Ariana Leon Rabindranath was Associate Director of the Global Gender Program of the Elliott School’s Institute for Global and International Studies and Research Instructor in the Elliott School of International Affairs, the George Washington University, 2011-2013.

This report offers an overview of the major issues related to social protection for migrant women workers in Southeast Asia. It includes a keynote address and summary findings from a symposium that took place in October 2012.
Women are migrating internationally more than ever before, and more often on their own as the “breadwinners” for their families. Over one-third of all international migrants come from Asian countries (61 million out of 214 million total), and over half are women (IOM 2009, 2010). The term “migrant worker” refers to “a person who is to be engaged, is engaged or has been engaged in remunerated activity, in a State of which he or she is not a national” (Article 1, International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990, UNWOMEN).

Women migrate for various reasons including better economic opportunity. Women and girls moving from rural to urban areas cite limited and unpredictable job opportunities back home as well as the lure of urban life (Population Council, 2013). Typical unskilled work available to these women in the destination sites includes domestic or household help, factory work, agricultural labor, and “entertainer” (which often means, in reality, sex work). Often migrant workers—especially women—are vulnerable to exploitation, physical and sexual abuse, restrictions of reproductive rights and mobility, and stress (IOM 2010).

Every migrant sending and migrant receiving country has different laws and support mechanisms regarding migrant workers’ access to services, legal status, and mobility within the country. Some international conventions attempt to address these issues but implementation is required at the national level. Civil society organizations, international NGOs and other international community stakeholders (such as the U.S.) work to ensure the rights and safety—“social protection”—of migrant workers, but the landscape is challenging and multidimensional.

Given the magnitude of international labor migration occurring within and out of Southeast Asia (6.7 million in 2010 according to UNESCAP), social protection for women migrants is critical on a personal, community, national, and regional level.

In October 2012, the Global Gender Program of GW’s Elliott School of International Affairs sponsored an event on Migrant Women Workers in Southeast Asia: Challenges, Programs, and Best Practices. Ariana Leon Rabindranath organized and moderated the panel. Speakers from the policy and NGO communities addressed issues such as labor rights, international cooperation, organizing and advocacy, the challenge of integration, language and cultural barriers, access to health services, LGBT issues, and gender-based violence. This Occasional Report highlights many of the challenges migrant women and policymakers face, as well as some best practices.

The Honorable Melanne Verveer launched the event with a keynote address. At the time she was the U.S. Ambassador-at-Large for Global Women’s Issues in the U.S. Department of State.

### Social Protection

Effective social protection contributes to fair economic growth, enhanced productivity, and social stability. With these principles in mind, the ILO has set out these main objectives:

- **Extending the coverage and effectiveness of social security schemes:** Only 20 percent of the world’s population has access to adequate social security benefits.
- **Promoting labor protection:** This principle comprises decent conditions of work, including wages, working time and occupational safety and health, as well as protection for migrant workers and their families.

Source: International Labor Organization
She highlighted the positive and negative aspects of labor migration for women including the opportunity to improve their lives but with serious dangers of exploitation.

Two panel discussions followed and a short video was screened. The first panel focused on Social Protection: Policy Challenges and Potential Solutions at the Policy Level with the following speakers:

- **Jeffrey Wheeler**, International Relations Officer, Bureau of International Labor Affairs, U.S. Department of Labor
- **Jackie Pollock**, Executive Director, MAP Foundation (Thailand)
- **Wenchi Yu**, Senior Policy Advisor, Secretary’s Office of Global Women’s Issues, U.S. Department of State

The second panel focused on The Challenges of Providing Effective Services and Best Practices with the following speakers. Christina Fink, Professor of International Affairs at GW, was the moderator.

- **Mai Mai Twe**, Program Coordinator, Women’s Exchange (Burma/Thailand)
- **Malu S. Marin**, Executive Director, ACHIEVE (Philippines)
- **Tim Ryan**, Regional Program Director for Asia, Solidarity Center

The event ended with a video, Stepping into Change: Migrant Worker Women in Thailand. The documentary highlighted migrant women’s voices and the role of Women’s Exchange program which provides psycho-social support to Burmese migrant women in Thailand.

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**Keynote address**

**Melanne Verveer**  
Ambassador-at-Large for Global Women’s Issues  
U.S. Department of State*

The issues affecting gender and our world are a very big priority for us at the State Department where we have made these issues the cornerstone of our work, recognizing how critical they are to all of the things we have to tackle these days from security to economics, from governance to the environment, to migration and so much more.

I often think of the globe as a picture of people moving - moving alone struggling, moving in masses, moving with their families, moving as refugees, as migrants, as trafficked, as smuggled, but moving in search of a better life. And often entrapped into a nightmare because they thought they were going to have something better than they currently have. Sometimes they are moving because of conflict, devastation, changes in their countries that make it impossible for them to stay where they are.
That said, one of the most vulnerable, yet resilient and dynamic, groups of women are those who migrate, often in search of a better life for themselves and their families. Just under half of the world’s estimated 214 million migrants and three quarters of all refugees today are women. Although some women are forced to move due to conflict, natural disasters, or political repression, many migrate in search of economic opportunities. One expert called this the feminization of migration because growing numbers of women are finding themselves in real or perceived economic opportunities because of the demand for women’s labor.

While major migrant-sending countries are located in the Southeast Asia sub-region, there is a growing trend of increased intra-regional migration, with Thailand and Malaysia representing the major destination countries.

Migration can be beneficial, both for women and for the countries that send and receive them. Migrants make a significant economic contribution to their countries of destination through their labor, their talented execution of those jobs, and to their countries of origin through remittances. According to UN Women, remittances amount to about 10 percent generally of GDP in some countries. I am always astounded when I ask about the income of certain countries to learn how much of it comes from remittances, from both men and women who are abroad and sending money home. In 2008, $305 billion was in remittances, and imagine that amount being used in many ways to reduce poverty and to affect the outcomes of the Millennium Development Goals. So you can see the positive in this, which is important to understand.

