



DIPLOMACY TRAINING PROGRAM

AFFILIATED WITH THE FACULTY OF LAW AT THE UNIVERSITY OF NEW SOUTH WALES
A training program for peoples of the Asia-Pacific region

Migrant Workers and the ICRMW in the Asia-Pacific Region

A Training Program for Advocates - 2005

Organised by the Diplomacy Training Program (DTP) in partnership with Migrant Forum Asia (MFA), Welfare Association of Repatriated Bangladeshi Employees (WARBE) and RMMRU, University of Dhaka.

REPORT TO BOARD

Summary

From August 15-19, 2005 the Diplomacy Training Program facilitating a capacity building program in Dhaka, Bangladesh for 24 advocates from Bangladesh, Burma, Indonesia, Malaysia, Nepal, Timor Leste and Vietnam.

The program was held in Bangladesh at the invitation of DTP alumnus Sheikh Al-Razi. Sheikh Al-Razi is on the Executive Committee of local NGO, the Welfare Association for Returned Bangladeshi Employees.

The program aimed to build the capacity of NGO advocates in the Asia-Pacific region to promote the human rights of migrant workers. A major focus of the five-day training program was on developing understanding of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Family (ICRMW) and other international legal standards of particular relevance to migrant workers in the Asia-Pacific region. These standards include the ILO Conventions and UN Convention on Trafficking.

In addition the program aimed to build the skills of advocates to promote ratification of the ICRMW and ILO Conventions and to advocate for their practical application to policies and programs relevant to migrant workers. The program also provided an opportunity for participants to develop collaboration and networks.

Although Gabriela Rodriguez-Pizarro, the then UN Special Rapporteur on Migrants, accepted an invitation to participate in the program as an expert resource person at a late stage she signaled that she was unable to attend.

The program was held in partnership with WARBE and Migrant Forum Asia (MFA) as well as the Refugee and Migratory Movements Research Unit at Dhaka University. It was facilitated by Professor Garth Nettheim, Jane Stratton and William Gois, the Coordinator of MFA.

While there was a funding commitment to the program from UNESCO in Paris, these funds are still awaited. The local costs of the program were met by MFA and WARBE. DTP met its own costs and the costs of a number of the international participants.

This report looks at the relevant organizational issues to complement the external report.

Background

This was the second program that DTP has organised with Migrant Forum Asia on the theme of Migrant Workers' Rights. The issue of migrant workers is a major and growing human rights challenge in the Asia-Pacific region. Migrant workers are a vulnerable marginalised group in many societies in the Asia-Pacific region, and their numbers are growing as processes of economic globalisation accelerate.

The particular vulnerabilities and rights of migrant workers are recognised in a number of international legal standards, particularly the ICRMW (ICRMW) that came into force in July 2003. It is now one of 7 core international human rights standards.

The ICRMW has also become part of the framework of legal standards including ILO Conventions relevant to one of the major aspects of globalisation – the regular and irregular migration of people across borders for economic reasons. The issue of migrant workers has been rising steadily up the global and regional policy agenda. Developing frameworks for the management of this movement of people is currently the focus of the Global Commission on International Migration, established by the UN Secretary General.

A number of governments in the Asia-Pacific region have ratified or signed the ICRMW, including Bangladesh, Indonesia, the Philippines and Sri Lanka - and are therefore committed to promoting the full range of human rights included in ICRMW.

The ICRMW has particular importance in the Asia-Pacific region where rates of ratification of human rights are generally low, there is no regional human rights mechanism and where the asian cultural values debate still has some resonance. ICRMW emphasises the universality and indivisibility of all human rights and is seen as very directly responding to the needs of the developing world. The commitments and approach toward migrant workers offer hope for managing the tensions that can and do arise between countries that send migrants to work and the countries that receive them – such as Malaysia and Indonesia.

Since it is the newest of human rights instruments to come into force, awareness of ICRMW, its key provisions and its implications for policy makers, NGOs and migrants remains very limited, and largely restricted to the NGO networks that have been prominent in pressing for the adoption of the convention. Recent studies commissioned by UNESCO and the Global Commission on International Migration have identified a lack of awareness and capacity as a major factor in the low rates of ratification of ICRMW.

DTP recognised the need to build awareness of the ICRMW among the broader community of human rights NGOs and among community advocates, and to facilitate networking, collaboration and exchange between NGOs and Trade Union networks in the Asia-Pacific region.

For the reasons outlined the DTP Board made Migrant Workers' Rights a key a priority thematic focus for developing and implementing new training programs.

While funding for the program was not secured, the DTP Board gave its approval to proceed because of the financial capacity of DTP to do so, because it recognises the issues are important, the partnership with MFA is seen as one worth nurturing and because of the potential to explore other capacity building needs in Bangladesh.

