



International Organization for Migration (IOM)

# ISSUE IN BRIEF

A Joint Series of the IOM Regional Office for Asia and the Pacific and the Migration Policy Institute



# Labour Migration from Colombo Process Countries: Key Findings

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May 14, 2012

Bangkok, Thailand



## Presentation Outline

- About the Migration Policy Institute
- About the *Issue in Brief* Series
- Key findings: Five Observations and Ten Steps Forward
- Some Concluding Thoughts on Migration's Role in an Emerging Asia



## About the Migration Policy Institute

An independent, nonpartisan, nonprofit think tank dedicated to analysis of the movement of people worldwide



### MIGRATION POLICY INSTITUTE

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- The only *stand-alone, independent, non-partisan and non-profit* US think tank on international migration and immigrant integration today; with offices in New York and Brussels.
- Guiding philosophy: international migration needs *active and intelligent management* and can be beneficial to migrants, their families and communities and countries at origin and destination
- Balanced analysis + solid data + engagement of a spectrum of stakeholders = *sound migration policies*
- Published more than *300 books and reports* since 2001, registered *8 million downloads* since 2007 and *1 million page views* annually



## About the *Issue in Brief* Series

- An *8-paper monthly series* launched by MPI and the International Organization for Migration (IOM) to examine migration trends and issues in the Asia-Pacific region
- Developed, managed and published jointly by IOM and MPI staff in Bangkok, Geneva and Washington, DC.

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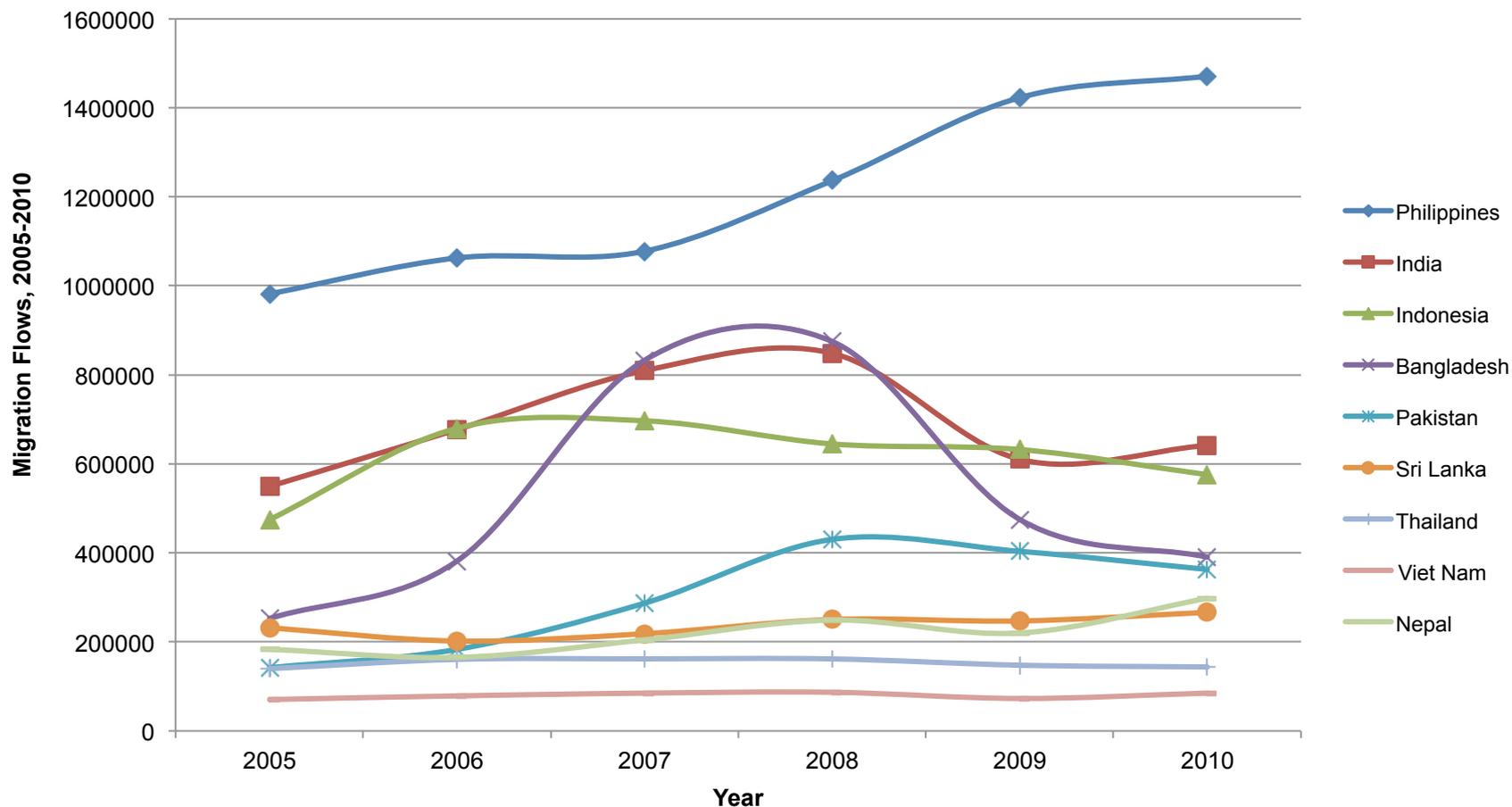


