



Policy Advocacy

Title

Influencing policy

Target Audience

Foreign domestic workers, government officials, NGO workers

Objectives

1. To help participants understand the obstacles that foreign domestic workers confront in seeking protection of their rights.
2. To identify basic stakeholders in policy decisions regarding foreign domestic workers.

Materials

1. Flip chart
2. Marker pens (different colours)
3. Newspaper clippings about labour cases

Time Needed

Minimum of one hour, maximum of two hours.

Instructions

LABOUR CIRCLE:

1. On the flip chart draw a large circle. In this circle write "LABOUR", ask the participants to mention different kinds of labour (but not their own work)—construction work, factory work, etc.
2. Ask the women who they think decides labour standards (i.e. hours/day, wages, etc). If they say the government. Ask which part of the government.
3. Ask what happens when the workers are not happy with what the government says. Make the point that trade unions and/or other workers' associations sometimes have a say in labour standards.
4. Ask what the women think happens when employers are not happy (Employers' associations may talk to the government). Ask if they know of any organisations that may help decide labour laws—i.e. NGOs, international bodies like the ILO, etc.
5. If no one mentions the media, show the newspaper clippings. Ask how the participants feel about the clippings? (They may feel ashamed of their people, pity, sadness, anger). Discuss how the media can influence government policies.



Discuss the power of each body of government/interest group (interest groups include NGOs, Unions, Employers' Associations, etc.). Ask the following questions:

- What are the Ministry of Labour's interests? How much power do they have?
- What are the trade unions' interests? How much power do they have?

Go through each.

Now, go through each of these again in relation to domestic work.

- Does the Ministry of Labour decide what is good or bad for domestic workers? Do Labour laws protect domestic workers?
- Do domestic workers have trade unions? Workers' associations?
- Do employers of domestic workers have an association?
- Do NGOs or international bodies help?

Finally, go through each of the above questions regarding foreign domestic workers.

Discuss what foreign domestic workers can do to become apart of the decision making process. Where should they start in each of the different countries? The participants can discuss various strategies:

- a) Forming groups/associations
- b) Using the media
- c) Connecting with local domestic workers
- d) Connecting with other workers
- e) Initiating campaigns

What is advocacy?

When people come together to work for a common vision and for change based on their shared values, they are doing advocacy work.

Policies on migration

Who should decide migration policy? There is much debate surrounding this question. More and more in the world today, migration is being used as a political tool, thus severely jeopardising migrants' access to fair and just treatment. Migration policies are being made by Ministries of Interior and National Security Councils, Immigration Offices and police bureaus. The juxtaposition of migration and crime is influencing the type of policies being made by most of the government. While most migration is for labour, the Ministry of Labour in many countries plays only a very small role in the formulation of migration policies. The Ministry of Trade often plays a greater role, thus emphasising "goods" not people.

Elements of an Effective Advocacy Strategy

- Clearly identified Issue(s)
- Well defined Goals and Objectives
- Concise and consistent Message
- Stakeholders to address the advocacy message
- Alliances to support and /or collectively realise the goals
- Monitoring and Evaluation plan to receive feedback and make necessary and timely changes

PROCESS - Adopting an Advocacy Strategy

1. Identify the issues that need to be raised through the advocacy process. Prioritise the issues.
2. Define goals and objectives. Based on priority the objectives may be defined as short or long term.
3. Do a mapping of the issue to understand the policy environment
 - Who are the players/stake holders?
 - Who makes what decisions?
 - What are the existing policies and laws guiding decision making?

- What are the political, social, economic, cultural and technological factors impacting the issue
 - What are some environmental opportunities and threats that would help to achieve and/or impede goals and objectives?
4. Undertake a SWOT analysis (Strengths, Weaknesses, Opportunities and Threats) of your organisation and the programme on foreign domestic workers.
 - Evaluate the skills, information, human and other resources required for policy advocacy
 - Identify:
 - o Available resources including skills, information and other resources (personnel, information, etc.)
 - o Areas where information deficits
 - o Capacity building needs with regards to skills development and institutional development
 5. Identify organisations and stakeholders with which to build alliances. Partners in the alliance are those who can/will support you and help you achieve the goals and objectives of the policy advocacy exercise.
 6. Develop an action plan with time bound outputs and outcomes.
 - The action plan may involve different strategies for different stakeholders or specific areas.
 - Corresponding to the strategy, decisions need to be made on the content, language, format, time and place of the message
 - Roles and responsibilities can be divided amongst partners in the alliance
 - Document the process systematically as the process progresses

For example, a Foreign Domestic Worker Action Line that involves the public and the police. This creates public awareness and response as well as the response from an enforcement agency. Or a Media workshop to sensitise journalists and ensure the migrant rights perspective in media reports. It can also be a multi stakeholder consultation on a specific area of advocacy. But each activity or program must be part of an overall strategy arising from the objectives worked on earlier.