Labor migration can have positive impacts on women themselves, as gainful and dignified employment empowers women to achieve greater self-confidence, economic independence, and a more equal social standing with men.

Yet migration can just as easily lead to vulnerabilities, discrimination, and abuse in ways specific to women throughout the migration process. Their healthcare needs, including reproductive health care, and other services are less likely to be met. Women often find work in sectors subject to poor government oversight and out of sight from the local community—so what happens when the door is closed on the place where they report to work often is not the most healthy of situations - as domestics, as caregivers, even in factories where migrant workers often work very long hours for low pay and where they are often vulnerable to labor exploitation and abuse. That is particularly true if they have an irregular immigration status. But what I’ve seen from Cambodia to Bangladesh, is what a difference migration makes – often it is from rural to urban areas, often the first time they have moved out of the informal sector and the first time they have gotten paid, what we may think of as not much, but for them is an extraordinary step up. That’s the positive, and it has done amazing things for Bangladesh, for example. The negative side of that is of course often the exploitation that comes with it.

We were in Cambodia recently and the Secretary was there on the visit as well for an ASEAN meeting. We had a roundtable with women who were in these kinds of conditions and it was very difficult at times.
to listen to the situation that they were describing. But that income for them was significant, though it came at a price in many cases.

Whether they migrate legally or not, alone or as members of a family unit, women are more vulnerable than men to violence and exploitation in transit. We know that violence against women and girls is a global epidemic. At all stages of the migration journey, women are vulnerable to trafficking for both sexual and labor exploitation. Many female victims of trafficking are misled to believe that they will work in legitimate occupations, but then find themselves trapped in forced prostitution, forced marriage, sweatshop-like conditions, and other types of exploitation. That promise of a good job often results in a nightmare that they can never extricate themselves from.

As part of its larger mission to provide humanitarian assistance and sustainable solutions for refugees, victims of conflict, stateless persons, and other vulnerable migrants around the world, the U.S. Department of State is engaged in a number of efforts to address the vulnerabilities of female migrants and refugees by advocating first and foremost for their protection and for constant provision of assistance.

So what are some of the ways in which that is happening? Through the State Department tens of millions of dollars are being contributed through different offices to programs targeting gender-based violence (GBV) prevention and response. Those efforts aim to improve the protection of refugee and conflict-affected populations from rape, sexual exploitation, traditional harmful practices, and other forms of GBV. We work closely with multilateral partners like the Office of the United Nations High Commissioner for Refugees (UNHCR) to develop and implement policies that incorporate gender issues into their humanitarian interventions. We also work significantly with NGOs on the ground with expertise addressing the unique needs of women in conflict situations, including GBV prevention and response.

We pay special attention to the protection and assistance needs of vulnerable women migrants through regional migration programs implemented by the International Organization for Migration (IOM) in seven regions around the world, including a regional program for Southeast Asia.

These regional migration programs work to build the capacity of interested governments to humanely manage migration and assist vulnerable migrants through four core activities: (1) building government capacity to protect migrants, respect human rights, and humanely manage migration; (2) directly assisting vulnerable migrants, and often the needs are great; (3) promoting regional dialogues on migration that promote cooperation in managing migration and protecting vulnerable migrants; and (4) encouraging cross-referrals and coordination between IOM and UNHCR so that vulnerable individuals do not “fall through the cracks.”

Migrants targeted for assistance include victims of human trafficking, abuse or exploitation; asylum seekers; unaccompanied children; lesbian, gay, bisexual, and transsexual migrants; and vulnerable women.

Trainings in migration management and screening of migrants for protection concerns throughout all our migration programs teach migration and law enforcement officials, who are extremely important, how to identify trafficking victims and other vulnerable individuals. Anybody who has worked on the trafficking issue knows that one critical aspect of addressing that problem is to ensure there is proper training for
officials. Often the other side of this is official complicity with the traffickers, which makes this particularly difficult. The program operates in six countries -- Burma, Cambodia, Lao DPR, Malaysia, Thailand and Vietnam, with a particular focus on assistance to female trafficking victims in Malaysia and reintegration support for returned female victims of trafficking in Vietnam.

Through the years, I have traveled to many places in the region and I come back with a reel of experiences that I can watch at any point, which are often so searing and unforgettable. I remember traveling in 1996 with the then First Lady to Chiang Mai, Thailand, and we went to the New Life Center that Americans were involved in supporting. And to see young women who had expected to find work to support their families, instead rescued in this Center, many of them dying from HIV, was an experience I haven’t forgotten and that was a long time ago. I went back with Wenchi Yu, who is going to be on the panel after this. We met again with the personnel of the New Life Center, who are amazingly committed people trying to help these young women to re-integrate back into their societies and teach them skills so they don’t wind up back in the clutches of the traffickers. When I asked if the migrants were still coming in large numbers from Burma and the hill tribe areas in Thailand, they told me that the Burmese numbers had gone down significantly but the sexual exploitation of tribal women from northern Thailand had increased.

In Malaysia, we went to a shelter that was run by a truly heroic woman. Large numbers of women migrate from Indonesia into Malaysia to be domestics and there is a large trafficking business from Burma, Thailand, all the way down to Malaysia. There is a cascading effect of large numbers of people coming into Malaysia either as trafficked victims or through “legitimate labor opportunities” though many of those turn out to be horrible situations as well. We went to a shelter where women were rescued from their situations and were living until they could be reintegrated in some way and get over their traumas. A woman from Burma there was “gone in her head.” Physically she was there, she was beautiful and there was a baby who she had had in this ghastly experience. I asked the heroic woman who runs this place what is going to happen to her and she said she will never recover. She said “we have had every kind of medical expert look at her.”

Those are the human tolls of the negative side of all of this – those examples remind you constantly of what happens in the much larger picture.