## Key findings: Five Key Observations

- I. Labour migration within and from the I I CP Member Countries is **growing** overall, after a temporary decline due to recent global financial crisis
  - **4.2 million** migrated via regular channels in 2010, up from 3 million in 2005.



## Migration outflow from selected CP countries, 2005–2010



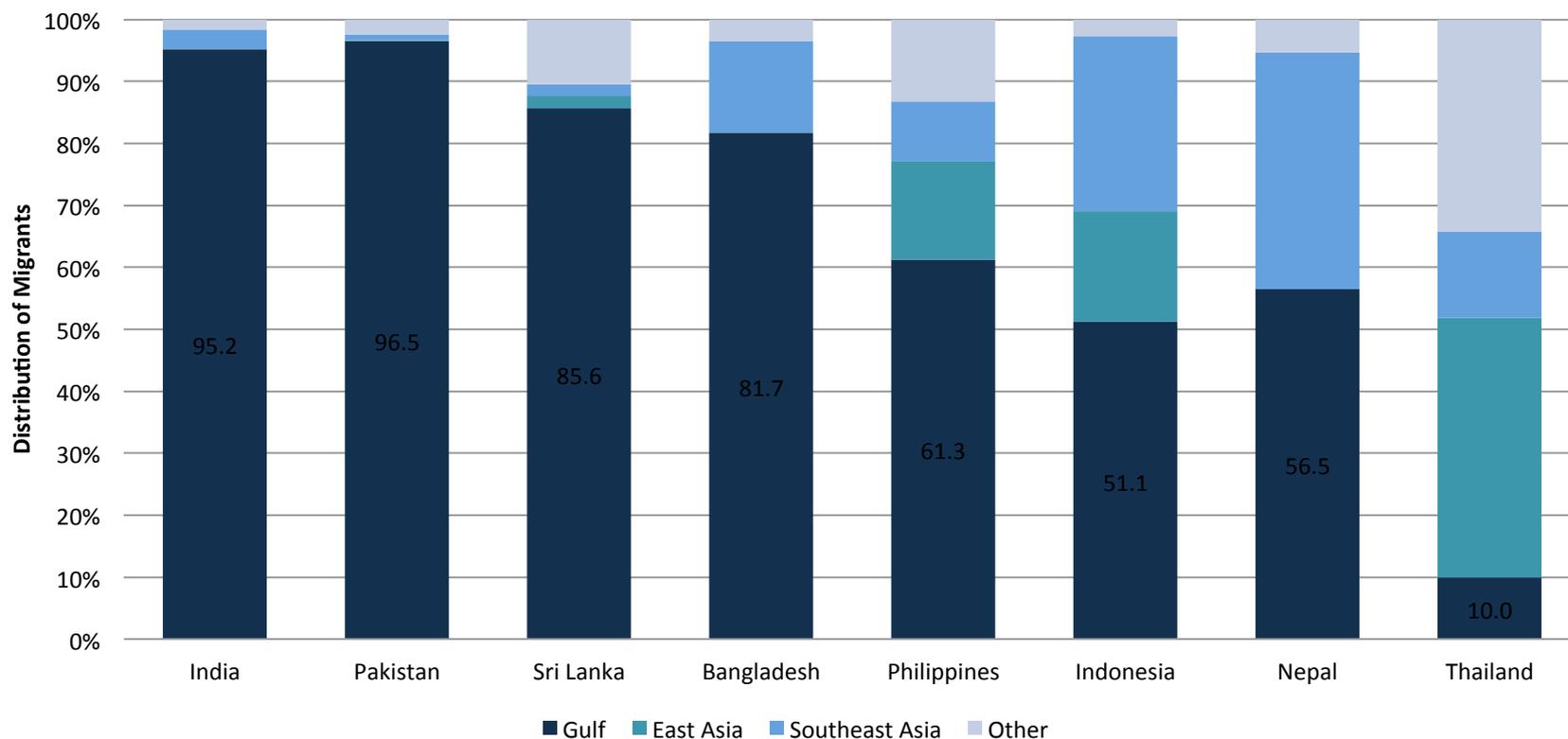


## Key findings: Five Key Observations

2. Majority of temporary labour migrants from CP member countries go to the Middle East, especially the Gulf Cooperation Council (GCC) countries.



## Distribution of migrants from selected CP countries by region of destination, 2010





## Key findings: Five Key Observations

### 3. Most migrants from the CP region work in less-skilled and semi-skilled jobs.

- Almost 50 percent of migrants who left Sri Lanka in 2010 were domestic workers; another 25 percent were unskilled labourers.
- 70 percent of migrants from Indonesia in 2011 are domestic workers
- 42 per cent migrated as “labourers” in 2011 from Pakistan



## Key findings: Three Key Observations

4. CP Member Countries have taken concrete steps since 2005 to manage the ever-increasing and complex flows of migrant workers from the region. Since 2005:

- 8 of the 11 CP countries have amended existing regulations or adopted new legislation.



**Table 1. Changes in labour migration legislation and policy since 2009**

Country	Main statute	Subsequent decrees	Key provisions
Bangladesh	Human Trafficking Deterrence and Suppression Bill (2012)		Addresses all forms of trafficking, including labour trafficking; considers trafficking as organized crime; includes provisions for compensation, legal and financial assistance and right to rehabilitation and privacy for victims of trafficking; proposes the creation of a fund to provide support to victims of trafficking; and sets up speedy tribunals in all districts and mandates that all cases must be completed within 180 days.
India	Emigration Act (1983)	Emigration (Amendments) Rules (2009)	Higher application fees and security deposit; obligation to produce documents verifying qualifications and financial health for recruiting agencies. Obligation for recruiting agencies to arrange pre-departure skill testing; insure workers; cap workers' fees at 45 days' worth of wages; renew workers' visas; and ensure that the provisions of employment contracts are respected by the foreign employer. • Agencies banned from retaining workers' travel and employment documents. • Reduction in number of ECR (Emigration Check Required) countries from 154 to 17 to reduce the regulation of movement. • Introduction of mandatory insurance (Pravasi Bharatiya Bima Yojana) at a nominal cost: life insurance and medical and legal expenses coverage. • Abolition of the mandatory provision for ECR passport holders to obtain a suspension from the government (protector of emigrants) to visit overseas for purposes other than employment.
