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CARAM Asia Calls on Sending and Receiving Countries' Governments to Reform Migrant Workers' Recruitment Process

On the occasion of International Migrants Day 2022, CARAM Asia calls on governments in migrant workers' sending and receiving countries to reform the recruitment process with transparency and integrity. For various reasons, migrant workers are key contributors of the sending countries' economies. This is because foreign remittances by migrant workers constitute a significant chunk of the country's Gross Domestic Product (GDP) and contribute greatly to Foreign Reserves. Over the past two years we have seen that when a country goes into an economic slump, foreign remittances can play a crucial role in minimizing its impact. Similarly, migrant workers also contribute to the development of receiving countries by overcoming labour shortage and providing cheap labour to perform difficult and dangerous jobs which locals are unwilling to do, including building football stadiums.

Yet, these "remittance warriors" who migrate with the aim of providing a decent living for their families back home, may end up losing their assets or mortgaging their property, as well as incurring debt with exorbitant interest rates, as a result of paying recruitment fees.

One of the reasons behind high migration costs is the role of labour agents and private recruitment agencies. Temporary Foreign Worker Programmes have resulted in a booming, privatized recruitment industry which has raised the costs of migration for both employers and migrant workers, especially women seeking employment as domestic workers.

The system of recruiting foreign workers through labour agents should be reformed, and recruitment should be done with greater government oversight in the management of the selection and placement of workers. This could potentially lessen the possibility of migrant workers from being deceived with false terms of employment and reduce related abuses. Labour recruiters from both countries of origin and destination have taken advantage of migrants desperately seeking employment opportunities by imposing exorbitant recruitment fees. We need to identify and eradicate these irresponsible and unscrupulous syndicates or individuals with intentions to cheat migrant workers.

Migrant workers also face numerous adversities and are easy targets for exploitation. Even workers who come with proper documentation are also subjected to various forms of violations. According to Global Report on trafficking in person (2020), migrants make

up a significant share of the detected victims of trafficking in most global regions: 65 percent in Southern and Western Europe, 55 percent in East Asia and the Pacific, 60 percent in the Middle East, 50 percent in Central and South-Eastern Europe, and 25 percent in North America.ⁱ

Migrants who lack proper documents to work or reside in another country face an additional layer of vulnerability. This is because the fear of being identified as an irregular migrant can be a potent tool of exploitation. The majority of undocumented migrants are so for various reasons which are usually beyond their control, such as, employers or agents not renewing work permits, employers withholding passport or permits, fake documents provided by agents, and other circumstances which are not of the worker's fault. In many cases, agents bring workers into the country on social visas with the promise of converting it to work visas once they arrive in the receiving country, but the moment they arrive, they are left abandoned while the agents make a huge profit.

In other words, desperate and uninformed migrants are being taken advantage of and then punished for having been deceived. To prevent such circumstances, the government should establish a system to allow undocumented migrants who are already in receiving countries, the opportunity to enter the labour force through a regularized system at low cost, and be placed in appropriate jobs with the workers' consent.

Considering this, CARAM Asia has formulated the following recommendations to the governments in migrant workers' sending and receiving countries to reform the recruitment process and strongly urge them to put in place a new recruitment plan which will provide migrants with holistic rights protections.

Our Recommendations:

- Governments should reform recruitment systems, minimizing the role of middlemen and agents, and facilitate the hiring process as much as possible as the primary means by which workers are recruited into receiving countries in a manner that is transparent and accountable as well as evidence-and rights-based.
- Governments should include and involve CSOs, the ILO and other stakeholders in the planning process from the very beginning of negotiations to reform recruitment systems and bring it under the relevant ministries in sending and receiving countries.
- Migration costs should be zero for migrant workers, and employers should bear all the migration related costs including government fees.
- Strengthen labour inspection services to monitor working conditions, ensure compliance with employment contracts, and detect incidences of forced labour practices. These should apply to all migrant workers regardless of immigration status.

- Establish a multi-stakeholder system to allow the regularization of undocumented migrants which provides them the opportunity to enter the labour force through a transparent regularization system at low cost with placement into jobs considered as “decent work” with the worker’s consent.
- Enact a comprehensive policy for migration, placement and employment of migrant workers in destination countries using a holistic view of migrant workers that ensures their protection regardless of legal status.

CARAM Asia (Coordination of Action Research on AIDS and Mobility) is a regional network of 42 organizations in 20 countries across Asia and has Special Consultative Status with the Economic and Social Council of the United Nations

Issued by: Migrant Worker’s Rights Task Force (MWR)

ⁱ https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf