



International Labour Organization  
Organisation internationale du Travail  
Organización Internacional del Trabajo

## **ILO Expert Group Meeting**

### **Economic and Social Empowerment of Thai and Filipino Migrants including victims of Trafficking Returned from EU and Neighboring Countries**

**2-3 December 2009, Bangkok, Thailand**

**Part of the ILO and European Union Project**

**“Going back, moving on: economic and social empowerment of migrants,  
including victims of trafficking, returned from EU countries”**

## MEETING REPORT

A total of 22 individual experts coming from governments, Academic Institutions, NGOs, Trade Union, International Organizations, the ILO and the EU delegation in Thailand were present at the two day advisory group meeting for the project entitled “Economic and Social Empowerment of Thai and Filipino Migrants including Victims of Trafficking Returned from EU and Neighboring Countries”.

### The objectives of the meeting were to:

- To expand the knowledge base on the services and situation of migrant workers from Thailand and the Philippines
- Identify the main challenges for the design and delivery of better R&R services
- To discuss how to strengthen cooperation between sending and receiving countries
- Identify priority areas for follow up action
- Input to the background paper from the experts present at the meeting

The project team wanted to create a broader network among the partners that are already involved in the project and to identify possible new actors that could be a part of the network. In addition the meeting was seen as an opportunity to have greater clarity on the actual concepts of return and reintegration for the purposes of project implementation. Finally, a set of clear recommendations for actions were expected as a way to fine tune and monitor the project implementation strategy.

The meeting was intended to be participatory and informal with short presentations and frank and open discussions. Participants were encouraged to provide written feedback to the project team on the background papers that have been provided as well as on the overall project approach on return and reintegration.

### Session 1

The meeting started with a short introductory session by the project Chief Technical Advisor (CTA), Ms. Maria Gallotti, covering the meeting objectives and expected outputs and a description of project aims, targets and expected results.

The following key questions/issues will be addressed at the meeting:

- A. How do we make sure that official programs for voluntary return better address returnees immediate and longer terms needs for successful reintegration
- B. How do we reach those who are not accounted for yet suffer from exploitation

One of the challenges discussed at the meeting was the lack of conceptual clarity in regards to the concepts of return and reintegration. There are different definitions of return; the EU, IOM and UN all have their own definitions. At this early stage of the meeting, the need to discuss working definitions and characteristics of the project beneficiaries was expressed. Participants agreed that this project needs to apply a broad and encompassing approach to enable a broad spectrum of returnees to be included as beneficiaries. It is clear that the project will not only work with trafficked persons but to expand beyond this group to also include migrant workers in distress from various occupational sectors. Another issue that was addressed in the initial sessions of the meeting was the use of certain politically incorrect/sensitive words. The following words were identified;

- Trafficking victim (use **trafficked person** instead)
- Trafficking survivor (see above)
- Illegal migrant (use **irregular or undocumented migrant** instead)
- Integration (use **social inclusion** instead)

In terms of the approach to return, the participants pointed out that it is essential to have a rights-based approach focused on the best interest of the migrant, regardless of their migration status. It was however acknowledged that the legal, institutional and policy frameworks of the concerned countries (including regional EU framework) need to be taken into careful consideration for the implementation of project activities. Professor Confesor from AIM mentioned that there are a lot of multilateral and bilateral agreements and cooperation that need to be further explored. One multilateral channel where Thailand and the Philippines are both members is ASEAN, which has a convention on migrant workers and a framework for human trafficking initiatives. Ms. Tornea from OWWA pointed out that there are changes and challenges for migration to EU. More channels for regular migration is opening up for Filipinas/Filipinos and one of the challenges are for the origin and destination countries to work together to address irregular migration in the respect of basic human and labour rights.

Mr. Lisborg who is an international consultant for the project pointed out that the participants at this meeting all have different roles to play to assist the beneficiaries of the project. He mentioned that there is an active trafficking debate in the EU, and some countries started to provide residence permits to trafficked persons. This initiative is beneficial to the trafficked persons, but Dr. Prasad from the organization Baan Ying in Germany pointed out that some of the conditions for the residence permits (at least in Italy) are that the trafficked person will be granted residence permit only if he or she will witness in the case and in some countries the court case needs to be won in order for the person to get the residence permit.

## Session 2

In the second session of the day, Mr. Lisborg presented some key findings from a report from the previous ILO project on return and reintegration, funded by HSF. He mentioned the key contemporary themes of migration in Asia and beyond; the feminization of migration, overall increases in labour migration and growing attention to the phenomenon of migration. However, return and reintegration has often low priority in project interventions (if they exist they are often small scale and/or *ad hoc*) and research, which further emphasized the importance of the project. Mr. Lisborg pointed out at the need to tailor flexible solutions on the basis of individual needs of the returnees, regardless of the fact that might wish to migrate again, including into a potentially risky occupation such as commercial sex. The importance lies in empowering the beneficiaries economically and socially so that they are able to make well informed choices.

The research presented further found that the main challenges that faced the migrants before migration, remain the most pressing after return, family difficulties, lack of employment and skills, legal issues etc.

