

**Capacity Building on Human Rights and Migrant Workers in
the Asia/Pacific Region**



**A Training Program for Advocates Organised by the Diplomacy Training
Program in partnership with Migrant Forum Asia, the Asia-Pacific
Forum of National Human Rights Institutions and Forum Tau Matan**

**Dili Timor-Leste
7 – 11 September 2009**



PROGRAM REPORT

Executive Summary:

The Diplomacy Training Program's (DTP's) 6th Regional Capacity Building Program focusing on the rights of migrant workers took place in Dili, Timor-Leste from September 7 – 11 2009, at the invitation of DTP's Founder and Patron, President Jose Ramos-Horta.

The program was held in partnership with Migrant Forum Asia (MFA), the leading regional network of NGOs working on the rights of migrant workers from Asia, the Asia-Pacific Forum of National Human Rights Institutions and local NGO partner, Forum Tau Matan.

There were 31 participants in the program from 17 countries, including Timor Leste, Sri Lanka, Jordan, Lebanon, Palestine, Saudi Arabia, Malaysia, Thailand, Mongolia, Indonesia, Nepal, Bangladesh, Singapore, Philippines, Maldives, South Korea, Australia and New Zealand.

The participants came from both migrant sending and migrant receiving countries, and came with a wide range of experience, knowledge and skills. The program aimed to develop the knowledge and skills of advocates working in very different roles and contexts to promote and protect the rights of migrant workers and their families. It aimed to explore how individuals working in NGOs, National Human Rights Institutions (NHRIs) and Trade Unions could work together more effectively within specific jurisdictions and across borders.

The program was an intense one, with a focus on the international standards and accountability mechanisms most relevant to migrant workers and the realities of life for migrant workers in different countries. Even so it was only able to skim the surface on some important issues and was unable to engage with others. The program included a dialogue between the participants and the President of Timor-Leste, Jose Ramos-Horta.

This report aims to provide an overview of the program, to highlight some of the issues that participants work on, and to suggest some future directions for capacity building work on the rights of migrant workers. The report draws on the evaluations of participants, completed anonymously at the end of the program. The participants' anonymous evaluations of the program, completed on the final day, were positive and indicate that the program met its objectives.

The program was made possible through funding from the Norwegian Ministry of Foreign Affairs, the Asia-Pacific Forum of National Human Rights Institutions and the Open Society Institute. The Diplomacy Training Program would like to express its appreciation to these funders, and also to acknowledge the generous in-kind contribution of the trainers who shared their knowledge and skills.

Background:

Working in partnership with Migrant Forum Asia, the Diplomacy Training Program (DTP) has since 2004 developed specific capacity building programs to develop the capacity of NGO advocates to work more effectively to promote and protect the rights of migrant workers.

Migration is as old as human history, but in recent years and associated with rapid economic change, there has been a rapid growth in the numbers of people, increasingly women, leaving their homes, communities and countries in search of work. The United Nations estimates there are over 53 million migrant workers in Asia. This growth has been driven in

part by processes of globalisation, increasing urbanisation, and growing gaps between rich and poor within and between countries. Migration and Development is the theme of the 2009 Human Development Report, published by UNDP.

Growing economies and prosperity in Singapore, South Korea, Taiwan, Malaysia and Hong Kong have brought a growing demand for labour to do the low-paid, dirty and often dangerous work that locals no longer wish to do. There has been a growing demand for domestic workers, for maids, cooks and cleaners by the growing middle class in these countries. The journeys of migrant workers can be driven by the hopes and possibilities of a better life for themselves and their families. They are often accompanied by the sense of loss of leaving the security and familiarity of home and country. In circumstances where labour migration is established but difficult, the lines between migration, trafficking and people smuggling can blur.

Migrant workers leave their homes and families in Asia to work elsewhere in South East Asia, and in West Asia – Lebanon, Jordan, Egypt, Saudi Arabia and the Gulf States. They work in construction, manufacturing, agriculture, service industries and domestic work. They make a major contribution to the economies of the countries they have left, and the countries that receive them through their labour and the remittances that they send home. In 2005, the value of remittances of migrant workers to their home countries has reached US\$ 167 billion. Governments of receiving countries have also benefited directly from the activities of migrant workers. For instance, the Singapore government collects a levy from employers of foreign workers and receives an estimated amount of \$3 billion dollar a year.

In recent years, a rough labour hierarchy has emerged in some sectors that substantially influence rates of pay and working conditions for migrant workers from different countries. Filipino migrant workers are seen as being at the top of this hierarchy, with migrant workers from the different countries of South Asia and Burma occupying lower rungs of the ladder. This hierarchy can reflect many factors. One factor may be that advocacy for migrant workers' rights has the longest history in the Philippines, the migrant workers from the Philippines have been among the most successful in organising themselves, and this advocacy has succeeded in making the rights of migrant workers an issue for the national government and also for its missions overseas.

The relationship between migration and development has become a growing priority for policy research and development by governments and the World Bank and other financial institutions. Remittances from migrant workers far outstrip the dollar value of development assistance and labour migration and the resulting remittances have become a development strategy for some countries. For many developing countries, labour migration has become a main driver of the economy. In Nepal, migrant workers' income accounts for 19.1% of the GDP in 2008.

This emphasis on the public benefits of private savings has raised the concern of advocates, who see the further abrogation of government responsibility for sustainable and equitable development policies and the exploitation of some of the poorest and most vulnerable workers. In the Philippines, with one million workers going overseas each year, the huge contribution of migrant workers to the economy is cited as major factor for averting economic decline despite the global financial crisis. But this has also been blamed for the government's lack of political will to reform its economic policies and confront major issues such as governance and corruption. Through advocacy of migrant workers rights,

governments are increasingly becoming responsive to issues of violations and exploitation of foreign workers.

Migration has become a big business, with multinational recruitment agencies involved as well as smaller and more informal labour agents. Banking and other financial institutions have greatly benefited from business generated by migrant workers, in particular the transfer of remittances. Companies such as Western Union have become the focus of anger and advocacy because of the high fees they charge.

In Singapore, they constitute 36% of the workforce while in Maldives foreign workers make up 26.11% of a total population of 298,968 people. In the Gulf States of West Asia (Middle-East) migrant workers are the majority of the population.

I believe we all share the same view of the basic issues- There's inadequate protection, understanding of migrant workers. More needs to be done. Some people are hampered by their governments, some by funding, some by the size of the problem etc.¹

Program Location

Timor Leste is one of only four countries in the Asia-Pacific Region to have ratified the International Convention on the Rights of All Migrant Workers and Their Families (CMW). This is the core international human rights treaty spelling out the rights of migrant workers and their families and the responsibilities of governments in both sending and receiving countries through the cycle of labour migration. It was adopted by the international community through the UN in 1990 and came into legal force in 2003.

The program was held in Timor-Leste at the invitation of DTP's Founder and Patron, President, Jose Ramos-Horta. As President, Jose Ramos-Horta has spoken publicly of the need for action on the rights of migrant workers, and of the responsibilities of his government and people in relation to the rights of migrant workers.

This year marks the tenth year of the UN supervised referendum through which the East Timorese claimed their independence, after many years of human rights violations. Ten years on from that vote, and the crimes against humanity that accompanied it, independent East Timor is seeking to generate the economic growth that will provide employment and opportunities for its young and rapidly growing population. It is also turning to labour migration schemes as a development option. It has recently entered into a major bilateral labour agreement to send East Timorese workers to South Korea, and there are East Timorese migrant workers in Europe. The numbers are still relatively small, but the government sees increased labour migration as a desired option for a number of reasons.

At the same time economic growth in Dili, and the large international presence there, has attracted a growing number of migrant workers into East Timor and this has increasingly posed challenges for the government – in relation to regulation of visas, and of working conditions and environment, as well as community perceptions.

¹ Unless otherwise stated, all italicised comments are sourced from anonymous participant evaluations.

East Timor is therefore beginning down a road that has been well travelled by others, most usually with great suffering experienced by individual migrant workers and their families. With strong commitments to human rights it has the potential to ensure that the rights of East Timorese migrant workers, and migrant workers in East Timor are protected and realised – and that the potential benefits of migration to individuals, to communities and to economic development are fulfilled.

One aim of holding this program in Timor Leste was to assist the efforts of local NGOs to raise awareness of the human rights dimensions of labour migration, to engage with relevant officials including the National Human Rights Institution (Proveadore’s Office), build the capacity of East Timorese advocates and develop practical support networks between East Timorese NGOs and their counterparts in the region.

