

**WORK PLANS OF THE SUBSIDIARY BODIES
OF THE ASEAN SENIOR LABOUR OFFICIALS
MEETING (SLOM)**



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**WORK PLANS OF THE SUBSIDIARY BODIES OF THE ASEAN
SENIOR LABOUR OFFICIALS MEETING (SLOM)**

**THE ASEAN SECRETARIAT
JAKARTA**

TABLE OF CONTENTS

■ Work Plan of the Senior Labour Officials Meeting's Working Group on Progressive Labour Practices to Enhance the Competitiveness Of ASEAN (SLOM-WG) for 2011-2015	3
Recommendations of the 3 rd Human Resource Conference "Skill Development towards a Greater Mobility of Skilled Labour in ASEAN"	10
Recommendations of the ASEAN Seminar on Labour Management Cooperation (Focusing on Bipartism)	13
Recommendations of the ASEAN Seminar on Implementing the Decent Work for All: Towards an ASEAN Decent Work Agenda (DWA)	15
The 2 nd Labour Inspection Conference: Dong Nai Action Plan to Implement the Halong Recommendations on Labour Inspection Cooperation for 2012-2015	16
The 2 nd Labour Inspection Conference: Recommendations Towards Better Safety and Health at Work	19
Recommendations of the Workshop on the Development of Labour Market Information System (LMIS) in ASEAN	22
Recommendations of the ASEAN Seminar on CSR in the Field of Labour	24
■ Work Plan of the Senior Labour Officials Meeting's Working Group on the HIV Prevention and Control in the Workplace (SLOM-WG-HIV) for 2011-2015	26
■ Plan of Action on Revitalising ASEAN-OSHNET	32
Details of ASEAN-OSHNET Activities	37
Proposed format of ASEAN-OSHNET Conference	38
Proposed List of Indicators for ASEAN-OSHNET Scorecard	39
Matrix on ASEAN OSH Policy Dialogue on Revitalising ASEAN-OSHNET: Recommended Actions, Indicative Calendar & Potential Collaborators	40
■ Work Plan of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW)	41
Recommendations of the 4 th ASEAN Forum on Migrant Labour	47
Recommendations of the 5 th ASEAN Forum on Migrant Labour	51
List of Abbreviations	56

WORK PLAN OF THE SENIOR LABOUR OFFICIALS MEETING'S WORKING GROUP ON PROGRESSIVE LABOUR PRACTICES TO ENHANCE THE COMPETITIVENESS OF ASEAN (SLOM-WG) FOR 2011-2015

Thematic Areas	ASCC Blueprint	ALM Work Programme 2011-2015	Activities / Timeline	Country Coordinator	Potential Collaborators
1. Human Resources	[B.2.] Enhance and improve the capacity of ASEAN human resource through strategic programmes and develop a qualified, competent and well-prepared ASEAN labour force that would benefit from as well as cope with challenges of regional integration	1.1. Continue holding the ASEAN Human Resources Conference biennially	<ul style="list-style-type: none"> Third Conference on 9 May 2012, Phnom Penh, Cambodia. Recommendations of the Conference appear as ANNEX 1. Fourth Conference (2014) 	Cambodia Myanmar	ILO
2. Social Security	[B.2.i] Undertake a survey of existing social protection regimes in ASEAN	2.1. Develop national and regional plans on social security/ protection systems	<ul style="list-style-type: none"> Publication of the compiled national profiles of social security / protection systems 	ASEAN Secretariat	GTZ , ILO
	[B.2.ii] Enhance exchange of best practices in social security systems		<ul style="list-style-type: none"> Training and Workshop on Social Security (Social Welfare and Services and Social Security for Private Sectors) (Schedule is T.B.C.) 	Cambodia	
	[B.2.iii] Include social protection in ASEAN's cooperation in progressive labour practices	2.2. Conduct seminars on unemployment insurance for interested AMS	<ul style="list-style-type: none"> ASEAN-ILO/Japan Project on Promoting and Building Unemployment Insurance and Employment Services (2011-2013) (on-going) Conduct a workshop on employment services (Schedule is T.B.C.) 	ASEAN-ILO/ Japan PCC UI Lao PDR	ILO, Japan
	[B.2.iv] Explore the establishment of the social insurance system to cover the informal sector	2.3. Conduct a workshop to share experiences on how to extend social insurance to the self- or informally-employed	<ul style="list-style-type: none"> Workshop on social insurance for the self- or informally employed workers (2012) 	Brunei Darussalam	ILO
3. Industrial Relations	[A.3.iii] Endeavour to build an ASEAN network of experts in industrial relations to assist in promoting sound industrial relations, industrial harmony, higher productivity and decent work	3.1. Conduct national and regional social dialogue meetings to exchange ideas and information on areas of mutual concern	<ul style="list-style-type: none"> <i>ASEAN Tripartite Social Dialogue on the Promotion of Sound Industrial Relations</i> ASEAN Seminar on Work-Life Harmony and Flexible Labour Practices, 25-26 August 2011, Singapore (completed) ASEAN Seminar on Labour Management Cooperation (Focusing on Bipartism), 9-10 May 2011, Yogyakarta, Indonesia (completed) Follow-up actions to the Recommendations of the ASEAN Seminar on LMC (see ANNEX 2) 	Singapore Indonesia	ASETUC ILO

Thematic Areas	ASCC Blueprint	ALM Work Programme 2011-2015	Activities / Timeline	Country Coordinator	Potential Collaborators
			<ul style="list-style-type: none"> Publication of the ASEAN Guidelines on Good IR Practices (2012) 	ASEC	
4. Skills Recognition	[A.3.ii] Establish national skills frameworks as an incremental approach towards an ASEAN skills recognition framework	4.1. Improve national skills frameworks in preparation for discussing a regional skills recognition framework	<ul style="list-style-type: none"> ASEAN Guidelines on Development of National Framework for Skills Recognition Arrangement (2012) 	Indonesia	ILO
			<ul style="list-style-type: none"> Seminar on Sharing of Expertise, Experiences, and Best Practices in Development of National Skills Recognition Framework Towards ASEAN Skills Recognition Framework (2012) 	Myanmar	ILO
			<ul style="list-style-type: none"> Workshop on Skills Standard (schedule is T.B.C) 	Thailand	
5. Skills Development & Networking	[A.2.iii] Undertake assessments to identify gaps in training needs in ASEAN, particularly in the CLMV in order to develop joint technical cooperation programmes for the workplace				
	[A.2.vii] Develop a consolidated plan for regional cooperation for skills development for women, youth and persons with disabilities		<ul style="list-style-type: none"> Workshop on Youth Employment (schedule is T.B.C) 	Indonesia	ILO
	[A.2.viii] Conduct ASEAN Skills Competition regularly to support ASEAN workforce development, particularly its efforts to achieve regional standard competency	5.1. Conduct the ASEAN Skills Competition regularly	<ul style="list-style-type: none"> 9th ASEAN Skills Competition (2012) 10th ASEAN Skills Competition (schedule is T.B.C.) 	Indonesia T.B.C.	
6. Decent Work	[A.3] Incorporating decent work principles in ASEAN work culture, safety and health at work place	6.1. Conduct regional workshops to share good practices on employment services	<ul style="list-style-type: none"> Seminar on Implementing Decent Work for All: Towards an ASEAN Decent Work Agenda, 23 May 2011, Penang, Malaysia (completed) 	Malaysia	ILO
			<ul style="list-style-type: none"> Follow-up actions to the Recommendations of the Seminar on Implementing Decent Work for All (see ANNEX 3) 		
			<ul style="list-style-type: none"> Workshop on Lesson Learned from the Implementation of the Minimum Wage in ASEAN (2013 / 2014) Seminar on Security of Tenure of Employment (2012) 	Malaysia Malaysia	ILO ILO

Thematic Areas	ASCC Blueprint	ALM Work Programme 2011-2015	Activities / Timeline	Country Coordinator	Potential Collaborators
7. Labour Law		7.1. Finalize survey and identify legal and regulatory updates	<ul style="list-style-type: none"> 2nd Comparative Study on Labour Law and Practices 	Cambodia Lao PDR Myanmar Viet Nam	ILO
		7.2. ASEAN conferences/ workshops on labour inspections	<ul style="list-style-type: none"> 2nd Labour Inspection Conference , 15-16 March 2012, Dong Nai, Viet Nam (completed). Recommendations, of the Conference appear as ANNEX 4 3rd Labour Inspection Conference (schedule is T.B.C.) The 4th SLOM-WG Meeting agreed that actions 7.3 and 7.4 be absorbed in the discussions of the regular Labour Inspection Conference 	Viet Nam Indonesia	ILO ILO
		7.3. Identify capacity-building needs of labour inspectorates			
		7.4. Carry out training programme for ASEAN labour inspectors			
		7.5 ASEAN conference on labour justice systems: labour courts, arbitration councils, mediation & conciliation	<ul style="list-style-type: none"> Conference on mediation and adjudication for employment dispute (schedule is T.B.C.) 	Singapore	
8. Labour Statistics	[A.3.i] Enhance capacity of governments to monitor labour markets and human resources indicators, and design social impact policies	8.1 Establish knowledge sharing networks and platforms to provide venue for interactive discussion towards strengthening capability for better labour market information and analysis between and among AMS	<ul style="list-style-type: none"> Workshop on Labour Market Information System, 23 November 2011, Ha Noi, Viet Nam (completed) 	Viet Nam	ILO

