



Ministerial Consultation
On Overseas Employment and Contractual Labour for
Countries of Origin and Destination in Asia

The “Abu Dhabi Dialogue”

Abu Dhabi, 21-22 January 2008

Theme: *Contractual labour mobility in Asia: Key partnerships for development between countries of origin and destination*

Final Report

1. Background

1.1 Growing temporary and circular labour mobility in Asia is prompting countries of origin and destination to re-examine a number of long-held assumptions about contractual labour mobility with a view towards advancing their respective developmental interests through increased collaboration and partnership.

1.2 It is now widely recognized that, when properly managed, temporary contractual labour mobility will benefit both countries of origin and destination as well as improve the well-being of temporary contractual workers. Labour mobility can be an important means to facilitate the development of economies as well as individual human beings.

1.3 While the potential of temporary contractual labour mobility to foster development is not a new concept in Asia, what is new today is the recognition that we are living in a world that is more mobile than ever before; a world with greater integration of economies, labour forces and societies; and one which is experiencing rapid and deep changes, notably due to technological advances, demographic shifts and environmental degradation.

1.4 In this context, and at the request of several Asian governments, the first Ministerial Consultation for Asian Labour Origin Countries was held in April 2003 in Colombo, Sri Lanka, organized by the International Organization for Migration (IOM). Ten Asian labour countries of origin took part in that event, namely, Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam. These countries made several recommendations for enhancing the management of overseas employment and agreed to follow-up programmes that paved the way for the second round of Ministerial Consultation held in Manila, the Philippines, in September 2004, in which Afghanistan participated as an observer. These Ministerial Consultations have since been referred to as the “Colombo Process.” The third Ministerial Consultation took place in Bali, Indonesia, in September 2005. Afghanistan became a member of the group on that occasion. The third consultation was greatly enriched by the active participation of countries of destination as observers, namely, Bahrain, Italy, Korea (Republic of), Kuwait, Malaysia, Qatar, Saudi Arabia and the United Arab Emirates. With the attendance of destination countries, a major objective of the Colombo Process had been advanced, consistent with the recommendations from the Manila and Bali Ministerial Consultations regarding the critical importance of developing opportunities for dialogue between countries of origin and destination.

1.5 The United Arab Emirates (UAE) took the groundbreaking step of hosting the inaugural Ministerial Consultation between Asian destination countries and Colombo Process countries in Abu Dhabi on 21 and 22 January 2008. The theme chosen by the UAE for the consultation was “*Contractual labour mobility in Asia: Key partnerships for development between countries of origin and destination.*” The Ministerial Consultation, referred to as the “Abu Dhabi Dialogue,” brought together for the first time the Colombo Process countries with the Gulf Cooperation Council (GCC) states, plus Yemen and two additional Asian countries of destination, namely Malaysia and Singapore.” The Abu Dhabi Dialogue therefore constitutes a milestone in regional cooperation on contractual labour mobility.

2. Purpose

The broad purpose of the first meeting of the Abu Dhabi Dialogue was to provide a forum for the discussion of new ideas and concrete activities towards the development of a comprehensive and practical framework for the management of temporary contractual labour mobility in Asia. Particular focus was placed on promoting the welfare and well-being of workers, on the development of both origin and destination countries through labour mobility, and on fostering greater inter-governmental cooperation and collaboration, with the active support of international and regional partners.

3. Participants and Observers

3.1 Participants - countries of origin: Afghanistan; Bangladesh; China; India; Indonesia; Nepal; Pakistan; Philippines; Sri Lanka; Thailand; and Vietnam.

3.2 Participants - countries of destination: Bahrain; Kuwait; Malaysia; Oman; Qatar; Saudi Arabia; Singapore; United Arab Emirates; and Yemen.

3.3 Observers - countries: France; Germany; Japan; Korea (Republic of); Mauritius; Poland; and the United States of America.

3.4 Observers - organizations: Arab Labour Organization; European Commission; Gulf Cooperation Council; International Labour Organization; United Nations Development Fund for Women; and the United Nations Development Programme.

3.5 Complete list of participants and observers

Annex I

4. Joint Secretariat

The secretariat for the consultation was jointly provided by The Ministry of Labour of the State of the United Arab Emirates and the International Organization for Migration (IOM)

5. Preparatory Meeting of Senior Officials (21 January 2008)

5.1 The Senior Officials’ meeting was jointly moderated by the Ministry of Labour of the United Arab Emirates (Mr. Yousef Abdelghani) and the International Organization for Migration (Mr. Gervais Appave). Dr Hamid Rashid (Bangladesh) was elected as the rapporteur and as the current Chair of the Colombo Process, Indonesia provided an introductory statement. The final agenda is attached.