Then there is a real effort between countries, such as the Philippines and Japan, to help women become “entertainers” – and they came in large numbers from the Philippines to Japan. Only we were finding several years ago that they really didn’t wind up as entertainers, they wound up in situations they never expected to find themselves in. As a result of that understanding on the part of the Japanese and Philippines officials, efforts were made to change the contours of what it meant to be an entertainer and qualify for the employment opportunity in this category. But it wasn’t easy, particularly because for the Philippines there is a tremendous need for remittances, assuming they do come through, and to ensure there is labor available in other countries.

We were recently in Burma where we went to a facility that was providing young women in Burma with opportunities. It was a church-run assistance center with remarkable older women providing these services, such as training nurse’s aids, etc. We met with young women who had been trafficked and brought back, and who were trying to change their lives for the better.
So you can go any place and see this played out in front of you. What all of us are trying to do is figure out the best way actors across the spectrum—governments, NGOs, multi-laterals, private sector—can take constructive action to turn this around.

Another key challenge to migrant women is nationality. Individuals who lack identity documents and cannot register births, marriages, or deaths, constitute another key population concern. These “stateless persons” often cannot work legally or travel freely; cannot vote, open a bank account, or own property; and lack access to health care and other essential public services.

Nationality laws currently discriminate against migrant women in at least 30 countries around the world, limiting their ability to acquire, retain, and transmit citizenship to their children. In many cases, nationality laws permit only the father to transmit citizenship to his child. And in still other cases, nationality laws strip women of their citizenship upon marriage to a foreign spouse, or prohibit women’s foreign spouses from naturalization. The result is that hundreds of thousands of women are without legal protection or a social safety net, leading to cycles of poverty and vulnerability. These women are more likely than others to fall victim to abuse and exploitation, including gender-based violence, trafficking in persons, and arbitrary arrest and detention.

Many organizations including UNESCO have been involved in the nationality project in northern Thailand. After our visit to northern Thailand in 2006, when I was at Vital Voices Global Partnership, and Wenchi Yu was working there also, we encouraged a law firm to work with us to look at the issue of “The Stateless and Vulnerable to Human Trafficking in Thailand” which discovered the complex nationality registration process and its impact on the life of migrants and the stateless, especially on women and children. After that study was done it generated a lot of follow up both from the U.S. State Department as well as from some officials in Thailand.

Policy solutions and effective programs need to be highlighted, and I’m pleased to see the two panels after my speech will focus on best practices. We need to know what is working, why it’s working, and how to take it to scale. This is an issue that has pluses and minuses. We want the pluses to be a real positive force in the lives of people who are seeking and procuring real economic opportunity, but we have to deal with the negative consequences that often come up.

I hope we will learn from the organizations that came all the way from Thailand and the Philippines for today’s discussion. Their voices are critical to what we try to do whether we sit in government or NGOs or any place where we try to have an impact on these issues. I want to salute GW and the Elliott School and Barbara and her efforts in this program to really focus on this because it is a challenging issue. As we sit here there are hundreds of thousands of people each day making that migration journey.

* Ambassador Melanne Verveer is Executive Director of the Georgetown University Institute for Women, Peace and Security.
Jeffrey Wheeler

An integrated approach is needed to provide assistance to migrant workers in Southeast Asia. The International Labor Affairs Bureau provides technical assistance and cooperation, addresses labor issues and trade related agreements, and engages in diplomacy. The U.S. Department of Labor endeavors to empower women to make their own choices.

A framework for empowering women must address these questions:

- what are the big overarching objectives;
- what is the context for women in Southeast Asia;
- what are our guiding policy instruments;
- which approaches should we implement; and
- did the chosen approaches work, fail, or need to be modified?

We need to further unpack these issues and determine whether we are talking about women, girls or children; documented or undocumented migrants; internal, regional or international migrants; trafficked or voluntary migrants. And it is important to check with the beneficiaries to ensure that policies and development efforts are relevant to and effective for them.

There are three types of policy frameworks: U.S.-based laws and policies, international rights and standards (i.e., through the United Nations and ILO), and Southeast Asian region policies (i.e., through APEC and ASEAN). The National Security Strategy, Quadrennial Diplomacy and Development Review, and Department of Labor (DOL) strategic documents promote broad-based social and economic growth, promote the rights and conditions of females, and protect their rights to help ensure that they are free from discrimination and abuse. There is good migration and bad migration, with debates about whether migrants are agents of development or exploited resources.

A goal is to make migration more a choice than a necessity and to increase social protection in the migration process and destination. Social protection focuses on income security and access to health care. It addresses poverty and social exclusion and focuses on what governments can provide as well as what families and communities can do to mutually support each other. It is a pillar of the International Labor Organization’s (ILO) social protection objectives.

There are different areas of migration to consider when talking about helping women migrant workers in Southeast Asia. Regarding professional migration, one might look at the ASEAN or APEC work plans related to labor mobility. Regarding manufacturing, agricultural and domestic workers, one may consider regional policies and work plans, U.S. trade and development policy, and international standards. The U.S. Department of Labor particularly focuses on freedom of association, informal and formal sector workers’ rights to organize and represent themselves, the ILO Decent Work agenda, and migrant protections such as the new domestic workers convention from the ILO. There is also anti-trafficking legislation—the Trafficking Victims Protection Reauthorization Act—and the Polermo Protocols through the UN Convention against Transnational Organized Crime to be considered.
It is important to identify the context for women migrant workers in Southeast Asia. About 6.7 million people in Southeast Asia are migrating within the region. The Philippines and Indonesia are key sending countries; Malaysia and Thailand are key receiving countries. The feminization of migration means that the number of women migrating and the types of work women are doing that were traditionally done by men are increasing.

There are particular challenges for social protection. One is worker legal status, which may affect workers’ ability to access services. Even where social protection exists in some form, it may not cover migrant workers. Women tend to do work in Southeast Asia in areas outside of social protection such as domestic work, and it is difficult for NGOs to access them, though there are some organizations working on this. Challenges in regional migration relate to different religious, economic, political and cultural traditions.