Bases on the research and on his experience, Mr. Lisborg pointed out at some priority areas for intervention:

- |   |                               |  |
|---|-------------------------------|--|
| - Assistance in new skills and finding work | - Compensation                | - Maintain clear and continuous communication with the victims |
| - Emotional support                         | - Physical healthcare         |  |
| - Legal advice                              | - Protection from traffickers |  |
| - Financial support                         |                               |  |

Mr. Lisborg also made a presentation on the situation of Thai and Filipina migrants in the EU, the extent, geographical destination, work sectors etc. based on a desk review. The following key challenges and recommendations were identified;

- ✓ Poor knowledge of the target group

### **Key challenges;**

- ✓ R&R are offered only to officially acknowledges trafficked persons
- ✓ Lack of coordination among service providers in Europe
- ✓ Lack of contact between the migrants and service providers at origin
- ✓ Lack of assistance programs that take into account the country of destination as well as origin
- ✓ In EU there is no knowledge of the project

#### **Recommendations**

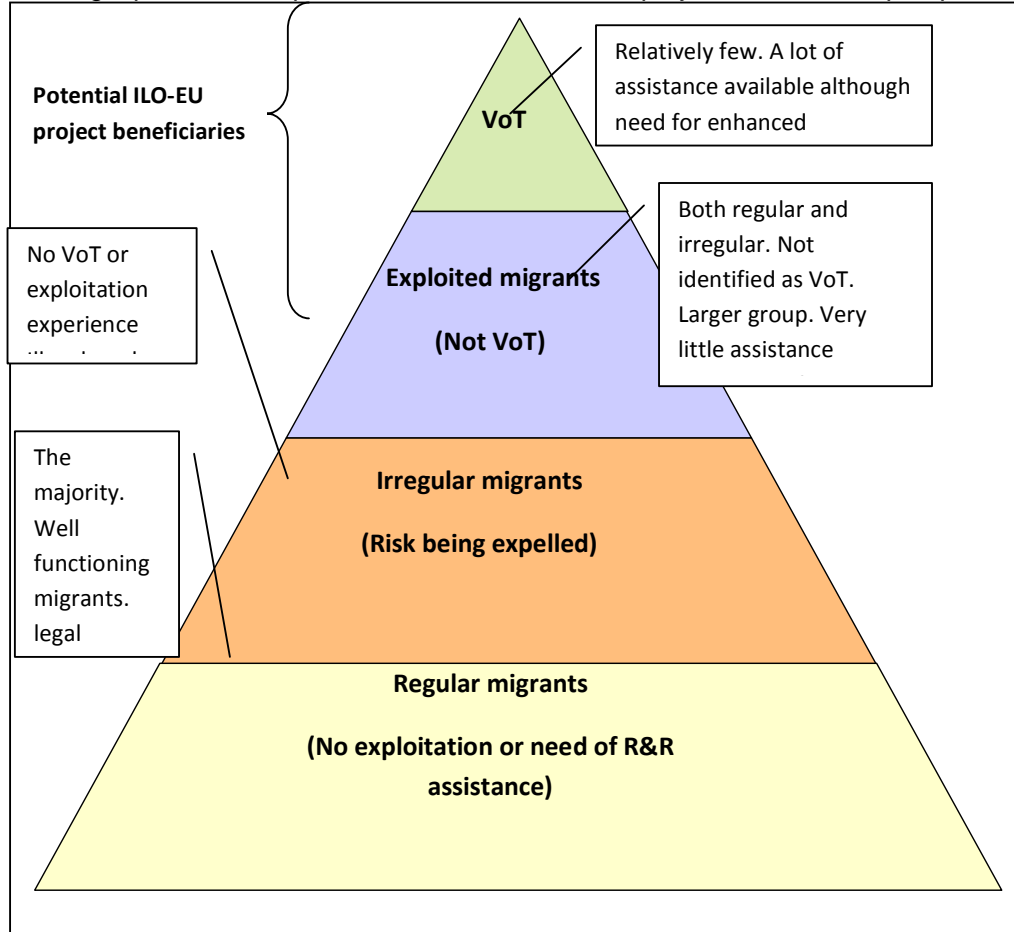
- Fill the gaps
- Individualized and flexible assistance
- Broader group to be reached
- Collaborating across the regions, create better linkages
- Provide long term assistance
- Ensure pro-active outreach
- Tap into migrant social network

#### ***Issues discussed;***

- Some of the returnees to Thailand has been unwilling to attend any assistance programs and support at destination, the migrants have been eager to return home (MOFA). But it was further stated that there is a need to provide assistance already at destination, the embassy including the labour attaché or staff working with migrants at destination are key players.
- In regards to the issue of debt – some migrants are working abroad to pay off debts that they already have and others get into heavy debt to be able to migrate. Officials from the Thai government mentioned that the issue of debt now is on the national agenda for the government and that people can ask for bank-loans with low interest rates to pay back other loans with high interest rates.
- The importance of employment services and economic empowerment were emphasized by several participants. But it is important to recognize the individual needs of the returnees; there is a tendency among service providers to assume that all migrants are entrepreneurial, which of course is not the case. Families of the returnees also need to be taken into consideration when planning for the assistance.
- Community based assistance was further discussed, this was considered both as a good way to reintegrate returnees and as a challenge. The challenges are that there might be jealousy among the other community members and in addition, there is a danger of re-affirming stigma.
- Compensation was another issue discussed and it was stated that some countries in the EU can provide support even after the migrants returned. This is something that the project can find further information on and document, an important and beneficial output for the project would be to support better communication between service providers in EU and at origin and with individual returning migrants to better assist them and inform on possibilities to claim for compensation and support even after return. Mr. Robert Larga, ILO, pointed out that returning migrant in the Philippines can receive recovery compensations that allow them to get compensations from the recruiters in the Philippines. The recruitment agency can be held responsible.
- There is a need for research (tracking and tracing returnees long term) to further identify needs and challenges and to build a broader knowledgebase.
- In terms of providing support to returnees, there is a need to make the returnees the main actors in the process, it is important in this process to take into account the length of stay at destination, the work sector and the experiences to determine the need for assistance. It is also necessary to take into account the different stages of the process to make sure that the persons get the right assistance at the right time. It is about engaging into dialogue with host government to get them to see and better address the problem and the situation. We need to talk about beneficiaries but we also need to talk about stages.

- The difference between Thai and Filipino/Filipina migrants was also emphasized; e.g. in terms of employment sector and geographical destination. Filipina/o migrants are often well educated and it is often not necessary to translate information materials etc. to Tagalog, while it might be necessary to make translations into Thai.

This triangle presents the possible beneficiaries of the project in a broader perspective



### Session 3

The third session was a presentation of the situation in Thailand with regard to the availability of services and practices on return and reintegration. A rapid assessment has been conducted by Foundation for Women (FFW), who presented their findings. The sources of information were from returnees, interviews among agencies and from a desk review.

There is a lack of information on available jobs in Europe for Thais, Thai women are mostly migrating on their own to find job in destination countries. It is also hard to find information on irregular migrants, many are re-entering. Data from Ministry of Labour (MOL) showed that 1298 workers filed complaints against recruitment agencies; MOL also provided assistance to 1026 workers. The Thai consular provides support in EU; the countries that handle most complaints are Germany, France and England. Arrangements and cooperation;

- ASEAN Action Plan to Combat Trafficking in children and Women
- Cooperation with Thai Women Network in Europe (meetings and grants)
- Cooperation with Thai Buddhist Temples in Europe (e.g. Germany and Switzerland)

Then a case of Thai berry pickers in Sweden and Poland were presented, these cases have not been solved and at the moment the returned migrants are trying to get compensation and charge the recruitment agencies (for the full report on these cases see Annex).

### Suggestions from Returnees

#### Countries of Destination

- Information on rights and legal entitlement
- Victim friendly translation
- Facilitate return of belongings
- Case follow-up
- Financial support

#### Countries of Origin

- ✓ Reception at airport
- ✓ Financial assistance
- ✓ Support during court proceedings
- ✓ Support meetings
- ✓ Respect privacy and dignity
- ✓ Suitable time for the interview

### Recommendations for labour migration regulation and return and reintegration;

- Provide information and assistance to labour migrants
- Initiate dialogue and contact with trade unions and migrant workers organizations in EU
- Pro-active role of MOL in safeguarding the rights of regulated migrant workers
- Survey the situation in Europe
- Monitor the situation continuously
- Translate and disseminate relevant international standards and guidelines, included the newly enforced Convention of the Council of Europe
- Organize training
- Develop guidelines compatible to international standards
- Review training materials and have a participatory approach
- Set up referral system in Europe
- Develop national focal point to coordinate assistance and a working group
- Organize legal training with aspects of social assistance and support as an integral part
- Support returnees who have experience in the court to work with newly affected groups to give relevant advice and accompany them in court
- Recovery activities needs to be provided
- Strengthen the knowledgebase

Dr. Prasad from the Baan Ying Center in Germany, Berlin then presented the situation from the perspective of the NGO Baan Ying and the women that seek assistance. Most women that come to the center are Thais, but there are also Filipinas and other nationalities. Most of the Thai migrants in Germany are women and the average stay are 10,7 years. There are no official channels for labour migrants, most migrants are women marrying German men and many are being abused. The most frequent work sectors are domestic work, sex industry, low income sectors such as factories, cleaners etc. these are often vulnerable areas without any protection, no language skills are required and training are not required either, holidays are not provided and neither are sick leave. The introduction of new regulations for marriages, where the foreign partners need to take a test in German language skills have lead to increased costs and further difficulties.

Working indicators that have been established by Ban Ying to determine cases of trafficking for sexual exploitation. Interesting to note how these indicators have been developed in cooperation with the police, noting how on specific issues such as identification of trafficked persons NGOs and the enforcement authorities seems to have a common ground of understanding;

- Keep less than 40% of earnings (practice 0-15%)
- Not right to refuse clients

- Not right to refuse sexual services
- Do not have right to insist on condoms
- Excessive working hours

Witnesses are entitled to;

- Trafficked persons get specific visa
- 200Euros per month
- Limited access to medical care
- Free legal assistance
- In theory they can work (not possible in practice because of the difficulty in getting employment)

Usually takes two years to work off the debts they own and they are then free after two years, they have decided not to witness because they worked hard for their status, even though irregular. Re-entry is difficult, usually has a stamp in the passport, and cannot enter Schengen in three years. If you have temporary visa and go to Thailand for more than 6 months you cannot re-enter.

