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THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX III

of the Commission Implementing Decision on the financing of the multiannual action plan in favour of Asia-Pacific region for 2023-2024 for migration, forced displacement and mobility

Action Document for Ensuring Decent Work and Reducing Vulnerabilities for Women and Children in the Context of Labour Migration in Southeast Asia

ANNUAL PLAN

This document constitutes the annual work programme within the meaning of Article 110(2) of the Financial Regulation, within the meaning of Article 23 of the NDICI-Global Europe Regulation.

1 SYNOPSIS

1.1 Action Summary Table

1. Title CRIS/OPSYS business reference Basic Act	Ensuring Decent Work and Reducing Vulnerabilities for Women and Children in the Context of Labour Migration in Southeast Asia OPSYS number: ACT-61926 Financed under the Neighbourhood, Development and International Cooperation Instrument (<u>NDICI-Global Europe</u>)
2. Team Europe Initiative	No
3. Zone benefiting from the action	The action shall be carried out in Southeast Asia, with a particular focus on Cambodia, Thailand, Indonesia and Malaysia
4. Programming document	Regional Multiannual Indicative Programme (RIP) - Asia and the Pacific - 2021-2027 ¹
5. Link with relevant MIP(s) objectives / expected results	This action responds to the priority area 3 “Migration, forced displacement and mobility” of the Regional Multiannual Indicative Programme (RIP) for Asia and the Pacific. Specific Objective 2 “Contribute to strengthening migration governance and management, to enable orderly, safe, regular, and responsible migration (including labour migration) and mobility of people”.
PRIORITY AREAS AND SECTOR INFORMATION	
6. Priority Area(s), sectors	151 Government & Civil Society-general 160 Other Social Infrastructure & Services

¹ C(2021) 9251 of 15.12.2021.

7. Sustainable Development Goals (SDGs)	<p>Main SDG (1 only): Goal 10: Reduce inequality within and among countries10.7: Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.</p> <p>Other significant SDGs and where appropriate, targets:</p> <p><i>Goal 5: Gender equality</i> 5.1: End all forms of discrimination against all women and girls everywhere 5.2: Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual, and other types of exploitation</p> <p><i>Goal 8: Decent work and economic growth</i> 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms. 8.8: Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.</p> <p><i>Goal 16: Peace, Justice and Strong Institutions</i> 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children. 16.4: By 2030 significantly reduce illicit financial and arms flows, strengthen recovery and return of stolen assets, and combat all forms of organized crime. 16.9: By 2030, provide legal identity for all, including birth registration.</p> <p><i>Goal 17: Partnerships for the Goals</i> 17.9: Enhance international support for implementing effective and targeted capacity-building in developing countries to support national plans to implement all the Sustainable Development Goals, including through North-South, South-South and triangular cooperation 17.18: By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts</p>
8 a) DAC code(s)	<p>DAC code 151 – government and civil society 15180 Ending violence against women and girls (30%) 15190 Facilitation of orderly, safe, regular and responsible migration and mobility (40%) DAC code 160 – other social infrastructure and services 16070 Labour rights (30%)</p>
8 b) Main Delivery Channel	<p>40000 – Multilateral organisation</p>
9. Targets	<p><input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education <input checked="" type="checkbox"/> Human Rights, Democracy and Governance</p>

10. Markers (from DAC form)	General policy objective @	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Internal markers and Tags	Policy objectives	Not targeted	Significant objective	Principal objective
	Digitalisation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity digital governance digital entrepreneurship digital skills/literacy digital services	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
	Connectivity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity energy transport health education and research	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
	Migration @ (methodology for tagging under development)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Reduction of Inequalities @ (methodology for marker and tagging under development)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BUDGET INFORMATION				
12. Amounts concerned	Budget line(s) (article, item): 14.020131 South and Southeast Asia EUR 13 000 000 Total estimated cost: EUR 13 000 000 Total amount of EU budget contribution EUR 13 000 000			
MANAGEMENT AND IMPLEMENTATION				
13. Type of financing²	Indirect management with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.1			

1.2 Summary of the Action

The benefits of labour migration in the Southeast Asia region can only be reaped when the vulnerabilities and risks of labour migrants are reduced, their needs are addressed, and their equal participation in decision-making is secured. According to recent data³, women are increasingly migrating in the Southeast Asia region, and already in some countries of origin, women's labour migration outpaces men's labour migration. Yet, women's labour mobility remains largely limited to low wage occupations which are characterised by high degrees of vulnerability, and gaps in fair recruitment, decent working conditions, social safety nets and protection. Women migrant workers also face risks of violence, trafficking in human beings and abuse throughout the migration journey from intermediaries and employers, as well as from partners and others due to intersecting identities, such as poverty, gender, nationality, immigration status, education, language, disabilities and sexual orientation. These risks increase during crises, as demonstrated during the COVID-19 pandemic. Access to labour or other migration-related information and essential services, including for women and girls subject to violence, can also vary depending on the nature, and location of work, as well as migrant status.

Children can be particularly vulnerable in the context of labour migration. They may be deprived of a supportive family environment, and/or be dependent on irregular migration routes and smugglers. This vulnerability may also be inherent to their status as a child, namely that they often lack legal capacity and are likely to be economically and socially vulnerable. Given the different groups of children in the context of labour migration in Southeast Asia, the following concerns are currently present in the countries participating in this Action the educational, material, physical and emotional wellbeing of children; lack of children's access to social protection schemes and to safe reporting channels for exploitation and abuse; discrimination in access to basic services; child immigration detention; lack of inclusion in child protection services; exploitation by smugglers and traffickers; and lack of data on the situation of children in the context of labour migration to their vulnerability.

Given the restrictions, complexities, time and costs involved in regular migration pathways, many labour migrants in the region adopt irregular, undocumented routes, which exposes them to greater risks of trafficking in human beings and smuggling. While this requires governments to address recruitment costs and to reduce the complexities of legal migration channels, including gender and age specific barriers to migration, there is also urgent need for robust and effective international cooperation mechanisms that protect and respect victims' rights while also pursuing the accountability of perpetrators.

The overall objective of the proposed Action is to protect the rights of women migrant workers and migrant children in Southeast Asia.

² Art. 27 NDICI.

³ ILO (2022), Measuring labour migration in ASEAN: analysis from the ILO's International Labour Migration Statistics (ILMS) database. For more trends on women's labour migration, see ILO (2020), Making women migrant workers count: sex disaggregation of labour migration statistics in ASEAN.

Specifically, the Action's aims are to:

1. To strengthen regional frameworks, national legislations and policies for the protection of the rights of vulnerable groups, especially women and children in the context of labour migration, in line with international standards.
2. To improve national and regional prevention and protection mechanisms to reduce violence and rights violations faced by vulnerable groups, especially women and children in the context of labour migration, including trafficking in human beings and smuggling, from a rights-based, gender-sensitive and child-responsive approach.
3. To increase the access of at-risk groups, women migrant workers and children in the context of labour migration, to information, services and collective initiatives to protect them from factors related to abuse, exploitation, harassment, violence and trafficking in human beings.

Programme implementation will be at the regional and national levels. At national level, the interventions will follow a corridor and asymmetrical approach, meaning the work will follow the direction of travel of the migrants and the emerging trends of migration.

Predominant corridors will be Cambodia to Thailand and Indonesia to Malaysia; emerging corridors will be included as well reflecting the recruitment of migrants from, for example, Indonesia, Thailand and Malaysia to Cambodia for the purposes of committing cyber scam operations.⁴ Regional-level engagement with the ASEAN sectoral bodies, will also take place.

2 RATIONALE

2.1 Context

With 10.6 million migrants in the Association of Southeast Asian Nations (ASEAN) region (based on national statistics, which may not account for undocumented migrants)⁵ - nearly half of whom are women, and 1.3 million are children⁶ – migration offers considerable development opportunities to both countries of origin and destination, and to migrants themselves^{7,8}. For instance, the Asia and Pacific region has accounted for 40 to 45 percent of the world's remittance inflows since 2010 and labour migration has served “as a multigenerational poverty reduction strategy”.⁹ Yet these opportunities can be adversely affected by risks of labour exploitation, decent work deficits, violence against women and girls (VAWG) and harassment (including violence and harassment in the world of

⁴ Business & Human Rights Resource Centre (2022) “Indonesia & Cambodia crack down job scams for fraudulent investment companies or gambling websites (2 September). Available at: <https://www.business-humanrights.org/en/latest-news/indonesia-cambodia-crack-down-job-scams-for-fraudulent-investment-companies-or-gambling-websites/>; The Guardian (2022). “Sold to gangs, forced to run online scams: inside Cambodia’s cybercrime crisis” (10 October). Available at: <https://www.theguardian.com/world/2022/oct/10/sold-to-gangs-forced-to-run-online-scams-inside-cambodias-cybercrime-crisis>; Organized Crime and Corruption Reporting Project (2022) “15 Malaysians Rescued from Cambodia’s Cyber Scam Traffickers” (27 September). Available at: <https://www.occrp.org/en/daily/16810-15-malaysians-rescued-from-cambodia-s-cyber-scam-traffickers>.

⁵ United Nations Department of Economic and Social Affairs, Population Division (UN DESA 2020). International Migrant Stock 2020.

⁶ UNICEF data.

⁷ World Bank (2019). [Leveraging Economic Migration for Development: A Briefing for the World Bank Board](#). Washington, DC: World Bank.; Gibson, John, David McKenzie, Halahingano Rohorua and Steven Stillman (2015). The Long-Term Impacts of International Migration: Evidence from a Lottery. IZA Discussion Papers 9492; Mobarak, Ahmed Mushfiq, Iffath Sharif and Maheshwor Shrestha (2021). Returns to International Migration: Evidence from a Bangladesh-Malaysia Visa Lottery. IZA Discussion Paper No. 14232.

⁸ The 2020 review of the implementation of the Global Compact in Asia and the Pacific notes that labour migration under the framework of national laws and bilateral Memorandum of Understanding (MOU) in the ASEAN region has increased steadily, see: Economic and Social Commission for Asia and the Pacific et al., *Asia-Pacific Migration Report 2020*, United Nations Publication, Bangkok, 2020, p 71.

⁹ McAdam, M. (2020). [COVID-19 impacts on the labour migration and mobility of young women and girls in South-East Asia and the Pacific](#). International Organization for Migration (IOM). Geneva.

work), trafficking in human beings and smuggling across the migration cycle, in particular for women, and women migrant workers in low wage occupations. Age, gender, and migrant status can amplify these risks – both in terms of their occurrence, and also in terms of the harmful impact on survivors and their families. Children of labour migrants can also be vulnerable in migration, in particular in terms of having their educational, material, physical and emotional wellbeing needs met, and in terms of access to protection and services.

Following COVID-19, labour migration in the region has been recovering with expectations that labour migration will surpass pre-pandemic levels; and that post-pandemic migration - where organised along regular channels – will help speed up ASEAN Member State's recovery.¹⁰ Migrant-labour reliant sectors are expected to experience strong growth in both Malaysia and Thailand, with the construction sector, manufacturing and agriculture growing in Malaysia, and export-oriented manufacturing, agriculture and service exports growing in Thailand. These are sectors that employ a large proportion of women migrant workers. The trends in migrant labour reliant sectors are to be seen in the context of relevant demographic shifts, with the decline in the working-age population in Thailand and Malaysia, meaning both that there are fewer national workers of working age, and that there is an increasing need for migrant workers -commonly women – to support nursing, elderly care and domestic work.

Whilst Equality in occupation is one of the five fundamental principles and rights at work, and thus a human right, adopted by the International Labour Organization (ILO). Furthermore, international labour standards adopted by the ILO in general aim to protect both women and men and a number of standards are designed to address specific labour issues that impact women more than men, such as the protection of domestic workers¹¹ and addressing violence and harassment in the world of work.¹² The promotion, implementation and enforcement of these international labour standards however needs to be strengthened. The intersectionality of vulnerabilities of women migrant workers renders them especially vulnerable to abuse and exploitation, violence and trafficking in human beings.