Program Venue



The program was held at the Sao Paulo Convent in Comoro, Timor Leste. The hospitality and kindness of the Sisters were greatly appreciated by all of the participants. The accommodation was very clean and comfortable and the environment very peaceful.

The staff at Sao Paulo Convent, Comoro

Many thanks to all the organizers, and to the wonderful people working and in training at San Paolo Comoro.

Program Partners

Migrant Forum Asia (MFA) is the broadest and most representative membership-based network of migrant organizations and support groups committed to protect and promote the rights and well-being of all migrant workers and their families in Asia² in particular. It has been involved in policy advocacy at the national and regional levels (including ASEAN), building around opportunities for NGOs and civil society to contribute to change. It has enabled them to actively engage at the international level such as with the UN Treaty Body Reporting processes, with UN independent inquiry mechanisms (the Special Procedures), and to participate in the development, adoption and implementation of international standards.

² Currently it has more than 290 official members from 14 Asian countries with its secretariat based in the Philippines. Some of the members are themselves national networks representing a large number of local organizations (e.g. the network members from Japan, Korea, Sri Lanka, India, Indonesia and Hong Kong.)

The Diplomacy Training Program (DTP), is an NGO established by Nobel Peace Laureate Jose Ramos-Horta. It is the oldest established training program for human rights defenders and community advocates in the Asia-Pacific Region. Over the past 19 years, it has successfully delivered regional and in-country capacity building programs all over the region, focusing on building the knowledge and skills of civil society advocates and the practical application of international human rights standards. It has also trained the staff of National Human Rights Institutions (NHRIs) and government officials, and facilitated engagement between different stakeholders at the national and international level.

Forum Tau Matan (FTM) stands for Eye on Human Rights, a local NGO founded in 2003 by Timorese activists involved in the struggle for independence in East Timor. The organization is focused on providing human rights education to the community and engaging with the youth sector. It is involved in undertaking various human rights education in the villages and doing advocacy and campaign for children's human rights and establishment of juvenile justice system that will address the situation of children facing arrest, detention or imprisonment for crimes. FTM has lately been involved in advocating for housing rights, a key issue for many people in East Timor.

Asia Pacific Forum of National Human Rights Institutions (APF) is the leading regional human rights organization in the Asia-Pacific that supports the establishment and strengthening of National Human Rights Institutions in the region in accordance with the United Nations Paris Principles. Organized in 1996, the APF has 14 full members and three associate member institutions. The APF provides a framework through which NHRIs cooperate and work together on a range of regional issues as well as provide for services for building the capacity, skills, and networks of their personnel. It has also provided support for governments and civil society organizations. The APF has given particular attention to the issue of migrant workers and has supported the establishment of the Seoul Process that provides a framework for cooperation between NHRIs and stakeholders involved in migrant workers rights.

The Partnership with the Asia-Pacific Forum of National Human Rights Institutions

The sessions on Role of 'NHRIs' & 'NHRIs & NGO networking'. I had little knowledge about how NHRIs can be involved in migration related issues.

In recent years DTP and Migrant Forum Asia (MFA) have actively sought to include participants from National Human Rights Institutions (NHRIs) in the regional capacity building programs on the rights of migrant workers.

NHRIs across the region have a vital role to play in the promotion and protection of the rights of migrant workers, and in recent years more NHRIs have begun to give greater priority to migrant workers' rights, as a key human rights challenge across the region. There is a consequent need to build the knowledge and capacity of NHRI staff. At the same time there is acknowledgement among both migrant worker NGOs and NHRIs of the value of building collaboration, and finding ways to work together on these issues. NGOs and NHRIs have shared commitments but different and often complementary roles. At the national level, it is too often the case that lack of knowledge, and the sense of having very different roles, has prevented the emergence of positive collaboration and working relationships. It has been DTP and MFA's aim to bring NHRI and NGO staff together to help to break down some of these barriers and build relationships.

From these experiences of engagement in regional capacity building programs, a more exciting sense of the potential for working together across national jurisdictions has also emerged. In November 2008, NHRIs from the region met together in South Korea and agreed on the Seoul Guidelines on NHRIS and Migrant Workers and in 2009 the Asia-Pacific Forum (APF) of National Human Rights Institutions established a working group on migrant workers rights among its members. Within the APF there is also a sub-regional grouping of NHRIs focused on ASEAN called the ASEAN NHRI Forum. The Forum is now seeking formal collaboration with the newly-established ASEAN Intergovernmental Commission on Human Rights (AICHR).

Complementing these formal groupings with more informal establishment of personal working relationships between NHRI staff and NGOs in sending and receiving countries offers the hope of practical interventions and international cooperation to protect migrant workers and their families. Facilitating the exchange of experience and best practice between different NHRIs and NGOs can also provide a very practical approach to changing policy and practices in a region where migrant workers experience a wide range of abuses.

The more formal collaboration between DTP, MFA and the APF reflected in the partnership for this program was therefore particularly welcome.

Migrant Workers' Rights in Sending and Destination Countries

It's good to have participants from sending and receiving countries, because I had many gaps of understanding before.

In relation to patterns of labour migration, countries are generally defined as sending countries or receiving countries, although most countries both send and receive migrant workers – and some countries change from being sending to receiving countries with economic development. Workers from Indonesia, the Philippines, Nepal, Bangladesh, Sri Lanka move in large numbers to work in the more affluent countries Malaysia, Singapore, Lebanon, Jordan and the Gulf countries. Workers from Burma, Laos and Cambodia cross the borders into Thailand.

In sending countries, migrant workers can be vulnerable to a range of abuses from officials and labour agencies. Labour and recruitment agencies can charge migrant workers large sums for arranging employment placement and for often inadequate training and other pre-departure services. Migrant workers can be vulnerable to threats and extortion from officials in sending countries – particularly at borders - as they leave and on their return.

There are varying perceptions of migrant workers in different sending countries in the region. The Philippines is perhaps the exception where migrant workers are viewed positively by the broader community, with understanding of the challenges they face, and appreciation of the sacrifices they endure and the contribution they make to the Philippines. If and when migrant workers return home, they can face considerable issues of reintegration into the community.

In receiving countries migrant workers face a range of problems usually without any of their normal support mechanisms of family and community and familiarity with language and culture to help them. The host society can be hostile, with negative perceptions of migrant workers that leads to active discrimination. Even documented (legal) migrant workers and

their families can face exclusion from health and education services, leading to denial of their human rights. Racism and discriminatory treatment are common experiences, with migrant workers often reluctant to rely on the protection of police or other state authorities. Labour agencies or employers may seize their passport and travel documents, making them both more dependent and more vulnerable to abuse by others. Unpaid and underpaid wages are widely reported, as are conditions of work that clearly violate international standards.

The situation of undocumented (often called illegal) migrant workers is even more precarious, and they are forced to live in the shadows of society. Yet the line between documented and undocumented status is easily crossed. A change of employer, a broken promise by a recruitment agent can result in the line being crossed. For those unfamiliar with the situation of migrant workers it can be deeply shocking to read the reports of Amnesty International and Human Rights Watch that document the violence and cruelty that some workers endure from their employers – including beatings and sexual abuse. Women workers, who have grown in greater proportion to men workers, are more vulnerable to varied forms of physical and sexual violations.

The Convention on the Rights of Migrant Workers' Rights was developed through negotiation and a clear understanding of the need to provide practical protection of migrant workers. It recognises the different rights that are at risk in sending and receiving countries and it specifies particular responsibilities to governments in both.

During the program, the participants were able to reflect on the issues confronting migrant workers and how these issues impact on their strategy advocacies. Many participants share in the thought that migrant workers rights are still not seen from a human rights perspective. The problem of low ratification of the Migrant Workers' Convention is related to this issue where migration is still largely viewed within the economic and security framework by most governments. Many countries especially the developed receiving countries have argued that national laws and other measures are already in place to protect migrant workers and thus the ratification of the Convention is superfluous. As many participants have noted, the reality on the ground is different – increasing abuses, corruption and exploitation, lack of data on migrant workers violations, inadequate measures and mechanisms for complaints or redress, and shows that existing domestic measures are not sufficient to cover the range of issues facing migrant workers in both receiving and sending countries. In situations of war or conflict as shown by the condition of Burmese workers in Thailand, protection of migrant workers have also to be viewed and considered in relation to other international conventions relating to refugees and internationally displaced persons.