Thematic Areas	ASCC Blueprint	ALM Work Programme 2011-2015	Activities / Timeline	Country Coordinator	Potential Collaborators
		<p>8.2. Develop an ASEAN report on labour market performance based on an agreed set of labour sector variables</p> <hr/> <p>8.3. Creation of ASEAN ALM web portal with labour sector information</p> <hr/> <p>8.4. Develop a handbook on labour market analysis to facilitate capacity building and promote analysis and wider use of labour market information</p>	<ul style="list-style-type: none"> The 4th SLOM-WG Meeting agreed that actions 8.2, 8.3, 8.4 should start first with discussion and deliberation on the possible variables of labour market performance information. For this purpose, the topic was discussed at the Workshop on Labour Market Information System held on 23 November 2011 in Han Noi, Viet Nam. Recommendations of the Workshop appear as ANNEX 5. 		
9. Corporate Social Responsibility (CSR)	[C.3.iv] Increase awareness of CSR in ASEAN towards sustainable relations between commercial activities and communities where they are located, in particular supporting community based development	<p>9.1 Define labour related CSR goals in ASEAN</p> <hr/> <p>9.2 Develop an agenda for promoting labour-related CSR issues in the region</p>	<ul style="list-style-type: none"> <i>Follow-up actions to the Recommendations of the ASEAN Seminar on Corporate Social Responsibility in the Field of Labour, 27-28 October 2010, Solo, Indonesia (see ANNEX 6)</i> 		ILO, ASEAN Foundation, ASEAN CSR Network

The 3rd Human Resource Conference
“Skills Development towards a Greater Mobility of Skilled Labour in
ASEAN”

9 May 2012, Phnom Penh, Cambodia

Recommendations

We, delegates from Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam, participated at the 3rd Human Resources Conference which was held on 9 May 2012 in Phnom Penh, Cambodia, back-to-back with the 22nd ASEAN Labour Ministerial Meeting (ALMM) and the 8th ASEAN Senior Labour Officials Meeting;

Reiterating the ASEAN’s goal to create a single market and production base which is stable, prosperous, highly competitive and economically integrated with effective facilitation for trade and investment in which there are free flow of goods, services and investment, as well as freer movement of skilled labour;

Recalling the ASEAN’s commitments in the ASEAN Framework Agreement on Services (AFAS) which was signed by the ASEAN Economic Ministers in December 1995 in Bangkok, Thailand;

Further recalling that eight ASEAN Sectoral Mutual Recognition Arrangements had been signed so far in the areas of engineering services, surveying qualifications, accountancy, medical, dental services, nursing services, architectural services, and tourism professionals;

Noting the different stages of economic and human resources development and specific contexts of ASEAN Member States, and the development gap in the region;

Recognising the important role that skilled labour can play in supporting the economic growth, development, and competency levels of ASEAN Member States;

Further recognising the need for concerted efforts amongst ASEAN Member States to upgrade the skills of their workers and develop robust national labour market information systems;

Acknowledging that some efforts have been made by ASEAN Member States towards the development and implementation of national qualifications frameworks for skills and/or education;

Further acknowledging that efforts towards the development of a regional skills recognition mechanism require cross-sectoral cooperation and coordination as the matter is cross-cutting in nature and concerning educational sector, including technical and vocational education and training (TVET), continuing education, market access (Mode 4 “movement of natural persons” of the AFAS), MRAs, labour and immigration policies;

Agreed to recommend the following concrete actions towards a greater mobility of skilled labour in ASEAN pursuant to the national legislations, regulations and policies of ASEAN Member States:

- a. All ASEAN Member States should develop their respective national skills qualification frameworks in preparation for discussing a regional skills recognition framework;
- b. National skills qualification frameworks should be developed and vigorously implemented in consultations with TVET institutions, industry and social partners in ASEAN Member States;
- c. ASEAN Member States should work towards improving the comparability of national skills standards;
- d. ASEAN Member States should continue to assess and improve the quality of human resources and education, including TVET and skills training, in the region to match the labour market demands and technology advancement;
- e. Relevant ASEAN sectoral bodies in charge of education, market access, labour and immigration should consider a forum of experts to share information and dialogue to better understand the strategies and constraints of each sector pertaining to mobility of skilled labour;
- f. ASEAN Member States should strive to strengthen their national labour market information systems in order to strengthen efforts in skills development, provide greater job opportunities for their people, better monitor and evaluate labour mobility;

**The ASEAN Seminar on Labor Management Cooperation
(Focusing on Bipartism)**

9-10 May 2011, Yogyakarta, Indonesia

Summary and Recommendations

- g. ASEAN Member States, with the support of the ASEAN Secretariat, should share their good practices and experiences, as well as consider extending technical support to countries that require assistance in developing and improving the implementation of their national labour market information systems and/or national skills qualifications frameworks;
- h. ASEAN Member States should continue to closely cooperate with relevant international organisations, tripartite partners and other relevant parties in implementing these recommended actions.
-

1. The ASEAN Labour Ministers' Work Programme (2010 – 2015) highlights the importance of social partners through the "expansion of informed social dialogue". Sound bipartite relations based on close cooperation and collaboration in workplaces represents the anchor of successful country-wide sound industrial relations.
2. Harmonious, productive and stable industrial relations depend on what happens at the workplace level. At the workplace level, various subjects of common interests to labour and management are discussed in bipartite mechanisms including, among others, productivity improvement, gain-sharing, dispute prevention, safety and health, and grievance handling.
3. The strengthening and development of effective bipartite collaboration and cooperation including the negotiation skills of workers and employers are important requirements of good industrial relations.
4. In the context of the ASEAN Senior Labour Officials Meeting Working Group on Progressive Labour Practices to Enhance the Competitiveness of ASEAN, Indonesia hosted an ASEAN seminar on Labour Management Cooperation in Yogyakarta, Indonesia from 9 – 10 May 2011.
5. The meeting highlighted the importance of harmonious and productive industrial relations in the ASEAN Member States. While there are different approaches by the respective Governments, workers' representatives and employers' organisations to work together to realize decent work, one particular form of working together between the social partners is in the form of Labour Management Cooperation.
6. Bipartite cooperation between workers and employers offers the opportunity for management and labour to work together to promote a stronger partnership toward the benefit of companies and the welfare and wellbeing of workers. Through dialogue and jointly taking responsibility, productivity can be enhanced, safety improved as well as issues addressed, where possible prevented.

7. Labour management cooperation can take different forms in the various ASEAN members' states, sharing common principles of successful cooperation between management and workers in companies. The Yogyakarta seminar provided a platform to share some of these experiences and better understanding of LMC practices in the way to achieve sound industrial relations and work place harmony.
 8. In view of the potential for labor management cooperation to further strengthen cooperation between management and workers at work place level and hence to ensure successful and productive economies, the Seminar recommended to the ASEAN Senior Labour Officials Meeting Working Group on Progressive Labour Practices to Enhance the Competitiveness of ASEAN (SLOM- WG) for consideration:
 - a) Raise the awareness with employers, trade unions, workers and governments the benefits of labour management cooperation for successful and productive companies that will enhance the welfare of workers and their families, employers and countries at large, through social dialogue and based on mutual understanding and trust;
 - b) For governments, to facilitate and provide better environment for encouraging management and workers to jointly take responsibility for productive companies and decent work such as facilitating laws, codes of conduct that encourage social partners to strengthen their cooperation as well as awards for successful bipartite cooperation.
 9. The Seminar further recommends the ILO for advice and provision of assistance, where appropriate:
 - a. facilitate research with ASEAN Member States for the developments and best practices that can be shared among members;
 - b. develop basic guidelines for the formation and successful functioning of various forms of labour management cooperation to support the ASEAN Labour Ministers' Work Programme 2010- 2015; and
 - c. provide training and technical assistance to ASEAN Member States to equip government, management, and workers to effectively and efficiently engage into cooperation.
-

**THE ASEAN SEMINAR ON IMPLEMENTING THE DECENT WORK
FOR ALL:
TOWARDS AN ASEAN DECENT WORK AGENDA (DWA)
23 MAY 2011, PENANG, MALAYSIA**

RECOMMENDATIONS

As the way forward, the Seminar made the following recommendations:

1. ILO should assist ASEAN member states on the effective usage of the ILO toolkit.
 2. ASEAN should explore the use of available IT technologies to exchange information and raise awareness about the DWA.
 3. Where appropriate, ASEAN and SLOM should engage and work closely with tripartite as well as with the ILO to promote the DWA.
 4. Member countries could come up with specific country-level initiatives to embark on or strengthen the DWA.
 5. Since the DWA is already incorporated into the ALMWP, for example in the promotion of social dialogue, ASEAN member states should focus on achieving the goals of the ALM WP as a proxy for Decent Work objectives.
 6. ASEAN Secretariat, with its limited resources, needs appropriate ILO support to better achieve the DWA in this region.
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**THE SECOND ASEAN LABOUR INSPECTION CONFERENCE
15-16 MARCH 2012, DONG NAI, VIET NAM**

**DONG NAI ACTION PLAN TO IMPLEMENT THE HALONG
RECOMMENDATIONS ON LABOUR INSPECTION COOPERATION
FOR 2012-2015**

Recognising the objectives of the ASEAN Labour Minister's Work Plan for 2010-2015 in relation to labour inspection, this Second ASEAN Labour Inspection Conference in Dong Nai, Viet Nam, on 15-16 March 2012, aims to agree upon actions to give effect to the agreed recommendations from the First ASEAN Labour Inspection Conference that was held in Ha Long City, Viet Nam, on 13-14 October 2010. The Second ASEAN Labour Inspection Conference was attended by seven ASEAN Member States, notably: Cambodia, Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Viet Nam.