7. Develop SMART (Specific, Measurable, Achievable, Realistic and Timely) monitoring and evaluative indicators for policy advocacy.

Indicators for Ensuring Meaningful Participation of Foreign Domestic Workers in Policy Advocacy

- Are foreign domestic workers involved in all stages of the policy advocacy, from conceptualisation and planning to implementation and monitoring and evaluation?
- Do the ideas, experiences and perspectives of foreign domestic workers form the basis of the goals and objectives and core message of the advocacy?
- Are foreign domestic workers in the front line of policy advocacy?
- Have possible risks of involvement of foreign domestic workers been discussed with the workers and contingency and other measures been made?
- Are the privacy and consent of the foreign domestic workers given due regard in the development and execution of the advocacy strategy?
- What is the involvement of foreign domestic workers in the development and management of the budget?
- How has the involvement of foreign domestic workers in the advocacy contributed to their personal and collective growth?
 - o Number of foreign domestic workers associations formed?
 - o Increase in membership of organisations of foreign domestic workers?
 - o Increase in assertiveness of foreign domestic workers?

CASE STUDY IN POLICY ADVOCACY

SOLIDARITAS PEREMPUAN, Jakarta

What was the problem?

Kartika, an Indonesian foreign domestic worker in Fujairah was handed over to the police in 1999 when her employer discovered that she was pregnant while her husband was not with her in the country. The Fujairah Sharia court in February convicted her of adultery and sentenced her to death by stoning, while it acquitted in his absence, the Indian national who was the woman's accused partner.

Commenting on the trial, Sulaiman Abdulmanan the spoke person of the Indonesian Foreign Ministry, said that Kartika "did not understand Arabic, and it seems she was just trembling and saying yes to everything". Kartika was never informed of her right to communicate with the Indonesian embassy or her right to a translator, and the embassy was not notified in advance of her trial. She felt embarrassed and useless, and thought it was better to die than being freed and deported". Initially she did not refute the adultery charges during the trial, but, she later testified that her pregnancy was the result of a rape.

Who decided to advocate addressing the problem?

Solidaritas Perempuan, Women's Solidarity for Human Rights, was formed in 1990 to promote and protect the rights of the most marginalised women in Indonesian society: factory workers, migrant workers and fisherwomen. Solidaritas Perempuan advocates for the rights of female Indonesian workers and migrant workers through legal aid and community organising programmes, and coordinates anti-trafficking and worker-protection campaigns.

What was the advocacy objective?

- To overturn the death sentence
- To understand the context of the case
- To find out the truth and facilitate access to justice for Kartika.

Who was the advocacy addressed to?

- The government of Indonesia
- The local lawyer in United Arab Emirates
- the government of United Arab Emirates

What methods were used?

- Raise public awareness on the case and the issue
- Mobilised public support
- Organised the family and of Kartika
- Lobbied the governments of Indonesia, and UEA embassy in Jakarta,
- Discussed this case with the lawyers from a gender perspective
- Visited United Arab Emirates and met with Kartika in prison

What were the difficulties faced?

- Kartika did not want to fight for her right. She felt hopeless
- Attitudes arising from a patriarchal culture and religion
- Structural constraints arising from the legal, policy and bureaucratic environment

How were the difficulties overcome?

By consistently applying the methods listed above, including:

- bridging communication between Kartika and her daughter in Indonesia (through letters)
- raising Kartika's spirit to fight through letters of support from her daughters, her friends, her neighbours, and from women organisations in Indonesia
- street demonstrations

What were the results of the advocacy?

- The harsh and inhumane sentence attracted international attention, and finally the appeals court reduced the sentence to one year in prison and deportation
- Public opinion turned in favour of Kartika in Indonesia and globally
- Support for cooperation and obtaining justice was achieved

What were the learning points?

- A multi-pronged approach is necessary in developing the advocacy strategy
- The participation of the family and community of the migrant was a critical element in the strategy
- Structural and cultural factors that triggered this problem in the destination country could not be changed