Women's labour migration in Southeast Asia

Labour migration is an important source of economic empowerment for women migrant workers who are making vital social and economic contributions to their communities, and countries of origin and destination. For the 5.6 million women migrant workers in the Southeast Asia region¹³ there are multiple push/pull factors that motivate them to migrate; data for Cambodian¹⁴, and Indonesian¹⁵ workers suggests that the opportunity to earn higher income abroad is a key pull factor. Yet ASEAN labour migration statistics reveal that women migrant workers earn less than both male migrants and national women workers.¹⁶ For example, in Thailand, women migrant workers earn about 41 percent less than national women workers.¹⁷ Women migrant workers tend to be mostly engaged in elementary occupations¹⁸ which are characterised by low-wages, informality, temporariness, decent work deficits, and insufficient social protection coverage¹⁹ which make workers in these occupations vulnerable to exploitation, violence, harassment, and forced labour. In Malaysia and Thailand, migrant domestic workers especially have remained outside the coverage of comprehensive social security. Domestic workers are also excluded from full labour protections resulting in migrant domestic workers in Malaysia and Thailand not benefiting from regulations on hours of work, overtime provision or minimum wage.²⁰

¹⁰ ASEAN (2022). [ASEAN Migration Outlook](#).

¹¹ Domestic Workers Convention, 2011 (No. 189).

¹² (Violence and Harassment Convention, 2019 (C. 190).

¹³ ILO (2021). HYPERLINK "about:blank"[Global Estimates on Migrant Workers](#).

¹⁴ The ILO World Employment and Social Outlook for 2018 showed that 57 percent of women and 45 percent of men were in vulnerable employment with a high proportion (especially women) as own-account workers or contributing family workers.

¹⁵ World Bank (2017), [Indonesia's Global Workers: Juggling Opportunities & Risks](#).

¹⁶ ILO (2019). [Making women migrant workers count: Sex disaggregation of labour migration statistics in ASEAN \(2019 data\)](#)

¹⁷ ILO (2022). [Measuring labour migration in ASEAN: Analysis from the ILO's International Labour Migration Statistics \(ILMS\) Database](#).

¹⁸ Construction, agriculture, manufacturing and food processing, the service industry, domestic and care work, and entertainment.

¹⁹ ASEAN (2022). [ASEAN Migration Outlook](#).

²⁰ ILO (2021). [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#)

Many countries in the region place travel or occupational restrictions, or create inadvertent barriers that limit women's access to regular labour migration; a large number of Indonesian²¹ migrant workers to Malaysia; and Cambodian²² migrant workers to Thailand migrate through irregular channels due to the high recruitment fees that migrant workers have to bear²³. Malaysian recruitment agencies charge Indonesian domestic workers fees that are roughly two to three times their monthly wage.²⁴ Access to regular migration opportunities can also be uneven due to limitations placed on regular migration into feminised sectors of work. Regular migration routes for domestic workers from Indonesia and Cambodia into Malaysia, for example, have only recently been negotiated; in the periods where there are no regular routes, women migrated through irregular channels, exposing them to additional risks.²⁵

Even prior to COVID-19, most migrant workers were being priced out of decent housing, with rent accounting nearly a third of migrant workers' salaries in Thailand; the pandemic exposed substandard accommodation arrangements for migrant workers in Southeast Asian countries of destination such as Malaysia, Singapore and Thailand²⁶. In some instances, migrant workers were locked into cramped accommodations without sufficient basic necessities. COVID-19 exacerbated migrant workers' existing vulnerabilities and challenges in relation to occupational safety and health (OSH),²⁷ labour exploitation, social protection, and economic precarity.²⁸ Women migrant workers often felt the negative consequences of the COVID-19 crisis more deeply. In addition to being over-represented in the informal economy (and among migrant workers in irregular status), they are also often employed as frontline and healthcare workers yet overlooked in crises preparedness planning, leaving them particularly exposed to contracting COVID-19.²⁹

Limiting workers' ability to organise and bargain collectively also limits their realisation of labour rights. Various legal obstacles still prevent women migrant workers, in particular those considered to be in informal sectors (including domestic workers) from forming and joining unions. Without access to functioning unions, domestic workers struggle to organise and collectively bargain for better pay and conditions.

Violence against women and girl migrants

Women and girls are likely to experience a continuum of gender-based violence at all stages of migration, which might include bullying as well as verbal, physical and psychological abuse, and sexual violence (including trafficking for sexual exploitation), which are rooted in deeply entrenched gender inequalities and harmful social norms.³⁰

²¹ World Bank (2017). [Indonesia's Global Workers: Juggling Opportunities & Risks](#).

²² ILO (forthcoming), Achieving fair and ethical recruitment: Improving regulation and enforcement in the ASEAN region.

²³ ILO, 2021. [Measuring sustainable development goal indicator 10.7.1 on the recruitment costs of migrant workers – Results of Viet Nam Pilot Survey 2019](#)

²⁴ ILO (2020). [Malaysia: review of admission and recruitment practices of Indonesian workers in the plantation and domestic work sectors and related recommendations](#)

²⁵ Ibid, p 47; Deshingkar, Priya, *Criminalisation of migration for domestic work from Myanmar to Singapore – need for a radical policy shift*, European Journal on Criminal Policy and Research, 2021.

²⁶ ILO (2022). [Home truths: Access to adequate housing for migrant workers in the ASEAN region](#).

²⁷ Pre-COVID-19, OSH deficiencies were already widespread among migrant workers. Lee, McGuinness, and Kawakami (2011) in ADBI, OECD, ILO (2022). ILO estimates 1.1 million people die from occupational accidents or work-related disease in Asia and the Pacific every year (ILO n.d in ADBI, OECD, ILO (2022)).

²⁸ ADBI, OECD, ILO (2022). [Labor Migration in Asia: Covid-19 Impacts, Challenges and Policy Responses](#). ILO (2020). Experiences of ASEAN migrant workers during COVID-19: Rights at work, migration and quarantine during the pandemic, and re-migration plans.

²⁹ ILO (2021). [Recovery and labour migration in the post-pandemic future. Thematic background paper for the 14th ASEAN Forum on Migrant Labour](#)

³⁰ UN Women (2021). [From Evidence to Action: Tackling Gender-based Violence against Migrant Women and Girls](#), policy brief.

An average of one in four women have experienced intimate partner violence in the region, often noted as a push factor for migration.³¹ Women generally have fewer options than men for regular migration and those employed are often engaged in lower-paid, informal occupations with few, if any, labour and social protections. This, along with discriminatory attitudes towards women migrant workers³², puts them at a heightened risk of violence, abuse and exploitation, including trafficking in human beings and smuggling at different points of the migration cycle. In addition to being a grave violation of human rights, violence has a number of short, medium and even long-term consequences for women, their families and the broader economy. These include, but are not limited to: physical injuries and sexual health problems, mental health issues (including suicide), compromised dignity and self-esteem; lack of job motivation and performance; poor social functioning and poor coping mechanisms; negative parenting engagements; marital discord and divorce; stigma and discrimination from family and friends; absenteeism and employer turnover; lost productivity and profits; negative impact on co-workers and work culture; and harm to the employer or brand name.

COVID-19 highlighted and worsened pre-existing gender inequality which is linked to increased fragility and crises³³; the pandemic has increased women and girls' risks of violence against women and girls at all stages of migration³⁴, particularly those with irregular migration status or those who are from sexual and gender minorities and diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC). These groups are least likely to report violence due to discrimination or fear of arrest or deportation.

In many countries of destination, women and girl migrants face a number of discriminatory laws and practices, and are often excluded from receiving essential services or hesitate to seek support, including those to support survivors of violence. A forthcoming study among women workers migrating from Cambodia, Lao PDR and Myanmar to Thailand found that 54.3 percent (n=494) had experienced one or more forms of violence: 42.5 percent (n=455) had experienced intimate partner violence and 46.2 percent (n=494) non-partner violence. The most common type of intimate partner violence was psychological (29.9%) followed by physical violence (23.2%). The most common type of non-partner violence was psychological (33.8%) by family members.³⁵

In recent years, ASEAN Member States have made efforts to strengthen the quality and coordination of available services for women and girls subject to violence, but migrant women and girls continue facing access barriers even when women are legally working in the country. Social isolation, lack of information, migration status, discriminatory attitudes of providers, fear of retaliation and deportation, controlling behaviours of employers and language barriers are among the factors limiting access to services. Capacities of front-line service providers such as the police, justice, social services workforce and embassy officials also need continued strengthening, considering the key role they play in addressing violence against women and girl migrants and the need to adapt during crises. Moreover, VAWG services are not yet adequately coordinated across borders despite the mobility of migrant women and girls between countries of origin, transit and destination.

Peer networks provide a vital link to information, support and community engagement for many women migrants. This important link was demonstrated when tens of thousands of women returned rapidly to their country of origin during the COVID-19 crisis and women were able to learn from each other about opportunities and identify risks and access services through mutual support and information sharing. It also highlighted gaps, identifying the importance of safe technologies, both in providing service and in connecting women with peers, family members, and for cross-border knowledge exchange and networking.

Children in the context of labour migration

³¹ World Health Organization (2021). HYPERLINK "about:blank" \h[Violence against Women Prevalence Estimates, 2018](#).

³² ILO (2019). [Public attitudes towards migrant workers in Japan, Malaysia, Singapore, and Thailand](#).

³³ OECD (2021). "[Gender equality across the Humanitarian-Development-Peace Nexus](#)", OECD Development Co-operation Directorate, Paris.

³⁴ ILO and UN Women (2020). [Policy Brief: COVID-19 and Women Migrant Workers in ASEAN](#).

³⁵ UN Women (forthcoming). Gender-based violence: Voices of women migrant workers in Thailand.

Labour migration in Southeast Asia is also a complex phenomenon that affects children accompanying migrant workers and in destination countries in different ways.³⁶ Bilateral agreements or temporary labour migration programmes, however, do not permit migrating parents to be accompanied by their children.³⁷ This has had the effect of driving parents and children to migrate through smugglers or other irregular channels.³⁸

Children accompanying migrant workers and in destination countries face multiple challenges, particularly in terms of having their educational, physical and emotional needs met. They can also face risks of sexual and physical abuse, neglect and exploitation, as well as the risk of being trafficked. While Cambodia and Thailand have a Memorandum of Understanding on strengthening the management of the repatriation and reintegration of human trafficking victims, other groups of vulnerable children in the context of labour migration are excluded.³⁹ In Thailand, where it is estimated that there are between 600,000 to one million child migrants, there is a lack of cross-border mechanisms to respond to child protection cases, including lack of services and effective systems for family tracing in non-trafficking cases, which results in migrant children spending an unnecessary long time in shelters.⁴⁰ In situations of family migration from countries such as from Indonesia to Malaysia, children of migrant descent may be undocumented and cannot access educational and social protection services, perpetuating a cycle of poverty and lack of legal status. The lack of legal status is a source of serious protection risks for children, as well as a significant barrier to their ability to access child protection and other services. Children of migrant workers born in the country of destination, are not automatically given citizenship of the country of destination and need to have their birth registered with the authorities of their home countries (i.e., embassies). For undocumented migrant workers this may not be possible. In Malaysia, where it is prohibited for migrant workers to be pregnant, workers wanting to stay in country may also not register their child.

Recent developments that particularly affect children in the context of labour migration, include the COVID-19 pandemic, which has placed the most vulnerable, including migrants, in great hardship and has severely impacted already limited access to services. Containment measures, notably border closures and movement restrictions, had a significant impact, exacerbating existing vulnerabilities.

Trafficking in human beings and migrant smuggling

Uneven economic development and the demand for low-wage labour in Southeast Asia have been major factors driving trafficking in human beings and migrant smuggling within the region, and from the region to other parts of the world⁴¹. COVID-19 effects compounded already existing risks of trafficking in human beings and exploitation; however, budgets geared towards combatting human rights abuses, including trafficking in human beings, have been heavily strained. Several ASEAN countries⁴² are ranked Tier 3 (countries that do not meet the standards and are not making significant efforts to do so) in the US TIP report⁴³ mirroring the challenges in addressing trafficking in human beings in the region. The pandemic only exacerbated existing inequalities and

³⁶ More of half of the 1.3 million international child migrants in ASEAN region in 2020 – i.e. 700,000 – were refugees. In addition to these children displaced across borders mostly as consequence of conflict and violence, natural disasters led to 2.2 million internal displacements of children during 2020. Millions more children are left behind when parents migrate for work, leaving many at risk.

³⁷ Ibid, p. 29.

³⁸ Schloenhardt, Andreas, 'Irregular Migration and Smuggling of Young Women and Girls in South-East Asia and the Pacific: A Review of Existing Evidence', *Supporting Brighter Futures: Young Women and Girls Migrating for Work in South-East Asia and the Pacific*, IOM, Geneva Switzerland, 2019, p 101.

³⁹ According to the UNICEF Assessment of Child Protection Services for Migrant Children in Thailand, there is a lack of a cross-border mechanisms to respond to non-trafficking child protection cases, including provision of services and the lack of an effective system for family tracing in non-trafficking cases, which results in migrant children spending an unnecessary long time in shelters.

⁴⁰ UNICEF (2019). Assessment of Child Protection Services for Migrant Children in Thailand.

⁴¹ UNODC (2019). Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact. Bangkok: UNODC.

⁴² Brunei, Cambodia, Malaysia, Myanmar, and Viet Nam.

⁴³ <https://www.state.gov/reports/2022-trafficking-in-persons-report/>

poverty, with women, children and migrants being the most vulnerable to recruitment and exploitation.⁴⁴ With job losses, the families of migrants also suffered from the loss of much-needed remittances, often being plunged into debt.

Criminal networks have targeted desperate and vulnerable migrants and children. Some under-aged victims are targeted to produce child sexual exploitation material (CSEM)⁴⁵ while women and girls are recruited for sexual exploitation and forced marriage⁴⁶, other groups offer smuggling services to those who do not have access to or are not aware of safer migratory paths. The Indonesian government, for example, estimates that more than two million of the six to eight million Indonesians working abroad are irregular migrants increasing their risk further.⁴⁷ Many countries of destination are struggling with recent influx of irregular migrants, yet countries lack institutional and practical capacity to address smuggling and trafficking effectively and in line with human rights obligations. In Malaysia, for example, the majority of trafficked persons are among the estimated 1.4 to 2 million documented and even greater undocumented migrant worker population. Migrant workers from Cambodia, Indonesia, and Thailand are smuggled and trafficked to Malaysia and exploited in manufacturing, construction and agriculture industries as well as domestic service. Children are particularly vulnerable to forced labour, including in domestic service and forced begging in Thailand, and sexual exploitation, including online.⁴⁸ Cambodia has also detected increasing numbers of foreign victims within the country - including from Indonesia, Malaysia and Thailand - to work in growing entertainment industry and in online scam centres.⁴⁹

Technology has become one of the most effective tools used by criminal groups to manipulate migrants and others into trafficking in human beings for various forms of exploitation, and to lure migrant workers to commit sophisticated cyber scams in numerous sites across the Southeast Asian region. Trafficking for forced criminality⁵⁰ is just one element of highly-organized and thriving transnational organized crime in the region, which is driven by corruption⁵¹, weak rule of law and the vulnerability of migrant workers. A UNODC report released in 2021⁵² found that migrant smuggling and trafficking in human beings could not occur on a large scale as it does in the Southeast Asia region without collusion between corrupt officials and criminals.

COVID-19 has had adverse impacts for migrants and their families in Southeast Asia; as countries seek to build back better, occupation, gender, age, migrant status are key considerations of vulnerability that can place women and children in the context of labour migration at risk of labour exploitation, violence against women and girls, and trafficking, especially for those who are in informal work, and irregular migration situations.

⁴⁴ UNODC (2021). The Effects of the COVID-19 Pandemic on Trafficking in Persons and Responses to the Challenges: A Global Study of Emerging Evidence, Vienna: UNODC.

⁴⁵ UNODC (2019). Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact, Bangkok: UNODC; UNODC (2021). The Effects of the COVID-19 Pandemic on Trafficking in Persons and Responses to the Challenges: A Global Study of Emerging Evidence, Vienna: UNODC.

⁴⁶ UNODC (2020). Interlinkages between Trafficking in Persons and Marriage, ISSUE PAPER, UNODC: Vienna; UNODC (2021). The Effects of the COVID-19 Pandemic on Trafficking in Persons and Responses to the Challenges: A Global Study of Emerging Evidence, Vienna: UNODC; Cousins, S. (2020). "2.5 million more child marriages due to COVID-19 pandemic", The Lancet, October 10, 2020 DOI: HYPERLINK "[https://doi.org/10.1016/S0140-6736\(20\)32112-7](https://doi.org/10.1016/S0140-6736(20)32112-7)"[https://doi.org/10.1016/S0140-6736\(20\)32112-7](https://doi.org/10.1016/S0140-6736(20)32112-7).

⁴⁷ U.S. Department of State (2022). "2022 Trafficking in Persons Report", Office to Monitor and Combat Trafficking in Persons.

⁴⁸ UNODC (2019). Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact; U.S. Department of State (2022). "2022 Trafficking in Persons Report: Cambodia", Office to Monitor and Combat Trafficking in Person.

⁴⁹ Scam operations typically involve workers responding to advertisements for high paying jobs in technology and online trade. Victims are then locked into initial six-month job contracts and told they have accrued thousands of dollars in costs, trapping them in debt bondage. U.S. Department of State (2022). "2022 Trafficking in Persons Report: Cambodia", Office to Monitor and Combat Trafficking in Persons..

⁵⁰ Trafficking for forced criminality (or: for exploitation in criminal activities) can be understood as trafficking in persons for the purpose of exploitation of victims through forcing or otherwise compelling them to commit criminal acts for economic or other gains of traffickers or exploiters

⁵¹ UNODC and the Bali Process RSO (2021). Corruption as a Facilitator of Smuggling of Migrants and Trafficking in Persons in the Bali Process Region with a focus on Southeast Asia. UNODC: Bangkok.

⁵² UNODC and the Bali Process RSO (2021). Corruption as a Facilitator of Smuggling of Migrants and Trafficking in Persons in the Bali Process Region with a focus on Southeast Asia. UNODC: Bangkok.

Cross-border cooperation and migration corridor cooperation is needed, especially with regards to the migratory pathways towards Thailand from Cambodia; and towards Malaysia from Indonesia based on the bilateral agreements. Exchanges should be promoted between Cambodia and Thailand; and Indonesia and Malaysia to promote effective labour migration governance and protection of the rights of migrant workers. There is also a need to recognize new trends and emerging corridors for trafficking for forced criminality to commit online scams, identify victims and their needs for assistance in a victim-centred, age- and gender-sensitive, as well as trauma-informed way, and address the current prevailing impunity for the crimes of trafficking in human beings and migrant smuggling through sustainable responses, particularly in Cambodia, Malaysia, Thailand and Indonesia. This is explained further in the following sections.

Contribution to global policy commitments by the action

In line with the ‘policy first’ approach, the Action will contribute to implementing EU policy priorities through rights-based, gender, child-sensitive and survivor-centred policies and practices, as called for by the new EU Pact on Migration and Asylum, the EU Regional Multi-annual Indicative Programme for Asia and the Pacific (2021-2027), the Global Compact for Migration (GCM)⁵³, the Decent Work agenda, and the priorities set out by the EU Strategy on Combatting Trafficking in Human Beings (2021-2025), Renewed EU action plan against migrant smuggling (2021-2025) (COM(2021) 591 final), the EU Strategy on the Rights of the Child, EU Communication on The Protection of Children in Migration (EU/COM2017/211), and the EU Gender Action Plan III (GAP III)⁵⁴ and EU Gender Equality Strategy.

The action responds to the priorities identified in the EU Gender Equality Strategy 2020-2025, primarily by strengthening policies, frameworks and service delivery that prevents and responds to violence against women, in particular women migrants. Equally, the Action seeks to address and respond to trafficking, which also falls under the EU’s priority to end gender-based violence. By seeking to respond to the intersecting needs of migrants, the Action also responds to the EU’s commitment to intersectionality of gender with other grounds of discrimination.

In seeking to enhance policy and procedure that strengthen child protection systems; building the capacity of the social services workforce for child protection in the context of labour migration; and increasing the availability of child protection services, the Action responds to the EU’s commitments made under the EU Communication on The Protection of Children in Migration. In particular in relation to prioritising actions aimed at strengthening child protection systems along the migratory routes, supporting partner countries in developing strong national child protection systems.

The action responds to the priorities identified in the EU Strategy to tackle Organised Crime (2021-2025) and the EU Strategy on Combatting Trafficking in Human Beings (2021-2025), in particular the two priority areas of protection and support of the victims and promoting international cooperation, and the EU action plan against migrant smuggling (2021-2025). The Action specifically seeks to improve international cooperation and political commitments to effectively tackle trafficking; while also enhancing the capacity of criminal justice actors and improving legal protection of rights holders.

It is informed by and will advance the 2030 Agenda which recognises the need to reduce inequalities at Goal 10, the importance of gender equality in Goal 5, as well as decent work and economic growth in Goal 8. The Sustainable Development Goals (SDGs) also specifically recognize some of the key challenges facing migrant workers, particularly those in precarious employment, the need to build peace, justice and strong institutions in order to end abuse, trafficking and violence of children as reflected at Goal 16. Through the focus of partnership

⁵³ The action will also tap into synergies between leadership that GCM champion countries such as Thailand have shown at the sub-regional level through ASEAN.

⁵⁴ The Gender Action Plan III (GAPIII) is a Joint communication by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy which was welcomed through EU Presidency Conclusions of 16 December 2020. Drafting was led by European Commission in close consultation with EU Member States, EEAS, civil society organisations, partner governments, and international organisations (UN entities, International Finance Institutions among others). The different parties contributed to the drafting of the document through meetings and through responses to a survey conducted during the process.

between the agencies and building the capacity of state actors to meet the needs of vulnerable women migrant workers and children, the action will also contribute to Goal 17.

The programme is committed to advancing the rights of women and children in the context of labour migration. **International labour standards, CEDAW, convention on the rights of the child (CRC) and the Trafficking Protocol** will guide initiatives in this action. In accordance with the EU-ASEAN partnership priorities, the new programme will reaffirm and deepen the agencies' commitments to support safe, orderly and regular migration and mobility, through rights-based, gender and child-sensitive policies and practices.

In terms of international labour standards, the action is grounded through the widely ratified ILO conventions of general application including the eleven fundamental Conventions, as well as those that contain specific provisions on migrant workers. Also, the Action is grounded in key technical standards including those applicable to domestic work (a highly feminised and migrant based sector) and private recruitment agencies. The normative basis of the action is summarized below.

Box 1: The normative basis of the Action: key instruments of the ILO

The ten fundamental Conventions, covering the fundamental principles and rights at work. These are widely ratified:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol);
- Abolition of Forced Labour Convention, 1957 (No. 105);
- Minimum Age Convention, 1973 (No. 138);
- Worst Forms of Child Labour Convention, 1999 (No. 182);
- Equal Remuneration Convention, 1951 (No. 100);
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- Occupational Safety and Health Convention, 1981 (No. 155);
- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

Key technical Conventions underlining the Action:

- Migration for Employment Convention (Revised), 1949 (No. 97) and Migration for Employment Recommendation (Revised), 1949 (No. 86);
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and Migrant Workers Recommendation, 1975 (No. 151);
- Domestic Worker Convention, 2011 (No. 189);
- Private Employment Agencies Convention, 1997 (No. 181);
- Labour Inspection Convention, 1947 (No. 81);
- Violence and Harassment Convention, 2019 (No. 190); and

Other instruments underlying the action including the various instruments related to social security and social protection.