Challenges and recommendations

- What to do if return assistance is not required by the individual yet it is clearly needed?
- Danger on return
- "private" deportation of children (maybe the children did not want to leave and they might be in vulnerable situations)

### ***Issues discussed***

- A discussion on the trends for visas and regulations in the EU among the participants showed that this is changing on a regular basis. It was stated that the process is becoming more expensive but still migration is continuing to increase.
- It was further stated that we need to look beyond women being trafficked and exploited, men from Thailand and the Philippines are also migrating and experience trafficking and exploitation. The case of the berry pickers in Sweden and a case of labour exploitation in Spain are illustrations of this.
- Brokerage fees and recruitment agencies were also issues of importance. It was argued that we need further look into the recruitment companies, their role and risks of exploitation of migrants in the recruitment process. They either deduct money or take away the jobs to sustain the brokerage business.
- The gender dimension of migration, Dr Prasad argued an overwhelming majority of Thai labour migrants in regular status are men in EU. This would basically mean that regular labour migration channels seem more accessible to male than female. Women, who are still the majority of migrant, mostly enter through marriage/family reunification visas and only subsequently get into work. Marriage is clearly used as a way to avoid restrictive labour immigration policies and expose women to highly vulnerable situations both labour related and in terms of domestic violence.
- Many migrants in EU are staying long term and it is therefore important that the beneficiaries particularly for this project are identified at this meeting. The project has been designed with a modest target group, 1,000 between Filipinas and Thais. This is because identification of trafficked persons is very hard. We are looking at the top of the iceberg. This that we have talked about is Germany and we need to have a look at other countries as well. We are not looking at a large number. We want to create a model of support services and return and reintegration and it is important to focus on this specific target.

#### Session 4

A presentation about the Philippines by Mr. Robert Larga then followed. The rapid assessment on the Philippines was made by Dr. Stella Go. She mentioned that the Philippines is the largest country of origin for migrants in East Asia, 50% are temporary migrants and 10% are irregular migrants. Temporary migrants are mainly in the Middle East. In Europe, 6 in 10 migrants are temporary, 3 are regular and 1 is irregular. France has the highest number of irregulars. In Europe most migrants are found in Italy, the second most common country is England, Spain is third and Ireland the fourth most common destination country for migrants from the Philippines. Data on return are scarce; there is a lack of systematically gathering of the data. The data gaps are; magnitude of return, rate of re-migration, characteristics, and circumstances of return. Dr. Go mentioned that we cannot come up with typology of return unless we have this information. Filipinos return because of; having contracts completed, crisis, war, family related reasons, physical illness, mental illness and other forms of distress. Most of the OFWs in distress are women.

#### *Who are the partners?*

The NGOs, Church groups and migrant groups are playing a large role and services have been tapped by the government. On site welfare cases have been assigned to NGOs that have provided the necessary assistance. There are no forms of agreements but the organizations have been very important to the migrants.

#### *Experience of OFW returnees*

Most returnees are from Italy. The reason for return are mostly; illness so they could not work (but if they could they would go back); labour exploitation (most went on tourist visas through different transit countries). The average age was 57, most left in the 1980's and 1990's and they have returned in the last couple of years (2000's). It was hard to find younger returnees.

#### *Bilateral agreements*

Difficult to negotiate, the Philippines have many bilateral agreements, 44 labour agreements with 20 countries, 44 agreements on seafarers. There is only one bilateral agreement including reintegration, which is the one with Canada.

Mr. Roldan then presented the situation of migrants from the Philippines in Italy from his perspective as a former Labour attaché in Italy. There are more than 60% female workers in Italy, many of them are domestic workers; the number of regular documented migrants is approximately 120,000. Migration from the Philippines to Italy started in 1970's when there was a high demand of Filipinos as caregivers in Italy. There is a quota for different nationalities; more Italians are applying for international migrants than the quota stated. This basically implies that a large number of migrant workers in domestic employment in Italy are still in irregular status and therefore scarcely protected by law. Women are often migrating first because they can easier get jobs than men. Family reunion is an avenue for people from the families to get into Italy.

Most migrants from Philippines have secondary education, but are still concentrated in services; primary in the care giving and domestic work sectors. There are also live-in domestic workers working with upper class families. Mr. Roldan also described the regularization of migrant workers through granting amnesty and the *Decreto Flussi* where migrants can go back to the Philippines and re-enter as documented workers if the employers report them as workers.

#### *Working conditions*

- ✓ Average income 1000-1500 Euros per month and social security (Social Insurance)
- ✓ Free medical services
- ✓ Separation pay benefits
- ✓ Are allowed to resign and get employed by another employer
- ✓ Multiple employers are allowed



- ✓ Work permit can be transformed to self-employment status
- ✓ Can bring family (family re-unification)
- ✓ Dependent children get free primary and secondary education

*Problems (few reported)*

- ✓ Maltreatment in the hands of foreign employer
- ✓ Irregulars experience problems because of their status
  - Restricted mobility
  - Limited space
  - Not covered by social security insurance
  - Cannot return home since they cannot return to Italy
  - Some are apprehended by authorities and given 5-days notice to leave the country

Workers who face economic problems; crime; and labour issues can get support at;

- ✓ Philippine Overseas Labour Office
- ✓ Filipino Communities
- ✓ Media
- ✓ Churches

Ms. Belesario from CFMW in Netherlands presented the situation and challenges facing migrants and trafficked persons in the Netherlands and other countries in the EU. The organization is working with migrant workers and not mainly trafficked people, mainly to protect workers. The organization was established in 1979 to respond to the massive emigration of Filipino workers and it has strong relationships and links across Europe. CFMW is working to assist migrant workers in the domestic sector, women are increasingly migrating to this sector, and many European households are dependent on domestic workers. But there is a double standard and many domestic workers are not registered but are instead in irregular status. In addition in many countries domestic work is not considered as work, and there are insufficient labour protection legislation and lack of access to social services and protection.