The following actions propose one practical goal for each of the nine Halong Recommendations on Labour Inspection Cooperation, intended to be deliverable by the ASEAN Member States during 2012-2015:

1. *Encourage cooperation, development and strengthening of national programmes and priorities for labour inspection*

Actions:

Explore the identification of elements required for national programmes to be effective so that priorities of ASEAN Member States can be better defined and gaps better addressed.

2. *Ensure sufficient number of staff – women and men – with appropriate conditions for hiring, training and service and necessary resources to carry out the work*

Actions:

Appoint Malaysia to coordinate the collection of factual data relating to human resourcing of each inspectorate in ASEAN Member States, and the following actions:

- AMS to review information on the number of inspectors to size of workforce based on the circumstances of each country to ensure sufficient resources are available;

- Where number of women (or men) are low or out of balance, identify the practical gender barriers to entering inspectorates; and
- Feed the resulting assessment back to each ASEAN Member State with, where necessary, information about what improvements to their human resourcing arrangements would be desirable for their inspectorate to be effective.

3. *Encourage ratification of relevant ILO Conventions on Labour Inspection (i.e. no. 81 and, where relevant, no. 129).*

Action:

Continue to share information on the ratification of ILO Conventions related to Labour Inspection.

4. *Development of human and institutional capacity of labour inspection systems – through sharing of good practices and training*

Actions:

Develop and commit to a regional programme of trainings on the 2012-2015 priorities for labour inspection in the ASEAN region, with the coordination, contribution and participation of ASEAN Member States, and with the support of relevant partners.

- Encourage ASEAN Member States to share relevant information on competencies of labour inspectors, and consider conducting training programmes to help raise competencies.

5. *Promote and develop the regional cooperative partnership of ASEAN through strengthening the network of labour inspectorates, particularly with regard to systems and models*

Actions:

Develop ASEAN guidelines and good structural and operational models for effective and credible labour inspection that AMS could adapt to their respective national circumstances and context.

6. *Identify and understand challenges for labour inspectors and work towards solutions for topics and emerging issues*

Action:

As part of the priorities for labour inspection across ASEAN for 2012-2015, identify which challenges may be best addressed with regional action (as opposed to internal resolution) and devise specific regional actions to assist in resolving these challenges.

7. *Share information on good practices: good governance, effective organisation of labour inspection, professional standards, data collection and performance measurement, training on modern methods for efficiency and effectiveness*

Action:

Leverage the ASEAN OSHNET's initiative of compiling the national OSH profiles in designing and developing regional data collection of labour inspection performance in line with the ILO Convention no. 187. This initiative is expected to enable ASEAN Member States to benchmark their performance for the purpose of continuous improvement.

8. *Encourage use of IALI's Global Code of Integrity of Labour Inspection as guidance to enhance the ethical behaviour of labour inspectors*

Action:

Share experiences and good practices among ASEAN Member States in adopting a Code of Integrity based on IALI's Global Code of Integrity for Labour Inspection, for the purpose of providing a practical local example of the process, challenges and solutions.

9. *To recognise the priority of the ASEAN Labour Ministers Work Plan to promote activities in the area of labour inspection, including holding an annual forum.*

Actions:

- Convene the ASEAN Labour Inspection Conference regularly and rotated among ASEAN Member States. The readiness of Indonesia to host the Third Conference back-to-back with the 27th APOSHO Conference and Exhibition in July 2013 was welcomed and appreciated by other ASEAN Member States.
 - Recommend the Philippines to host the Fourth Conference in 2014. The Philippines was requested to confirm its availability in due course.
 - Starting from 2014 onwards, the Conference will be convened in cooperation between SLOM-WG and the ASEAN Occupational Safety and Health Network (OSHNET) to facilitate closer inter-sectoral information sharing and coordination on various aspects of labour inspection.
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THE SECOND ASEAN LABOUR INSPECTION CONFERENCE

15-16 MARCH 2012, DONG NAI, VIET NAM

RECOMMENDATIONS TOWARDS BETTER SAFETY AND HEALTH AT WORK

Recognising the objectives of the ASEAN Labour Minister's Work Plan for 2010-2015 in relation to labour inspection and occupational safety and health standard, the Second ASEAN Labour Inspection Conference in Dong Nai, Viet Nam, on 15-16 March 2012, discussed possible actions aimed at strengthening occupational safety and health in the ASEAN region by taking into account the recommendations resulting from the OSHNET Strategic Conference on Prevention Risk Management Social Security "The Seoul Roadmap Towards Better Safety and Health at Work" held in Ha Noi, Viet Nam, on 15-16 March 2010. These recommendations were previously taken note of by the 11th ASEAN OSHNET Coordinating Board Meeting held from 21-22 Apr 2010 in Bali, Indonesia. The Second ASEAN Labour Inspection Conference was attended by seven ASEAN Member States, notably: Cambodia, Indonesia, Malaysia, the Philippines, Singapore, Thailand, and Viet Nam.

1. Collect, share and improve information about accident insurance and reporting, occupational safety and health, labour inspection and other preventive measures and undertake comparative studies in the field

Actions:

- To share information on national OSH profiles in ASEAN so that benchmarking could be done to help identify gaps and good practices among ASEAN Member States (AMS). The information shared could include accident and disease reporting.

2. Strengthen networks of experts in safety and health at work at the enterprise, sectoral, national and regional levels to promote prevention, risk management and social security

Actions:

- To continue to organise workshops with tripartite partners (such as the Regional Social Dialogue and ASEAN-OSHNET Policy Dialogues) where OSH and labour inspection experts could take part to share experience, and where social dialogue on OSH-related issues can take place.
- To consider organizing a conference in conjunction with ASEAN-OSHNET CBM to enhance the sharing of information and raise the profile of OSH in AMS.

- To continue discussions and sharing of information on OSH and labour inspection issues at appropriate forums such as the ASEAN Labour Inspection Conference.

3. Promote integration of occupational safety and health in training programmes for workers

Actions:

- To share information and experience on the integrating of OSH standards trainings for workers and employers (including vocational and entrepreneur training) among AMS.

4. Promote the ratification and application of ILO Promotion Framework for OSH Convention (No. 187, 2006), ILO Guidelines on OSH Management Systems and other key ILO OSH instruments.

Action:

- To share information on the readiness of AMS to ratify the ILO Convention no. 187.

5. Intensify, in cooperation with ISSA and ILO the dialogue between ASEAN and the EU, Korea, Japan and others on occupational accident and disease preventive measures and insurance

Actions:

- To consider participation at upcoming regional meetings such as the ASEM OSH Conference in September 2012.
- To consider extending invitations to ISSA Mining and IALI to the upcoming the 13th Meeting of ASEAN-OSHNET CBM on 18-19 April 2012 in Manila, the Philippines.

6. Promote the principles enshrined in the Seoul Declaration to enterprises, sectors as well as countries and the region as a whole, especially in SMEs.

Actions:

- Work undertaken under other recommended actions will contribute to this recommendation which is to promote culture of prevention.
- To share best practices in adopting principles in the Seoul Declaration on Safety and Health at Work (for example, KOSHA could be invited to share these best practices at the 13th ASEAN-OSHNET CBM).

7. Share OSH information and good practices through ASEAN-OSHNET, report them to the ASEAN Senior Labour Officials Meeting and the ASEAN Labour Ministers Meeting and incorporate prevention, risk management and social security in ASEAN plans of action.

Action:

- Noted that this action has been undertaken.

8. Convene meetings to review the implementation of the Seoul Declaration on Safety and Health at Work, and these recommendations at regular interval (e.g. every three years).

Action:

- To consider sharing information on the implementation of principles under the Seoul Declaration on Safety and Health at Work among AMS.



**THE WORKSHOP ON THE DEVELOPMENT OF LABOUR MARKET
INFORMATION SYSTEM (LMIS) IN ASEAN
23 NOVEMBER 2011, HA NOI, VIET NAM**

RECOMMENDATIONS

The Workshop on the Development of Labour market Information System in ASEAN was held on 23 November 2011 in Ha Noi, Viet Nam. The Workshop was organised and conducted by the Ministry of Labour, Invalids, and Social Affairs (MOLISA) with the supports of FES. The Workshop was attended by delegates from Brunei Darussalam, Lao PDR, Malaysia, Myanmar, Thailand, Viet Nam, and the ASEAN Secretariat and experts from Australia, Representatives from FES, and resource persons from the ILO.