In development assistance, we consider both passive and active assistance approaches. Passive assistance entails providing services to migrant women who receive them. Active assistance entails empowering women to make their own choices. Assistance may include improving the legal framework (laws, policies and regulations); improving governance with an integrated approach by working with ministries of labor, immigration and education; improving civil society through service delivery mechanisms - often related to legal and health issues - as well as worker organizations, including those representing self-employed women joining together to defend their interests. A development challenge for USAID and DOL is to integrate these different approaches instead of implementing them in silos.

Will empowering women lead to more sustainable results? To illustrate with one example, in a Cambodian garment factory women individually were voiceless but when they joined together they suddenly had a new voice, strength and assertiveness that led to positive results. We should keep testing this behavior-change possibility.

We must continually ask: how do we empower women to speak for themselves, when is it successful, and how can we relate it to other important areas to ensure that the government structure is effective and civil society is supported? Finally, we must ask: how do we measure results to ensure that development assistance is effective?

**Jackie Pollock**

Migrant women workers are caught in a tension of conflicting policies and needs—national security issues, national economic interests, global economic systems, women’s rights, labor rights, family rights. They are all policies that people need, but they are conflicting so they pull migrants in many ways and threaten the social protection of migrant workers.

In Thailand migrants come from neighboring countries—Burma, Cambodia, Lao—and people cross the border informally without checkpoints, undocumented. They have been doing so for 20 years. There are an estimated 4 million migrant workers in Thailand - half are women and the majority are from Burma.

In the eyes of the migrants, policy means control. Once registered they are not allowed to travel outside the area where they are registered. As soon as they leave the town where they are registered, they are considered unregistered and lose the status they had. They are not allowed to change their employer,
except in exceptional circumstances like if the employer dies. So you are bonded to your employer, and it
gives the employer a huge amount of power over your life and conditions. Migrants must register within a
limited set period of time (over 2 months). Migrants are mobile, coming and going all the time, may not
have money or an employer to register in that window of time, so many of the migrants are left outside of
these registration periods. Out of 4 million migrants only a small number can register at that time. The
actual status of temporary work permits is “while awaiting deportation,” so it is not really a legal status. It
says: Ok, we’ll tolerate you for a year while you work here, and then we’ll send you home.

Every two or three years the Thailand government will threaten to deport pregnant migrant women, though they have never actually done
it. The most recent was June 2012 – when they said they would send pregnant women home to have children and then they could come back
to Thailand to work. Effectively this is deportation because once they have left they could not come back as they would have lost their legal
status. This is another control mechanism to threaten women all the
time: if you have a baby we will send you home.

Every year registration finishes, so every year there is a threat that
migrants will be deported. Many migrants have re-registered for many
years, but each year they are told they will be deported. The current deportation date is December 14,
2012. Psychologically this is control over migrants – you are temporary, you do not have rights, cannot settle, cannot integrate, you are only here temporarily. This prevents migrants from expressing their
opinions and exercising their rights. They are also controlled by the fact they are not allowed to form
labor unions.

The law says only Thai nationals can be the head of unions. So migrant workers can join unions but not
be in elected positions, which is against principles of any union. All unions are in Bangkok anyway,
which excludes migrant worker

This is a global trend to regularize migrants. We are told it is a good thing to be documented, and a bad
thing to be undocumented. People are trying to find ways to make sure migrants have some legal piece of
paper. One of the dangers to that is then the flexible systems that respond to actual situations of people
disappear. People from Burma live on the border, ethnic groups have family on either side. Regularizing
people will take away these flexible systems.

One of the regulation measures is that temporary passports are being issued to migrants who were
previously registered. Also, migrants can apply for a passport in their home country. Currently 1.3
million
migrants have some form of registration.

Regularization is meant to give access to social security, healthcare, pensions, maternity leave, etc. but it
is dependent on the employer. If the employer does not pay into it, the migrant cannot pay into the system
and doesn’t get the benefits.

Regularization is said to be done in the name of preventing human trafficking, being fairer, protecting
rights. But many employers actually prefer undocumented migrants because they can dismiss them when
they want and pay them what they want. The reality for migrants is regularizing takes more time, it is
more complex, expensive, and intermediaries are needed. Many women are illiterate so they need to use more brokers and there is more chance of being exploited, deceived, or cheated. These systems are disadvantaging women and ethnic groups. Ethnic groups have to travel to the city to get documents which is difficult and costly.

There is no indication that regularizing people results in better conditions or wages. Migrants are doing the right thing but employers are still breaking the laws, and government agencies aren’t enforcing the laws. There is no proof that it reduces trafficking.

There is proof that regularizing work – improving wages, coverage under labor laws, improving occupational health and safety – is a better solution. It makes the work legal, transparent, visible.

How can you traffic people into work you can see?

Unregulated women’s work includes domestic work, which is excluded by Ministerial regulations, with no regulation of work hours (including time off), duties or wages. Sex work is not mentioned in labor laws but it is controlled under an Anti-Prostitution Act—it is about control, not protection. There are no occupational health and safety standards. Illegality makes it difficult for women to seek redress; it is underground, so it creates opportunities for smugglers and traffickers. If it was covered by labor laws then sex workers would be free to come and go, everyone could see what was happening, and you couldn’t smuggle or traffic people into it.

Manufacturing work (i.e. garment industry) is protected by national labor laws but has developed in response to global demands. It employs 70 percent women workers. Often the factories are sub-contracted by main factories in Bangkok. They are set up in border zones to exploit cheap border labor. This industry responds to a global demand for cheap, fast turnaround and workers work overtime.

Regarding family rights, babies of migrant women born in Thailand are given birth registration and they can go to school. The Prime Minister recently announced that all children under age five will get free health care. But there are no routes to citizenship. Migrant women who are victims of domestic violence experience double neglect. The police often say “it’s a migrant affair and has nothing to do with us Thai police.”