*The main challenges identified;*

- Address migration as a survival strategy
- Gap between potential income in a destination region and actual income in the region of origin
- Project beneficiaries belong to a wide spectrum
- Equality and human rights versus security of the state

**Issues discussed**

- The ILO are advocating for a convention on domestic work. Some participants would appreciate more information on this process. At the moment countries have filled out questionnaires and a law and practice report has been compiled.
- The fact that many migrants from the Philippines in lesser skilled professions might lead to de-skilling which is an issue of concern.

**Session 5 – Day 2**

Mr. Larga recapped the discussions and the conclusions from the first day. The meeting objectives were covered as well as meeting the needs of beneficiaries and the situation in the EU for migrants and trafficked persons from Thailand and the Philippines. Key concepts were discussed and the demographics of the migrants and trafficked persons in EU. He concluded that the project has the potential to create model of support services that can link countries of origin and countries of destination, further there is an opportunity to establish inter-regional cooperative arrangements.

## THEMATIC DISCUSSION I – Assistance in the country of destination

In this session representatives from OWWA, Baan Ying and IOM made presentations on the challenges to assistance from the perspective of the country of destination.

### ***Important points raised;***

- The protection of welfare and human rights for migrant workers is in the Philippine law. Support is provided whenever and wherever migrants need it. Embassies, labour offices and consulates abroad provide assistance. The challenges are to enforce the mandate of the Philippine agency, to deal with cultural conflicts and to provide continuity in the support.
- There is lack of statistics and information on the number of migrants from Thailand and the Philippines and the situations they live and work in. There is a genuine need to conduct research and improve the knowledge base to better assist the migrants.
- The importance of recognizing the different experiences of migrants from Thailand and the Philippines.
- Many Filipinas are found working as domestic workers in diplomat households in Germany and many are vulnerable to exploitation, partly due to the status of the employer.
- Cooperation among NGOs in Germany and the Philippines already exist and this is something that the project can build on.
- Based on the work on return and reintegration, IOM identified the following challenges: root causes and demand factor still there upon return; weak laws or enforcement thereof; limited legal migration opportunities; underground activity, so many trafficked persons are not detected; the long time needed to change attitudes/behaviors; lack of comprehensive data; limited skills among service providers to assist with employment and income generating activities upon return; trafficked persons may not have a choice other than to return to their country/community; prevention initiatives, including livelihood ones are costly; financial support provided to returnees can be seen as an incentive for those considering to migrate irregularly; reducing profit for the perpetrators; educating the customers; limited evaluation/assessment of impact, and limited victim participation in anti-trafficking efforts.

## THEMATIC DISCUSSION II – Assistance in the country of origin

In this session, BATWC from Thailand and DSWD from the Philippines presented the challenges, concerns and recommendations for assistance from the perspective of the country of origin.

### ***Important points raised;***

- Referrals are received from various sources; families, NGOs and government agencies and after referrals assessments are made by social workers to determine assistance that ought to be provided. It was concluded that it is important to also assess the situation that the returnee is getting back to in order to ensure protection from further exploitation.
- One of the challenges at destination is the lack of knowledge among the workers on where to find assistance. Another challenge is the lack of institutionalized cooperation between country of origin and destination, which is where the project could make a difference.
- Some important principles that BATWC presented are; safety throughout the return and reintegration process; continued assistance; and after care services.

### THEMATIC DISCUSSION III – Bridging the needs

Professor Confessor made a presentation on how to enhance the cooperation between countries of origin (COO) and countries of destination (COD).

In regards to human trafficking there is regional cooperation in *ASEAN* (declaration since 2004) the *ASEAN* mode of consensus might be slow, but there is a declaration and much of the cooperation on trafficking that is taking place at the moment has a link to the declaration. The Philippines has signed several MOUs and other bilateral agreements with countries across the world, likewise has Thailand. The focus on trafficking is changing and opening up to include the criminal aspects, gender, and human rights based etc. instead of only an issue for the police. This has led to better global communication on the issue. In trafficking we talk about the three Ps (protection, prevention and prosecution) and this is where most of us are, but we cannot forget the fourth P = Partnerships, which is a very important component in any trafficking work.