The action will be informed by the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), including obligations to take all appropriate measures to suppress all forms of trafficking in women (Article 6); and to eliminate discrimination against women in the field of employment (Article 11). CEDAW is also supported by detailed General Recommendations (GR) on Trafficking (GR 38), Gender Based Violence Against Women (GR35), updating the GR on Violence Against Women (GR19); as well as the GR on Women Migrant Workers (GR26). GR26 provides specific guidance to states parties on how to respect, protect and fulfil the human rights of women migrant workers, providing recommendations specific to countries of origin, transit and destination. The scope of GR26 extends to undocumented women migrant workers and addresses the importance of active involvement of women migrant workers in policy formulation; and the lifting of restrictions on migration that are sex-specific or discriminate against women.

Further, the action will be guided by the Convention on the Rights of the Child, the General Comment N°6 of the Committee on the Rights of the Child (2005) on the Treatment of Unaccompanied and Separated Children Outside Their Country of Origin and Joint General Comment No. 3 and 4 of the Committee on the Rights of Migrant Workers and their Family Members and No. 22 and 23 of the CRC in the context of International Migration: General Principles and States parties' obligations in particular with respect to countries of transit and destination, including the obligation to put the best interest of the child at the centre of decisions in any immigration-related procedure or legal status determination.

In seeking to strengthen efforts to promote cooperation among states parties to prevent and combat trafficking as well as to protect and assist victims of trafficking, the Action will also be guided by the widely ratified Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children.

The action will be informed by and, in turn, inform the Global Compact for Safe, Orderly and Regular Migration, a commitment made by the UN Member States under the *New York Declaration for Refugees and Migrants*. The Global Compact for Migration is consistent with target 10.7 of the 2030 Agenda and the commitment to cooperate internationally to facilitate safe, orderly and regular migration.

The action will benefit from ILO's *General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs*, and will also be underlined by the ILO *Declaration on Fundamental Principles and Rights at Work*, which will guide the stakeholders in recognizing the needs of migrant workers, and developing effective labour protections that are consistent with international labour standards. The 2008 ILO *Declaration on Social Justice for a Fair Globalization* will also guide interventions. The Action will also be informed by the 2019 ILO Centenary Declaration for the Future of Work by taking a human-centred approach by investing in social protection, skills, gender and promoting an enabling environment for sustainable enterprises, economic growth and decent work for all.

The action will also engage with the Regional UN Network on Migration for Asia and the Pacific. It will lend support to the sustainable development goals⁵⁵, ASEAN regional commitments (ASEAN Consensus on the protection and promotion of the rights of migrant workers (ASEAN Consensus); ASEAN Declaration on the Rights of Children in the Context of Migration; ASEAN Regional Plan of Action on the Elimination of Violence against Women (ASEAN RPA on EVAW); ASEAN Convention against Trafficking in Persons and Plan of Action against Trafficking in Persons; the Bohol Trafficking in Persons Work Plan; and the Regional Plan of Action on Implementing the ASEAN Declaration on the Rights of Children in the Context of Migration) and continue its involvement with other stakeholders on labour migration in the Asia-Pacific region such as in the UN Regional Network on Migration for Asia and Pacific (which the UN Network will lead along with ESCAP the regional review of the implementation of GCM); this offers opportunities to shape the agenda on the topic in the region and ultimately at a larger scale by contributing to the next International Migration Review Forum.

2.2 Problem Analysis

Gaps to be addressed by the Action

Most of the mobility occurring within and from the Southeast Asia region is in search of employment.⁵⁶ Women comprise close to fifty percent of the migrant flows, and face risks of violence, abuse and exploitation in several specific situations, including in the world of work, particularly for those engaged in informal and/or low-wage jobs such as domestic work. Irregular migration occurs in parallel with regular migration. This gives rise to increased risks of labour exploitation, violence against women and children, trafficking and smuggling. Children

⁵⁵ Especially Goal 5 (Gender Equality and Women's Empowerment), Goal 8 (Decent Work and Economic Growth), Goal 10 (Reducing Inequality), Goal 16 (Peace, Justice and Strong Institutions), and Goal 17 (Partnerships for the Goals).

⁵⁶ Most migration in Asia-Pacific is for employment by workers in elementary and middle skilled occupations on temporary employment contracts. United Nations, Economic and Social Commission for Asia and the Pacific (ESCAP) (2020). [Asia-Pacific Migration Report 2020: Assessing Implementation of the Global Compact for Migration](#) (ST/ESCAP/2801).

may migrate with their family members or on their own.⁵⁷ In 2020, the usual drivers of migration were disrupted by the global pandemic caused by COVID-19. Migration corridors, which are normally very active, were closed for several months. Responding to labour shortages and employer requests, governments have had to prioritise economic recovery over lockdowns, and resume labour migration.

With the resumption of migration, this action will promote decent work, while reducing the vulnerabilities of women and children in the context of labour migration, in particular through preventing and responding to violence against women and children, human trafficking and migrant smuggling. It will do this through addressing legal, policy and institutional gaps and barriers faced by women migrant workers and children in the context of labour migration, including in the protection of fundamental principles and rights at work, as well as enhance their access to safe, orderly, and regular migration by addressing violence, exploitation, forced labour and trafficking. To ensure that laws and policies can be effectively implemented, the action will enhance national and regional capacities and mechanisms for policy implementation, service provision and prevention efforts, while empowering concerned women migrant workers and children to mitigate the risks of abuse and exploitation and access services.

1. Decent work deficits and labour exploitation

Law and policy

Due to their migration status, occupation, gender, legal and other barriers, women migrant workers, particularly those in low-wage and labour-intensive sectors, are vulnerable to **exploitation, and violence and harassment in the world of work**. The high economic **costs and fees during recruitment** are common and are well documented and compounded by lack of access to low cost and reliable remittance channels.⁵⁸ Where unaffordable, high migration costs can lead to debt bondage or coping strategies that might include irregular migration, which in turn can increase vulnerability. Migrants, both women and men, and their children, also suffer from **unequal access to social protection** compared to nationals. This is particularly true for migrants with irregular status or those in isolated conditions or working in sectors that are not fully covered by labour laws (such as domestic work).

Good governance of labour migration, which ensures the protection of migrant workers' rights in the context of **fair recruitment, decent working conditions and adequate housing**, is essential to optimising the development benefits of migration. The **ILO Multilateral Framework on Labour Migration** also calls for the contribution of labour migration to employment, economic growth, development and poverty alleviation to be maximised in both countries of origin and destination.⁵⁹ Successful governance of international migration is an inherently multilateral concern requiring cooperation between various stakeholders. There are several types of partnerships in Southeast Asia, including bilateral MOUs, regional integration, regional processes and cooperation among employers' organizations, trade unions and CSOs. These need to be continued to be strengthened and acted on, particularly in a gender responsive and multi-stakeholder basis. Cross-border cooperation and migration corridor cooperation is needed especially with regards to the migratory pathways **towards Thailand from Cambodia; and towards Malaysia from Indonesia** based on the bilateral agreements. Exchanges should be promoted between Cambodia and Thailand; and Indonesia and Malaysia to promote effective labour migration governance and protection of the rights of migrant workers;

⁵⁷ UNICEF (forthcoming, 2023) The impact of a lack of domestic legal status on the protection and wellbeing of migrant, urban refugee, and unregistered stateless children in Bangkok, Thailand, case-study, UNICEF EAPRO, pp.54-55;

IMISCOE Research Series (2023) Accounting for Children's Agency and Resilience in Independent Child Migration in Southeast Asia, M.P. Capaldi and A. Altamura in Migration in Southeast Asia; Institute for Human Rights and Peace Studies (IHRP), ECPAT International, Centre for Southeast Asian Studies & The Research and Education for Peace. (2013). Mapping and analysing the protection situation of unaccompanied and separated children in Indonesia, Thailand and Malaysia. Institute of Human Rights and Peace Studies, Mahidol University. https://www.ecoi.net/en/file/local/1073432/1930_1401958815_538840d14.pdf; Beazley, H. (2015). Multiple identities, multiple realities: Children who migrate independently for work in Southeast Asia. Children's Geographies, 13(3), 296–309.

⁵⁸ A national pilot survey in Viet Nam in 2019 indicated that recruitment costs averaged the equal of 7.4 months of wages in the destination country. See ILO (2021). [Measuring Sustainable Development Goal indicator 10.7.1 on the recruitment costs of migrant workers: Results of Viet Nam pilot survey 2019](#).

⁵⁹ For example, there have been increased efforts to reduce the cost of sending remittances. SDG target 10.c is to reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent, by 2030.

Capacity and mechanisms for implementation and enforcement

Labour laws are not adequately implemented due to **gaps in labour inspection, lack of access to effective complaints mechanisms and restrictions around freedom of association** as well as negative attitudes towards migrant workers. **Occupational, safety and health deficiencies, sub-standard housing⁶⁰, wage protection**, and the need to integrate migrant workers in emergency preparedness plans were also issues highlighted during the pandemic. Tripartite plus stakeholders and migration actors require support to build capacity and understanding to implement **fair recruitment** and address the needs of women migrant workers. **Enhancing gender-responsive capacity of labour inspection to detect recruitment related abuses and labour exploitation** is also required.

Empowerment, organising, information and services

Irregular migration and work in informal sectors reduce the ability of women migrant workers to access opportunities to organise. Organising is a key mechanism to ensuring women migrants access information and services. Supporting specifically the **organising of women migrant workers** can improve their currently limited ability to advocate for labour rights, and increase access to information and services. Ensuring that **information and services** promote safe migration pathways and respond to the specific needs of women migrant workers is also necessary to ensure that women can access counselling, parenting support, legal aid, financial literacy and referral to other services as necessary.

There is great potential for skills development and skills recognition systems to positively impact on the functioning of labour markets. Recognition schemes are particularly important for migrant women in this region who have limited access to higher paying jobs in certain countries and occupations. The application of standards of destination countries in **skills' testing of potential migrants, establishment of joint minimum standards, mutual recognition arrangements, as well recognition of returning migrants' skills** are key approaches to upgrading skills of migrant workers.

2. Violence against women and girl migrants

Law and policy

While legal and policy frameworks are increasingly addressing VAWG and including women migrants, there still remain **gaps in the adequate inclusion and protection of women and girl migrants**, despite binding obligations through CEDAW and other international frameworks (e.g. ILO Conventions 189 and 190) to do so. **Identifying and addressing barriers for access to quality services remains a priority** ensuring that governments respond to violence against all women and girls, including migrants, via legislative changes to align with international human rights standards and through National Action Plans (NAPs), among other relevant implementation frameworks and policies.

Capacity and mechanisms for implementation and enforcement

The implementation of the mechanisms is also weak, **lacking adequate survivor-centred implementation in general and adaptability** in times of crisis. Building the **capacity of front-line service providers** is critical especially social workers, police, justice and embassy and consular staff to continue to provide quality coordinated services addressing VAWG in a gender-sensitive and survivor-centred way, including through standard operating procedures (SOPs). Service providers, employers, trade unions and labour organizations, migration officials and national authorities also require sensitization and understanding of gender-related vulnerabilities across the migration cycle to contribute to preventing abuse before it occurs.