The combined effect of all these policies makes migrant women invisible, isolated, insecure, and not able to integrate or access mainstream society or services. Women are more vulnerable to violence and are afraid to report abuses. On the other hand it makes the host society view migrants as criminals, the “other,” temporary, and therefore not worth connecting with. My recommendations:

- Recognize that migrants, temporary or long term, are entitled to rights;
- Focus on regularizing work, not migrants;
- Reform the Labor Relations Act regarding union formation;
- Tie trade agreements to working conditions, including those of migrants;
- Make special efforts to include migrant women in the global women’s movement; and
- Create greater understanding of unequal living standards and commitment to narrowing the differences.
Wenchi Yu

Migration is natural, it comes out of human desire—even within borders people move around—for opportunities. That desire is impossible to control and stop, so how do we respond and react to it? Migration is a neutral term but it is often seen as negative because countries want to control it.

We see two approaches to this issue: either we treat migrants as equal to citizens, or we see them as aliens and therefore not entitled to equal rights or services. Most countries adopt a mixed bag of these approaches.

What is the appropriate policy response? Many of those interested in a human rights approach would like to look at immigrants as people with basic needs and address the issue of cultural and language barriers. In the State Department, the Bureau of Population, Refugees, and Migration looks at this issue, and many other bureaus are also involved in policy response: The Office of Trafficking in Persons, Office of Global Women’s Issues, Bureau of Democracy, Human Rights and Labor, law enforcement, and development agencies including USAID and other agencies.

People say that to really prevent negative consequences of migration, good development programs must be in place so people won’t have to migrate out of necessity because they will already have good jobs. We look at the emergency response for migrants and refugees, usually in conflict and natural disaster situations, to longer term, societal integration issues. For example, a Burmese migrant living on the Burma/Thailand border where returning home is not an alternative - what do you do with them? The spectrum of solutions varies widely.

What are the right solutions to the challenges? Individual government response is insufficient to deal with migration challenges. There are some innovations around how to bring the region together to engage in dialogue, or bring the sending and receiving countries together to engage in effective policy dialogue. For example, the United Nations Inter-agency Project on Human Trafficking in the Mekong Sub-region is the first of its kind in the world that brings the lower Mekong region together to coordinate a lot of things that are happening in trafficking and migration. How do you provide services to migrants, prosecute crimes against/perpetrated by migrants, etc.? This project has proven to be really effective, though there is a lot of country-level policy coordination needed. In most Southeast Asian countries migrants are seen as secondary aliens.

Governments play a huge role in responding to migration challenges, but NGOs are delivering the services. NGO staff see from the migrant’s perspective what is needed. But sometimes NGOs and governments are advocating from different perspectives and there is tension. There is not enough productive dialogue. We in the State Department are always encouraging dialogue to find mutually agreeable solutions.
Mai Mai Twe

I would like to talk about the activities at MAP that are trying to address the problems Jackie discussed earlier. This is Women’s Exchange - it started in response to women’s needs and a donor request.

The women said they had no chance to meet women of different ethnicities or from other occupations; they sometimes felt lonely and insecure. MAP started providing space for women of different backgrounds to meet once per month. Women shared what was happening in their families, communities, at work, and in their lives. MAP provides guidance for women to lead discussions on particular issues each month, including looking at how school education is often biased towards men, how women are often excluded from policy making, and how history often does not tell women’s stories. It is not only the content but also the process that contributes to women’s empowerment—women facilitating and organizing. It is part of the empowerment process as well as informing women. Women also have lunch together. In that first year women wanted to try new food, like KFC and pizza but nowadays they prefer Burmese food.

Women’s Exchange started in Chiang Mai, but since migrant women are mobile, some participants moved to other areas and set up Women’s Exchange there. Now there are Women’s Exchange monthly meetings in 17 areas including in two refugee camps.

Why is Women’s Exchange popular? It brings women of many backgrounds together. Once a year representatives of different groups come together for the Women’s Exchange Get-together to meet with 200 other migrant women. They also get to learn belly dancing, vegetable carving, and aerobics—activities that other women can choose to do but are out of reach for migrant women. They also have a chance to meet with Thai women activists and women from other countries who have had similar experiences. Migrant women become connected with each other through Women’s Exchange and also to women in the larger world.

The Women’s Exchange meetings provide the opportunity for women to learn about their labor rights, legal rights, and rights as women, and to share with each other what happens when you try to exercise your rights. Sometimes it is dangerous—employers can get angry and you can lose your job, husbands can beat you up. Women learn strategies from each other to exercise their rights but still stay safe.

Most married women face problems including domestic violence. Women’s Exchange gives women strength through knowing they are not alone and sharing strategies to cope or leave. Women’s Exchange developed a 10-step guideline for what to do in case of physical or sexual violence. MAP runs training with Women’s Exchange on using the guidelines, including visiting the one-stop crisis center at the hospital and police station. Migrant women in Bangkok have organized their own small shelter for women in crisis.

MAP runs two community radio stations for migrants. Migrant women from Women’s Exchange broadcast a weekly program on both stations, reaching out to thousands of migrant women in factories, on
construction sites, domestic workers and agricultural workers. The programs are live so migrant women can call in.

Women’s Exchange groups join with local Thai groups to organize public events on special days like International Women’s Day, Aung San Suu Kyi’s birthday, and Stop Violence Against Women Day. These events provide migrant women the welcome opportunity to hold public - not hidden - meetings. They also raise awareness among the Thai population and show how migrant women can be active members of society if policy would allow it.

Women who have attended Women’s Exchange are more confident to become active leaders in their communities as trainers, raising awareness about important issues, or as family counselors. Women’s Exchange has expanded during an exciting time for women from Burma - a period when women from different ethnicities have formed women’s groups, when Aung San Suu Kyi has been released from house arrest, a time when Burma is changing. We still have to work longer and harder for the changes needed for women to live happily and safely.