Indonesia		Regulation of the Ministry of Manpower and Transmigration N°.PER.14/MEN/X/2010 regarding the placement and protection of Indonesian workers overseas	Increased regulation and monitoring of the recruitment process: compulsory registration of workers at district/municipal offices; recruiting agencies to hold a SIP (recruitment licence) issued and renewed by the ministry; selection process to be done jointly by recruitment agency and local Manpower and Transmigration offices; not charge recruitment fees to workers; and overseas employers to be approved by the government. • Agencies to provide all details of the contract to workers during a two-day pre-departure briefing to be conducted by local BNP2KI offices. • Government to provide a one-stop service to facilitate the migration process. • Agencies to monitor the conditions of workers in the country of destination and arrange their safe return upon completion of the contract. • Airport-based Migrant Worker Service Posts to screen and collect data on all returning migrant workers, provide preliminary health care to migrant workers reporting health problems and refer those in need of follow-up legal, physical and mental rehabilitation assistance to competent services and facilitate transport services to place of origin in Indonesia.
Pakistan	Emigration Ordinance 1979	National Migration Policy (2010)	Minimum wages for migrants raised by 16%; obligation to pay wages through check/bank transfer. Establishment of a comprehensive social insurance scheme (health and pension) for overseas Pakistanis. • Creation of a labour-market information system. • Extended scope of the Workers Welfare Fund: housing construction programmes, scholarships for migrants' children.
Philippines	Migrant workers and Overseas Filipinos Act of 1995 (RA 2042)	Amending Acts: RA10022 (2010): "Migrant Workers and Overseas Filipinos Act of 1995, as Amended, Further Improving the Standard of Protection and Promotion of the Welfare of Migrant Workers, their Families and Overseas Filipinos in Distress, and for Other Purposes."	Evaluation of the levels of protection of overseas Filipino workers (OFWs) in receiving countries; establishment of criteria for host countries to guarantee protection through a certification process. • Foreign employer and recruiting agencies to be responsible for the repatriation of OFWs. • Penalties for offences such as illegal recruitment, loans by agencies and sending of minors abroad. • Additional personnel to staff Overseas Filipino Resource Centers. • Expansion of free access to skills and livelihood programmes. • Promotion of the use of the legal-assistance fund to settle cases against abusive employers. • Compulsory medical and life insurance for agency-hired workers.