Program Participants and Their Work

Many of the important ideas were brought up by other participants. I feel fortunate to be a member of this wonderful group.

The mix of participants in this program was different from previous years – with participants from West Asia as well as South, South-East and East Asia. There was also a higher proportion of staff from NHRIs in this program than in previous DTP courses.

The diversity of knowledge and experience among participants adds to the richness of the program, at the same time as making the challenge of pitching the training at the right level more difficult.

Some participants had extensive knowledge of human rights standards and the UN system and experience of working with these legal instruments, while for others this was their first introduction. The focus of some participants' work is on legal advocacy, or on research, while for others the focus is more on service delivery – including providing emergency shelter and medical assistance to migrant workers at risk.

Because the participants are from different groups, by explaining the role of NHRIs, everyone will be benefited and understand the roles of everyone and maybe can work together in future.

Program Schedule

The knowledge acquired will help me better advocate for and protect migrant workers' rights as it has provided with tools of which I wasn't aware.

The program ran over five days from September 7-11. At the start of the program participants introduced themselves and their organisations, and their expectations of the program. Participants were divided into five groups to help manage and organise the program, with each group being asked to take responsibility for a day of the program. Their tasks included the scheduling of participant presentations, with each participant expected to make a 5-7 minute personal presentation about their work during the week.

Day 1: Opening Ceremony, Introduction to Human Rights and International Human Rights Framework

The Opening Ceremony was hosted at East Timor's Commission for Truth, Reception and Reconciliation (www.cavr.timor-leste.org), which is housed in the prison used by both Indonesia and Portugal during their occupations of East Timor to detain political prisoners.



Opening remarks by the program partners provided some background and context for the issues of the program. Ellene Sana of Migrant Forum Asia emphasised the significance of holding the program in Timor Leste as the country marks the tenth year of their courageous vote for independence.

Participants at the Opening Ceremony, East Timor's Commission for Truth, Reception and Reconciliation

Ellene drew the link between the efforts of the East Timorese to garner international solidarity, and to ensure that international commitments on human rights were upheld, to the need for advocates for migrant workers to build international solidarity and to work for the implementation of agreed international standards.

Following the opening ceremony participants had the opportunity to learn more about East Timor's history with a guided tour of the Chega! (Enough) Exhibition that documents the history of East Timor's struggle for self-determination based on testimony given to Commission on Truth, Reception and Reconciliation.

The first substantive sessions of the program were an introduction to human rights from Aderito Soares, and an introduction to human rights and the UN system by Patrick Earle. Human rights express shared values of human dignity, and Aderito outlined some of the key values and principles of human rights – their universality, interdependence and indivisibility. Human rights emphasise equality and non-discrimination and this has great relevance for migrant workers who frequently experience discrimination.

Following the adoption of the Universal Declaration of Human Rights by the UN General Assembly in 1948 a framework of standards and human rights promotion and protection mechanisms has been developed. The International Bill of Rights consists of the UDHR together with the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights. Most governments have signed up to (and ratified) these human rights treaties, and in doing so have agreed to be held accountable to the international community.

The general human rights obligations of government are to respect, protect and fulfil human rights. To respect human rights requires governments to ensure that neither they, nor their officials violate human rights, for example through laws that discriminate, or through actions such as arbitrary deprivation of liberty or property. To protect human rights requires governments to ensure that other individuals or organisations do not abuse human rights, for example through forced evictions or domestic violence, and that there are mechanisms for accountability and redress when abuses do occur. The obligation to fulfil human rights requires governments to have policies and practices that promote human rights, which facilitate individuals and organisations to realise their human rights and to provide resources to provide resources to the realisation of human rights.

In addition to the International Bill of Rights are a core body of eight international human rights treaties that address particular human rights violations, such as racism and torture, and the rights of particular sections of society that are vulnerable to and experience abuses, and that have been recognised as requiring special protection – such as women, children, migrant workers and persons with disabilities.

Individual governments sign and ratify these individual treaties, and agree to specific obligations under them. For example the Convention on the Rights of the Child has been ratified by every country except the USA and Somalia, while the Convention on the Rights of Migrant Worker's and their Families has been ratified by less than 50 governments around the world.

When ratifying treaties, governments agree to report, and to be accountable, for the implementation of the rights in these treaties to the international community, represented by a committee of independent experts – the treaty body. These treaty bodies have

emerged as one of the key accountability mechanisms for human rights and understanding their role and how they work has become increasingly important for NGO advocacy.

On the first afternoon participants were also introduced, through a short practical exercise, to the work of the UN Special Procedures, such as the UN Special Rapporteur on the Rights of Migrant Workers. These Special Procedures are appointed by, and report to, the UN Human Rights Council. The work of the Office of the High Commissioner for Human Rights was also introduced.

It gives more understanding on the structure, function of the UN along with outcomes that we can have by the way of collaboration.

Day 2: Migrant Workers and the UN Convention on the Rights of Migrant Workers and their Families

The second day of the program was dedicated to developing knowledge and understanding of the UN Convention on the Rights of Migrant Workers and Their Families. Although the text of the treaty was agreed to in 1990 after long negotiation, the treaty only came into force in 2003, when enough countries had ratified it. Today it remains the only international human rights treaty not to have been ratified by any economically developed country.

Ellene Sana led participants through the story of the development of the treaty from the awareness of the violations and vulnerability of migrant workers, to the identification of the specific responsibilities of governments in sending and receiving states. The importance of



of the treaty in specifying the rights of undocumented migrant workers was also highlighted – while undocumented migrant workers do not have the same legal rights as citizens - or documented migrant workers – they do have certain minimum human rights that must be respected. All too often the term “illegal” is used to strip migrant workers of their humanity.

Participants on Day 2

There is a need for advocates in the different countries to consider the value of focusing greater efforts on ratification of the migrant workers convention. It is clear that ratification of the treaty sends a powerful symbolic message of commitment to the rights of migrant workers. It can also, when implemented, provide the basis for practical change in policy and practice. Where ratification is not seen as a viable strategy there is a need for NGOs to look at the other available standards that can be used as tools to lever the adoption of policy and practice that is consistent with respect for the rights of migrant workers – other human rights treaties, the core labour conventions.

Ellene used a number of practical exercises in small groups to reinforce knowledge and understanding of the Treaty. There was also a role play exercise on using the treaty body reporting system for advocacy. While it is the case that relatively few governments have ratified the Migrant Workers Convention, every government in the region has ratified at least one human rights treaty – and the reporting process under other treaties can be used to highlight the situation of migrant workers.

Day 3: Migrant Workers, ILO Conventions and the Rights-Based Approach and Developing Advocacy Allies

The first sessions on the third day focussed on introducing the ILO Conventions most relevant to migrant workers, and the ILO's complaint and accountability mechanisms which are quite different from those available under human rights treaties. These procedures are tripartite, bringing trade unions, employers and government together. It is only one of these parties that can bring a case or raise an issue using this process. For migrant workers this means either forming their unions, or working in close cooperation with established unions.



This is the only DTP course that includes sessions on the ILO, although it is the longest established inter-governmental organisation dealing with human rights. Its complaints processes bring the relevant parties around the table, and in many cases may be a more useful avenue for advocacy than the UN human rights procedures.

Participants learn about the ILO Conventions

The sessions also emphasised the ILO's Rights Based Approach to Labour Migration and its Decent Work Agenda. While relatively few governments have ratified the Migrant Workers Convention, or the ILO Convention 143 that relates specifically to migrant workers, most governments have ratified the ILO's core labour conventions that set out a framework for respecting and protecting the rights of workers – health and safety, freedom of association, hours of work that apply as much to migrant workers as other workers. These core labour standards can be put at the heart of advocacy efforts to government and employers for migrant workers rights.

The scheduled trainer for the sessions unfortunately was ill and unavailable and Ellene Sana stepped in to run these sessions, with a very grounded, activists' perspective of trying to usefully engage with the ILO.

The sessions on the ILO emphasised the value of alliance building between migrant workers' NGOs and trade unions. The value of networking and alliance building across sectors was taken up in the next session, with the sharing of practical experiences and perspectives on how this could be done. There is also clearly a need to build alliances and collaboration –

with trade unions and workers organisations, and with women's organisations. Building alliances and coalitions takes skill and time. DTP was fortunate to have John John from the Center of Education and Communication (CEC-India) and the Executive Board of Migrant Forum Asia to lead these sessions with input from Mabs Licmoan, a DTP alumna and MFA staff.

Using international human rights/ UN convention including ILO convention as advocacy tools for lobbying government on sending and receiving countries.