Malu S. Marin

The Philippines is one of the biggest migrant labor sending countries in the world. An estimated 3.8 million contract “household workers,” make up the single largest group of female newly hired workers in any given year. There are more than 10 million overseas Filipinos, and 3.8 million of them are temporary contract workers. Indonesia has an estimated 4 million migrant workers and 75 percent are women; Malaysia had 1.8 million registered workers in 2010, half of whom were Indonesians. The number of undocumented workers is bigger. The largest flow of migrant labor is to the Gulf countries, especially Saudi Arabia and United Arab Emirates. The biggest market for workers is in Hong Kong.

Migration is a gendered experience. For women it can provide the opportunity to improve their lives. Sometimes women migrate to escape abusive relationships. But it can also entrench traditional roles and inequalities and expose women to new vulnerabilities as a result of precarious legal status, exclusion and isolation. Even though they have migrated and are the main bread-winners women still revert back to traditional roles where the husbands make the decisions.

Before departure women often lack information on what will happen abroad and on health considerations. Medical exams are done prior to departure for 22 diseases and conditions, including STI and HIV, pregnancy, Hepatitis B, and psychiatric tests. The medical exam is really a screening process for work viability, not for them to understand their health and get treatment. Pre-departure trainings are a tool to teach how to be a “good worker”—obey, be subservient, don’t cause trouble, or exercise your rights. Gender norms are emphasized especially for domestic workers—they are taught how to dress and behave.

When it comes to migrant workers’ vulnerabilities onsite, one of the challenges is adjusting to a foreign culture and new environment, including the food, language, and weather. It creates an initial shock for migrants, which they have to deal with by themselves. They also get subjected to harsh working conditions, especially in domestic work, which is not covered by labor laws in many countries. Women
may have long work hours and an unclear work description so they have to perform a wide range of
duties, including cooking, cleaning, washing the car, walking the dog, cleaning the pool, etc. There is also
the problem of nonpayment of salaries.

My network, CARAM Asia, has initiated a campaign to recognize one day off each week, particularly for
women domestic workers. Policies vary in every country. In Hong Kong a day off is mandatory and a
worker can file a complaint against an employer if they violate this. But in Singapore it is not mandatory
and a migrant is lucky if they get two days off a month - the norm is one day off a month. In the Gulf
countries there is no day off, but women find creative ways of taking some time for themselves, like
registering for Islamic culture classes so they can get out of the house.

Migrant worker women are vulnerable to physical and sexual abuse, invasion of privacy, stress, and they
may lack access to health services. While mobile phones enable women to stay in touch with their
families, employers sometimes search through their things and confiscate their phone and contact
numbers. There is an absence of monitoring mechanisms because the workplace is a private space.
Women face several sources of stress: from their families back home (i.e. children’s issues, husbands who
have affairs or don’t spend the money properly, etc.), financial (not earning enough), lack of workplace
safety, lack of food, and their family or their own health problems.

Legal status determines access to health services, though migrants often pay more for health services and
there is a language barrier, especially with sexual and reproductive health issues. Migrants with
employment contracts still may not be able to enforce the terms - many workers fear they will lose their
job if they tell an employer they are sick, so they endure illness. Filipino migrant workers take a lot of
medicine with them so they can self-medicate.

Regarding lesbian migrant workers, sometimes they are discriminated against because employers do not
want a “butch” caregiver for their children, and other times they get hired because employers think “they
can do anything.” Fortunately, in Hong Kong lesbians are able to organize gatherings and events. But
lesbians may hesitate to talk with a doctor about sexual/reproductive health issues because of body image
insecurity.

Many policies and legal frameworks affect migrants’ health, and are challenging to coordinate across
sectors, and frequently debated. Some policies extend to ethical and moral issues, such as the Singapore
Employment of Foreign Manpower Act that says a migrant worker cannot apply to marry a Singapore
citizen or permanent resident unless there is approval of the Controller; cannot become pregnant or
deliver a child; cannot be involved any illegal or immoral activities including breaking up families in
Singapore. This is the ultimate form of “othering:” your right to reproduction or integration is dismissed.

Addressing migrant workers’ health involves integrating key human rights concepts into sound public
health approaches. **Disparities in access to health services, facilities and goods between migrants and
host populations should be eliminated. An enabling environment should be created for migrant
workers to enjoy and fulfill their health - including sexual and reproductive - rights. We must
promote migrant-friendly health policies and work towards the development of mechanisms that
enhance social protection, health and safety of migrants.**
A few helpful platforms include the ILO Convention on Domestic Work; JUNIMA, a multi-sectorial body composed of governments, international agencies and civil society organizations, whose mandate is to promote universal access to HIV prevention, treatment, care and support for mobile and migrant populations; the World Health Assembly 2008 Resolution on Migrant Health; and the WHO and IOM operational frameworks on migrants’ health. These international efforts should be combined with national interventions such as the Migrant Workers’ Act in the Philippines, pre-departure trainings, capacity building of Foreign Service personnel to respond onsite, and organizing of migrant workers.

Timothy Ryan

The Solidarity Center and the unions we work with take a rights-based approach and an organizing approach. We look for the mechanisms and tools to change the system.

Here are two examples of ways people changed their thinking about migrant workers. A year or two before 9/11 the AFL-CIO (labor movement of the U.S.) changed their thinking about migrant workers – from thinking of them in an exclusionary way to thinking of organizing them. Since then in the last 10 years there have been novel and non-traditional ways that migrant workers, including women, have been organized in the U.S. The Malaysian Trade Union Congress also made this switch around the same time.