#### *Bilateral agreements*

- ✓ Offer concrete partnerships
- ✓ A way of engaging with each other on the level of choice
- ✓ Increasing regional and global partnerships where “weaker” states can have their voices heard
- ✓ Allows for the stronger parties to have their say while offering the ability to both parties to arrive at customized areas

#### Conclusions;

- ✓ Address corruption in the supply chain in both COO and COD, need to build trust
- ✓ Need to enhance relationships between ‘stakeholders’ (different perspectives)
- ✓ Market sensitive and gender sensitive training
- ✓ Maintain and sustain existing partnerships
- ✓ Systematic and sustainable mechanisms need to be developed
- ✓ Work with governments and private companies, network of focal points
- ✓ Work harder on the *ASEAN* declaration
- ✓ Ease restrictions for migrants access to education and welfare
- ✓ Activities should be more targeted
- ✓ Investments in communities and community networks to protect the vulnerable
- ✓ Return to alternative sites if the trafficked person requires this
- ✓ Stronger networks across sectors and countries
- ✓ Capacity building for labour ministries, police and immigration

#### *Issues discussed;*

- Statistics need to be improved on human trafficking and return and reintegration. One suggestion is to conduct research specifically on the connection between immigration policies and human trafficking to determine if there are any linkages.
- The IOM has a database on trafficked persons and IOM officials with permission are the only ones who can access the database.
- Despite the fact that the participants at the meeting have different agendas, it is important to find a common ground to work on. Some issues are politically sensitive and this is not the aim of the project to sort out. This is a small scale project that will have to have a well defined strategy to be effective, which is the reason to this particular meeting.
- Awareness raising to migrants planning to go to Europe is important, there are high unemployment rates in many of the EU countries and it is important that the migrants that intend to go are aware of this fact.

### GROUP WORK

## GROUP A

Guided by the overall and specific objectives of the ILO-EU Project, the members of Group A agreed on the following:

Identified criteria for Inclusion

1. Labor-Exploited Individuals
  - \* based on labor rights/ agreements/ ILO standards on the dignity of labor
  - \* sector-based (e.g. domestic workers, agriculture workers, those who were trafficked)
  - \* geographical
  - \* physically abused regardless of sector
2. Sexually Exploited
3. Trafficked Persons
4. Returning to Country of Origin (Voluntarily or Involuntarily)
5. Returnees for about 3 years before the start of the project;

Type of Assistance needed:

- Legal Assistance
- Safety/ Protection
- Skills and Employment Assistance
- Shelter Assistance
- Psychosocial Counseling/ Peer Support
- Return Ticket
- Financial assistance
- Medical Assistance
- Assistance to family in country of origin

Actors who can provide services to different target groups and type of assistance they can provide:

### GOVERNMENT

- Legal Assistance
- Safety/ Protection
- Skills and Employment Assistance
- Shelter Assistance
- Psychosocial Counseling/ Peer Support
- Return Ticket
- Financial assistance
- Medical Assistance
- Assistance to family in country of origin

### NGOs

- Legal Assistance
- Safety/ Protection
- Skills and Employment Assistance
- Shelter Assistance
- Psychosocial Counseling/ Peer Support
- Financial assistance
- Medical Assistance

## EMPLOYERS

- Return Ticket

## ASSOCIATIONS/ TRADE UNIONS

- Legal Assistance
- Skills and Employment Assistance
- Shelter Assistance
- Psychosocial Counseling/ Peer Support
- Medical Assistance
- Assistance to family in country of origin

Recommendations on how the Project can support to enhance cooperation and coordination;

1. Enhance bargaining capability of the country of origin with the country of destination;
2. Setting up a system of coordination among partners / referral mechanisms between and within countries of origin and destination;
3. Documentation of best practices for replication
4. Establish data base/ information system; conduct action research

## GROUP B

One of the most important issues for the project is to establish criteria. We know the criteria for VoT and there are rules and identification measures, this project is opening up the group to a broader aspect.

For the development of the criteria, there should be a third party statement that the criterion has been met. Criteria;

*From EU and neighboring countries;*

- In need of assistance
- Experienced labour protection at different levels
- Involuntary returnees (overstayers, irregulars)
- Self-returnees

Finding beneficiaries, the tracks of movement;

- ✓ EU-Thailand/Philippines (reintegration)
- ✓ IOM-Thailand/Philippines (reintegration)
- ✓ Other countries to have a flexible approach to return and reintegration.

Intake forms used in the last project can be modified and used in this new project among service providers in EU as well.

## Process of Assistance

Destination;

- ✓ ID
- ✓ Assessment
- ✓ Legal assistance
- ✓ Long distance counseling

Transit;

- ✓ ID protection
- ✓ Travel

Origin;

- ✓ Economic and social empowerment
- ✓ Psycho-social
- ✓ Medical
- ✓ Safe re-migration
- ✓ Community empowerment

Provided by;

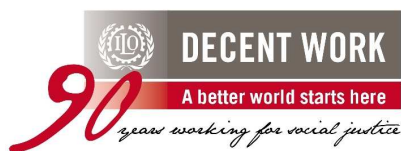
- |                   |                             |                       |
|-------------------|-----------------------------|-----------------------|
| • Government      | • Embassies                 | • Migrant communities |
| • Local community | • Faith based organizations | • Global communities  |
| • NGO             |                             |                       |
| • Trade Unions    |                             |                       |

Employers' organizations can also play a large role in the reintegration process. We also need to explore returnees that have already returned.