Meeting with President Jose Ramos-Horta

The scheduled dialogue with President Jose Ramos-Horta had to be brought forward at short notice and participants hurried to make the journey to the new Presidential building in Dili. President Horta welcomed everybody, made opening introductory remarks on the challenges facing Timor Leste and the situation of migrant workers and a wide-ranging dialogue followed for the next hour – and included discussion of the plans to send more East Timorese migrant workers to South Korea.



Participants meet with President Jose Ramos Horta

Day 4: National Human Rights Institutions (NHRIs) and Migrant Workers Rights

The training program was useful, it enabled me to consolidate previous knowledge and learn new things. I've learned about NHRI (which we don't have back home), and I would like to explore ways of pressuring the government to create a NHRI in Lebanon.

Karen Gomez-Dumpit, DTP Alumna and Director of the Government Linkages Office of the Philippine Commission on Human Rights (CHR) and has played a leadership role in developing wider collaboration between the NHRC and NGOs in the Philippines and between NHRI's in the region.

In recent years the number of NHRIs across the region has grown and they have become an increasingly significant part of the landscape of human rights protection and promotion in the region. They vary considerably in size, power, mandate and composition, but all are expected to conform to the Paris Principles which aim to ensure and underpin their independence from executive government.

NHRIs usually have a role in promoting knowledge and community understanding of human rights, in addition to their investigation powers and often a complaints handling function. They may be able to appear independently in court on human rights cases, and may be expected to provide advice and comment on proposed and existing legislation.

At the international level, within the UN system, there is also growing recognition of the independent role of NHRIs. NHRIs have a specific role, for example, in the preparation of country reports for the new Universal Periodic Review process.

Like every organization and institution NHRIs are forced to take decisions over priorities, and it is only more recently that concern about the rights of migrant workers has moved up the agenda of individual NHRIs and of the Asia-Pacific Forum (APF). Even in the Philippines where migrant workers rights advocacy has been long established, the CHR is considered a late-comer when compared to the advocacy efforts of NGOs.

Suraina Pasha from the APF Secretariat provided participants with an introduction to the work of APF, whose members have recently agreed to give a higher priority to work on the rights of migrant workers, and to help build collaboration on migrant workers' among institutions in the region. At the APF meeting in 2008 it agreed to establish a working group of member institutions to develop this work. As a practical exercise in this training Karen Gomez Dumpit split the program participants into small groups to develop the draft terms of reference for this working group.

Staff in NHRIs can often see their role as something in between NGOs and government, with different responsibilities in relation to both. Karen focused the attention of participants on exploring ways in which NGOs and NHRIs could work together more effectively. She also encouraged participants to share their different experiences of working together on the rights of migrant workers.

These sessions had a very practical focus and were a highlight for a number of the participants.

The best sessions were:

- ***Migrant workers and the role of NHRI. I could have more ideas to build collaboration between NHRIs and NGOs***
- ***The sessions on Role of 'NHRIs' & 'NHRIs & NGO networking'. I had little knowledge about how NHRIs can be involved in migration related issues.***

Day 5: Migrant Workers Rights and the Media – Getting the Issues Covered

On the final morning of the program Arrul Prakash from Pusat Komnas in Malaysia led participants through a very practical and hands on sessions on media work. The media plays an increasingly central role in modern advocacy. The media has a role in setting the political agenda in many societies, it is only through the media that a mass, or even targeted audiences, can be reached by advocates. In many societies there is also a clear sense that the media often plays a negative role in promoting and reinforcing negative community perceptions of migrant workers. These perceptions can directly impact on the rights of migrant workers, their sense of feeling part of society in receiving countries, and their willingness to seek the protection of the state when their rights are violated.

Arrul took participants through a slide show of images to engage their interest, before outlining some of the basic rules of effective media work – clear objectives, knowing your audience, timing, being relevant and being credible. As a practical exercise he then divided participants into groups, each focussing on one part of the media – TV, Radio and Print to come up with a simple campaign message. It was impressive to see what everyone came up with in such a short space of time.

Media skills by Arul Prakkash was the best part of the program. Because we are the people – who defends against human rights’ violations. So the media skills shall help us to promote & to prevent in advance those who might be victims of human right violations.

Final Evaluation Sessions

The final sessions of the program were dedicated to the filling in of evaluation forms and to a shared evaluation session where all of the participants had the opportunity to reflect on the program and to share what they thought had been good about the program and what could have been better. There was thanks and appreciation for the work of the program partners, and the local hosts, and the kindness and hospitality of the host organisation and the Nuns and staff of Sao Paulo.

Closing Ceremony

The Closing Ceremony included presentations from Luiz Viera, Country Director of the International



Organisation of Migration and from the Proveadore of Timor Leste, Dr. Sebastiao Dias Ximenes. There were concluding remarks from the different program partners and then both Dr Ximenes and Luiz Viera participated in the presentation of certificates to the participants.

Participants at the Closing Ceremony

Participant Evaluations and Reflections

Yes, it influenced me on my perspectives on work on migrant issues, in building and lobbying and advocacy, gave me new ideas in strategic campaigning and the mechanisms of reporting to UN treaty bodies effectively, in addition to communicate with international NGOs and NHRIs for the promotion and protection migrant workers rights. Pressure government to alert its foreign policy labour policies and grant workers the opportunity to work under better conditions.

At the end of the program participants are asked to complete extensive evaluation forms. Following are some of the questions that are asked in the evaluation form and some of the responses.

A number of the participants commented that the best thing was the opportunity share knowledge and experiences with others:

- *Sharing experience with participants. I got to know about how people in receiving & sending countries think differently about same issue. Another thing was knowing about involvements of NHRIs on migration in various countries.*
- *I really enjoyed and benefited from the debate between the participants stimulated by fantastic presentations.*

Others referred to aspects of the content:

- *Learning about how to exploit to the maximum extent Treaty Bodies Treaty Bodies & special mechanisms. This is an area in which we are weak, & that we should consider & and use more.*
- *Media session. It encourages me to work on because I thought it's difficult for me to do but I change my perspective after this session*
- *The group exercises conducted were the most helpful because (1) We get to listen to both sides (receiving and sending countries). (2) work done/campaign conducted. (3) legal issues (much clearer now) – especially the rights domestic works/ Role of NGO and NHRIs and how we can work together.*

Participants were also asked whether and how the program would help them and influence their work

- *Oh yes. Very much. Because lessons learnt (informal chatting) about human trafficking/prostitutions, importance of fighting for the rights of domestic workers/ the perspective from both receiving and sending countries/ That doing simply research and putting forward recommendations is not enough/ Let the MW's voices be heard/ Importance of timely pay/ Importance of having information disseminated in their native language/ I just realized the work we've done is not simply enough. We as a coalition can do so much.*
- *The knowledge acquired will help me better advocate for and protect MW's rights as it has provided with tools of which I wasn't aware.*
- *Interaction with migrants makes me realize that how their rights at workplace, in the home country are denied by the state. People do not even have the knowledge that they are accepting injustice taking place against them.*
- *It gives more understanding on the structure, function of the UN along with outcomes that we can have by the way of collaboration.*

- *Better understanding of systems and from work will enable a more strategic approach.*
- *My present work is almost entirely working directly with MW's. The role of conventions, declarations, resolutions at present has little relevance in what I do. I hope to look at issues more from a framework of international standards and conventions.*
- *It was not changed my perspective on issues but energizing more than before on my work*
- *It gave me the ideas that could become a very good strategy in the field of advocacy for human rights.*
- *The program has allowed me to think about ways of improving protection of MW, though campaigning for CMW ratification. This is an area which we should be reinforcing.*

There were also questions about what could have been better, and other areas/issues that the program could include

- *Please try to focus more on migrant sex workers and victims of trafficking that how we can protect their rights and defend and fight back to those who are violating human rights.*
- *About participants' presentation, it's wonderful that we could learn more with MW issue in our region. However it is too much. I don't think that we have to listen all presentation- some of presentations were similar and not useful. Recommend that have country presentation with more details in more time but not for all participants.*
- *How can DTP bring gender dimension into human rights framework. We also need session on Asian current review/analysis.*
- *Give more emphasis on the media. Also find a different way to conduct introduction to HR'*
- *Longer break time since the sessions are really intensive. Discussion on feminization of migration (feminist approach, development approach).*

Participants are also asked to evaluate whether the program met the objectives that the Diplomacy Training Program and its partners agreed in preparing the program. 72% of the participants, ranging from very good to good, responded that the program met its objectives in building the capacity of advocates to integrate understanding of human rights standards and ILO Conventions into their work on migrant workers. To the objective of providing opportunity to share perspectives and experiences and identify challenges to migrant workers rights and adoption of international standards, 84% have responded positively, ranging from very good to good. 88%, ranging from very good to good, have favourably viewed the program successful in providing a forum for participants to share their experiences and identify key issues for further work on migrant workers rights. In terms of the objective of the program to enhance the capacity of NGOs and advocates in the region to contribute effectively to international processes and dialogue on the issue of human rights and migrant workers, 88% of the participants, have responded positively ranging from very good to good.