Preparations for the Training

- Participant Selection:

A relatively small number of applications were received for the program. A number of the participants came from the MFA network. As in 2004 attempts to get participation from the Trade Union movement were unsuccessful despite the support and encouragement of the ACTU. It was encouraging that there were applications from Malaysia and Vietnam for this program.

- Partners:

The partnerships in this program worked very well. WARBE & RMRU were professional and diligent and devoted considerable resources to the training program. MFA were more committed and engaged than last year, and ensured that the local partners saw DTP as a partner rather than as a donor – resulting in a halving of the estimated local project costs.

- Funding:

As noted above UNESCO funding was promised but not delivered. It was not possible to secure funding from other sources in the time that was had. It was agreed to proceed on the basis that MFA would contribute the local costs and DTP would meet its costs, the costs of international facilitators and of most international participants – where they were unable to meet their own cost.

- Staffing:

Given the range of other commitments of the ED it was agreed to ask both DTP Board Member, Garth Nettheim and DTP Training Program Coordinator, Naomi Hamilton to attend the program. In addition Jane Stratton, policy officer with PIAC, was invited to take on a facilitating role. The ED was present for the final preparations and the opening days of the program.

- Venue

The training venue chosen by WARBE was a government training centre in a compound in Central Dhaka. Participants were accommodated at the training venue. It was basic, but clean. Unfortunately part of it was undergoing construction/construction – particularly the bits above the rooms of the ED and Garth.

- Schedule

The schedule was developed in consultation with the DTP TAC, Jane Stratton, MFA and RMRU.

- The opening ceremony

Arrangements for the Opening Ceremony were made by the local partners

- Participants
- Trainers
- Training materials

Partnerships

Funding

- project grants
- training fees
- donations

Applications

Participants

Logistics

- funding
- food
- organising accommodation
- travel arrangements
- travel insurance
- health issues
- field trips

Accommodation

Trainers

Schedule and Program Content

- content
- participants presentation
- timing and scheduling
- resources

The Training Program

- The Participants
- The Schedule
- Participant Evaluation
- The Partnerships
- Venue
- Finances

Conclusions and Recommendations

- Future program outcomes
- Partners
- Funding
- Location
- Participants
- Timing
- Logistics and Organisation

- Training Schedule and Content
- Trainer/Resource People
- Evaluation and Documentation
- Alumni

will be one of the experts from academia, international organisations and regional NGOs that will deliver the training. DTP also values the skills and knowledge that participants bring to each training program. Great emphasis is therefore placed on participatory learning methods and the opportunity for participants to learn from each other's experiences.

Bangladesh is proposed as the location of the training program, as it is a significant source country for many migrants and its government has signed ICRMW, but is yet to ratify the treaty. Bangladesh is currently in the process of revising its migration management policies. It is envisaged that holding the program in Bangladesh in partnership with local NGOs and academic institutions will contribute to developing the capacity of these organisations to promote the rights of migrant workers, and the ratification of the ICRMW.

This project is a key part of the Diplomacy Training Program's focus on the issues of migrant workers, being one of the key human rights challenges in the Asia-Pacific region. The outcome of the program will enhance the development of DTP's strategic engagement with its partners on these issues.

Project Goals

- To build the capacity of civil society advocates in Asia and the Pacific to integrate understanding of the ICRMW, and ILO Conventions into their human rights work
- To build greater awareness of the ICRMW among human rights NGOs and trade unions, and to enhance the capacity of regional collaboration on the promotion of migrant workers' rights
- To provide an opportunity for participants to share perspectives and experiences and to identify challenges in relation to migrant workers rights and ratification and implementation of ICRMW in the region.
- To contribute to the capacity of advocates in Bangladesh to promote ratification of the ICRMW.

Project Description

The Diplomacy Training Program will work with its partners to organise a week long training program for advocates. The program will take place in Bangladesh with participants drawn from across the Asia-Pacific region. The program will develop:

- Understanding of the relevance of the international human rights framework to migrant workers, with an emphasis on ICRMW and ILO and Trafficking Conventions.
- Understanding of the current international policy debates on migration and the role of international organisations including the UN, ILO, regional inter-governmental bodies and independent National Human Rights Institutions
- Strategic advocacy and lobbying skills

The training program will draw on the skills of expert resource people drawn from international organisations, NGOs and academia. DTP will develop with its partners an introductory background paper on the issues.

As preparation for the program, participants will be asked to prepare a short presentation on the current situation in their country in relation to migrant workers and the priorities of their organisations. The program will encourage participants to work together in developing practical strategies to promote migrant workers' rights at the national and regional level. At the conclusion of the training, participants will be encouraged to set up an email group to facilitate continuing contact and collaboration.

DTP will prepare and distribute a report on the training program that will be available through the websites of the partner organisations as well as the organisations of the participants. In addition, a manual to support the training and to be a source of ongoing reference materials will be provided to all participants in both hard copy and CD ROM.

The outcomes of this project will inform DTP's continuing capacity building work on these issues.

