negotiations can take place even without organized employers with whom to bargain; workers unions in both countries set standards and jointly talked to employers.⁷ Women migrant workers in some parts of the region have also successfully tackled the problem by directly negotiating with governments to enforce standards through bilateral policy agreements.

A regional planning meeting for promoting ASEAN women migrant workers' rights through organizing was organized in 2018 by the EU-UN's Spotlight Safe and Fair programme, implemented by the International Labour Organization (ILO) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). The Safe and Fair programme delivers technical assistance and support with the overall objective of making labour migration safe and fair for all women in the ASEAN region. Representatives from trade unions, migrant worker organizations and civil society, along with experts from development partners and the United Nations, joined over two-days to identify the key challenges that prevent women's access to organizing, to put forward good practices and showcase strategies to increase membership of women migrant workers, and to strengthen the capacity of unions to engage with migrant women. Participants were asked to strategize and contribute to global, regional and national work agendas to replicate and operationalize good practices.⁸

⁵ ILO: *Women at Work 2016*, 2016.

⁶ Opening remarks of Ms Panudda Boonpala, Deputy Regional Director, ILO Regional Office for Asia and the Pacific.

⁷ ILO: Towards achieving decent work for domestic workers in ASEAN, 10th ASEAN Forum on Migrant Labour (AFML), Thematic background paper, 25–26 October 2017, Manila, Philippines.

⁸ EU, ILO and UN Women work together to promote ASEAN women migrant workers' right to organize in workplaces and communities, Joint Press Release (12 October 2018), <http://asiapacific.unwomen.org/en/news-and-events/stories/2018/10/work-to-promote-women-migrant-workers-right> and https://www.ilo.org/asia/media-centre/news/WCMS_646710/lang--en/index.htm

The meeting recognized that international solidarity is needed more than ever in the changing landscape of work for migrant women,⁹ and that coming together for a planning meeting was the first step in strengthening organizing of women migrant workers.¹⁰ It also recognized the importance of providing opportunities to empower women migrant workers from the ASEAN region, and support efforts to give them a voice to claim their space and rights,¹¹ in order to realise a future where women migrant workers have protected rights, and access to safe and fair migration.¹²

“Trade unionism [is] the instrument of working-class liberation and social change.”

- Leon Jouhaux,
French trade union leader who received the Nobel Peace Prize in 1951¹³

Priority recommendations to strengthen organizing of migrant women

1 Building women’s leadership from within membership

Unions and migrant worker networks and associations should identify potential women leaders from within their memberships and provide resources necessary to support increased capacity, including addressing the triple burden and creating an enabling environment for leadership.

2 ICT to advocate the benefits of organizing

With the support of development partners, unions, NGOs and migrant worker networks and associations should use information and communication technologies (ICT) such as social media networks and online communications to advocate for the benefits of organizing, including by directly addressing and dispelling the misconceptions about unions.

3 Working together strategically

Stakeholders should foster partnerships between unions and organizations and across borders, including through the nomination of women migrant worker focal points in unions in countries of origin, who are tasked with developing relationships with stakeholders with the view to agree to shared commitments around women migrant workers.

⁹ Opening remarks of Ms Deepa Bharathi, Chief Technical Advisor, Safe and Fair, ILO Regional Office for Asia and the Pacific.

¹⁰ Opening remarks of Mr Dominador Tavera, Coordinator, ASEAN Trade Union Council (ATUC).

¹¹ Opening remarks of H.E. Giuseppe Busini, Deputy Head of Mission – Delegation of the European Union to Thailand.

¹² Opening remarks of Ms Novelita V. Palisoc, President, United Domestic Workers of the Philippines (UNITED) (former migrant domestic workers).

¹³ L. Jouhaux: Nobel Peace Prize Acceptance Lecture, 11 December 1951.