Reflections and Conclusions

Overall this was very successful program, with very positive feedback from participants. It was evident from the final evaluation session and the written evaluations that participants gained considerably from the program, not least from their interaction with each other. They left the program re-energised for their work to protect and promote the rights of some of the most vulnerable and marginalised sections of our societies, and strengthened by new friendships and working relationships that transcend borders.

In looking forward to its future work in this area, DTP needs to reflect on some practical issues:

Program location:

It was valuable to hold the program in Timor Leste, however greater interaction with government officials would have been desirable, and if the program is held there again time should be built into the schedule for a dialogue between participants and those involved in implementing migration policy in Timor-Leste. Participants clearly valued the opportunity to learn more about East Timor's remarkable struggle for independence, and to meet with President Jose Ramos-Horta.

Program partners:

The new partnership between MFA, DTP and APF added considerable practical value and focus to this course. There is great potential in this partnership, given the scope for more collaborative approaches between NHRIs and NGOs at the national and regional and UN level on the issues of migrant workers' rights.

Program participants:

The group dynamics in this program were very positive from an early stage and contributed greatly to the positive outcomes that were provided in the feedback. At the same time, the range in knowledge and understanding of human rights standards, and of the media, presented a challenge that DTP will need to consider in the development of its next program on these issues.

Program schedule:

Overall the program schedule worked well, with a good balance between presentations and practical work/exercises. Considerable ground was covered in five days. Particularly given the increasing feminization of labour migration more efforts will be made in future programs to include focus on gender, women's rights and CEDAW. It would have been valuable to have a field trip and/or practical lobbying exercise – as has been possible on previous programs.

In looking to the future DTP and its partners also need to consider strategically the best place to focus capacity building efforts. Clearly there is a need to build the advocacy capacity of MFA's members. These organisations are involved in a very wide range of work from service provision, policy development, individual casework and advocacy for legislative change. Some NGOs clearly risk being overwhelmed by the competing demands being placed on them. They are struggling to address the human and social impacts of large scale migration, while business and government benefit from this movement of labour.

Practical partnerships between NGOs and NHRIs offer the promise of more effective and longer term interventions to promote and protect the rights of migrant workers. Helping to develop such partnerships should be one focus of DTP and MFA's work in the future.

There is a need also to look at developments at the ASEAN level, and the challenge and opportunities of ensuring that international standards on the rights of migrant workers are reflected in ASEAN instruments and in the dialogue and programs of action of ASEAN members. As a regional body with both sending and receiving countries as significant members, there is perhaps the opportunity for ASEAN to have a real impact.

At the UN level too, there are developments that need to be understood by advocates – the establishment of the Universal Periodic Review is one example. The UPR review process sees each country's human rights record reviewed by other states every four years – and there may be potential for this process to bring greater scrutiny and priority to the situation of migrant workers in sending and receiving countries.

In addition to these possible focus areas for building partnerships and focussing advocacy, there are changes in labour migration that DTP and MFA need to consider. These changes include the discussions in relation to a new international convention on domestic workers, and the adoption of a WTO agreement on skilled labour migration.

DTP and MFA need to reflect on six years of working together to build capacity in the region, to look at how to work more with alumni of these capacity building programs, and to focus the capacity building on areas of greatest need and potential impact. It is recommended that DTP and MFA to conduct an assessment-evaluation of the six years of DTP-MFA programme that will look at following areas: curriculum, program focus, profile and selection of participants and post-training updates and communication, and measures of impact.

Appendix 1: Program Schedule

	Mon 7 th	Tues 8 th	Weds 9 th	Thurs 10 th	Fri 11 th
Morning 1 8:30 to 10:30	8.30 – 9.00: Registration 9.30: Opening ceremony CAVR, Dili	<i>Feedback Session / Country Presentations by participants</i> An Introduction to the Convention on Migrant Workers Rights	<i>Feedback session / Country Presentations by participants (cont'd)</i> Migrant Workers, ILO Conventions and the Rights Based Approach	Migrant Workers and the Role of NHRIs	The Media and Migrant Worker Advocacy – Media Skills
Facilitator(s)	DTP/MFA/FTM	Ellene Sana (MFA)	Ellene Sana	Karen Gomez- Dumpit	Arul Prakkash
Tea 10:30-10:45					
Morning 2 10:45-12:30	Participants’ introduction Training outline / identification of key issues	Using Standards - CMW, Treaty Bodies and the Special Rapporteur to Protect the Rights of Migrant Workers	Migrant Workers, ILO Conventions and the Rights Based Approach	Migrant Workers and the Role of NHRIs – Practical Exercise	The Media and Migrant Worker Advocacy – Media Skills
Facilitator(s)	DTP/MFA/FTM	Ellene Sana (MFA)	Ellene Sana	Karen Gomez- Dumpit	Arrul Prakkash
Lunch 12:30-1:30					
Afternoon 1 2:00-3:30	What are Human Rights?	Using the Treaty Body Reporting Process to Promote the Rights of Migrant Workers – Practical Exercise	Migrant Workers - Developing Advocacy Allies – NHRIs, Trade Unions, the Women’s Movement	<i>Feedback session / Country Presentations by participants (cont'd)</i> Exploring Avenues for NGO – NHRI Collaboration	Participant evaluations
Facilitator(s)	Aderito Soares	Ellene Sana (MFA)	John John and Lacmoan	Karen Gomez- Dumpit	MFA/DTP/APF
Afternoon Tea 3:30- 3:45					
Afternoon 2 3:45-5:30pm	The International Human Rights Framework and an Introduction to the UN	Practical Exercise continued	Dialogue with President Jose Ramos-Horta	Exploring Avenues for NGO – NHRI Collaboration – Practical Exercise	Closing Ceremony
Facilitator(s)	Patrick Earle (DTP)	MFA and Karen Gomez-Dumpit		Karen Gomez- Dumpit	
Evening Exercises	Diary Exercise	Diary Exercise		Diary Exercise	
Evening Events	Dinner	Dinner –	Solidarity Night /Dinner	Dinner	

Appendix 2: Participant Biographies

Ihab Shalbak (M)- Biography

Australian Human Rights Commission (AHRC), AUSTRALIA

Ihab is a Senior Policy and Research Officer in the Race Discrimination Unit at the Australian Human Rights Commission. In this role, Ihab undertakes policy and research analysis relating to race discrimination issues across Australia. He also briefs the Race Discrimination Commissioner and represents him at meetings, conferences and seminars; drafts correspondence and speeches for the Commissioner and liaises with government agencies and NGOs in relation to projects and issues related to race discrimination and minority rights. As Australia increasingly seeks foreign workers through temporary visas, many migrant workers will join minority community groups but without the social and political rights afforded to citizens. Ihab's recent work included analysing the working conditions of overseas students in Australia. Ihab hopes to this training will help him engage and negotiate with different stakeholders when developing policies, strategies and programs that aim to protect migrant workers and their families.

Makfie Farah (F)- Biography

Refugee and Migratory Research Unit (RMMRU), BANGLADESH

Makfie is a Junior Program Officer at the Refugee and Migratory Movements Research Unit. Field visits are a major part of Makfie's work; she interviews and counsels project stakeholders such as returned migrants, aspiring migrants and migrant families in order to help understand what practical steps should be taken to mitigate the problems migrants face before and after migration. Makfie liaises with local NGOs and community members to learn about their successful initiatives and to suggest other practical measures that may be taken. During her field visits Makfie has worked closely with many migrants and their families to try and understand their experiences. Makfie hopes to increase her knowledge base on migration and to learn new advocacy and lobbying skills to help her promote the rights of migrant workers and to help strengthen the skills of others.