The Workshop provided a platform for information sharing and exchange of views on the steps towards the construction of labour market information system in ASEAN. The Workshop was convened as an implementation of the ASEAN Labour Ministers' Work Programme (2010-2015) and the ASEAN Socio-Cultural Community (ASCC) Blueprint's Strategic Objective A.3, Action Line 1, which called to "enhance capacity of governments to monitor labour markets and human resources indicators and design social impact policies."

The topic of Labour Market Information (LMI) is under the purview of SLOM-Working Group on Progressive Labour Practises to Enhance the Competitiveness of ASEAN (SLOM-WG), which reports to SLOM. The regular analysis and reports of labour market information would help the ASEAN Member States (AMS) in understanding the nature, the volatility of the labour markets, as a basis to assess each AMS' labour markets, support the process of policy making and monitoring of policies on employment. The aims of the workshop are: to share experiences in developing and improving labour market information system in AMS, to discuss possible indicators, and to propose recommendations for developing a labour market information system in ASEAN.

The Workshop agreed to recommend concrete actions in an effort to promote a LIMS in ASEAN and thus adopted the following recommendations:

1. Strengthen the institutional capacity to analyse the LMI through the development of appropriate indicators in order to analyse the data in depth.
2. The SLOM-WG adopt the selection of the subsequently described seven basic/common labour market indicators among the AMS by 2014 while

acknowledging that the AMS may wish to develop specific indicators that suit their own contexts.

3. The adopted basic/common labour market indicators are as follows: i) labour force participation rate, ii) employment, iii) underemployment, iv) employment to population ratio, v) employment shared by economic activity, vi) labour productivity, and vii) youth employment. All terms are used in a manner that is based on the definitions used by the ILO.
4. Recognise the need to adopt common indicators for the quality of employment as AMS develop their capacity in terms of tracking statistics.
5. Conduct comparative studies on LMI, including investing in further information sharing activities on LMI and finding common ground for all AMS to develop general indicators and particular indicators for LM.
6. The SLOM -WG should take up LMI as an agenda item and involve technical people in LMI.
7. The SLOM -WG should create a web link to the AHSOM's website, and the AHSOM should expand the database on LM to include deeper analysis and conduct a Labour Force Survey across AMS in collaboration with AHSOM.
8. Build the capacity for developing and analysing national and regional LMI for AMS, including conducting regular training workshops on the analysis of LMI for all members and facilitation of technical exchanges and field visit across AMS. ILO has been identified a potential training provider. Also, conduct training workshops on LM analysis for different target groups.
9. The AMS issue statistical and analytical reports on national and regional labour markets for policy recommendations.
10. Enhance partnerships with potential donors and partners, such as the ILO, WB, FES, ADB, JICA, ASEAN Plus Three, EU/EC and others, in order to secure technical and financial support while sending a request to ILO Bangkok to prepare a project on regional cooperation for employment and LMI.
11. Agreed on an action plan and timeline as well as identified potential partners for collaboration in the future.
12. Form a composite team with membership from public and private sectors in the development and implementation of this LMI system.

**THE ASEAN SEMINAR ON CSR IN THE FIELD OF LABOUR
27-28 OCTOBER 2010, SOLO, INDONESIA**

RECOMMENDATIONS

Recognising the increased attention to the subject of corporate social responsibility (CSR) worldwide including within the ASEAN community;

Realising the multitude of definitions, understanding, and practices on CSR;

Referring to the ASEAN LABour Ministers Work Programme for 2010-2015;

The ASEAN Seminar on CSR in the field of labour held in Solo, Indonesia on 27 and 28 October 2008 concluded that the subject is relevance for advancing decent work within ASEAN Member States.

Complementing national and international labour legislation and actions, companies of all sizes may complement these efforts through various programmes and activities, both within enterprises and as support to the communities and societies in which they operate. It is recognised that considerable efforts already take place in the different member states, be they at times not recognised under the heading of CSR.

In addition to various experiences, the meeting concluded that there is a need for a better understanding of CSR in the field of labour as well as to [define, map] and analyse good labour CSR practices in the various ASEAN Member States.

As a follow-up to the Seminar, the following recommendations are provided:

- raise the awareness of what CSR is and its coverage in the field of labour in ASEAN Member States, building on the experience and expertise of all to enhance the understanding of the subject;
- encourage the collection, knowledge sharing and analysis of existing CSR labour practices in ASEAN Member States for a better understanding of successful company practices, involving both workers' and employers' representatives in the exercise;
- promote specific areas for technical assistance/collaboration in relation to CSR under cooperation with relevant institutions, such as :
 - Promoting understanding on CSR related instruments, [particularly ISO 26000]

- Promoting sharing information, experiences in CSR practices for better industrial relations, [such as labour inspection, etc]
- Promoting national labour standards and decent work into CSR
- on the basis of the above activities, to identify and formulate with a coherent plan of work for further follow-up that could include the possibility of introducing national CSR award in the field of labour, in the future.

Notes:

*decent work refers to national understanding

**WORK PLAN
OF THE SENIOR LABOUR OFFICIAL MEETING'S
WORKING GROUP ON THE HIV PREVENTION
AND CONTROL IN THE WORKPLACE
(SLOM-WG-HIV) FOR 2011-2015**

No	Thematic Areas	Activities	Time Frame	Country Coordinator	Potential Collaborators
1.	Development and Implementation of ASEAN Guidelines on Essential Workplace Action for Enterprises on the Prevention and Management of HIV and AIDS	1. Finalisation and adoption of the draft ASEAN Guidelines on Essential Workplace Action for Enterprises on the Prevention and Management of HIV and AIDS	2011	Indonesia Thailand	ATFOA
		2. Publication and dissemination of the ASEAN Guidelines on Essential Workplace Action for Enterprises on the Prevention and Management of HIV and AIDS	2012	ASEAN Secretariat (Publication) ASEAN Member States (dissemination)	ATFOA
2.	Policy Dialogue, Information Sharing and Capacity Building on Good Practices and Strategic Actions on Issues and Areas Related to HIV and AIDS in the Workplace	3. ASEAN Regional Forum on addressing stigma and discrimination against people living with HIV and AIDS in the workplace (possible topics: integrating HIV and AIDS into OSH, aligning HIV policies and standards with internationally-accepted standards, and gender dimension of HIV/AIDS in the workplace)	2012-2013	Viet Nam	Relevant ASEAN bodies (e.g. OSHNET, ATFOA, ACW, ACCSM) UNAIDS ILO Tripartite partners
		4. Trainings of Trainers on HIV and AIDS prevention programme and supportive working environment for tripartite partners, OSH officers, labour inspectors, peer educators	2013	Malaysia ¹	ATFOA
			2012-2013	Singapore	UNAIDS ILO Tripartite partners
5. Compilation of good practices on the implementation of policies and programmes in the workplace on the prevention and management of HIV and AIDS (care, support, appropriate facilities)	2012-2013	Viet Nam	ILO Tripartite partners		

¹The Training will be conducted by the Department of Occupational Safety and Health of the Ministry of Human Resources of Malaysia in 2013 provided that the Department is able to secure the needed budget.

No	Thematic Areas	Activities	Time Frame	Country Coordinator	Potential Collaborators
3.	Awareness Raising on HIV and AIDS in the Workplace	6. Development of guidelines of the ASEAN Awards for enterprises in ASEAN Member States with best practices on the prevention and control of HIV and AIDS, and care and support for people living with HIV in the workplace	2014-2015	Indonesia	ILO Asia Pacific Business Coalition on AIDS Business Coalitions on AIDS in ASEAN Member States ASEAN Confederation of Employers (ACE)
		7. Regular implementation of the ASEAN Awards for enterprises in ASEAN Member States with best practices on the prevention and control of HIV and AIDS, and care and support for people living with HIV in the workplace		Indonesia	Asia Pacific Business Coalition on AIDS Business Coalitions on AIDS in ASEAN Member States ASEAN Confederation of Employers (ACE)
		8. Sharing best practices on HIV and AIDS surveillance among the workers in various high risks sectors (private and public enterprises)	2012-2013	Indonesia	ILO ATFOA
4.	Cross-Sectoral Collaboration to Address Issues Related to HIV and AIDS in the Workplace	9. Sharing Information with ATFOA and multi-stakeholders on HIV/AIDS and workplace's health insurance schemes		Chairs of the SLOM-WG-HIV and ATFOA	ILO ATFOA Insurance Companies
		10. Workshop to review the current practices on HIV in migration, recruitment policies and mandatory testing in the workplace	2013	Philippines	ILO ACMW UNFPA IOM
		11. Development of ASEAN Business Coalition for HIV and AIDS <ul style="list-style-type: none"> Multistakeholder Forum to discuss the development of the Coalition 	2013-2014	Indonesia	ILO Tripartite partners

No	Thematic Areas	Activities	Time Frame	Country Coordinator	Potential Collaborators
		12. Promotion of the development of national business coalition for HIV and AIDS in ASEAN Member States	2011-2015	ASEAN Member States with no national business coalition for HIV and AIDS	National business coalition for HIV and AIDS Business organisations associated with ASEAN ASEAN Confederation of Employers (ACE) ASEAN Foundation ASEAN Network of CSR Asia Pacific Business Coalition on AIDS
5.	Evaluation of the SLOM-WG-HIV Work Plan 2011-2015	13. SLOM-WG-HIV to review the achievements and challenges in the implementation of its Work Plan for 2011-2015, and identify the new priorities and projects/activities for the next five years.	2015	ASEAN Member States	ILO UNAIDS ATFOA