## Key findings: Three Key Observations

4. CP Member Countries have taken concrete steps since 2005 to manage the ever-increasing and complex flows of migrant workers from the region. Since 2005:

- 8 of the 11 CP countries have amended existing regulations or adopted new legislation.
- **6 have created new institutional structures**

**Table 2. New migration institutions created since 2005**

Country	Institutions	Function
Afghanistan	Employment Service Centres (ESCs) (2008)	Identify job-seekers to match demand for workers at any skill level (not fully operational).
India	Indian Council of Overseas Employment (ICOE) (2008)	Propose policy frameworks for migration management.
	Overseas Indian Facilitation Centre (OIFC) (2007)	Offer a one-stop shop on economic engagement: advice through knowledge partners, development through diaspora investments.
	Prime Minister's Global Advisory Council of People of Indian Origin (2009)	Development through policy inputs. • Development of an inclusive agenda for two-way engagement between India and overseas Indians.
Indonesia	National Board for the Placement and Protection of Indonesian Overseas Workers (BNP2TKI) (2006)	Implement Indonesia's policy for the placement and protection of Indonesian migrant workers as formulated and issued by the Ministry of Manpower and Transmigration (KEMENAKERTRANS): to provide services, and coordination and monitoring of the migration process in its various stages.
Nepal	Department of Foreign Employment (DoFE) (2007)	Exercise regulatory functions.
	Foreign Employment Promotion Board (FEPB) (2007)	Deals with the welfare of migrants, promotion of overseas employment, monitoring of pre-departure orientation and conducting of research.
	Foreign Employment Tribunal (2010)	Deals with cases related to foreign employment in an expeditious manner.
Pakistan	Ministry of Overseas Pakistanis (2008)	Provides better services to overseas Pakistanis; sets up suitable schemes in housing, education, and health-care sectors; facilitates the rehabilitation of returning overseas Pakistanis.
Sri Lanka	Ministry of Foreign Employment Promotion and Welfare (MFEPW) (2007)	Overall supervision of migration management.

Source: Agunias, Aghazarm and Battistella, 2011.



## Key findings: Five Key Observations

4. CP Member Countries have taken concrete steps since 2005 to manage the ever-increasing and complex flows of migrant workers from the region. Since 2005:

- 8 of the 11 CP countries have amended existing regulations or adopted new legislation.
- 7 have created new institutional structures
- **Signed 59 Bas and MOUs with 32 destination governments**