Radyan Rahave (M)- Biography

IMA Research Foundation, BANGLADESH

Radyan is a program coordinator at the IMA Research Foundation, a grass roots level migrant membership base organisation with a broad international membership among Bangladeshi migrants. Radyan has a wide variety of duties including case filing to the courts and government bodies, legal support, research into migrant policy and problems and operating a migrants' shelter. The migrant shelter is the only one of its kind in Bangladesh, it is used by migrants who are about to depart or have just arrived in Dhaka. As well as supervising the centre, Radyan provides training and counselling and helps migrant workers get correct documentation. Radyan hopes to broaden his knowledge on legal advocacy so that he may continue to lobby on government policies on migrants.

Restaria Hutabarat (F)- Biography

LBH Jakarta (Jakarta Legal Aid Institute), INDONESIA

Restaria works as a public defender in LBH Jakarta, this role requires her to give legal advice and to perform advocacy work for marginalised people. She currently works in the Division of Research and Development where she undertakes research on women, labour and migrant worker issues. In the course of her career Restaria has provided legal advice to

migrant workers who have been deported or have escaped from other countries because of abuse. She has been involved in drafting laws relating to the recognition of migrant workers, coordinated a media campaign to support ratification of UN Migrant Workers Convention and provided legal training for migrant workers and their families. She is also a member of the Task Force of ASEAN Migrant Workers that is seeking to establish a human rights mechanism in South East Asian countries. Restaria hopes that through increasing her knowledge of advocacy skills and knowledge of the human right framework that supports migrant workers rights she will be able to create a powerful strategy to continue to support human rights protection for migrant workers. She looks forward to establishing a network with other organisations in the region.

Agus Suntoro (M)- Biography

Komnas HAM Indonesia (Human Rights Enforcement Bureau), INDONESIA

Agus works at the Human Rights Enforcement Bureau of Komnas HAM in Jakarta, Indonesia. He receives and analyses complaints about human rights violations from members of the public and conducts investigations into these complaints. He reports to the Commissioner of Komnas HAM and writes clarification and advisory letters to the complainant about what options they may have to proceed. Agus holds a law degree from the Jenderal Sudirman University in central Java, Indonesia, and participated in the sub-regional training workshop on “National Human Rights Institutions and the International Human Right System” in the Philippines. Agus looks forward to networking with migrant workers and sharing their experiences. He hopes to gain an insight into migrant worker experiences and how to handle cases better as well as how to lobby national governments to provide better protections to its citizens who work abroad.

Atef Al-Majali (M)- Biography

National Centre for Human Rights, JORDAN

Atef is the Director of the Following Up and Ending Violations Unit of the National Centre for Human Rights. In this role Atef has a diverse range of duties including receiving and investigating allegations of human rights abuses, providing advice and assistance to those whose rights have been violated, monitoring observance of human rights, pursuing any proceeding necessary to end and remedy human rights violations and reviewing amendments to legislation to ensure that they are consistent with international human rights principles. Atef has worked with the International Labour Organisation and the Jordanian Ministry of Labour on human trafficking programs and was on the committees that drafted the Inter-Trafficking Law and the Labour Law Code. He is looking forward to exchanging experiences with other project participants in order to gain knowledge of successful advocacy techniques that can help him in his work. Atef hopes to learn about the tools and methods used by other countries to resolve human rights violations and the laws and regulations in place in other countries that are designed to achieve conformity with international standards for migrant workers.

Ahmed Al-Zo’abi (M)- Biography

International Labour Organisation (ILO), Friends of Women Workers (FOWW)

Ahmed is the National Project Coordinator of the ‘Handicraft Promotion in Jordan’ project, which is run by the ILO, Vocational Training Corporation and the Italian Government. As well as coordinating the project, planning and implementing project activities Ahmed manages all training and production activities and prepares business plans and monitors the budget.

Ahmed is also the vice-president of FOWW, which seeks to protect the rights of female migrant workers. In this role he facilitates workshops and monitors the activities of FOWW. Ahmed hopes to share experiences with other in the course and build his capacity to act as an advocate for migrant women workers in Jordan. He would be happy to share his experiences in conducting a media campaign to increase awareness of migrant rights in Jordan and would also like to learn new ideas for future campaigns.

Salah Jaber (M)- Biography
Taamneh Law Firm, JORDAN

Salah is a lawyer in Taamneh Law Firm where he provides legal assistance to migrant and domestic workers and represents them in courts and prisons. Salah works to protect workers against administrative detention and also seeks to make workers aware of their rights, as well as providing them with legal representation. Salah hopes to gain more knowledge and experience in international human rights law, especially the laws relating to migrant workers. He looks forward to building a network with other program participants in order to share and develop their experiences.

Abdullah Sabig (M)- Bio
Arab Organization for Human Rights

Abdullah is a Coordinator and Researcher for the Arab Organization for Human Rights in the Kingdom of Saudi Arabia. Abdullah works on a range of human rights issues including matters in the primary court, high court, labour court and accusation department. Abdullah has experience working with labour and foreign workers in Saudi Arabia in actions against sponsors and sponsor companies. Abdullah is hoping the training will help him learn about migrants workers rights under international law. He hopes that this training will help him in his work with migrant workers in Saudi Arabia.

Sylvia Eid (F)- Biography
Caritas Lebanon Migrant Centre, LEBANON

Sylvia is a Fund Raising Officer at the Caritas Lebanon Migrant Centre, this role requires her to have a clear picture of the situation of migrant workers in Lebanon to share with donors and to work with various project officers to draft project reports and to develop new programs. The Caritas Migrant Centre provides a variety of services including counselling, legal services, medical assistance, shelter, training and awareness campaigns. Sylvia also participated in an international study exploring the vulnerability of migrant women to HIV/AIDS. Sylvia hopes to gain further knowledge that will help her in her role as an advocate for migrant workers rights. She expects the program to help her create strategies and focus her lobbying to allow her to advocate more effectively.

Omar Nashabe (M)- Biography
Al-Akhbar Newspaper, LEBANON

Omar is an Editor and head of the Justice Division at Al- Akhbar daily newspaper. In this role he collects data on justice violations and degrading and humiliating treatment of individuals and groups in Lebanon and the Middle East. Al-Akhbar is especially concerned with the rights of foreign domestic workers and Omar has used his position as editor to allocate space to exposing human rights violations and advocating human rights. Omar is currently negotiating with the ILO over the possibility of receiving funding to produce a supplement in the languages of foreign workers to inform them of their rights and where they can complain about violations. Omar hopes to advance his knowledge of international human right instruments and their practical significance. Omar looks forward to meeting other participants and to forming networks to help the fight for human protection in Lebanon.

Sor Pian Lau (F)- Biography
Human Rights Commission of Malaysia (HRCM), MALAYSIA

Lau is the Assistant Secretary of the Complaints and Inquires Division of the HRCM. She works on the migrants (refugee and migrant workers) and human trafficking portfolio, investigating human rights infringements in this area. In this role Lau visits the workplaces and shelters of migrant workers to verify their complaints and liaises with various government bodies to reach amicable, negotiated solutions to human rights issues. Lau also assists the Commissioner of the Complaints and Inquires Working Group to visit detention centres to monitor their compliance with the law. Lau looks forward to gaining a greater global perspective on the issues affecting the rights of migrant workers and to learning about the measure that have and should be implemented by both sending and destination countries. She hopes this information will help her to assist migrant workers and to work in cooperation with other countries to achieve global solutions to prevent human rights infringements against migrant workers.

Zeenath Mohamed (F)- Biography
Human Rights Commission of the Maldives (HRCM), MALDIVES

Zeenath is a Project Officer in the Planning and Monitoring Department of the HRCM. She provides assistance in preparing project proposals and monitors the progress of these projects. In addition to allocating resources to projects, she provides logistical support and advice to consultants working on specific programs. Previously, she worked on national human rights campaigns which involved assisting with materials distribution and liaising with media representatives to broadcast key messages through the television and print media. Zeenath recently participated in HRCM's assessment of working conditions faced by migrant workers in the Maldives. She looks forward to using her experiences from this program to conduct further research into migrant worker rights and monitoring. She hopes to improve her practical skills in advocacy, lobbying and in formulating strategies more systematically so as to assist the HRCM in their future campaigns.

Munkhjin Batbilig (F)- Biography
Centre for Human Rights and Development, MONGOLIA

As a volunteer and assistant at the Centre for Human Rights and Development Munkhjin organises training, interprets for foreign representatives and translates training materials. Munkhjin has worked on a variety of publications relating to migrant worker's issues

including Migrant Sex Workers, Documentary of Human Trafficking in Asia and Single Spark (a biography of a human rights activist who agitated for improved labour laws in South Korea in the 1960s). Munkhjin hopes to gain knowledge and experience on the issues affecting migrant workers, in particular sex workers, to help her in pursuit of becoming a specialised human rights defender. She is looking forward to exchanging experiences with participants from other countries and learning from the practices of other countries.