In Hong Kong there are approximately 300,000 domestic workers, most are women, and they are the most active voices in the Hong Kong labor movement. The Indonesian and Filipino domestic workers have organized their own unions and affiliated with the Hong Kong Confederation of Trade Unions that has relationships with the government and international labor movement. Earlier this year the Hong Kong Confederation of Trade Unions elected two women domestic workers to serve as leaders on its executive committee. This is the first and only example we know of any trade union from Asia doing something like this. However, challenges remain: Indonesian laborers have to pay six to nine months’ salary to a labor recruiting agency; there is no minimum wage law for these workers; and they have no right to apply for permanent residence as other foreigners can. Recruiters’ fees really victimize migrant workers so this is one of the biggest issues that must be tackled. Most recently Indonesian women migrant workers were protesting outside of the Consulate General in Hong Kong about the lack of implementation of a new Indonesian regulation that prohibits high recruiters’ fees.

Other promising examples come from Nepal, Indonesia, Sri Lanka, and Qatar. The General Federation of Nepali Trade Unions, which has put organizers on the ground in Malaysia and South Korea to organize migrant workers into trade unions in those two countries. The Indonesian domestic workers’ union in Hong Kong helped the Indonesia-based Jaringan Nasional Advokasi Pekerja Rumah Tangga (National Network for Domestic Workers’ Advocacy), an umbrella group of 26 NGOs and trade unions of domestic workers, raise awareness about their rights and an international support system if the participants go abroad for work. This group also advocates for better Indonesian policies.
In Sri Lanka, the All Ceylon Federation of Free Trade Unions recognized that most of the domestic workers were going abroad to the Middle East and that it was difficult to organize everyone. So they created migrant worker associations that were community based in the destinations. The trade unions in Sri Lanka support the community groups with legal assistance.

In Qatar, the National Human Rights Commission started a dialogue with community groups representing migrant worker communities (from India, Nepal, Sri Lanka, Philippines, etc.). The Solidarity Center is encouraging the groups to use this opportunity to create communication linkages with the government in case there are problems that need to be reported.

**Summary**

Labor migration can have positive and negative effects on women. Decent employment empowers women in many ways, and remittances can provide significant income to the home country. Yet migrant women are vulnerable and often victims of discrimination and abuse. Migrant workers are entitled to rights and social protection though there is usually a disparity between migrants’ and the host population’s access to health services, facilities and goods. Often migrant workers don’t know their rights in the workplace or human rights generally and they feel insecure about advocating for themselves for fear of losing employment or worse, getting deported. This insecurity along with pressure to send money back home, language barriers, and discrimination can cause a great deal of stress for women. On the other hand, being far from home can also give women more autonomy and decision-making power in their own lives.

The challenges in social protection include legal status, lack of oversight in the informal labor sector, and the various religious, economic, political and cultural traditions at play.

An integrated approach is needed to provide assistance to migrant workers in Southeast Asia, including a combination of national and international efforts; improving legal frameworks (laws, policies and regulations) and accountabilities; better regional and national coordination with ministries of labor, immigration and education; and improving civil society capacity.

The U.S. government has many efforts underway to protect migrants and refugees. The U.S. Department of State, for example, works with various governmental agencies to target gender-based violence prevention and response, and incorporate gender issues into humanitarian and disaster response work. The U.S. Department of Labor focuses on workers’ rights policies, including the right to organize and the right to social protection. The U.S. Congress has passed anti-trafficking legislation such as the Trafficking Victims Protection Act. These are just a few examples.

Multilateral frameworks such as the UN Convention against Transnational Organized Crime, the ILO Domestic Workers’ Convention, and the World Health Assembly Resolution on Migrant Health also promote migrant workers’ rights. Regional migration programs build capacity of governments to protect and assist migrants, and promote regional dialogue, cooperation and collaboration.

There have been some successful regional policy dialogues, though migrant women’s voices need to be heard more in policy development and implementation. A policy may seem useful from the government perspective but in reality may hinder migrant’s freedom of movement, access to services, or ability to change employers even in abusive situations. From a migrant worker’s perspective, policy means control
over their life. Regularizing work—improving wages, coverage under labor laws, improving occupational health and safety—was suggested as a better solution than regularizing migrants.

While governments and multilateral organizations build policies, civil society organizations provide many of the local services. One civil society program in Thailand was highlighted for providing psycho-social support for migrant women. It has been effective in reducing stress, building leadership skills, and raising awareness about rights and available services. Several examples of successful union and group organizing were discussed and promoted, both as effective in changing the system as well as empowering women to become leaders.

All of the speakers agreed that while positive strides have been made, more productive dialogue and better implementation coordination among the various stakeholders is needed, especially between government and civil society.

References Cited

International Organization of Migration 2009, *Gender and Labour Migration in Asia*. Available at: [http://publications.iom.int/bookstore/free/gender_and_labour_migration_asia.pdf](http://publications.iom.int/bookstore/free/gender_and_labour_migration_asia.pdf)


Resources


Stepping into Change: Migrant Women Workers in Thailand. Video produced by MAP Foundation with support from the Global Gender Program, Elliott School of International Affairs, GW. The 13-minute film highlights conditions faced by Burmese migrant women workers in Thailand and the Women’s Exchange program that has helped them. Available at: http://www.gwu.edu/~ggi/events/videos.cfm

**Glossary**

**Internally displaced person (IDP):** someone who is forced to leave his or her home or community for a variety of reasons but who remains in the same country.

**International migration:** movement across country boundaries.

**Feminization of migration:** a recent trend in which gendered patterns are changing and a higher rate of women are migrating for labor or marriage.

**Forced prostitution:** conditions of control over a person who is coerced by another to engage in sexual activity.

**Human trafficking:** the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

**Labor migrant:** someone who moves, voluntarily or under economic pressure, for purposes of employment and income generation within their home country or to another country.

**Migration:** movement from one place to another.

**Refugee:** someone who is forced to leave his or her home, community, or country for a variety of reasons including economic factors, political factors, environmental factors, ethnic identity, or religious affiliation.