**Some Key Findings/Comments**

1. Cooperation at destination needs to be strengthened. There are networks between EU and Thailand and the Philippines (e.g. Baan Ying and Batis) and we could tap into these networks and further develop them
2. In Thailand: we could pilot an inter-ministerial (+civil society, TU, EO etc.) group on return and reintegration
3. Trade unions in EU and Asia are cooperating and we could also tap into this cooperation and further the networks. The strength of the unions in many of the EU countries can strengthen bargaining power for migrant workers.
4. Action orientated research could be conducted to improve the knowledgebase on return and reintegration
5. One of the issues that can come out of the project is more conceptual clarity on the issues of return and reintegration
6. Geographical differences in EU needs to be taken into consideration
7. There is a EU framework that we can use as a platform
8. A database should be set up and we should further the work on the referral system that was developed under the HSF project. There is a need to further establish referral systems nation wide as well as at destination.
9. Documentation of best practices would be beneficial to find models to replicate

## Annex 1 – Concept Note for the meeting



### Concept Note for the Advisory Group Meeting on Economic and Social Empowerment of Thai and Filipino Migrants including Victims of Trafficking, Returned from the EU and Neighbouring Countries

2-3 December 2009

Centara Grand Hotel (Central World), Bangkok

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## BACKGROUND

The International Labour Organization (ILO) in the period 2006-2009 undertook a anti human trafficking project entitled “Economic and Social Empowerment of Returned Victims of Trafficking”, funded by the UN Trust Fund for Human Security (HSF). This was a three-year effort to provide direct assistance to returned victims of trafficking returning mainly from South-East Asia and Japan. The project also included components to strengthen national and institutional capacities to address the special needs of the target group in a sustainable manner.

Building on the knowledge and experiences, the ILO is expanding its efforts in 2009-2011 to cover the EU and its neighbouring countries under an EU-funded project entitled “Going back – moving on: economic and social empowerment of migrants, including victims of trafficking, returned from the EU and neighbouring countries”.

In Southeast Asia, Thailand and the Philippines are major source countries of migrants seeking foreign employment, to increase opportunities for a better living for themselves and their families back home. Nearly a million Filipino and Thai workers currently reside and work in Europe. Philippine overseas missions estimate that, as of June 2006, 530,989 Filipinos are working and living in Europe, 15% or 80,553 of whom are of irregular status.

Estimates of Thai migrants in Europe vary between 200,000-300,000 Thais, many of whom are in irregular status.<sup>1</sup> Thai migrants can basically be found all over the EU, but the major destination country within Europe is Germany with 100,000 Thais residing, followed by France, United Kingdom, the Scandinavian Countries (Denmark, Sweden, and Norway), Switzerland, Belgium, and Holland. Filipino migrants in Europe are found in Germany, France, Italy, Greece, Spain, Switzerland and the United Kingdom.

The vast majority of Thai and Filipino migrants in Europe are female.<sup>2</sup> The high percentages of female migrants among Thai and Filipino migrants mirror a global feminization of migration.<sup>3</sup> This increase in female migrants is also caused by a demand in most European countries for female labour within various cares and service industries and the increase in possibilities for getting visas as au-pairs, nurse assistants, wives etc. Hence, most Thai and Filipino migrants enter Europe legally, but then later a substantial number end up in irregular status, due to, among other reasons, force and exploitation.<sup>4</sup> A process during which immigration authorities and service providers' loose contact with this group of migrants.

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<sup>1</sup> Thailand's Ministry of Foreign Affairs, April 28, 2008

<sup>2</sup> 80% of Thai immigrants in Germany and Denmark are female.

<sup>3</sup> Women constitute almost half of all international migrants worldwide, UNFPA 2006:1

<sup>4</sup> Ruenkaw 2000, Mix & Piper 2003



Female migrant workers from Thailand and Philippines are heavily concentrated in the services, as waitresses in restaurants, and in entertainment venues, (including sex-establishments) and as household domestics. In many European countries Thai and Filipino women are among the largest group of women migrant workers, known as sex-workers and as household workers. Given their occupational profile and the irregularity of their employment status, it is not surprising that many Filipino and Thai migrant workers, especially women, have experienced some of the worst forms of exploitation in Europe. Reported cases of human trafficking, debt bondage, illegal recruitment and “run-aways”<sup>5</sup> are well-known in their own community networks, though often are not reported to authorities because of the migrants’ fear of being deported.

Migrants returning home from such exploitative conditions often face a myriad of difficulties, in particular lack of decent livelihood opportunities, and serious stigma. As a consequence a large proportion, in some cases up to 75 percent, chooses to re-migrate, putting them at risk of re-trafficking and exploitation.<sup>6</sup> Thus, while efforts are being made at different levels to prevent this situation from continuing and to protect the rights of migrant workers, the reality is that many are still being exploited at destination countries and are in need of assistance and protection. The situation is further complicated by the finding that although substantial efforts and funding goes into supporting and assisting the return and reintegration of victims of trafficking, limitations in existing return and reintegration practices means that many victims of trafficking decline assistance being offered to them.<sup>7</sup>

### **Overview of the ILO-EU project “Going back – Moving on”**

The ILO-EU project was initiated and developed to respond to the above mentioned situation, and in the light of the current lack or inappropriateness of quality services available. The project will cover Thai and Filipino returnees from the EU and neighbouring countries and provide them with direct support services particularly in the area of economic and social empowerment.

#### **ILO-EU Project Overall Objective:**

- To contribute to the reduction of labour and sexual exploitation of migrants including victims of trafficking through support to a humane return and reintegration process emphasizing economic and social empowerment.