**PLAN OF ACTION
ON REVITALISING ASEAN OCCUPATIONAL
SAFETY AND HEALTH NETWORK OSHNET**

INTRODUCTION

1. Many studies have shown that economic development is strongly co-related to rising OSH standards. Many global companies also identify OSH as a key consideration in their investment decisions. Better OSH outcomes and a good OSH regime in this region will reduce disruptions to production and service capacities, as well as enhance business profitability and contribute to improving the happiness and well-being of workers. It will help position ASEAN as a stable and reliable operating environment for businesses, make it a more attractive investment destination and support the goals of ASEAN integration.
2. The ASEAN Policy Dialogue on National Occupational Safety and Health Frameworks was held in Singapore in January 2007. The dialogue established a 5-year Plan of Action, from 2007 to 2011, for the ASEAN Occupational Safety and Health Network (ASEAN-OSHNET). This Plan of Action was subsequently adopted by the ASEAN-OSHNET Coordinating Board Meeting (CBM). The Plan of Action focused on:
 - (a) Guiding ASEAN Member States (AMS) in the implementation and strengthening of national OSH frameworks; and
 - (b) Enhancing OSH standards, systems, strategies and programmes in the region, as well as other partner countries and international organisations in pursuing the same objectives.
3. The 11th ASEAN-OSHNET CBM in April 2010 took stock of the efforts and noted several positive achievements of ASEAN-OSHNET. The details of some past achievements are attached as [Appendix 1](#). The meeting had also noted that ASEAN-OSHNET needs to move beyond information sharing and capacity building and focus more on raising the OSH standards in ASEAN. Accordingly, the ASEAN OSH Policy Dialogue on Revitalising ASEAN-OSHNET was held from 25 to 27 January 2011 in Singapore and a Plan of Action was developed to support these aims. The Plan of Action was submitted to the 12th ASEAN-OSHNET CBM in Lao PDR from 6 to 7 April 2011 for further consideration. The Plan of Action that is endorsed by the 12th ASEAN-OSHNET CBM is outlined below.

PLAN OF ACTION

4. This 5-year Plan of Action covers the period from 2011 to 2015. It aims to chart the plans forward on accelerating OSH developments and raising OSH standards in the region and ensure that ASEAN-OSHNET continues to stay relevant and contribute effectively to the goal of ASEAN integration.
5. Three priority areas have been identified as the focus of this Plan of Action:
 - (a) Raising the profile of OSH in ASEAN;
 - (b) Benchmarking OSH performances in ASEAN; and
 - (c) Strengthening regional and international cooperation beyond current partner countries and international organisations.

KEY STRATEGIES AND INITIATIVES

Raising the profile of OSH in ASEAN

6. ASEAN-OSHNET needs to raise the profile of OSH in the region and involve all stakeholders beyond the governmental level. This can enable strong integration of good safety and health practices at the workplace by employers and workers and complement an effective OSH framework in sustaining continuous improvement in OSH standards in the long-term. Accordingly, the following initiatives will be undertaken:
 - 6.1 Organise an annual regional ASEAN-OSHNET conference subjected to the readiness and resource availability for the respective host. This can be held in conjunction with the ASEAN-OSHNET CBM and rotated among the CBM hosts. This can be a platform for government officials to present the respective countries' achievements in OSH and share common OSH challenges and solutions. The conference can also be used to involve various industry stakeholders including employers and unions to share their best OSH practices. An ASEAN-OSHNET award can also be organised in conjunction with the conference to encourage private sector participation. A suggested format is in Appendix 2.
 - 6.2 Increase ASEAN-OSHNET participation in international activities and publications. For example, ASEAN-OSHNET can present papers at the World Congress on Safety and Health at Work, and ILO and International Association of Labour Inspection (IALI) conferences.

6.3 Improve training frameworks in ASEAN. A possible way of achieving this outcome is to share member states' OSH training frameworks and identify OSH training needs. In addition, ASEAN-OSHNET can explore developing a training hub with the assistance of ASEAN-OSHNET's partners to deliver OSH training programmes.

Benchmarking of OSH performances in ASEAN

7. Benchmarking of OSH performances among AMS will allow AMS to identify gaps and put in place measures to address the gaps where relevant. In addition, a comparative analysis of the various OSH measures can be done to benchmark the efforts of AMS to global standards and drive improvements. To do so, it is important to have a systematic and coherent framework in collecting and analysing statistics, information and situations on OSH in AMS. Accordingly, the following initiatives will be undertaken:

7.1 Develop an ASEAN-OSHNET score card. The scorecard can comprise quantitative and qualitative indicators. The individual member state scorecard can be reported annually at the CBM by the respective member state and collated to present an aggregated ASEAN-OSHNET scorecard that is published. Examples of indicators are attached as Appendix 3². The final list of the indicators will be determined subsequently following further discussions to take into account the readiness and situation in the various AMS.

7.2 Develop an ASEAN Code of Integrity for OSH Inspectors taking reference from the IALI Global Code of Integrity for Labour Inspection³. This Code of Integrity, when developed, can be re-produced into the languages of the various AMS to promote adoption.

² ASEAN-OSHNET can further tap into the resource and expertise of partners such as the ILO Regional Office, who has been devising a reliable methodology for similar scorecards, to refine the indicators.

³ The IALI Code of Integrity for Labour Inspection outlines a set of broad principles to underpin, encourage and promote the professionalism of labour inspection worldwide so that they can operate in a transparent and accountable manner. Implementation of the code will also provide protection for all employees of the Labour inspectorate in the proper exercise of their role. The key elements include integrity, commitment responsiveness and good governance.

Strengthening regional and international cooperation beyond current partner countries and international organisations

8. ASEAN-OSHNET has benefited from the commitment of the Plus Three Countries (i.e. China, Japan and Korea) and the International Labour Organization. These partners have been actively involved in ASEAN-OSHNET activities in sharing of OSH experience and assisting ASEAN in developing and implementing national OSH frameworks. Recently, ILO has proposed a number of areas of the ILO's decent work agenda, in support of the ASEAN Labour Ministers' Work Programme and the agreed priority activities of the initiative for ASEAN integration⁴. Such collaborations can be further strengthened and new opportunities can be explored. Accordingly, the following initiatives will be undertaken:

8.1 Renew our commitment to work with existing partners in shaping the OSH landscape in ASEAN and encourage their continued contributions through sharing of experience and technical cooperation⁵. For example, ASEAN-OSHNET can strengthen communications and feedback to our partners on ASEAN-OSHNET's needs, identify projects with tangible outcomes such as publishing guidelines or best practices for collaboration, or invite multi-nationals from our partner countries to share relevant OSH experience; and

8.2 Widen our collaboration to involve other key partners such as (i) Australia and New Zealand in the Asia-Pacific region; (ii) agencies such as European Agency for Safety and Health at Work in Europe (EU-OSHA); and (iii) other international organisations such as the International Association for Labour Inspection (IALI), International Social Security Association (ISSA) and leverage on the strengths on these partners on specific issues⁶.

⁴ The ASEAN Labour Ministers Meeting has adopted a work programme for 2010 - 2015 which identifies cooperation areas with the ILO in areas of OSH, productivity and tripartism and social dialogue.

⁵ Other than continuing ILO technical cooperation with countries in ASEAN, ASEAN-OSHNET could work with ILO in areas such as joint promotion of ratification and application of C187.

⁶ (i) IALI can contribute to the ASEAN-OSHNET in the area of strengthening labour inspection practices and systems in various AMS. (ii) While ISSA has a strong focus on social security, it has contributed to the development of international OSH standards and research initiated through a Special Commission on Prevention. This Commission aims at initiating, coordinating and conducting international activities designed to promote prevention, in particular prevention of occupational accidents and diseases. With ISSA's strengths in the area of OSH, ASEAN-OSHNET can possibly benefit from international standards and best practices arising from technical exchanges with ISSA.

IMPLEMENTATION AND MONITORING OF PROGRESS

9. This Plan of Action further proposes the following on the implementation and monitoring of progress of the initiatives identified:
- 9.1 Recommend that AMS continue to work together with a common vision and mission to accelerate OSH developments and raise OSH standards in the region and ensure that ASEAN-OSHNET continues to stay relevant and contribute effectively to the goal of ASEAN integration.
- 9.2 Reaffirm the leadership of ASEAN-OSHNET in raising OSH standards in ASEAN and its importance as the regional platform to drive the improvements in OSH standards.
- 9.3 Reaffirm that the member state that host the ASEAN-OSHNET Secretariat should provide the secretariat with adequate resources to support the effective implementation of this plan of action.
10. This Plan of Action is submitted for the Senior Labour Officials Meeting's approval, please. Following which, the ASEAN-OSHNET Secretariat will monitor and track the progress of implementing the Plan of Action and apprise the ASEAN Labour Ministers of the overall progress of the Plan of Action accordingly.