Och Ganbayar (M)- Biography

National Human Rights Commission of Mongolia, MONGOLIA

Och is the Multilateral Cooperation Officer of the National Human Rights Commission of Mongolia (NHRCM). In this role Och liaises with national and international stakeholders on human rights issues; migration is one of his areas of specialisation. Och is involved in the NHRCM action plan for 2008-2011, which focuses on migration as a priority area. In this framework, Och organises training on the issues surrounding migration and human rights for trade unions, university students and administrative branches. Och organises the overall arrangements and actively participates in the events by giving lectures and developing education and training materials. Och is also working to help draft a memorandum of understanding on the rights of migrants in collaboration with the national human rights committees of other Asia-Pacific countries. Och is attending the DTP Migrant Worker's program in order gain a wider understanding of the issues facing migrants and measures that can be implemented to assist migrant workers that he could apply in his work for the NHRCM.

Shinezul Purevlkhagva (F)- Biography

National Human Rights Commission of Mongolia, MONGOLIA

Shinezul is a Human Rights Officer with the National Human Rights Commission of Mongolia (NHRCM). She organizes human rights awareness raising activities including workshops, seminars and campaigns. She also gives lectures on a variety of human rights issues, including those affecting migrants. Shinezul actively assists people by providing legal advice; migration is one of her specialty areas. Shinezul is involved in the NHRCM action plan for 2008-2011, which focuses on migration as a priority area, she has organised several training sessions on this topic for trade unions, university students and administrative braches. She is also working to help draft a memorandum of understanding on the rights of migrants in collaboration with the national human rights commissions of other Asia-Pacific nations. Shinezul wants to build her advocacy skills and broaden her understanding of the issues facing migrant workers and hopes this will assist her in her research and investigations into this area and enable her department to prevent human rights violations of migrant workers and their family members.

Bahnu Bhakta Acharya (M)- Biography

National Human Rights Commission (NHRC), NEPAL

Bahnu is a Promotions and Communications Officer with the National Human Rights Commission of Nepal. NHRC Nepal is receiving increasing number of complaints from Nepalese workers whose human rights have been violated in their country of employment. Complaints received deal with issues such as forced labour, slavery, torture, sexual harassment and trafficking. Bahnu receives and registers complaints and organises human rights awareness programs for workers who are considering migration. In order to better protect the rights of migrant workers NHRC Nepal coordinates with government agencies

such as the Ministry of Labour and the Ministry of Foreign Affairs as well as private sector bodies such as overseas employment agencies. As Promotions and Communications Officer Bahnu coordinates and arranges meetings between these bodies. Bahnu expects that this training will enhance his capacity to run training programmes on the rights of migrant workers and that it will help him deal effectively with complaints received from migrant workers.

Parbati Basnet (F)- Biography

Women Rehabilitation Centre (WOREC), NEPAL

Parbati is the Senior Program Manager at WOREC, an organisation whose main goal is to prevent human trafficking through increasing respect for human rights. WOREC operates a number of advocacy and anti-trafficking programs as well as community based grass root projects. Parbati runs training sessions for government officials, teachers, youth groups and community based organisations. She also attends meetings of the Safe Migration Project Advisory Committee, which is made up of various stakeholders from the government, the police and WOREC. The Safe Migration Program runs in 6 districts with heavy migration flows and operates at both a grass root and national level; the Program documents cases of migrant rights violations, builds networks and alliances and undertakes advocacy work. Parbati feels that the DTP training relates directly to her work and will give her the opportunity to learn more about safe migration issues and the laws of different countries and looks forward to hearing about and learning from the experiences of other NGOs.

Michael White (M)- Biography

New Zealand Human Rights Commission (NZHRC), NEW ZEALAND

Mike is a Legal and Policy Advisor in the NZHRC and volunteers as a solicitor in Wellington Community Law Centre where he liaises with migrant workers. Mike is involved in monitoring and reviewing New Zealand's policies using a rights-based framework. He has made interventions before the higher courts, advising on government legislation and on New Zealand's obligations under international law. Mike hopes to gain a deeper understanding of international human rights instruments and standards relevant to migrant workers and more importantly, their application. He has reviewed the International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW), and will be glad to share his insights on New Zealand's position on this instrument. He looks forward to being inspired by the human rights work being undertaken in other countries with regards to migrant worker rights.

Aiche Ahmad (F)- Biography

The Independent Commission for Human Rights, PALESTINE

Aiche is a legal researcher at the Monitoring Policies and National Legislations Department in the Independent Commission for Human Rights (ICHR) in Palestine. In this role Aiche performs legal and human rights research, undertakes lobbying and advocacy work to influence public policy and reviews both existing and draft laws to ensure they conform with international human rights standards. As well as offering recommendations on how the law could be altered to better protect human rights, the ICHR also monitors the implementation of human rights law. Aiche's area of specialisation is general freedoms and she investigates violations in this area as well as preparing research papers and special reports, including the annual report on the Israeli violations of Palestinian human rights and the impact on the performance of the Palestinian National Authority. Aiche's experience with migrant workers

comes from her work on the right to work and Israeli violations of Palestinian migrant workers rights in Israel and in occupied Palestinian territories. Aiche hopes to discover new methods of protecting the human rights of migrant workers and to gain a greater understanding of the difficulties and obstacles facing this group. She hopes to use this knowledge to provide training to colleagues to help them better understand and protect migrant workers.

Angelina Ludovice (F)- Biography

***Alternative Centre for Organisational Reforms and Development (ACORD) Inc
Mujeres United for Justice and Equality Towards Responsive and Empowered Society (MUJERES) Inc, PHILIPPINES***

Angelina is the Executive Director of ACORD and the President of MUJERES. These roles, and her prior experience as a trade unionist, have provided Angelina with a diverse range of experience in migrant workers rights. Angelina has worked on campaigns on the documentation of illegal migrants, anti-human trafficking, illegal recruitment, violence against women and children protection. Angelina also works assisting Filipino migrant workers who have been deported from countries such as Malaysia by providing transportation to their homes and official travel documents. Currently Angelina is working on a campaign called Call for Job Generation and Government Assistance for Returning Workers. As part of this campaign she works closely with the Department of Labour and Employment to increase returned worker access to services and assistance. Angelina hopes to gain knowledge and strategies that can be integrated into her policy advocacy work and help her negotiate beneficial migrant worker programmes with government agencies.

Deborah Fordyce (F)- Biography

Transient Workers Count Too, SINGAPORE

Deborah works as a volunteer with Singapore NGO Transient Workers Count Too. During her time with the organisation Deborah has helped establish a free food programme for male migrant workers without work or financial support; Deborah administers the programme, gathers information on the men and petitions the Ministry of Manpower on individual cases as well as assisting the men who have trouble accessing health care or legal services. Deborah also has a lot of experience working with refugees, both in her native USA and in refugee camps in Singapore and Indonesia. Transient Workers Count Too tries to raise awareness of the rights and welfare of migrant workers through the media, research and advocacy and Deborah hopes the program will help her find more effective ways of ensuring that the basic needs of migrant workers in Singapore are met. She also looks forward to learning about the situation of migrant workers in other countries and learning what techniques have been successful in other countries.

Miyeon (Jena) Kim (F)- Biography

Seoul Migrant Workers Centre, SOUTH KOREA

Jena works as a Consultant in medical services and insurance at the Seoul Migrant Workers Centre, in addition to consulting on medical problems she consults on various human rights issues. Jena helps migrant workers without insurance and documentation access health services in South Korea. In addition to her consultancy role she is in charge of public relations and communicates the centre's message through its website and monthly and quarterly newsletters. Jena is interested in learning more about international networks and activities that promote international solidarity. She would also like to gain an understanding

of the operation of international human rights laws and mechanisms to assist her work in the field. She looks forward to building networks with other participants, especially those from Timor Leste as Timor Leste is a partner country in the Korean Employment Permit Scheme.