Annex II

5.2 During their discussions, the senior officials addressed the following principal issues of significance:

a) Protection: Protection for all workers was identified as one of the keys to worker productivity and well being. Protection here is understood as comprising a broad range of measures covering both pre- and post-departure needs of workers. Viewed from this perspective, the protection process starts in the country of origin (for instance, by shielding workers from illegal recruiters), continues after arrival in the country of destination (for instance, through measures curbing abuse and non-payment of wages), and on return and reintegration back home (for instance, through opportunities for investment and saving).

b) Improving the knowledge base: Participants agreed that there was a shared need to improve both the amount and quality of data available about temporary contractual employment, including on flows and trends in movement, patterns of need, skill profiles in demand, and on policy developments across the region. This would provide the basis for the development of more effective, safe and legal ways of matching supply with demand.

c) Developing a human resources development perspective: For the management of temporary contractual labour mobility to be truly effective, beneficial and sustainable, stakeholders need to place it within a human resources development framework. In this way, workers can be prepared and trained to meet the requirements of the jobs they will undertake abroad, policymakers can develop more effective approaches, and employers can benefit from having a better qualified workforce. The institutionalization of pre-departure orientation (PDO) and/or of pre-employment orientation (PEO) activities, the proper organization of training courses, and the standardization of testing and certification procedures can contribute significantly to the effective management of labour mobility and improve its beneficial effects for all stakeholders.

d) Ensuring the integrity of recruitment systems: The recruitment of temporary contractual workers is a crucially important point in the labour mobility process to ensure that demand for labour is met with appropriate supply. It is essential that recruitment procedures be fair and transparent and that workers be protected from abusive practices.

e) Ensuring safe and successful return: The return and reintegration of workers is part of a comprehensive approach to the management of labour mobility. To ensure temporariness of contractual labour, workers need to be able to look forward to returning home. Both countries of origin and destination have roles to play in establishing mechanisms and incentives to encourage workers to return home in safety, dignity and with the hope of successfully reintegrating in their community of origin. In this regard, the concept of a “return-ensuring efficiency wage” was introduced as a means of providing workers with adequate remuneration in the destination country to make it feasible to ensure timely return.

f) Conceptualizing labour mobility as a cyclical process: There is a congruence of interest from all stakeholders involved (the country of origin, the country of destination, and the contractual worker) to work together for successful circular labour mobility. These key players will all win if there is integrity of the recruitment process, rights and responsibilities during employment are adhered to, and return to the home community at the end of the contract is timely and accompanied by measures to facilitate successful reintegration.

g) Making partnerships work for development: Participants emphasized the overriding importance of partnerships in the management of temporary contractual employment. Countries of origin and destination are the key players, yet there are also other stakeholders, such as international organizations, employers and trade unions that have important contributions to make. The participants focused on four key partnerships for development through labour mobility (outlined below), consistent with the overall objectives of optimizing the benefits of organized international contractual labour mobility; promoting welfare and protection of contractual overseas workers; and building institutional capacity and interstate cooperation.

h) Piloting: Several participants suggested that there would be value in testing out some of the ideas summarized above through carefully-designed pilot projects with the assistance and technical support of IOM.

6. Ministerial Consultation (22 January 2008)

6.1 The Ministerial Consultation was chaired by the Minister of Labour of the United Arab Emirates (Dr. Ali Abdullah Al Kaabi), the host of the event. Opening remarks were delivered by the Director General of IOM (Mr. Brunson McKinley) and the Minister of Manpower and Transmigration of Indonesia (Mr. Erman Suparno), the current Chair of the Colombo Process.

6.2 The Minister of Labour of the UAE emphasized that contractual labour mobility can and should generate value and wealth for all those who hold a stake in its facilitation, and that the long term success of labour mobility hinges on making certain that the interest all of key stakeholders are well served. IOM's Director General added that the Ministerial Consultation provided a unique opportunity for participating countries to exchange views and analyze their labour migration experiences, to share best practices and to test and seek validation of responses to particular problems -- all in a climate of goodwill, openness and informality.

6.3 The ministers then received a report on the proceedings of the Senior Official's Preparatory Meeting. This was followed by statements of Ministers from all participating countries. Some observer countries and the representative from the European Commission also offered brief observations. The detailed agenda is attached.

Annex III

6.4 At the end of the Ministerial Consultation, Ministers of the participating countries adopted the enclosed Abu Dhabi Declaration.

6.5 The Declaration defines a new collaborative approach, forward-looking and action-oriented, to better address issues of temporary contractual labour mobility and to optimize its benefits for the development of both countries of origin and destination as well as the workers themselves.

6.6 The Declaration identifies four key partnerships through which they wish to foster information sharing, promote capacity building, technical cooperation and interstate cooperation. These include the need for participating countries to share information on labour market trends and patterns of remittances, to build the capacity of states to effectively match labour demand and supply, to prevent illegal recruitment practices and to promote transparent recruitment and employment policies and practices to ensure the welfare and protection of workers, and to develop a framework for

multilateral cooperation to manage the entire mobility cycle for temporary contractual labour and leverage its benefits for countries of origin and destination.