Details of ASEAN-OSHNET Activities

S/N	Activity	Date	Organising AMS
1	Revamped ASEAN-OSHNET website	On-going	Thailand
2	Training for Safety and health Officers	Annual	Malaysia
3	Train the trainer on OSH	Annual	Malaysia
4	OSH Inspection Workshop for Lao PDR	6–10 Nov 2006	Singapore
5	ASEAN OSH Policy Dialogue on National OSH Frameworks	23-25 Jan 2007	Singapore
6	OSH Inspection Workshop for Cambodia	25–26 Jun 2007	Singapore
7	1 st ASEAN-OSHNET+3 Policy Dialogue on OSH Management System	5 Dec 2007	Malaysia
8	ASEAN-OSHNET Workshop on Effective Implementation of National Promotional Framework for OSH	12-14 May 2008	Viet Nam
9	OSH Inspection Workshop for Viet Nam	3–7 Nov 2008	Singapore
10	2 nd ASEAN-OSHNET+3 Policy Dialogue on OSH Management System	16-17 Dec 2008	Malaysia
11	ASEAN-OSHNET Best Practices Workshop	18-19 Feb 2009	Singapore
12	3 rd ASEAN-OSHNET+3 Policy Dialogue on OSH Management System	12-13 Feb 2010	Lao PDR
13	ILO- Singapore Advisory Mission to Lao PDR in OSH Development	1–14 Nov 2009 29 Nov–12 Dec 2009	Singapore
14	OSH Management Course for Myanmar officials	18-22 Jan 2010 6-10 Dec 2010	Singapore
15	MOM-ILO OSH Inspection Course	22-26 Feb 2010	Singapore
16	ISSA/MOLISA/ILO/ASEAN-OSHNET Prevention – Risk Management – Social Security “The Seoul Road Map towards Better Safety and Health at Work”	15-16 Mar 2010	Viet Nam
17	ASEAN-OSHNET Workshop on Formulating Collaborative Research	28–30 Sep 2010	Indonesia

Proposed format of ASEAN-OSHNET Conference

Time	Day 1	Day 2	Day 3
AM	Opening Ceremony Keynote address by: ASEAN-OSHNET Secretariat ILO Employer Union	Update of Collaborative Efforts by Partners	CBM Meeting
	Sharing of Country Profile	Sharing by Employers	
PM	Lunch	Lunch	
	Sharing of Country Profile (Con't)	Sharing by Union	
		Closing Ceremony	
Night	ASEAN-OSHNET Awards		

Proposed list of indicators for ASEAN-OSHNET Scorecard

Section 1: Quantitative Indicators

Overview

- (a) Fatality rate or accident/injury rates
- (b) Economic losses due to accidents: e.g. insurance cost; compensation

OSH Inspection

- (c) Number of OSH inspections conducted
- (d) Number of OSH inspectors
- (e) Percentage of enterprises implementing the OSH management system

OSH Training

- (f) Percentage/number of workers trained
- (g) Number of safety professionals

Section 2: Qualitative Indicators

- (h) Coverage of OSH legislations
- (i) Involvement of employer associations, unions, professional associations, tertiary bodies in OSH promotion and training
- (j) Research capabilities and number of research projects carried out

**Matrix on ASEAN OSH Policy Dialogue on Revitalising ASEAN- OSHNET:
Recommended Actions, Indicative Calendar & Potential Collaborators.**

Priority Areas	Recommended Actions	Responsible Priority	Indicative Calendar	Potential Collaborators
Raising the Profile of OSH in ASEAN	<ul style="list-style-type: none"> Organising ASEAN-OSHNET Conferences with CBM Guidelines for ASEAN-OSHNET Awards 	Philippines ASEAN-OSHNET Secretariat & Member States	April 2012	ILO ISSA IALI
	<ul style="list-style-type: none"> ASEAN-OSHNET Participations in International Activities - OSH Congress in Istanbul 	ASEAN-OSHNET Secretariat & Singapore		ILO
	Improve Training Frameworks	Philippines	2012	ILO
Benchmarking OSH Performance in ASEAN	Develop an ASEAN-OSHNET score card & OSH Information System	Thailand	2013	ILO Singapore
	Develop an ASEAN Code of Integrity	Singapore	2012	ILO IALI
Strengthening Regional and International Cooperation Beyond Current Partner Countries and International Organisations	Renew Commitment to Work with Existing Partners	ASEAN-OSHNET Secretariat	2011 - 2014	ILO, China, Japan, Korea
	Widen Collaboration to Involve Key Partners	ASEAN-OSHNET Secretariat	2011 - 2014	ILO, China, Japan, Korea, ISSA, IALI, EUOSHA, Australia, New Zealand

**WORK PLAN OF THE ASEAN COMMITTEE
ON THE IMPLEMENTATION OF THE ASEAN DECLARATION
ON THE PROTECTION AND PROMOTION OF
THE RIGHTS OF MIGRANT WORKERS (ACMW)**

BACKGROUND

1. The ASEAN Leaders signed an ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (hereinafter referred to as the “Declaration”) on 13 January 2007 during the 12th ASEAN Summit held in Cebu, Philippines. In the Declaration, the Leaders directed their officials to develop effective mechanisms to safeguard migrant workers.
2. The ASEAN Ministers of Foreign Affairs in their Statement adopted on 30 July 2007 during the 40th ASEAN Ministerial Meeting in Manila, Philippines, called for the establishment an ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers , which reports to the Senior Labour Officials Meeting (SLOM).
3. The first Meeting of the formal the ASEAN Committee on the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW), held on 15–16 September 2008 in Singapore, marked the formal establishment of the Committee. At the Meeting, the ACMW adopted its Terms of Reference and Work Plan.

THRUSTS OF THE WORK PLAN

4. At the ASEAN Forum on Migrant Labour in 24-25 April 2008 in Manila, Philippines, the ASEAN Secretariat tabled a discussion paper “Follow-up to the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers – A Way Forward to Operationalising the Declaration”, which identified three themes summarising the obligations and commitments of the Declaration. These were (i) protection of migrant workers against exploitation, discrimination, and violence; (ii) labour migration governance; and (iii) fight against trafficking in persons.
5. The ACMW Work Plan prioritises and groups the work of the Committee along the three themes of the Declaration, as well as an additional track dedicated to the development of the ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers. The ACMW agreed to undertake projects under each of these thrusts as listed below:

Thrust 1: Step up protection and promotion of the rights of migrant workers against exploitation and mistreatment

- a. **Policy Repository to promote best practices in migrant worker management policies.** The repository will serve as a repository of best practices on migrant worker related policies in ASEAN, including those adopted by both labour sending and receiving countries. The information which could be included in the repository includes, inter alia, the (i) regulation of recruitment agencies, (ii) provision of basic information services to migrant workers, (iii) resolution of employment disputes, and (iv) repatriation and reintegration of migrant workers. The specific areas to be included in this repository could be further discussed by the Committee. The repository would raise the awareness of ASEAN countries on one another’s migrant worker related policies, and serves as a convenient platform for interested countries to learn and adopt best practices domestically. The repository could also serve as a basis to identify policy gaps for discussion at subsequent workshops and the ASEAN Forum on Migrant Labour. .
- b. **Strengthen information services to educate migrant workers about their rights, access to services and immigration requirements.** Leveraging on the policy repository in paragraph 5(a), ASEAN could strengthen information services for migrant workers by producing collaterals such as brochures, pamphlets, and posters, to reach out to migrant workers in both labour sending and receiving countries. The information services offered could cover areas such as (i) pre-employment and pre-departure information on channels, procedures and requirements for documented migration and access to overseas labour markets for skilled and unskilled workers, (ii) the hazards of undocumented migration and human trafficking, and (iii) the avenues for further information and assistance. This project can build on the policy repository.

Thrust 2: Strengthen protection and promotion of the rights of migrant workers by enhancing labour migration governance in ASEAN Countries

- c. **Workshops on Best Practices in Protecting Migrant Workers.** A series of workshops could be organized for labour sending and receiving countries to share experiences on and generate best practices in protecting migrant workers, as well as on how to promote those best practices. The theme of each workshop would be according to the broad areas identified under the policy repository in paragraph 5(a), and the workshop’s key objective is to select the best practices to be included in the policy repository. The series

could start with a workshop on “Eliminating Recruitment Malpractices”, which would focus on regulating recruitment agents, tackling common recruitment malpractices, and documenting best practices targeted at addressing these malpractices. A second workshop could be organized on the provision of information services to migrant workers, which could kick off the efforts of the project in paragraph 5(b). Other workshops could be similarly organized based on the broad areas to be included in the policy repository. This series of workshops should be completed at least 6 months before the launch of the policy repository in end-2010.

- d. **Improve Overseas Employment Administration.** There is an existing SLOM project, which is led by the Philippines, on “Improving Overseas Employment Administration”. This is however limited to CLMV countries. In view of the Philippines’s extensive experience and expertise in this area, the Philippines could expand on this project to include other labour sending countries in ASEAN. Doing so would help strengthen the capacity of these countries in handling migration flows. The Philippines could do so by conducting a series of workshops and documenting learning points and best practices in this area.