Empowerment, organising, information and services

As a result of the above, women migrants continue to face **barriers in access to information and quality essential services**. Women and girl migrants also face stigma and discrimination, legal and structural barriers to access services, precluding them from seeking support in countries of destination. Crises such as COVID-19 have **exacerbated risks for violence, exploitation, and abuse and have negatively impacted support service**

60 ILO (2022). [Home truths: Access to adequate housing for migrant workers in the ASEAN region](#)

availability, which has yet to fully recover.⁶¹ Social isolation prevents women migrants from accessing critical support and information that can help them understand the risks that exist for violence, abuse and trafficking while strengthening the protective factors for safer migration and access to essential services (protective factors include laws that address VAWG; norms that support non-violence and gender equitable relationships; intimate relationships characterised by gender equality and shared decision making; non-exposure to violence in the family; and sensitising men, women, girls and boys to hold gender equitable attitudes)⁶². Women migrants predominantly rely on the advice and support of their peers over official channels, but **peer networks are not adequately capacitated, recognized and utilised**, especially across borders. Returned women migrant workers often possess increased agency, skills, knowledge and money, which can challenge the traditional power dynamics in the family if there is **limited support for a smooth reintegration**.⁶³

Essential services must be safe, ethical, non-discriminatory and adaptable to, and informed by, women migrants' lived experiences, and their identified priorities for improvements in services and response. Strengthening the **capacity of peer networks** as critical support mechanisms that provide a safe space for women to speak openly and share practical and timely information, without risks of stigma or discrimination. Through CSOs and peer networks, **women migrants can collectively advocate for their rights, centring** their voices in policy-making, service provision and even within their families and communities. Engaging **families and communities** of women migrant workers (including those who have suffered abuse) through empathy and skill-building to foster improved understanding of the sacrifices and benefits of migration, respectful and mutually reinforcing relationships and more equitable household management and decision-making. Evidence shows that **families and communities are often the first responders** when violence against women migrants occurs, so family members need to learn about what kinds of services exist, and where to access them, in order to be better positioned to support women migrants while abroad.

3. Children in the context of labour migration

Law and policy

In Southeast Asia, the ASEAN framework on the rights of child in the context of migration (i.e., the **ASEAN Declaration on the Rights of Children in the Context of Migration, and its Regional Plan of Action**) was developed and fully adopted in 2021.⁶⁴ However, **technical and programmatic support is required** to facilitate the translation of the ASEAN framework into action. Efforts are required to ensure safe and secure migration for all children such as through the **development of bilateral cross-border agreements and related SOPs, and cross-border child protection networks**, which will benefit those in the context of labour migration.

More research is needed and significant support is also required to assist governments in improving and investing in the **collection and analysis of data on children** in the context of migration (in particular, for the benefit of understanding children in the context of labour migration) that is accurate, reliable, and comparable data, disaggregated by sex, age, migration status and purpose (i.e. labour migration), while upholding migrants' right to privacy and protection of personal data. **Generating better data and evidence will lead to stronger advocacy, planning and response** by the development partners and national governments. Improved and **strengthened administrative data for case management purposes will enhance the identification of the scope and the needs of all children** in the context of labour migration, and ensure that they are correctly referred to the relevant services/agencies.

Capacity and mechanisms for implementation and enforcement

More work is needed to **strengthen the social service workforce for Child Protection to respond to the rights and needs of this group of children**, particularly on case management, and the **provision of timely and adequate mental health and psycho-social support when needed**. Another aspect which requires further attention and

⁶¹ ILO and UN Women (2020). [Policy Brief: COVID-19 and Women Migrant Workers in ASEAN](#).

⁶² World Health Organization (2019). Respect Women: Preventing violence against women.

⁶³ UN Women (2021). [Risks of Violence against Women in the Labour Migration Cycle and Services that Need to be in Place throughout the Migration Cycle](#).

⁶⁴ A key regional result of the 'Protecting Children Affected by Migration in Southeast, South and Central Asia' programme, funded by the European Union between 2017 and 2023.

improvement is the **provision of child-friendly and gender-sensitive legal aid** within a general justice response, and **empowering children in the context of labour migration and their families to claim their rights**.

Empowerment, organising, information and services

Across-board there is also a continuous need to **improve access to and quality of services** at national and community levels including for: children on the move, children at risk of statelessness, and migrating children. The following concerns, heightened by the pandemic, are currently present: concern over **educational, material, physical and emotional wellbeing** of children in the context of labour migration; **lack of access to social protection schemes and to safe reporting channels for exploitation and abuse; discrimination in access to basic services**; national systems lack sufficient capacity; **child immigration detention; lack of protection** for children of migrant workers; **exploitation by smugglers and traffickers**; statelessness; and risks of violence, abuse and exploitation.

4. Trafficking in human beings and migrant smuggling

Capacity and mechanisms for implementation and enforcement

There is a **lack of robust and effective international cooperation mechanisms** capable of responding to the fast-changing landscape and facilitating cross border criminal justice responses. The COVID-19 pandemic has heightened and brought to the forefront the systemic and deeply entrenched economic and social inequalities that are among the root causes of trafficking in human beings and migrant smuggling. **Criminal networks are capitalising on the pandemic to recruit and exploit victims**, targeting people made vulnerable by the pandemic due to unemployment, poverty and hunger. Yet, **law enforcement and criminal justice officials are facing immense challenges to identify victims, investigate and prosecute offenders, and support access to justice for victims**.

Impunity still prevails for perpetrators, and this makes irregular labour migration, particularly for vulnerable groups, a risky endeavour. This is caused by: **low identification levels of victims of trafficking** (e.g. equating trafficking with labour violations and/or identifying trafficked migrants as irregular migrants); **lack of robust and effective international cooperation mechanisms capable of responding to the fast-changing trafficking landscape** and facilitating cross border criminal justice responses; and **new challenges brought by COVID-19 with regards to the modus operandi of traffickers**, who have increased their operations online, including through sophisticated cyber scam operations. There is a **need to recognize new trends in trafficking in human beings , identify victims and their needs for assistance in a victim-centred, age- and gender-sensitive, as well as trauma-informed way**, and address the current prevailing impunity for the crimes of trafficking in human beings and migrant smuggling through sustainable responses, particularly in Cambodia, Malaysia, Thailand and Indonesia.

Prosecution and convictions for trafficking in human beings and smuggling are lower in Southeast Asia than in many regions in the world, and joint law enforcement operations are rare. The number of persons prosecuted for trafficking in East Asia and the Pacific in 2018 was approximately 1,800, underlining how low rates of prosecution and conviction across the region mean that traffickers and smugglers are unlikely to be punished through imprisonment, fines, asset confiscation or court-ordered restitution. In 2020, prosecutions dropped further by 27% and persons investigated for human trafficking by 58%.⁶⁵. **Most prevention work is not making full use of new technologies, low levels of prosecution** make such crimes low-risk-high-profit activities, and **protection initiatives are often limited in scope and insufficient to secure victims' rights**. The use of illicit income to corrupt public officials and law enforcement officers to turn a blind eye on growing crime levels severely undermines the **rule of law and institutional capacity to address trafficking in human beings and migrant smuggling, and to promote orderly migration**.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

⁶⁵ UNODC (2018). Global Report on Trafficking in Persons. Vienna: UNODC.

Engagement with stakeholders (duty-bearers)

The action will employ a comprehensive multi-stakeholder approach to address the multiple intersecting factors affecting the vulnerable and at-risk populations outlined above by engaging with ASEAN Member States' government authorities/agencies at two levels:

- *At the regional level,*

The action will engage with ASEAN institutions such as the ASEAN Committee to Implement the Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW), ASEAN Committee on Women (ACW), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), and the ASEAN Senior Officials Meeting on Transnational Crime (SOMTC).

- *At the national level,*

The action will follow a corridor and asymmetrical approach, meaning the work will follow the direction of travel of the migrants and respond to emerging trends of migration. The two predominant corridors will be Cambodia to Thailand and Indonesia to Malaysia; but emerging corridors will reflect the recruitment of migrants from, for example, Indonesia, Thailand and Malaysia to Cambodia into trafficking situations for the purposes of committing cyber enabled crime. In this context, the action will engage with government authorities/agencies (such as the ministries of labour, interior/home affairs, justice, social welfare, women, education and health and foreign affairs, including consular staff and justice/police officials, counter-trafficking agencies/units, immigration and border agencies); workers' and employers' organizations; private sector actors and recruitment agencies; civil society organizations, women's organizations and their networks (including those that provide essential VAWG services to women, financial and legal services to women migrants, and those providing services to children in the context of labour migration and advocate for their rights); migrant worker resource centres; national human rights/child rights monitoring bodies, labour inspectorates; research institutions and academia, media networks, young people, and the general public, to ensure that the needs and concerns of women migrant workers and children are directly addressed, community-based organizations and peer networks will be partnered and supported.

Engagement with key target groups (rights-holders)

In terms of key target groups, the proposed activities are specifically designed to address the needs of women migrants, children and at-risk groups in the context of labour migration, in Cambodia, Indonesia, Malaysia, and Thailand. Among them are women migrant workers, particularly those in low wage occupations who are at greater risk of abuse, forced labour and other forms of exploitation, violence and harassment, and trafficking in human beings; children of migrant workers in destination countries, and children in child labour, children at risk of immigration detention, stateless children, unaccompanied and separated children;⁶⁶ and at-risk populations to smuggling and trafficking in human beings.

While the primary beneficiaries are women migrant workers and children in the context of labour migration, rights-based interventions on the ground cannot take place in a vacuum nor exclude other vulnerable groups. Labour migration related services and outreach will include men migrant workers, and the accompanying family members of women migrant workers as appropriate; VAWG interventions will include all women and girl survivors of violence, their families and communities. Likewise, anti-trafficking efforts will focus on vulnerable groups to trafficking such as youth and men who are becoming a prominent target of trafficking exploitation in scamming compounds in Cambodia, Myanmar and Lao PDR. Child protection efforts extend beyond children who have migrated abroad, to cover other groups of children in the context of labour migration, in particular those who are born from migrant workers in countries of destination and risk statelessness.

⁶⁶ UNICEF (forthcoming, 2023) Situation Analysis of children in the context of migration in ASEAN States

3 DESCRIPTION OF THE ACTION

3.1 Objectives and Expected Outputs

The **Overall Objective (Impact)** of this action is to protect the rights of women migrant workers and migrant children in Southeast Asia.

The **Specific Objectives (Outcomes)** of this Action are to:

SO 1. To strengthen regional frameworks and national legislation and policies for the protection of the rights of vulnerable groups, especially women and children in the context of labour migration, in line with international standards

SO 2. To improve national and regional prevention and protection mechanisms to reduce violence and rights violations against vulnerable groups, especially women and children in the context of labour migration, including trafficking in human beings and smuggling, from a rights-based, gender-sensitive and child-responsive approach.

SO 3. To increase the access of at-risk groups, women migrant workers and children in the context of labour migration, to information, services and collective initiatives to protect themselves from factors related to abuse, exploitation, harassment, violence and trafficking in human beings.

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

Contributing to Outcome 1 (or Specific Objective 1):

Output 1.1 Technical support for drafting policies and legislations that strengthen safe and fair labour migration for women in line with international labour standards and guidelines.

Output 1.2. Transferred international good practices to competent institutions for the formulation, implementation and monitoring of laws, policies and regional and national frameworks on prevention and response to violence against women, including migrants.

Output 1.3. Created opportunities for cooperation and technical exchange to review and improve existing policies and procedures regulating access to gender responsive child protection systems.

Output 1.4. Increased availability of up-to-date and relevant information and data for national and regional bodies designing and implementing policies related to the protection of children's rights in the context of migration.

Contributing to Outcome 2 (or Specific Objective 2):

Output 2.1. Increased capacities of National Governments and social partners to implement gender-responsive mechanisms, policies and services to attend and/or protect women migrant workers.

Output 2.2. Improved capacities and procedures of key institutions and service providers to deliver coordinated multi-sectoral support to address violence against women at local, national and cross-border levels.

Output 2.3. Improved knowledge and tools of the social service workforce for Child Protection, relevant authorities and/or service providers to ensure quality and timely services, based on the specific needs and demands of capacitated children, in the context of labour migration and trafficking.