**Social protection:** policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people's exposure to risks, and enhancing their capacity to manage economic and social risks, such as unemployment, exclusion, sickness, disability and old age.
Women’s empowerment: improving social, economic, and political opportunities for women

Organizations and Programs

AFL-CIO is the umbrella federation for American unions, with 57 unions representing more than 12 million working men and women. http://www.aflcio.org/

Asia-Pacific Economic Cooperation (APEC) is an economic forum that aims to support sustainable economic growth and prosperity in the Asia-Pacific region. http://www.apec.org/

Association of Southeast Asian Nations (ASEAN) is a geopolitical and economic organization of ten countries located in Southeast Asia. http://www.asean.org/


Bureau of International Labor Affairs leads the U.S. Department of Labor’s efforts to ensure that workers around the world are treated fairly and are able to share in the benefits of the global economy. http://www.dol.gov/ilab/


CARAM Asia is a regional network working on migration and health issues. Formed in 1997, it has developed into a network of members spread across South East Asia, North East Asia, the Gulf and Middle East. http://www.caramasia.org/

Hong Kong Confederation of Trade Unions is a pro-democracy labor and political group which was established in 1990. http://www.hkctu.org.hk/cms/index.jsp


Malaysian Trade Union Congress is a federation of trade unions and registered under the Societies Act, 1955. It is the oldest National Center representing the Malaysian workers. http://www.mtuc.org.my/

MAP Foundation is a grassroots Non-Governmental Organization (NGO) that seeks to empower migrant communities from Burma living and working in Thailand. http://www.mapfoundationcm.org/

Office to Combat and Monitor Trafficking in Persons leads the United States’ global engagement on the fight against human trafficking, partnering with foreign governments and civil society to develop and implement effective strategies for confronting modern slavery. http://www.state.gov/j/tip/
Office of Global Women’s Issues in the U.S. Department of State seeks to ensure that women’s issues are fully integrated in the formulation and conduct of U.S. foreign policy. [http://www.state.gov/s/gwi/index.htm](http://www.state.gov/s/gwi/index.htm)

Office of the United Nations High Commissioner for Refugees (UNHCR) is mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. [http://www.unhcr.org/cgi-bin/texis/vtx/home](http://www.unhcr.org/cgi-bin/texis/vtx/home)

Qatar National Human Rights Commission is a national official commission based in Doha which aims at the consolidation and protection of human rights and basic freedoms. [http://www.nhrc-qa.org/en/](http://www.nhrc-qa.org/en/)

The Solidarity Center aims to help build a global labor movement by strengthening the economic and political power of workers around the world through effective, independent and democratic unions. [http://www.solidaitycenter.org/](http://www.solidaitycenter.org/)

United Nations Inter-Agency Project on Human Trafficking (UNIAP) in the Mekong Sub-region was established in 2000 with a central focus on trafficking in persons and a mandate to facilitate a stronger and more coordinated response to trafficking in persons in the Greater Mekong Sub-region. [http://www.nottrafficking.org/](http://www.nottrafficking.org/)

Women’s Exchange is a network of girls and women working along the Burmese borders, who meet once a month locally and once a year with representatives from each region to learn about and discuss critical issues, health, violence against women, rights and family planning. [http://www.mapfoundationcm.org/eng/index.php?option=com_content&view=article&id=6&Itemid=11](http://www.mapfoundationcm.org/eng/index.php?option=com_content&view=article&id=6&Itemid=11)

**Policies**

**Decent Work Agenda, ILO**: formulated by the ILO’s constituents – governments and employers and workers – as a means to identify the Organization’s major priorities. It is based on the understanding that work is 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. [http://www.ilo.org/global/about-the-ilo/decent-work-agenda/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/decent-work-agenda/lang--en/index.htm)

**Department of Labor (DOL) Strategic Plan** (2011-2016): highlights the Administration’s goals and values and serves as a roadmap for continuing to meet the workplace and economic challenges. [http://www.dol.gov/_sec/stratplan/](http://www.dol.gov/_sec/stratplan/)


**International Organization for Migration (IOM)**: dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants. [http://www.iom.int/cms/en/sites/iom/home.html](http://www.iom.int/cms/en/sites/iom/home.html)

**Joint Initiative on Mobility and HIV/AIDS (JUNIMA)**: brings together governments, leading non-governmental organization networks and the United Nations family, to promote universal access to HIV
prevention, treatment, care and support for mobile and migrant populations in South East Asia and southern China. \url{http://www.junima.org/}

**National Security Strategy:** prepared periodically by the executive branch of the government of the United States for Congress. It outlines the major national security concerns of the United States and how the administration plans to deal with them. \url{http://nssarchive.us/}

**Palermo Protocols:** three protocols adopted by the United Nations and the Convention against Transnational Organized Crime in 2000 in Palermo, Italy. They include: the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea, and Air; and the Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition. \url{http://www.unodc.org/unodc/en/treaties/CTOC/index.html}

**Quadrennial Diplomacy and Development Review:** a blueprint for elevating American "civilian power" to better advance U.S. national interests and to be a better partner to the U.S. military. \url{http://www.state.gov/s/dmr/qddr/index.htm}

**Trafficking Victims Protection Reauthorization Act** (2005): signed into law by the President of the United States in 2006; aims to monitor and combat forced labor and child labor in foreign countries. \url{http://www.dol.gov/ilab/programs/ocft/tvpra.htm}

**World Health Assembly 2008 Resolution on Migrant Health:** endorsed in May 2008; calls member states to establish mechanisms and systems to promote the health of migrant workers \url{http://www.who.int/hac/techguidance/health_of_migrants/en/index.html}
The Global Gender Program (GGP) of the Elliott School of International Affairs hosts an events series, the Global Gender Forum, and undertakes policy-relevant research about global women and girls especially as related to the HERS agenda (health, education, rights, and security).

The GGP research team seeks to increase knowledge about why it matters to include a gender perspective in all aspects of securing and maintaining peace, protecting women and girls during and after conflict, ensuring gender equality in development and leadership, and more.

For more information on the GGP, go to http://www.gwu.edu/~ggi/