Thrust 3: Regional cooperation to fight human trafficking in ASEAN

- e. As the Senior Officials Meeting on Transnational Crime (SOMTC) currently oversees this area, it is recommended that the Committee not duplicate the SOMTC’s efforts with separate initiatives to address the same issues. This is particularly so when there is a separate ASEAN Declaration on Transnational Crime, ASEAN Plan of Action to Combat Transnational Crime, and Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime, all of which are driven by the SOMTC. Nonetheless, this Committee should work closely with the SOMTC to coordinate and complement each other’s work as far as possible. Hence, it is proposed that ASEC provide the Committee with regular SOMTC updates at each subsequent meeting, and consider possibilities for joint activities, which the Committee could recommend to SOMTC.

Development of an ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers

- f. The Committee could, as a first step, organize a workshop to reach a common understanding on principles behind the rights of migrant workers. The workshop should discuss and agree on the key principles which should be incorporated within the Instrument, and submit its results to the 6th SLOM in Vientiane in May 2009.

- g. Thereafter, four of the ASEAN member states, comprising two labour sending and two labour receiving country, could work together to flesh out these principles for consideration at a suitable Committee meeting. Once the Committee has agreed on them, it can discuss the form in which the Instrument should take and submit its recommendations to the ASEAN Labour Ministers Meeting for endorsement. We could work towards the endorsement of such an Instrument when the policy repository in paragraph 5(a) is launched.

- 6. The Work Plan with activities as agreed by the ACMW and endorsed by SLOM (November 2008) appears in the matrix below.

Thrust/Area of Cooperation	Activities	Lead Countries/ Organisation	Timeline
Thrust 1: Step up protection and promotion of the rights of migrant workers against exploitation and mistreatment	<ul style="list-style-type: none"> • Policy Repository to promote best practices in migrant worker management policies. • Strengthen information services to educate migrant workers about their rights, access to services and immigration requirements 	<p>ASEAN Secretariat</p> <p>ASEAN Secretariat</p>	
Thrust 2: Strengthen protection and promotion of the rights of migrant workers by enhancing labour migration governance in ASEAN Countries	<ul style="list-style-type: none"> • Workshops on Best Practices in Protecting Migrant Workers • Improve Overseas Employment Administration • ASEAN Forum on Migrant Labour 	<p>Workshop on Eliminating Recruitment Malpractice, 29-30 April 2010, Singapore (completed)</p> <p>Forum on Improving Overseas Employment Administration (16-17 December 2010, Manila, the Philippines (completed)</p> <p>1st Forum on 24-25 April in Manila, the Philippines</p> <p>2nd Forum on 30-31 July 2009 in Bangkok, Thailand</p> <p>3rd Forum on 19-20 July 2010 in Ha Noi, Viet Nam</p> <p>4th Forum on 24-25 October 2011 in Bali, Indonesia</p> <p>5th Forum on 9-10 October 2012 in Siem Reap, Cambodia</p>	
Thrust 3: Regional cooperation to fight human trafficking in ASEAN	<ul style="list-style-type: none"> • Updates of the activities of the SOMTC's activities. • Possible joint activities by the Committee and SOMTC. 	ASEAN Secretariat	All ACMW Meetings
Thrust 4: Development of an ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers	<ul style="list-style-type: none"> • Workshop on the scope of coverage for migrant workers and a common understanding on rights of migrant workers • Drafting of the ASEAN instrument on the protection and promotion of the rights of migrant workers by the ACMW Drafting Team 	<p>Workshop on the Scope of Coverage and Rights of Migrant Workers, 26-27 March 2009, Manila, the Philippines</p> <p>All</p>	

THE 4th ASEAN FORUM ON MIGRANT LABOUR 24-25 OCTOBER 2011, BALI, INDONESIA

The 4th ASEAN Forum on Migrant Labour was held on 24-25 October 2011 in Bali, Indonesia. Representatives of the governments, employers' and workers' organisations, and civil society organisations of ASEAN Member States, the ASEAN Secretariat, International Labour Organization (ILO), International Organization for Migration (IOM), UN Women, and the Task Force on ASEAN Migrant Workers (TFAMW) participated in the Forum.

The Forum provided a platform for information sharing and exchange of views on two enduring challenges identified in the ASEAN Declaration of the Protection and Promotion of the Rights of Migrant Workers, i.e. promoting understanding, rights and dignity of migrant workers in the receiving countries, and increasing return and reintegration support, as well as development of sustainable alternatives for migrant workers in the sending countries. Towards this end, the Forum also reviewed the implementation of the Recommendations of the 3rd ASEAN Forum on Migrant Labour held on 19-20 July 2010 in Ha Noi, Viet Nam.

The 4th ASEAN Forum on Migrant Labour was convened as an implementation of the ASEAN Labour Ministers' Work Programme 2010-2015 and the ASEAN Socio-Cultural Community (ASCC) Blueprint (Action Line C.2.ii) which called for a regular ASEAN Forum on Migrant Labour as a platform for broad-based discussions on migrant labour issues under the auspices of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) which reports to the ASEAN Senior Labour Officials Meeting (SLOM). The participants agreed to recommend concerted actions to promote and protect the rights of migrant workers in the sending, transit, and receiving countries, which shall be gender sensitive, implemented in close cooperation among tripartite partners and civil society organisations, and applied to all migrant workers, as follows:

(a) Promotion of positive image, rights and dignity of migrant workers

1. Deliver comprehensive pre-departure education in sending countries, not only about culture and social norms, but also working and living conditions, reality of migration including financial implication, laws and procedures, rights of migrant workers, among others;
2. Conduct post-arrival orientation programmes in receiving countries, performed by the government, employers, trade unions, civil society, that adopts a rights based approach in orientating both migrant workers, employers and government – to understand what their rights and responsibilities are;

3. Raise awareness and build capacity of public and private recruitment agencies, local authorities and all stakeholders in sending and receiving countries in the delivery and monitoring of recruitment and placement services, and different forms of direct hiring of migrant workers to ensure greater protection of migrant workers' rights;
4. Collect and disseminate factual information through the media and other channels on the contributions of migrant workers to the economy and society in host countries (e.g. individual stories, economic and employment data, statistics on social impact) with the long term objective of promoting a positive image of migrant workers;
5. Carry out joint efforts in ASEAN Member States to present a positive image of migrant workers with various stakeholders e.g. migrant workers and their associations, academia, youth and student groups, tripartite parties, by using various means such as TV, commercials, exhibitions, radio talk shows, cultural performances, and the commemoration of International Migrants Day;

(b) Promotion of strategies for effective return and reintegration, as well as sustainable alternatives for migrant workers

6. Undertake a regional study on the programmes of skills trainings, pre-departure and post-arrival orientations, and return and/or reintegration support offered by ASEAN Member States;
7. Improve the availability of employment services to the returned migrant workers, including voluntary psychosocial counselling (before and upon return), gender sensitive reintegration, access to resources, and legal aid. Such services should also include information, advice, training, loans, placement, health, and interpretation/ translation service. These services should be made available/ extended to the family members of migrant workers left behind;
8. Provide incentives to the returned migrant workers, e.g. the absence of penalty for the irregular migrants, tax exemption of import duties for tools and equipment to be used by migrant workers;
9. Ensure as much as possible that mass/group deportation will not take place;
10. In case of mass returns of migrant workers in emergencies, contingency plans should be prepared at company and embassy levels with the participation of migrant workers. For this purpose, assistance/contingency funds which cover repatriation costs need to be set up at national level. Formulation of national disaster preparedness plans shall be in consultation with and with the participation of migrant workers and migrant organisations;

11. Ensure that sustainable economic reintegration policies and strategies are evidence-based, market-demand/need based and gender sensitive;
12. Ensure that return and repatriation programmes are effective, sustainable, and rights based, and with the involvement of tripartite partners and civil society organisations;
13. Encourage a speedy development of an ASEAN instrument on the protection and promotion of the rights of migrant workers that includes the family members of all migrant workers in its coverage. The instrument shall comply with the international human rights and labour standards and be legally binding;
14. Set up of ASEAN Guidelines on Effective Return and Reintegration;
15. Develop bilateral and multilateral agreements for portability of the social security benefits and better implementation of existing schemes;
16. Provide access to legal support and essential services, including consular services, for migrant workers and members of their families;
17. Recommend the following specific responsibilities and roles with respect to return and reintegration and sustainable alternatives for migrant workers:
 - (a) Responsibilities of sending countries:
 - Policies and strategies should be established to look after the return of migrant workers, e.g. "State Policy on the Reintegration of Migrant Workers";
 - Provide comprehensive training to migrant workers for preparation before return as a part of pre-departure orientation; and
 - Follow up/monitoring system of the returnees, particularly on their livelihood and reintegration.
 - (b) Responsibilities of receiving countries:
 - Prior to the return of migrant workers, receiving countries should have specific programmes for the returnee, e.g. training and introduction of entrepreneurship to migrant workers who are interested, counselling, among others;
 - Provision of proof of employment by the employers; and
 - Ensure that migrant workers receive decent wage and no unlawful wage deduction, decent and safe working condition and workplace environment, and compliance with international human rights and labour standards.

The participants agreed that the progress of implementation of these recommendations will be reported to the 5th ASEAN Forum on Migrant Labour in 2012. For this purpose, the tripartite partners and civil society organisations from each ASEAN Member State should make preparation for the reporting prior to the Forum.