7 Abu Dhabi Declaration (attached are the English and Arabic versions)

Annex IV

The Ministers of Afghanistan, Bahrain, Bangladesh, China, India, Indonesia, Kuwait, Malaysia, Nepal, Oman, Pakistan, the Philippines, Qatar, Saudi Arabia, Singapore, Sri Lanka, Thailand, United Arab Emirates, Vietnam and Yemen having come together in Abu Dhabi on 21 and 22 January 2008 to constitute the Ministerial Consultation on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia, referred to as the Abu Dhabi Dialogue, adopted the following considerations and recommendations:

I. Considerations

I.1 Growing temporary and circular labour mobility in Asia is prompting countries of origin and destination to re-examine a number of long-held assumptions about contractual labour mobility with a view towards advancing their respective developmental interests through increased collaboration and partnership.

I.2 When properly managed, temporary contractual labour mobility will benefit both countries of origin and destination as well as improve the well-being of temporary contractual workers. Labour mobility can be an important instrument for the development of economies as well as human resources. The UN General Assembly High-level Dialogue on International Migration and Development in New York in September 2006, and the Global Forum on Migration and Development in Brussels in July 2007, highlighted the relationships between international mobility, poverty alleviation and development.

I.3 The potential of temporary contractual labour mobility in fostering development is not a new concept in Asia. For a number of decades now, many Asian countries have looked to opportunities available in the regional labour market to satisfy their employment and human resource needs. However, what is new today is the recognition that we are living in a world that is more mobile than ever before; a world with greater integration of economies, labour forces and societies; and one which is experiencing rapid and deep changes, notably due to technological advances, demographic shifts and environmental degradation.

I.4 Against this backdrop, ten labour countries of origin from South and Southeast Asia established in 2003 a regional dialogue, known today as the “Colombo Process.” The first meeting in Colombo was followed by a second in Manila in September 2004, and a third in Bali in September 2005. During the Bali meeting, Afghanistan joined as the 11th member and, for the first time, countries of destination attended as observers. It was also at the Bali meeting that the membership agreed to formally engage in a dialogue with countries of destination, both Asian and European. The Bali Ministerial represented a qualitative leap in the emerging dialogue between Asian countries of origin and destination and it was recognized there that the term “expatriate and contractual labour” was an accurate description of labour flows to GCC countries.

I.5 The hosting and funding by the Government of the United Arab Emirates of the Ministerial Consultation between the Colombo Process countries and Asian destination countries is an important expression of the interstate collaboration fostered in this dialogue since its very inception.

I.6 The Abu Dhabi meeting highlighted that, in the context of the global economy, there is increasing competition to boost economic growth through labour mobility at all skill levels. In this connection the Ministers consider that best economic and social outcomes are achieved through the provision to all workers of good living and working conditions, their protection including through promotion and implementation of transparent policies and practices including for recruitment and employment according to the national laws and regulations of countries of origin and destination and facilitating remittances, and the development of a framework for multilateral cooperation to leverage the benefits of temporary contractual labour mobility.

I.7 The Abu Dhabi meeting recognized the joint responsibility of countries of origin and destination to enforce compliance by recruitment agencies and other parties engaged in the recruitment process with the requirements of national laws and regulations pertaining to the employment of temporary contractual labour, thus providing further protection to workers.

II. Recommendations

II.1 Based on the above mentioned considerations, and in light of the constructive dialogue that took place in Abu Dhabi, the participating States have decided to launch a new collaborative approach to address temporary labour mobility and maximize its benefits for development. They have identified the following key partnerships between Asian countries of origin and destination through which they wish to foster information sharing, promote capacity building, technical cooperation and interstate cooperation.

Partnership 1: Enhancing knowledge in the areas of: labour market trends, skills profiles, temporary contractual workers and remittances policies and flows and their interplay with development in the region

Partnership 2: Building capacity for effective matching of labour demand and supply

Partnership 3: Preventing illegal recruitment practices and promoting welfare and protection measures for contractual workers, supportive of their well being and preventing their exploitation at origin and destination

Partnership 4: Developing a framework for a comprehensive approach to managing the entire cycle of temporary contractual mobility that fosters the mutual interests of countries of origin and destination

II.2 These partnerships are based on the mutual interests of labour origin and destination countries, with a particular focus on development. They are action-oriented and, in addition to governments, will seek to engage other relevant stakeholders for the implementation of initiatives which will take this partnership forward in a spirit of international dialogue and cooperation.

8. Follow-up and Next Steps

8.1 Dialogue between the countries of origin and destination will continue to identify practical outcomes to the key partnerships enunciated in the Abu Dhabi Declaration with the support of IOM.

8.2 The next Abu Dhabi Dialogue Ministerial Consultation will be held in 2010. The host is still to be identified. Countries of origin were encouraged to consider hosting the next ministerial.