Output 2.4. Enhanced capacities of the institutions and organisations that are part of the criminal justice chain to prevent and prosecute trafficking in human beings and migrant smuggling cases.

Output 2.5. Improved quality of protection and assistance services for rights holders to recover psychologically, physically, legally and financially from the abuses suffered during the migrant smuggling process.

Output 2.6. Strengthened instruments and spaces for the design and implementation of regional cooperation mechanisms to effectively tackle trafficking in persons and smuggling of migrants in the Southeast Asia region.

Contributing to Outcome 3 (or Specific Objective 3):

Output 3.1. Increased opportunities for women migrant workers to organise and collective initiatives promote safe and fair labour migration and address labour exploitation and gender-based discrimination.

Output 3.2. Increased availability of reliable information and support measures for women migrant workers and their families to prevent and address labour exploitation and human rights violations.

Output 3.3. Increased capacities and opportunities of peer networks of women migrants to advocate for and contribute to the implementation of strategies for safe migration, including in destination countries and upon reintegration.

Output 3.4. Increased availability of multi-sectoral child protection services based on the specific needs of children in the context of labour migration, including victims of trafficking and smuggling.

3.2 Indicative Activities

Activities relating to Output 1.1:

1.1.1 Assist governments in drafting policies and legislations in the context of fair recruitment, decent working conditions and adequate housing, violence and harassment in the world of work, gender- responsive employment contracts, migrant-inclusive emergency preparedness and response, and bilateral labour agreements and MOUs on labour migration.

1.1.2 Tripartite plus national and subnational consultations on legal and policy interventions related to the above areas and development of tools.

1.1.3 Knowledge products and technical briefs on priority legal and policy interventions including review of recruitments fees and related costs (SDG 10.7.1), sector-specific working conditions (including domestic and care work, construction, and hospitality).

1.1.4 Continued support to implementation of the ASEAN Consensus through support to key initiatives in the ACMW work plan including research, trainings and campaigns.

Activities relating to Output 1.2:

1.2.1 Continued technical advice and ch to ASEAN (ACW/ACWC) to implement key initiatives in the ASEAN Regional Plan of Action on the Elimination of Violence Against Women (2016-2025) and the regional work plan 2021- 2025.

1.2.2 Assist selected ASEAN Member States in the formulation, implementation and monitoring of laws, policies, standards, and action plans on preventing and responding to violence against women with sensitivity to women migrants.

1.2.3 Organize fora for South-South cooperation and multi- stakeholder experience sharing and learning on gender-responsive implementation of legal and policy measures related to gender-based violence and harassment in the context of labour migration.

Activities relating to Output 1.3:

1.3.1 Through direct legal and technical assistance, support the implementation, of the National Action Plan to combat child trafficking and strengthen protection of victims, in keeping with the June 2022 Recommendations of the Committee on the Rights of the Child.

1.3.2 Through capacity building and technical support to make the necessary amendments, advocate for improvements and the revision of existing legal, policy and procedural frameworks related to ending immigration detention for migrant children and families.

1.3.3 Through political consultations and juridical steps, advocate and continue to support the withdrawal of relevant reservations to the Convention on the Rights of the Child.

1.3.4 Support establishment of SOPs/procedures for cross-border information sharing and documentation for case management, including beyond trafficking in human beings, particularly for separated and unaccompanied children and to ensure protection.

1.3.5 Improve protection of the rights of children in the context of labour migration and create leverage for advocacy through strengthened regional cooperation including awareness-raising, consultations with social service workforce, law enforcement, as well as children and youth, and regional review for enhancing and implementing legal frameworks (e.g. through regional entities such as ASEAN and its Declaration on the Rights of Children in the Context of Migration, relevant Concluding Observations of the Committee on the Rights of the Child and other UN human rights bodies and mechanisms, Child Rights Ombudspersons etc.).

Activities relating to Output 1.4:

1.4.1 Provide technical, financial and training on data related to children, focusing on unaccompanied, separated and other vulnerable children at risk of or experiencing child protection issues in relation to labour migration.

1.4.2 Provide coordination and technical support for the adoption of monitoring and evaluation frameworks on ending immigration detention.

1.4.3 Organise regional learning and sharing of experiences on key thematic areas, e.g. migration and social service workforce strengthening; alternatives to immigration detention, relevant Concluding Observations of the Committee on the Rights of the Child and other UN human rights bodies and mechanisms, etc.

Activities relating to Output 2.1:

2.1.1 Training to tripartite plus stakeholders to improve implementation of policies and quality services including ITC Turin trainings on gender-responsive labour migration governance, and making linkages to the global ILO Fair Recruitment Knowledge Hub.

2.1.2 Fair recruitment due diligence tool kit is introduced among employers.

Develop toolkits and knowledge products to build the capacity of private sector partners, recruitment agencies, and workers' organizations to address the needs of women migrant workers.

2.1.3 Multi-disciplinary workshops, and development of guidelines, on gender-responsive labour inspection, systems and protocols, with particular focus on women migrant workers.

Activities relating to Output 2.2:

2.2.1 Provide technical support to embassies, governments and CSOs to develop standard operating procedures (SOPs) to address violence against women, including women migrants, at the local and national levels.

2.2.2 Provide capacity development and training to embassies/consular officials, police, justice, the social services workforce and other front-line service providers on the skills necessary to ensure survivor-centred and migratory-inclusive quality essential services for women who are at risk of or have experienced violence and to detect potential victims of trafficking.

2.2.3 Support selected service providers with institutional assessments to determine needs for women survivors of violence and victims of trafficking, including migrant women.

2.2.4 Establish and/or strengthen feedback mechanisms (e.g. monitoring tools and/or dialogues) to understand the experiences of survivors of violence related to access (including barriers) and use of services.

Activities relating to Output 2.3:

- 2.3.1 Integrate specific needs of boys and girls in the context of labour migration into the training curriculum of social service workers, immigration, border and law enforcement agents.
- 2.3.2 Provide technical assistance to facilitate evidence-based policy planning, implementation, and monitoring of education services for migrant children to support learning, skills development, and school-to-work transitions.
- 2.3.3 Capacity building of regional immigration officials, social workers and civil society organizations on best interests' determination, case management and cross-border protocols for children on the move.
- 2.3.4 Support structured engagement with children and young people in the context of labour migration through different platforms, including national and regional workshops and consultations related to the implementation of the different national and regional action plans, life skills-related programmes and policies having an impact of the rights of children in the context of labour migration and trafficking in human beings.

Activities relating to Output 2.4:

- 2.4.1 Develop training curriculum and deliver comprehensive hands-on, interactive national training and mentoring to front-line law enforcement officials to proactively detect and investigate suspected cases of trafficking in human beings (including new forms of trafficking) and migrant smuggling using victim-centred and gender sensitive approaches.
- 2.4.2 Deliver comprehensive hands-on, interactive national training and mentoring for law enforcement and criminal justice authorities on cybersecurity, open source intelligence (OSINT), cryptocurrencies and darknet investigation, as well as on the analysis and handling of digital evidence.
- 2.4.3 Host national forums in target countries involving youth, migrant women, civil society, human trafficking experts, and allies to raise awareness about trafficking in human beings and migrant smuggling and make the online environment safer for at risk populations.
- 2.4.4 Provide support to identify points along the criminal justice chain where corruption occurs in relation to trafficking in human beings and smuggling to enhance oversight mechanisms for law enforcement and criminal justice officials; deliver required technical support and mentoring to address identified gaps.

Activities relating to Output 2.5:

- 2.5.1 Deliver practical and updated training for diplomatic/consular staff on issues of victim identification, screening and assistance mechanisms available to trafficked persons and smuggled migrants, incorporating victim-centred and gender sensitive approaches.
- 2.5.2 Develop training curriculum and provide hands-on training for judicial officials in targeted states with detailed and updated practical guidance on the implementation of principle of non-punishment to ensure that victims are protected from prosecution and punishment.
- 2.5.3 Provide technical support to targeted states to strengthen and align their existing legal and policy frameworks on addressing trafficking in human beings and migrant smuggling with international laws, incorporating gender sensitive and human rights-based approaches. This includes enhancing victims' protection through introduction and/or expansion of the scope the non-punishment provisions, and building more harmonized approach towards use of the principle in bi-lateral agreements.
- 2.5.4 Strengthen capacity of national legal aid service providers by creating regional network of legal experts, trained and empowered to provide victims with legal aid to improve protection of victims' rights, including the right to compensation and non-punishment.

Activities relating to Output 2.6:

- 2.6.1 Organize series of dialogues to foster exchanges among ASEAN States on topics of interest to increase political commitments and cooperation against trafficking in human beings and migrant smuggling, through close coordination with ASEAN processes (e.g., SOMTC Lead Shepherds).
- 2.6.2 Provide technical support to the existing counter-trafficking units in participating countries to coordinate responses with other relevant agencies dealing with organized crime in the region, including money laundering, corruption, and cybercrime units.
- 2.6.3 Facilitate regional meetings of heads of counter trafficking units and another relevant law enforcement agencies to share expertise, best practices, discuss and plan coordinated response to transnational organized

criminal activities, including trafficking and smuggling, incorporating victim-centred and gender sensitive approaches.

2.6.4 Facilitate bi-lateral “police-to-police” meetings between staff of specialised police units in targeted ASEAN states.

2.6.5 Support the establishment of joint investigation teams (JITs) both judicial (judges, prosecutors, investigative judges) and law enforcement – of two or more ASEAN member states to facilitate the coordination of investigations and prosecution conducted in parallel across several States.

2.6.6 Support the expeditious execution of mutual legal assistance (MLA) requests and judicial cooperation on international human trafficking cases through UNODC’s SEA Just Network.

Activities relating to Output 3.1:

3.1.1 Support trade unions and migrant associations in organising women migrant workers, strengthening leadership of women, including women migrant workers.

3.1.2 Coordination of regional social partners and CSOs to support the ability of women migrant workers to organise/network and receive services across countries.

3.1.3 Strengthening cross border trade union MOUs towards portability of memberships, cross border organising and referrals.

Activities relating to Output 3.2:

3.2.1 Strengthen Migrant Workers Resource Centres (MRCs) to provide counselling, legal aid, information, networking, skills, financial literacy training, referrals among other services to women migrant workers and their families.

3.2.2 Support services to women migrant workers and their families through MRCs and other service providers including financial literacy trainings for women migrant workers and their families, organising skills, leadership development.

3.2.3 Work with employers and training institutions for migrant women to avail of training and skills development opportunities, recognition of prior learning.

3.2.4 Innovative information, communication technology to support women migrant workers in accessing information and services including using formal channels for remittances.

3.2.5 Cross-border cooperation and sharing of experiences/linked services between MRCs.

Activities relating to Output 3.3:

3.3.1 Support peer networks of women migrants to strengthen availability of safe spaces, dissemination of information and advocacy efforts related to gender equality, anti-discrimination and violence against women.

3.3.2 Support peer networks to identify priorities, advocate for and contribute to implementation of strategies for safe migration (including in destination countries and upon reintegration); access to VAW services and programmes; and by leveraging their knowledge, expertise and voices in decision-making fora.

Activities relating to Output 3.4:

3.4.1 Implement targeted interventions to improve access to birth registration and accelerate the process of obtaining legal status and/or nationality and other civil identity documents for migrant and stateless children.

3.4.2 Support efforts to expand, promote and strengthen alternatives to detention for migrant children.

3.4.3 Support implementation of cross border collaboration efforts, such as information management and technical assistance, direct cash transfers, dissemination of the Standard Operating Procedures (SOPs), to ensure safe and secure migration for all children, such as the implementation of bilateral cross-border agreements and related SOPs, as well as the operationalization of mechanisms for cross-border information sharing and documentation for case management, such as cross-border child protection networks.

3.4.4 Support government and other stakeholders in strengthening access to basic services for children in the context of labour migration (including for children who are trafficked), through dissemination of targeted information, and case-management.