The participants extended their appreciation to the Government of Indonesia for the excellent arrangements of the Forum and warm hospitality accorded to them.

The participants also congratulated the Government of Cambodia for its role as the incoming ASEAN Chair for 2012 and host of the 5th ASEAN Forum on Migrant Labour in 2012.

THE 5th ASEAN FORUM ON MIGRANT LABOUR 9-10 OCTOBER 2012, SIEM REAP, CAMBODIA

RECOMMENDATIONS

The 5th ASEAN Forum on Migrant Labour which carried the theme “Protection and Promotion of the Rights of Migrant Workers: Towards Effective Recruitment Practices and Regulations” was held on 9-10 October 2012 in Siem Reap, Cambodia. Representatives of the governments, employers’ organisations, workers’ organisations, and civil society organisations from ASEAN Member States, the ASEAN Secretariat, International Labour Organization (ILO), International Organization for Migration (IOM), United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and the Task Force for ASEAN Migrant Workers (TFAMW) participated in the Forum.

The 5th ASEAN Forum on Migrant Labour was convened as an implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, ASEAN Labour Ministers’ Work Programme 2010-2015 and ASEAN Socio-Cultural Community (ASCC) Blueprint (Action Line C.2.ii) which called for a regular ASEAN Forum on Migrant Labour as a platform for broad-based discussions on migrant labour issues under the auspices of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) which reports to the ASEAN Senior Labour Officials Meeting (SLOM).

The participants agreed to recommend concrete actions to promote and protect the rights of migrant workers in ASEAN Member States towards effective recruitment practices and regulations, which shall be in line with international instruments that have been ratified by ASEAN Member States, rights based and gender responsive, implemented in close cooperation among tripartite partners and civil society organisations, and applied to all migrant workers, as follows:

(a) Promote universal human rights and fundamental principles and rights at work

1. Adhere to the following principles in promoting and protecting the rights of migrant workers:
 - Universal human rights and fundamental principles and rights at work must continue to apply to migrant workers;

- Transparency, accountability and affordability should be practiced throughout the entire cycle of migration process;
- Vulnerability issues of migrant workers in the entire cycle of migration process should be addressed comprehensively through wide coverage of labour and social laws in all types of employment including those in vulnerable sectors;
- Migration policies, strategies and practices should be made gender responsive and cater to the specific needs of female migrant workers especially in vulnerable sectors of labour;
- Mainstreaming of migration and migrant worker issues in community level activities, especially those in the rural areas, of poverty alleviation, women’s empowerment and development plans and programmes in ASEAN Member States;

(b) Promote transparency, accountability and affordability

2. Develop transparent, standardized and simplified recruitment procedures and set ceiling costs, including those that should be covered by employers and job seekers, with regard to recruitment and emigration costs in ASEAN Member States that should be widely disseminated to the public, especially those in the rural areas, with the participation of recruitment agencies and other stakeholders, which would promote the use of regular channels by migrant workers;
3. Promote close coordination and dialogues of the Ministry of Labour/Manpower with other relevant line agencies towards coherent procedures, clearances and processes with the view to simplifying and streamlining these to reduce time and costs to migrant workers;
4. Regulation of recruitment procedures and costs and streamlining of emigration procedures should be considered as part of bilateral agreements between sending and receiving countries which should be publicized to and accessible by the public, recruitment agencies and other stakeholders;
5. Encourage the ratification of the ILO Convention 181 on Private Employment Agencies and ILO Convention 189 -Domestic Work Convention and alignment of national labour laws and legislations with international instruments by all ASEAN Member States;

6. Initiate a regional compendium of existing good practices of measures among ASEAN Member States to reduce recruitment costs and implement effective recruitment and emigration procedures and monitoring;
7. Sharing existing sex-desegregated data and information on labour migration, job availabilities and employment conditions in accordance with the labour laws of ASEAN Member States that are useful to facilitate effective deployment of migrant workers;

(c) Promote information sharing and awareness of the public

8. Ensure availability of information to the public on recruitment and emigration procedures and costs (such as fees, visa, passport, work permit, health examination, and pre-departure and post-arrival trainings/orientation) as well as the costs that should be shouldered by migrant workers and recruitment agencies in order to raise the awareness of potential migrant workers and communities, especially those in the rural areas and among women;
9. Ensure that information of recruitment and emigration procedures and costs is regularly updated and widely disseminated to and accessible by the public through the appropriate media (such as TV, radio, newspapers, mobile phones, and internet) and with the involvement of returned migrant workers, tripartite partners and civil society;
10. Develop affordable “one-stop-centre” services, such as online portal, in sending countries that are widely informed to and accessible by migrant workers;
11. Abolish intermediaries in recruitment practices other than registered/licensed recruitment agencies in ASEAN Member States which would contribute to the affordability of recruitment costs and elimination of malpractices;
12. Disseminate information to the public on various recruitment options that are available in the country (such as private and public recruitment agencies, direct recruitment where applicable, and list of registered/licensed recruitment agencies);

(d) Promote effective monitoring and complaint mechanisms

13. Regulate recruitment agencies and practices by laws, regulations and policies that clearly define the migration cost structures in ASEAN Member States;

14. Effectively monitor recruitment agencies and practices in ASEAN Member States with clear mechanisms, heavy penalties for infringements and positive ratings for ethical recruitment agencies. In this regard, communities, tripartite partners, civil society and other stakeholders should be involved towards effective monitoring;
15. Develop and implement a licensing system of recruitment agencies and, where applicable, an accreditation system of foreign employers of direct recruitment agencies to effectively monitor their practices in ASEAN Member States;
16. Enhance the functions of labour attaches and consular officials in ASEAN Member States to verify information of job offers and employment contracts, as feasible, in receiving countries;
17. Establish effective complaint mechanisms in ASEAN Member States that should be widely disseminated to and accessible by migrant workers with legal aid and assistance;

(e) Promote meaningful involvement of multi-stakeholders

18. Promote meaningful involvement of and partnerships with tripartite partners, the private sector (such as transport companies medical clinics, and commercial banks), civil society and communities at national and regional levels towards reducing recruitment costs and in monitoring recruitment agencies and practices;
19. Optimize the potential and role of returning migrant workers in information sharing with the communities on gender differential migration experiences, recruitment costs, agencies and practices, and emigration procedures;
20. Encourage the recognition of the skills of migrant workers through certification/testimonial of employment, including employment history, experiences, skills and language, by employers and other entities where applicable;
21. Encourage continuous discussions on specific issues of reducing recruitment costs and streamlining emigration procedures at all levels where possible with the involvement of governments, tripartite partners and civil society and with the ASEAN Inter-Parliamentary Assembly (AIPA).

The participants agreed that the progress and challenges of implementation of these and previous recommendations will be shared by ASEAN Member States at the 6th ASEAN Forum on Migrant Labour in 2013. For this purpose, each ASEAN Member State should make preparation with the involvement of tripartite partners and civil society for the information sharing prior to the Forum. The process and outcomes of the ASEAN Forum on Migrant Labour could be shared with other partners outside the region.

The participants extended their appreciation to the Government of Cambodia, particularly the Ministry of Labour and Vocational Training, for the excellent arrangements of the Forum and warm hospitality accorded to them.

The participants also congratulated the Government of Brunei Darussalam for its role as the incoming ASEAN Chair for 2013 and host of the 6th ASEAN Forum on Migrant Labour in 2013.



List of Abbreviations

ACE	ASEAN Confederation of Employers
ACMW	ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
ADB	Asian Development Bank
AFAS	ASEAN Framework Agreement on Services
AHSOM	ASEAN Heads of Statistical Offices Meeting
ALMM	ASEAN Labour Ministers Meeting
APOSHO	Asia Pacific Occupational Safety and Health Organization
ASCC	ASEAN Socio-Cultural Community
ASEAN	Association of Southeast Asian Nations
ASEAN-OSHNET	ASEAN Occupational Safety and Health Network
ASETUC	ASEAN Services Employees Trade Union Council
ATFOA	ASEAN Task Force on AIDS
CBM	Coordinating Board Meeting
CLMV	Cambodia, Lao, Myanmar and Vietnam
CSR	Corporate Social Responsibility
EU/EC	European Union/ European Commission
FES	Friedrich-Ebert-Stiftung
IALI	International Association of Labour Inspection
ILO	International Labour Organization
IOM	International Organization for Migration
ISSA	International Social Security Association
PCC UI	Project Cooperation Committee for the Unemployment Insurance Project
JICA	Japan International Cooperation Agency
KOSHA	Korea Occupational Safety and Health Agency
LMIS	Labour Market Information System
MRA	Mutual Recognition Arrangement
SLOM	Senior Labour Officials Meeting
SLOM-WG	Senior Labour Officials Meeting's Working Group on Progressive Labour Practices to Enhance the Competitiveness of ASEAN
SLOM-WG-HIV	Senior Labour Officials Meeting's Working Group on HIV Prevention and Control in the Workplace
SOMTC	Senior Officials Meeting on Transnational Crime
TFAMW	Task Force on ASEAN Migrant Workers
TVET	technical and vocational education and training