Myeongsik (Michel) Kim (M)- Biography

National Human Rights Commission of Korea, SOUTH KOREA

Michael works as an investigator at the Daegu Regional Office of the National Human Rights Commission of Korea, where he investigates petitions from prisoners and patients in mental hospitals. Michael also works as a counsellor and co-operator in the migrants' human rights sector, providing counselling for the victims of human rights abuses and discrimination as well as working with NGOs on migrant rights issues and supporting the National Human Rights Commission's migrant rights policies and investigations. Michael has a wide range of experience on the issues affecting migrant workers as he has also worked for the Migrant Worker's Centre as a legal counsellor and settlement coordinator and as a campaign coordinator for Amnesty International, where he managed local co-ordination with Amnesty International's first report on migrant workers. Michael hopes to learn more about the international human rights standards and framework for dealing with migrant workers rights. He looks forward to increasing his regional network through meeting other participants.

Shirani Rajapakse (F)- Biography

Human Rights Commission of Sri Lanka, SRI LANKA

Shirani is the Director of Education & Special Programmes at the Human Rights Commission of Sri Lanka (HRCSL). This role involves formulating and conducting training programmes for HRCSL members, government officials from other departments and members of the general public. Several of these programmes have been on issues affecting migrant workers including the prevention of human trafficking, lawyers training programme regarding migrant workers issues, female empowerment programmes and awareness for children. Shirani represented the HRCSL at the Regional Conference relating to Review of Human Rights Protection Systems for Undocumented and Women Migrant Domestic Workers in Asian Countries. As Shirani's work involves educating all sectors of the community about human rights issues and issues relating to migrant workers, she hopes to expand her knowledge of this area.

Preeyaporn (Tuiy) Khankumnerd, (F)- Biography

The Human Rights and Development Foundation (HRDF)

THAILAND

Tuiy is the Location Coordinator for the HRDF's Migrant Justice Programme (MJP), which seeks to empower migrant communities to challenge discrimination and encourage access to rights violation remedies at both national and international levels. Tuiy's work involves supervising the Samut Sakhon Province MJP, liaising with government officials and other NGOs, translating materials and preparing materials for both national and international advocacy campaigns. Tuiy looks forward to learning more about human rights frameworks, human rights treaties and international mechanisms. She hopes that the course will increase her advocacy, lobbying and media skills, which in turn will allow her to better assist HRDF staff with their advocacy work.

Pedro (Apeu) Mariano Pinto, (M)- Biography

Sindikatu Maritima, Energia no Transporte Timor Leste (SMET-TL)- Maritime, Energy and Transport Union of Timor Leste

TIMOR LESTE

Apeu is a Member of SMET-TL and is working to build the union's training capacity. Apeu hopes to increase his knowledge of international human right law and learn how to apply this to his experience at SMET-TL. After the program Apeu wishes to share his knowledge with people in rural areas of Timor Leste to educate them on migrant rights.

Almerio Januario (Rio) Vila-Nova Gouveia (M)- Biography

Sindikatu Jeral Trabalhadores Timor Leste (SJT-TL)- General Workers Union of Timor Leste

TIMOR LESTE

Rio is an Industrial Relations Officer at SJT-TL and has also worked as a Field Assistant for the International Committee of the Red Cross, a Mobile Team Member for the International Organisation of Migration and a National Organiser at the Timor Leste Trade Union Confederation (KSTL). At various points in his career Rio has assisted workers in settling industrial disputes, provided training for workers on their human rights, negotiated collective employment agreements and worked to develop unions in Timor Leste. Rio hopes to learn more about human rights issues and their relevance to the rights of migrant workers. He also looks forward to developing his practical skills including advocacy, lobbying and working with the media.

Damiao Dato Cau (M)- Biography

Forum Tau Matan- Eye on Human Rights

TIMOR LESTE

Damiao is Program Coordinator at Forum Tau Matan. In this role he organises regular monitoring of prisoners in order to collect instances of human rights abuses and assist victims of and report on such violations. He is also responsible for the organisation of workshops relating to law and human rights. Damiao hopes to increase his knowledge of human rights instruments and share practical experiences with other participants. He is also interested in learning how human rights instruments can be used to detect human rights abuses in cases of forced evictions.

Maeni (Valerio Magno Ximenes) Calado (M)

National Human Rights Institution – Provedore's Office (P.D.H.J-TL)

TIMOR LESTE

Maeni works as a Human Rights Investigation officer at P.D.H.J-TL. In this role he investigates human rights complaints against the state and makes recommendations based on his findings. Maeni hopes to expand his knowledge of human right mechanisms and plan to use the information he learns at the course to train other members of P.D.H.J-TL.

Appendix 3: Trainer Biographies

Ellene Sana

Executive Director, Centre for Migrant Advocacy, Philippines

Ellene is the Executive Director of the Centre for Migrant Advocacy – Philippines (CMA). CMA is an independent policy advocacy group promoting the rights and development of Filipino migrants and their families. CMA works to improve migrant's economic, social and political conditions through policy advocacy, information, networking and partnership, capacity-building and direct assistance to distressed migrants. Ellene serves as CMA's resource person and representative in many forums on migration-related issues, governmental and otherwise, both in the Philippines and abroad. Her recent activities include heading the NGO delegation to the 10th session of the UN Committee on Migrant Workers which examined the Philippine government as a State party to the UN Convention on the Rights of All Migrant Workers and Members of Their Families. Ellene is currently the Chair of the Executive Committee for Migrant Forum in Asia.

Karen Gomez Dumpit

Commission on Human Rights of the Philippines (CHRP), Philippines

Karen is the Director of the *Government Linkages Office* in the CHRP, a national human rights institution (NHRI). Karen oversees the Commission's monitoring of her government's compliance with international treaty obligations, promoting harmonization of domestic laws in accordance with core international human rights instruments and making recommendations to improve the government's adherence to these commitments. The rights of migrant workers overseas are particularly relevant to her work, such as appealing to foreign governments for clemency in cases of Filipino migrants sentenced to death abroad, promoting legislation to safeguard migrant workers voting rights in Filipino elections and to preserve dual citizenship. Recently, Karen was assigned as a focal director for Migrant Workers and the Convention on Migrants Workers and is working with the EU and other countries NHRIs' to enhance the role of NHRIs in the establishment of a Regional Human Rights Commission. Karen was a previous participant of the Migrants Workers Program in 2006 in Malaysia and in 2008 in the Philippines.

Aderito Soares

Aderito is the Coordinator of SAHE Institute for Liberation and the East Timor Jurists Association. Aderito has a degree in Law from the University of Salatiga in Central Java. After graduating he worked as a lawyer for the Institute for Policy Research and Advocacy (ELSHAM) in Jakarta where he focused on the rights of the Indigenous people of West Papua and labour issues in Kalimantan. Aderito lectures at the East Timor National University. He has considerable international experience, having represented East Timor at the Vienna +5 Human Rights Conference in Ottawa in 1998 (with Jose Ramos Horta), was one of seven international judges for the Peoples' Tribunal in Puerto Rico in November 2000, and had an internship with OMCT, a NGO focussing on Torture) in Geneva for three months in 1998. He acted as a facilitator for the CNRT training campaigners for independence, and during his time in Jakarta worked with the pro-democracy movement. He is a Board member of the NGO Forum and another NGO, Lao Hamutuk.

Arul Prakkash
KOMAS, Malaysia.

Prakkash found himself behind the lens during a series of evictions and at the start of reform movement in Malaysia. He filmed the ongoing demonstrations of the Malaysian people in their struggle to end injustice. Through this experience, he learned the power of media and popular communications to create change. He now works with KOMAS training the urban poor, indigenous communities and other grassroots communities on how to use the media as an organising and empowering tool to fight for their rights. He has also been involved in setting up community media centres and training various NGOs and communities on video, popular communication and human rights.

Patrick Earle (M)
Executive Director, Diplomacy Training Program (DTP), Australia

Patrick Earle is Executive Director of the Diplomacy Training Program and a visiting fellow at the Faculty of Law at the University of New South Wales in Sydney. He has over fifteen years of experience working in the human rights movement, both in Australia and internationally. From 1996 until 2003, Patrick worked with the Human Rights Council of Australia on its groundbreaking project on the relationship between human rights and development and is co-author of "The Rights Way to Development – Policy and Practice". At the Human Rights Council, Patrick also worked on a special project for the Council for Aboriginal Reconciliation focusing on engagement of the NGO sector with Indigenous Social Justice issues, and a project on human right and Australian values. Patrick previously worked for Amnesty International and produced Amnesty International's first International Campaigning Manual. Patrick is a Board Member of the Asia Pacific Regional Resource Centre on Human Rights Education and is a Board Member of the Human Rights Council of Australia.