Approaches to be taken by the action

This action will build on the achievements of the two programmes: **Safe and Fair: Realizing women migrant workers' rights and opportunities in the ASEAN region** programme and the **Protecting Children Affected by Migration in Southeast, South and Central Asia** programme, to address the legal, policy and institutional gaps and barriers faced by women (migrant workers) and children in the context of labour migration⁶⁷, eliminating violence against women⁶⁸, child protection⁶⁹, and anti-trafficking⁷⁰.

In terms of national-level operations, the **priority countries are: Cambodia, Indonesia, Malaysia, and Thailand**.⁷¹

With respect to international cooperation and partnerships, approaches will include the following elements:

1. Cross-border cooperation and migration corridor cooperation will be encouraged especially with regards to the migratory pathways towards Thailand from Cambodia; and towards Malaysia from Indonesia based on the bilateral agreements; but also with regards to emerging migration routes, including into Cambodia in relation to trafficking for forced criminality into scam operations;
2. Exchanges will be promoted between Thailand and Cambodia; and Malaysia and Indonesia to promote effective labour migration governance and protection of the rights of migrant workers;
3. Bilateral and regional activities will cover other Southeast Asia countries and, when relevant, entities to ensure a coherent regional approach to labour migration governance, child protection and trafficking.

Asymmetrical approach

Project activities will vary by country to reflect different priorities and migration realities for migrant women, children, and at-risk groups; depending on the country's stage of development and the status of existing regulatory frameworks, and implementing partner capacity to co-fund activities and absorb funding. An asymmetric approach will be taken and, depending on whether a country is primarily a labour-sending country or a destination country, interventions will focus on migration corridors, pre-departure empowerment of – and services for – migrant workers. The amount of investment and interventions will differ between the countries and cost-sharing opportunities will be explored with government, private sector and development partners in all countries to develop outputs and corridors as additional funds become available.

Corridor approach

A corridor approach to programming will ensure that the Action benefits migrants moving within Southeast Asia. Migration corridor cooperation will be encouraged especially with regards to the migratory pathways towards Thailand from Cambodia; and towards Malaysia from Indonesia based on the bilateral agreements, as well as with regards to emerging trends.

Multidisciplinary approach

Having a joint and expanded programmatic approach bringing together labour migration, gender equality and ending violence against women, child rights and anti-trafficking stakeholders is effective in provision of advocacy and technical advice to governments towards the achievement of relevant SDGs. The programme will leverage on these links and on the technical and sectoral competencies of the implementing partners to ensure that these elements are addressed coherently while ensuring gender-sensitive and rights-based approaches. The Action recognises intersectionality in the status of migrants and interventions will take into account the impact of mixed

⁶⁷ Cambodia, Indonesia, and Viet Nam address labour migration management, recruitment and workers placement, skills recognition, in their policy frameworks. Both Malaysia and Thailand as countries are destination also address migrant workers' right and labour migration management in their national laws. Malaysia has recently introduced, and updated its national policies on OSH, minimum housing standards, and regulating private employment agencies, and extending social security to domestic workers.

⁶⁸ Cambodia, Indonesia, Malaysia, Thailand, and Viet Nam have specific laws on domestic violence. Only Cambodia has NAPVAW that is active as of 2022.

⁶⁹ Indonesia and Thailand have laws, strategies, and national plans to protect the rights of children.

⁷⁰ National action plans and strategies on anti-trafficking are currently in place Cambodia, Indonesia, Thailand, Malaysia, Viet Nam.

⁷¹ The actions in these countries will take place at varying levels of interventions (in accordance with the workplan).

migration flows⁷² on women migrant workers and migrant children in the region, especially from countries of origin such as Myanmar.

Synergies in the action:

1) Coordination and synergies with other ongoing initiatives in the region

The new action will ensure synergies and coordination with other labour migration, women's rights, child rights, and anti-trafficking related global initiatives; some of these initiatives include the following (*listed in order of name of initiative (implementing agency/ funding agency)*): Triangle in ASEAN (ILO/DFAT Australia, Global Affairs Canada); Ship to Shore Rights (ILO, IOM, UNDP/EU); PROMISE (IOM/Swiss Development Cooperation (SDC)); CREST (IOM/Sweden); PROSPECT (ASEAN/USAID); Migrant Workers Empowerment and Advocacy (MWEA, ILO/USDOL); GOALS (ILO, IOM, UN Women/SDC); BRIDGE (IOM, UNDP, UN Women); ASEAN-ACT (Australian Government); USAID Asia CTIP (Winrock International/USAID); Bali Process; Public Finance for Children (PF4C) Facility (UNICEF/EU); Protecting Children Affected by Migration in South, South East and Central Asia (UNICEF/EU, UN TRUST FUND to End Violence against Women (UN Women/DFAT and multi-donor funding); Ending Violence against Women and Girls project (UN Women/DFAT); UN Essential Services Programme for Women and Girls Subject to Violence (UN Women), ACCESS Programme to Promote Disability Inclusion and Quality Services for Gender Based Violence Victims (UN Women Cambodia/DFAT)

2) Country and Regional Approach

The priority countries for the proposed Action are Cambodia, Indonesia, Malaysia, and Thailand i.e. programme activities will take place in these four countries, at varying levels (depending on the detailed workplan and allocation of funds). In terms of the migration corridors, Malaysia and Thailand are key countries of destination for women migrant workers and their families from Indonesia and Cambodia respectively. At the same time, Malaysia and Thailand are also key destinations for migrants from other countries; for Thailand, from Lao People's Democratic Republic (Lao PDR), and Myanmar, and for Malaysia, migrant workers from the Philippines and Viet Nam. **Programme interventions (under objective three) in the countries of destination (Malaysia and Thailand) will include migrant women and children from Cambodia, Indonesia, Myanmar, Lao PDR, the Philippines, and Viet Nam⁷³.** It should also be noted that in the context of human trafficking, Cambodia is an emerging country of destination for online scam centres with victims being trafficked from across the region. **Anti-trafficking interventions in Cambodia countries will also include support to trafficked victims from other Southeast Asian countries.**

At the regional level, the programme will continue to strategically engage with ASEAN. The programme will **engage with key ASEAN sectoral bodies** - ACMW, ACW, ACWC and SOMTC - which guide regional labour migration, women and children's rights protection, and anti-trafficking responses respectively. The programme will also engage with the ten ASEAN Member States through its support for the implementation of the relevant ASEAN policy measures on labour migration, EVAW, children's rights, and anti-trafficking. As such, **regional and cross-border capacity-building and knowledge-sharing interventions (under all three objectives) will include relevant stakeholders from across the ASEAN region.**

3.3 Mainstreaming

Environmental Protection & Climate Change

⁷² Understood as "a movement in which a number of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons" (IOM Glossary on Migration 2019).

⁷³ The action will take into account, and ensure synergies and complementary with the EU- Viet Nam Decent Work Promotion Programme aiming at strengthening Industrial Relations in Viet Nam, in line with ILO Fundamental Conventions and Viet Nam's Labour Code; improving social protection coverage for workers in vulnerable situations in Viet Nam and; the business community in Viet Nam is more supportive of decent work principles.

Outcomes of the SEA screening (relevant for budget support and strategic-level interventions)

The Strategic Environmental Assessment (SEA) screening concluded that no further action was required.

Outcomes of the EIA (Environmental Impact Assessment) screening (relevant for projects and/or specific interventions within a project)

The EIA (Environment Impact Assessment) screening classified the action as Category B (not requiring an EIA, but for which environment aspects will be addressed during design).

Outcome of the CRA (Climate Risk Assessment) screening (relevant for projects and/or specific interventions within a project)

The Climate Risk Assessment (CRA) screening concluded that this action is no or low risk (no need for further assessment).

Climate Change, Trafficking in Persons and Smuggling of Migrants

The adverse impacts of climate change are interacting with other social and economic factors to drive migration decisions, making human mobility a recognised adaptation strategy.⁷⁴ Climate change can affect agricultural output and the frequency of natural disasters, as well as the habitability of certain zones. The International Panel on Climate Change (IPCC) has acknowledged that climate change impacts are gendered, affecting vulnerable groups disproportionately, and increasing violence against women and girls, including through trafficking in persons. The CEDAW General Recommendation No. 37 specifically links climate change as a women's human rights issue to conflict, migration and displacement. Women in particular, are vulnerable because they often lack access to key resources needed to adapt and the power to influence decision-making.⁷⁵

Environmental degradation in itself does not cause trafficking in persons and smuggling of migrants. However, it can create unfavourable conditions at three levels: personal, situational, and contextual, with existing vulnerabilities exacerbated by environmental issues.⁷⁶ In such conditions, individuals may seek coping strategies that expose them to further risks of exploitation, including smuggling of migrants and trafficking. Noting that well-planned labour mobility (in line with international labour standards and social dialogue) has the potential to “build adaptative capacities and resilience of migrants, their families, as well as countries and communities of origin and destination”, just transition strategies towards environmentally sustainable economies and societies should recognise migrant workers' rights, and ensure “that their needs are addressed through existing frameworks and well-planned programmes”.⁷⁷

Gender equality and empowerment of women and girls

As per the OECD Gender DAC codes identified in section 1.1, this action is labelled as G2. This implies that while specific objectives are targeted towards the empowerment of women and girls, the objective of gender equality is mainstreamed across all objectives, outputs and activities. In relation to children, the differential needs of boys and girls in the context of labour migration will be taken into account in the analysis, planning and implementation of the suggested programmatic interventions.

Gender-responsive approach: The Action will recognize and respond to gender-based barriers to safe and regular migration by taking a gender-responsive analytical approach. This will include identifying gender-based barriers

⁷⁴ ILO (2023). [Summary of Discussions](#). The Impact of Climate Change on Labour Migration, Thematic Workshop. Global Forum for Migration and Development. 29 March 2023

⁷⁵ UN Women (2022). [State of Gender Equality and Climate Change in ASEAN](#).

⁷⁶ UNODC (2022). [Policy Paper on Climate, Crime, and Exploitation](#).

⁷⁷ ILO (2022), [Human mobility and labour migration related to climate change in a just transition towards environmentally sustainable economies and societies for all](#). Just Transition Policy Brief.

faced by women migrants and children in migration, recognizing that the realities of women and children are often more hidden, and that the barriers that they face are often born of embedded cultural norms that structurally put women at a disadvantage. The analytical approach to identifying and responding to gender-based barriers, will focus specifically on women and children's needs with a view to ensuring equitable and positive migration outcomes. It will also include identifying and responding to the ways in which gender plays a role in the factors that heighten vulnerability to human trafficking and other forms of exploitation. For example, inequitable access to resources and opportunities is a contributing factor to people undertaking risky migration journeys in the hands of smugglers or traffickers, in order to access labour markets. It also shapes how problems are approached; gender-based stereotypes may influence how people are treated, from how they are screened and identified (or not), through to the services that are offered (or not), and the sentences that are imposed on convicted traffickers and smugglers.

Human Rights

This Action is in line with, and advances, States' accountabilities under international labour and human rights law (e.g., international labour standards, CEDAW, CRC), supporting efforts to ensure that States meet their obligations to respect, protect and fulfil children's rights, women's rights, and labour rights.

Since 1919, the International Labour Organization has maintained a system of international labour standards⁷⁸ (ILS) aimed at promoting opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and dignity. International labour standards are legal instruments drawn up by the ILO's constituents (governments, employers and workers) and setting out basic principles and rights at work. Of these, eleven are "fundamental" conventions, covering fundamental principles and rights at work, namely: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect of employment and occupation; and a safe and healthy working environment.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Convention on the Rights of the Child (CRC) which was adopted in 1989, is the world's most widely ratified international human rights treaty setting the standard for the protection of the rights of the child.