A key aim of the project, which is too often neglected in current return and reintegration programmes, is to improve service providers capacity in the area of economic empowerment

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<sup>5</sup> Workers fleeing from abusive employers, seeking refuge in either their embassies or in women’s shelters

<sup>6</sup> Lisborg, A. Re-thinking Reintegration, UNIAP SIREN Report, 2009

<sup>7</sup> FAFO 2005, 2006, 2007; Surtees & Bronowskis 2007

of return migrants focussing on being able to provide high quality career counselling, market oriented skills training and a sustainable livelihood e.g. through jobs and/or support to start up own businesses.

The project also puts emphasis on strengthening linkages between countries of origin and destination and developing a model of transnational cooperation. Due to lack of transnational coordination many returnees never receive pre-return and post-return services. Pre-return interventions are important to prepare exploited and trafficked migrants while still in the destination countries and link such services to reintegration options at country of origin. Thus the project will also engage service providers in EU countries toward improving international referral mechanisms and coordination with service providers in Thailand and the Philippines.

A first step to enhance capacity and coordination will be to improve the knowledge base on the situation of Thai and Filipino migrants emphasising in particular labour exploitation and cases of human trafficking and to map out existing support services and current practices. The knowledge base should include not only information on returnees due to trafficking experiences but also information on legal and institutional frameworks to assist victims of labour and sexual exploitation. An analysis of the legal regimes on labour migration and trafficking in Europe will also help in better understanding the protection mechanisms and reintegration options available for exploited and trafficked migrants in destination countries.

### **Advisory Group Meeting on reintegration and economic and social empowerment of victims of trafficking**

To ensure that the programming of the ILO-EU project starts on a solid basis, the ILO is organizing a two day Advisory Group Meeting on 2-3 December 2009, with approximately 15 invited resource persons from key destination countries in Europe to meet with Thai and Filipino counterparts. Furthermore, the MEETING will be attended by ILO-EU project management staff e.g. the Chief Technical Advisor for the project and National Project Coordinators in Thailand and the Philippines.

The MEETING will provide the participants with an opportunity to discuss strengthened cooperation between sending and receiving countries on the return of migrants who have been exploited including trafficked victims. All resource persons will be asked to present papers on their countries' return and reintegration programs, existing services, gaps and continuing challenges.

### **Specific objectives of the ADVISORY GROUP MEETING:**

- To discuss strengthened cooperation between sending and receiving countries on the return of migrants who have been exploited including trafficked victims.
- To enhance a better understanding of situation of Thai and Filipino migrants in EU and the neighbouring countries including the return and reintegration services available for migrants who have faced exploitation including victims of trafficking.
- To get the participants inputs and recommendations for the finalization of a background paper on the return and reintegration process for Thai and Filipina migrants, including victims of trafficking, returned from the EU and neighbouring countries.
- To identify and establish linkages to a broader network of service providers in the EU and neighbouring countries actively involved in providing assistance to the group of project beneficiaries.

### **Instructions for presenters:**

Selected resource persons will be asked to make a presentation on the specific situation and practices in their respective countries. Each presentation should as guidance include the following elements:

#### ***Presenters from the EU (destination countries)***

- Country situation e.g. Thai and Filipino migrants in specific EU and neighbouring countries including estimates of the general migrant population and figures (number of returnees with recent years) or estimates of cases of exploitation and trafficking for these two nationalities.
- Overview and quality assessment of return and reintegration mechanisms and services available to exploited and trafficking migrants.
- Good practices and lessons learned with specific reference to assistance in the destination country and the return process for Thai and Filipino migrants. If possible pls. provide examples from real cases.
- Gaps and continuing challenges
- Recommendations for improved assistance to exploited and trafficking migrants including suggestions on how to reach beneficiaries in need of assistance e.g. those not officially identified as victims of trafficking in the specific country.
- In short the presentations should be able to address the following questions:
  - what's the situation? What works well and what doesn't?; What is needed? How can the whole assistance and return process be improved? And what could be done through the ILO-EU project?

#### ***Presenters from Thailand and the Philippines (origin countries)***

- Country situation e.g. out migration of Thai and Filipino migrants to EU and neighbouring countries including estimates of the general migrant population and figures (number of returnees with recent years) or estimates of cases of exploitation and trafficking for migrants returning from the EU region.
- Overview and quality assessment of return and reintegration mechanisms and services available to exploited and trafficking migrants.
- Good practices and lessons learned with specific reference to assistance in the

- country of origin and the reintegration process for Thai and Filipino migrants. If possible pls. provide examples from real cases of returnees from the EU region.
- Gaps and continuing challenges
  - Recommendations for improved assistance to exploited and trafficking migrants including suggestions on how to reach beneficiaries in need of assistance e.g. those not officially identified as victims of trafficking.
  - In short the presentations should be able to address the following questions:
    - what's the situation? What works well and what doesn't?; What is needed? How can the whole assistance and return process be improved? And what could be done through the ILO-EU project?

A list of selected participants will be sent out in advance of the ADVISORY GROUP MEETING and all presenters are encouraged to coordinate their presentations directly with other participants from their own countries (mainly Thailand and the Philippines). Please make use of examples from practices in specific organisations and/or real cases.