

## Talking Points

Seventh South-East Asia Multi-Stakeholder Forum Leveraging Digital Innovation for Sustainable Development in Asia and the Pacific

Session 5: “SDG 16: Synergies with the Global Compact for Migration in South-East Asia”

### **Round 1: From the perspective of the migrant workers themselves, what are the key achievements and challenges with regards to access to justice for migrant workers? How have digital tools facilitated migrants’ access to justice?**

First, I would like to convey that there’s still much that needs to be done to guarantee migrant’s access to justice. Migrant workers faced various kinds of problems, from violence, rights violations, to discrimination. That is why migrant workers always ask for an accountable mechanism that they can access to resolve the problems they face, especially, an accountable mechanism developed by migrant-receiving country governments.

One key achievement that should be appreciated is the effort and digital innovation from grassroots migrant worker organizations and migrant-serving institutions to inform migrant workers about their rights. They (grassroots migrants’ organization and migrant-serving institutions) open telephone and social media hotlines, providing helpful information such as knowledge on laws and migrant worker’s rights, not only on their respective websites but also made available in their social media sites and oftentimes translated into the language of the migrant workers. This can be seen that during Covid-19 pandemic, many migrant-leg and advocate groups are having strong links with the community, utilizing various online media.

Even before Covid, various initiatives to use digital tools to help distressed migrants were done, for example Compass.PH, which was an app developed by Filipinos for Filipino migrant workers. Among many things, the app provided a specific SOS button with easy, verifiable questions for distressed migrant workers to answer. It has a locating mechanism that if the migrant worker agrees to, will help locate where they are at.

Challenges lie with receiving governments’ grievance mechanisms, which migrant workers find difficult to access. In Southeast Asia, migrant workers attest the difficulty to assert their rights, access to justice when they are in trouble. Migrant workers who have gone to other countries tend to compare, saying it was better in this country or that country when they wished to pursue their cases, compared to migrant destination countries in Southeast Asia.

Other challenges are language, distance of the workplaces to government agencies (like police stations), awareness of existing government programs for migrant workers in need, access to accurate information, responsiveness of said agencies or hotlines. Most importantly, there exist policies in SEA receiving countries that limit rights and freedoms of migrant workers, which impact on migrant workers’ accessing government mechanisms or programs. For example, rights to organize, utilizing social media, whether it was to raise awareness on an issue or simply gather migrant workers on an information drive has been curbed, if not completely prohibited.

Aside from that, there’s also the problem with digital, on awareness of migrants to use it, knowing where to look for accurate information, phishing, and cyber trafficking. There are increasing cases of human trafficking for online scam nowadays, undocumented migrants, etc. So, much still needs to be done.

## Round 2:

**One or two specific recommendations for better policies and practices that can help migrants access to justice and build effective and accountable institutions to implement the Global Compact for Safe, Regular and Orderly Migration.**

**In your answer, please also mention what role digital tools can play.**

One, allow meaningful participation to ensure migrants' access to justice and build accountable, effective institutions to implement the GCM. Migrant workers should be acknowledged as primary stakeholders in the migration discourse and have a say on it. While the GCM is a state-led process, governments need to recognize the rich experience and input migrants can provide, proactively invite them to GCM consultations at all levels, reflect their statements in outcome documents and action plans, and act upon their demands.

Aside from that, governments should collectively recognize the need to resolve the multitudinous gaps hindering migrants' meaningful participation in international migration governance – bridging the digital divide, overcoming language barriers, and meeting the challenges of geography and time differences.

Provide for the practical and logistical needs of migrants such as language interpretations, financial support for grassroots participation, and communication needs of migrants to go online. These are necessary to ensure their effective participation not just in the GCM process but with other relevant policy platforms as well.

raise migrants' and CSOs' awareness of the GCM, developing their capacity to navigate the process, ensuring their familiarity with new platforms, and creating an enabling environment including by making technical facilities accessible and suitable.

immediately remove all barriers hindering the active and meaningful participation of migrant communities and organizations. This includes acknowledging their unions and regardless of their status in the country, fostering unifying opportunities for collaboration and cooperation between migrants and local labour unions, and ensuring days-off for migrants to participate and organize GCM-related events that are responsive to the circumstances of migrants.

States must also refrain from imposing restrictive measures on migrant organizations that inhibit their meaningful engagement and further contribute to the suppression of migrant participation in already restrictive civic spaces. In other words, it is vital that states guarantee a safe and enabling environment for migrants' participation in the face of escalating attacks on socio-economic and other human rights across the globe.

Move away from the state perception of migrants as national security concerns, as non-citizens, or criminals and move towards a human rights-based approach to migration and treating migrants as people with human rights.

Ensuring genuine consultation, where migrants can freely speak, from making oral contributions to being allowed to monitor the implementation of laws or rules that affect them and their families.

Two, check with migrant communities on the ground, especially those who use social media, see which one is work, partner with them, give them freedom to run their programs, and support these initiatives. And revisit and revise laws, policies or programs that only limit the rights and freedoms of migrant.