**Table 3. Bilateral agreements and memoranda of understanding signed since 2005**

Country	Bilateral agreements	Memoranda of understanding	In process
Afghanistan	Agreement with Etisalat UAE for the Graduate Trainee Induction Programme (2010); agreement with Iran for cooperation on social affairs (2010), technical labour dispatch protocol with Qatar.	n.a.	Iran, Kuwait and UAE
Bangladesh	n.a.	Qatar (1988/2008), UAE (2007), Oman (2008), Republic of Korea (2007), Libya (2008), Kuwait (2000/2008), South Korea (2007), Malaysia (2003/2006), Maldives (2011)	Bahrain, Italy and Jordan
China	Malaysia (2003) and Mauritius (2005)	United Kingdom (2005), Republic of Korea (2007)	Qatar
India	Qatar (2007)	UAE (2006), Kuwait (2007), Oman (2008), Malaysia (2009), and Bahrain (2009)	Libya, Poland, Republic of Korea, and Saudi Arabia, Yemen
Indonesia	n.a.	Jordan (2001, renewed 2009), Australia (2005), Japan (2009), Republic of Korea (2010), United Arab Emirates (2007, renewed 2010), Malaysia (2004, 2006 domestic workers, renewed 2011 and 2010 private sector), Qatar (2008, renewed 2011 for the formal sector, 2010 for the health sector), and between IETO (Indonesian Economic and Trade Office to Taipei, Taiwan Province of China) and TETO (Taipei Economic and Trade Office in Indonesia) (2004, renewed 2011), Timor-Leste (2010)	Australia, Brunei Darussalam (draft submitted to the Government of Brunei Darussalam), Lebanon, Libya, Syria, and Japan
Nepal	n.a.	Japan (JITCO—2003), Qatar (2005), UAE (2007), South Korea (2007), and Bahrain (2008)	Lebanon and Malaysia
Pakistan	Qatar (1978, 2008)	UAE (2006), and South Korea (2008)	Bahrain and Italy
Philippines	n.a.	Libya (1979, 2006), Jordan (1981, 2010), Korea (2004, 2005, 2006, 2009), Lao PDR (2005), Spain (2006), Saskatchewan (2006), Bahrain (2007), UAE (2007), Alberta, British Columbia, Manitoba (2008), New Zealand (2008), and Japan (2009)	n.a.
Sri Lanka	Jordan (2006), UAE (2007), Bahrain (2008), Libya (2008), Qatar (2008), South Korea (2004, 2010)	n.a.	n.a.
Thailand	n.a.	UAE (2007), Republic of Korea (2009), Japan (IMM 2010), Japan (JITCO—Record of discussion 1994, updated 2010)	n.a.
Viet Nam	Russia (1992, BA updated in 2008), Lao PDR (1994, BA last updated in 2009), Qatar (2008), Kazakhstan (2009)	Republic of Korea (2004, MOU updated in 2008), Oman (2007), Bulgaria (2008), Slovakia (2008), UAE (2009), and the Province of Saskatchewan in Canada (2006)	Japan (1992, updated in 2010) and Saudi Arabia (2006)

Note: n.a. = not applicable.

Source: IOM country assessments.



## Key findings: Five Key Observations

5. Despite success in many areas, difficult challenges remain, particularly in four areas:

- Disseminating information
- Lowering the cost of migration
- Providing welfare support to migrants at origin and destination
- Linking labour migration systems to development goals



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## Policymakers in CP Member Countries face a formidable task:

Creating efficient and equitable migration systems that benefit labour migrants and their families while contributing to long-term economic growth and development



## Ten Potential Steps Forward

1. Improve existing pre-departure orientation programmes
2. Develop and expand existing migrant resource or information centres and related services
3. Develop, harmonize and enforce regulations governing recruitment agencies
4. Expand the use of standard contracts with explicit provisions on mutually acceptable placement fees, minimum or reference wages, jobs descriptions and skills accreditation
5. Support self-regulation among agencies
6. Further develop government-managed labour migration schemes
7. Improve administration of welfare funds and insurance schemes
8. Enhance welfare support provided at destination, including at embassies
9. Reduce remittance transaction costs
10. Facilitate reintegration of returning migrants



## Some Concluding Thoughts

### Migration's role in an emerging Asia

- Asia as world's future strategic and economic center of gravity.
- Migration is already a key feature and will be more so in the future.

There will be a growing demand for **pragmatic and evidence-based** analysis and research on migration trends, programs and policies among governments.



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