The participants:

There will be between 30 participants in the training with at least ten spaces reserved for participants from Bangladesh. The training program will seek participants from different networks including development NGOs, human rights NGOs, trade unions and migrant worker NGOs and staff of independent National Human Rights Institutions.

Priority will also be given to those seeking participation from Pacific Island countries where the issue of migrant workers is rising up the social and policy agenda and from Australia, New Zealand, Cambodia and Mongolia where the migrant worker support networks are relatively under-developed.

DTP and its project partners are committed to ensuring that there is a good gender balance in the composition of program participants.

Implementing Organisations

The Diplomacy Training Program (DTP) is an independent, non-governmental organisation which seeks to advance human rights and empower civil society in the Asia Pacific region through quality human rights education and training, and the building of skills and capacity in non-governmental organisations.

The DTP was founded in 1989 by Professor Jose Ramos-Horta, 1996 Nobel Peace Laureate and representative of East Timor at the UN for more than fifteen years. The DTP is affiliated with the Faculty of Law, University of New South Wales. It trains human rights defenders working for non-governmental organisations in international human rights law and procedures and in the skills of "peoples' diplomacy", which are strategic advocacy, lobbying, working with the media and using new information technologies.

DTP has a distinguished Board of Directors and International Advisory Council to guide its work. DTP has successfully conducted human rights training projects in the region for 15 years. It has held programs in Australia, Thailand, Indonesia, East Timor, Fiji and the Philippines. Its funding sources include training fees, donations and project grants. Recent funders include the Japan Foundation, Norwegian Government, UK Foreign and Commonwealth Office, NZAID, ILO, Oxfam and Caritas.

Migrant Forum Asia (MFA)

MFA is a regional network of non-government organizations (NGOs), associations and trade unions of migrant workers, and individual advocates in Asia that are committed to protect and promote the rights and welfare of migrant workers. It is guided by a vision of an alternative world system based on respect for human rights and dignity, social justice, and gender equity, particularly for migrant workers.

MFA plays the role of a facilitator, being a regional communication and coordination point between member-organisations and advocates, forging concerted action to address discriminatory laws and policies, violence against women migrants, unjust living and working conditions, unemployment in the homeland, and other issues affecting migrant workers.

MFA is a network of the key migrant organisations, support groups and advocates all over Asia. MFA members and partners meet every 2 years during the MFA General Forum. The MFA Secretariat is based in the Philippines.

Welfare Association of Repatriated Bangladeshi Employees (WARBE)

WARBE is the leading association concerned with migrant workers in Bangladesh. It is a non-profit grassroots community based organisation (CBO) of migrant workers in Bangladesh. It has played a leading role in promoting safe migration as well as social, economical and psychological reintegration of the returnee and repatriated migrants. Established in 1997, WARBE is an organisation of migrant community i.e. returned migrants, migrants' family members, migrant workers and immigrants working in different countries in the world. It is formed by returnee migrants with the commitment to stand beside migrant workers and diasporas of Bangladesh. It has two types of members, about 7000 corporate members and more than 20000 beneficiary members. WARBE ensures higher participation of the grassroots migrants and is thus regarded as a pure people's organization. WARBE is currently implementing the project of "Support on Safe Migration, Reintegration and Livelihood Options" and "Migrants Savings for Alternative Investments (MSAI)".

WARBE is involved in advocacy initiatives targeted towards specific policy changes. It is engaged in campaigns for the ratification of the UN Convention on "The Protection of the Rights of All Migrant Workers and Member of their Families". WARBE is also a member of Migrant Forum in Asia (MFA). Chair of WARBE currently holds the chair of MFA.

Refugee and Migratory Movements Research Unit (RMMRU)

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RMMRU was established in 1996 as an interdisciplinary research institution. Initially refugee issues have been the main focus of its activities. However, since 1997 the Unit has become more and more involved in migration related studies. One of the core areas of RMMRU activities is research. It has a number of important research studies to its credit. RMMRU research works, particularly on labour migration provided important inputs to policy formulation. It also had a modest contribution in addressing gaps that existed in research in this field.

RMMRU is engaged in imparting various types of training programmes. Training is provided to community activists and local leaders on *Labour Migration Process* to address the information gap with regard to labour migration. Training on *Combating Trafficking of Women and Children in Bangladesh* is provided to public representatives of the local government, local level NGOs, journalists, government functionaries and members of law enforcing agencies. RMMRU has developed a comprehensive module to impart the training. A course on *Social Science Research Methodology and Migration* has been initiated by RMMRU for young researchers and professionals. The Unit also arranges short courses on *International Law on Forced and Voluntary Migration* for tertiary students.

Advocacy activities of RMMRU are aimed at policy makers. However, it makes conscious effort to incorporate government functionaries, civil society organisations active partners in such advocacy campaign. The Unit's research on female labour migration has contributed to the development of an understanding in the international migration.

Brief Background