In relation to efforts to disrupt, interdict and prosecute trafficking in human beings and smuggling of migrants, interventions must take into account human rights obligations, as well as the rights of trafficked victims and migrants. Trafficked persons, regardless of their immigration status, have certain inalienable rights arising from international law including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol). ILS, CEDAW, CRC and the Trafficking Protocol will guide initiatives in this Action upholding the spirit of universality, indivisibility, and inalienability of human rights.

Rights-based approach: The Action will ensure a rights-based approach to migration and VAW governance, which respects dignity throughout all stages of migration, and protects rights under international law, including the principles of equality and non-discrimination. Work with institutional capacity and tools development will also have a rights-based focus, ensuring that tripartite plus stakeholders and public officials have a conception of protection as a priority. The project will also specifically provide training to tripartite plus stakeholders on gender and women's rights more broadly, in order to elevate the basic understanding of women's rights amongst stakeholders and partners. A child rights-based approach will also be adopted; this approach entails recognizing the Convention on the Rights of the Child (CRC) as the comprehensive and holistic framework governing all actions relating to children, and ensuring that rights are respected, protected and fulfilled for every child. The action will also underline child agency and children's right to be heard, specifically in relation to supporting

⁷⁸ ILO. Labour Standards. <https://www.ilo.org/global/standards/lang--en/index.htm>

children and young people to build their capacity to claim their rights. The principles of non-criminalization / non-punishment will be promoted to protect trafficked persons from prosecution or punishment for criminal activities that they may have committed as a direct consequence of being trafficked, so as to protect their rights, avoid further victimization, and encourage them to act as witnesses in criminal proceedings against perpetrators.

Disability

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D0. This implies that disability is not directly targeted although the action will ensure that its interventions take due regard to diversity, equity and inclusion for all.

While the Action does not directly address persons with disabilities, the action will ensure that no barrier for persons with disabilities are created through the programming. Some of the interventions support occupational safety and health issues to prevent and reduce injuries and accidents at the workplace, as well as to ensure that women migrant workers are able to access justice for injuries that have occurred in the course of work. There will be special consideration for the particular vulnerabilities of children in the context of labour migration living with disabilities.

Reduction of inequalities

Women and girls are likely to experience a continuum of gender-based violence at all stages of migration, which might include bullying and verbal, physical and psychological abuse, and sexual violence (including trafficking for sexual exploitation), which are rooted in deeply entrenched gender inequalities and harmful social norms. The COVID-19 pandemic has heightened and brought to the forefront the systemic and deeply entrenched economic and social inequalities that are among the root causes of human trafficking and migrant smuggling.

The action will address the root causes of economic and social inequality experienced by women migrant workers and children affected by migration. The main objective of the action is to protect the rights of women migrant workers and migrant children in Southeast Asia by promoting decent work, preventing and responding to violence against women and children, and reducing vulnerabilities of women and children in labour migration, including the prevention of trafficking.

The action will also advance the 2030 Agenda which recognises the need to reduce inequalities of Goal 10 as main SDG while addressing also GOAL 5, 8, 16 and 17. National legislation, policies and regional frameworks for the protection of the rights of vulnerable groups will be strengthened especially women and children in the context of labour migration, in line with international standards. It is envisaged that knowledge products and technical briefs on priority legal and policy interventions will be produced including review of recruitments fees and related costs, sector-specific working conditions (including domestic and care work, construction, and hospitality).

Democracy

The action supports interventions fully aligned with UN and EU values and aims to strengthen institutions which govern labour migration, women's rights, children's rights and law enforcement. Adherence to international normative principles and standards upholds the rule of law in domestic policy-making and implementation.

Worker's voice and agency: the action will seek to build an enabling environment for the amplification of workers' voice and support their agency. The action will seek to empower women's voice and agency through strengthening their engagement with labour organisations, networks of women migrants and stakeholders. Through these initiatives, they will have greater access to opportunities to collectively identify their needs and advocate for their rights. The voice of women will also be central to the project's knowledge base, and evaluation of the project's practices and good practices more broadly, as they relate to labour migration and prevention and response to violence. The project will also seek to include representative women, in national, regional and international events, supporting them to have their voices heard at key multi-stakeholder platforms.

Broad engagement of stakeholders: To ensure that the action maximises its impact and sustainability, the stakeholders are defined in a broad sense to include tripartite partners including ministries responsible for labour

migration, trafficking, gender issues, and children; as well as workers and employer's and migrant women's organizations. The project will also engage strongly with civil society organisations, academia, media representatives and others. The engagement with these actors will range from local levels and include grass root organizations and local government structures, provincial and national level actors as well as the larger ASEAN level.

Conflict sensitivity, peace and resilience

The action foresees no direct interventions on conflict sensitivity, peace and resilience. However, conflict and political insecurity, human rights violations, and political corruption are some of the drivers of migration in this region. This is particularly the case in the context of Myanmar, which experienced a military coup in 2021. Violence and economic destabilisation have led to mixed flows of Myanmar people out of Myanmar (including into Thailand and Malaysia) across borders, including migrants, asylum seekers, refugees, smuggled persons and victims of trafficking. The action will work with relevant partners as appropriate to ensure that migrant workers have access to safe migration channels. Specifically in Thailand, interventions will address human trafficking, which includes screening, identification and referral among mixed population movements, and working closely with front line and investigative law enforcement officers to end impunity and improve prosecution of traffickers and smugglers. These measures promote, respect and uphold human rights and advance gender equality. Applying the "do no harm principle" means that prevention measures should not detract from enjoyment of human rights. Guarding against harm also means making sure that crime prevention efforts do not detract from other prevention work, such as efforts to improve access to livelihoods, to counter discrimination and vulnerability, and to provide people vital pathways and opportunities to migrate safely or seek asylum. The action will be adopting a do no-harm approach in its interventions.

Disaster Risk Reduction

While the action does not have direct interventions on disaster risk reduction, sudden and slow-onset disasters, climate change and environmental degradation directly and indirectly impact the resilience and vulnerability of individuals and communities, and are triggering migration. Migration is increasingly being included into climate mitigation and adaptation plans for action. The action will promote legal access to safe, orderly and regular migration channels, and seek to ensure the protection of the rights of women migrants and children. The action will support ASEAN governments in including migrant workers' welfare in national emergency preparedness and crisis coordination plans, ensuring that such efforts are rights-based, gender-responsive and child sensitive, taking into account the particular needs of women migrants and children in the context of labour migration.

The action will also strengthen systems and respond to violence against women migrants across the development and humanitarian nexus, by enhancing the capacities of policymakers and service providers to effectively respond to heightened risks of violence at the onset of a crisis.

Other considerations if relevant

N/A

3.4 Risks and Lessons Learnt

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures

1 (external environment / contextual)	<p>Rights-adverse practices and the rise in xenophobia, misogyny, nationalism and anti-migrant rhetoric enforce discrimination against women migrants and children in the context of labour migration, including undocumented or irregular migrant workers and stateless children.</p> <p>Women and children who may be in need of protection and assistance are deported without being appropriately and accurately identified and referred.</p> <p>Gender equality efforts and those tailored to addressing violence against women and girls (VAWG) are facing increased resistance and backlash, including pushback on progressive civil society spaces.</p>	Medium	Low	<p>Dialogue with national authorities on politically sensitive issues. The drafting of regional and national strategies and policies in a gender and human rights -sensitive manner will be supported.</p> <p>The action will build the capacity of duty bearers and community organizations to help them better understand the challenges faced by women migrant workers, and children in the context of labour migration. Outreach efforts in the community will also include interventions that target employers and the private sector.</p> <p>Regular communication with counterparts will ensure the identification of corrective measures, and to increase understanding of their obligations under international labour and human rights law.</p> <p>A risk assessment with civil society and women's rights organizations will be performed addressing violence against women migrant workers and supporting their empowerment to co-develop tailored mitigation strategies.</p>
1 (external environment / contextual)	COVID-19 or other public health threats impact the delivery of in-person activities	Low	Low	If the risk materialises, virtual technologies will be employed (as was the case during the 2020 outbreaks of COVID-19) and other innovative ways of implementation will be explored with the selected countries, implementing agencies and partners.
1 (external environment / contextual)	Workers' organisations and CSOs working with women migrants and children in the context of labour migration may have restricted space to empower and better protect women migrants and children in the context of labour migration	Medium	Medium	The action will make concerted efforts to support CSOs, workers' organisations and other representative community-based organisations advocating for, and providing services to, women migrants and migrant children in destination countries.

LESSONS LEARNT

The Action will build on the results achieved by the “*Safe and Fair: Realizing women migrant workers’ rights and opportunities in the ASEAN region*” (2018 – 2023) and “*Protecting Children Affected by Migration in Southeast, South and Central Asia*” (2018-2022) programmes.

The mid-term evaluation of the “Safe and Fair: Realizing women migrant workers’ rights and opportunities in the ASEAN region” (2018 – 2023) programme established that the programme has been addressing a critical need to bring together labour migration, gender equality, and anti-trafficking actors and it has been effective in its contributions to:

- i. make labour migration governance frameworks more gender-responsive;
- ii. integrate rights-based and survivor-centred approaches into policies and practice on VAW prevention and response;
- iii. improve women migrant workers’ access to services such as shelters, consular support, health services, and legal aid, thus achieving a direct impact in the lives of women migrant workers;
- iv. encourage the active engagement of women migrant workers and providing opportunities for them to use their voices and better connect with each other by supporting them to join workers’ organisations and peer networks;

The action will build on lessons learned from Safe and Fair:

- It will continue to fill important gaps with respect to protecting the rights of women migrant workers to a life free from violence. In addition, the action will ensure that multi-stakeholder efforts will inherently be multi-sectoral and that messaging and capacity is built across sectors for the benefit of all migrants in vulnerable situations.
- It will adopt a regional approach working with ASEAN and a corridor approach within Southeast Asia. This means that interventions will be designed and delivered through a multi-stakeholder and multi-sectoral lens to the benefit of migrants throughout their migration within Southeast Asia; complemented by support at the regional level to implement the ASEAN Consensus and contribute to regional strategic plans. The action will work with a reduced number of countries in order to maximise the cross-border knowledge exchange and stakeholder networking.

The “*Protecting Children Affected by Migration in Southeast, South and Central Asia*” (2018-2022) programme focused on:

- i. strengthening the availability of, and access to, a range of child protection services for children in the context of migration;
- ii. building the capacity of child protection service providers and stakeholders to support children in the context of migration;
- iii. generating evidence on the situation of children in the context of migration, to better inform programming to protect these children.

In Southeast Asia, the programme played an instrumental role in establishing a robust regional migration management framework for the protection of the rights of children in the context of migration, and in supporting information-sharing mechanisms and formalised cross-border cooperation.

The action will build on lessons learned highlighted in the Final Evaluation of the “*Protecting Children Affected by Migration in Southeast, South and Central Asia*” (2018-2022) programme:

- build on the success of the programme in strengthening access of children in migration to national services including incorporating children in migration in child protection services, and supporting access to basic services for children in the context of migration;
- benefit from joint programming in strengthening coordination and collaboration between stakeholders for the benefit of increasing access to child protection services for children in migration, including through establishing SOPs for cross border communication information exchange and case management;
- build on the successes of evidence generation by supporting national and regional bodies to generate data and evidence to develop and implement policies, through the provision of technical support and training on data collection and analysis, and by facilitating regional learning and sharing opportunities;
- benefit from implementing partners’ convening power and credibility to bring together stakeholders to engage on protection of children in migration and migrants in situations of vulnerability more broadly;

- further address data availability and data collection challenges, including difficulties in accessing data on children affected by migration (e.g., held by government, if collected to the level of disaggregation necessary to understand and address needs);
- respond to difficulties encountered in targeting children affected by migration as an umbrella category in programme countries and incorporating intersecting vulnerabilities.

The action will build on the applicable lessons learnt from the mid-term evaluation of the ‘*Ship to Shore Rights Southeast Asia: Regional programme on labour migration in the fishing sector*’ (2020 – 2024), which is also an EU-funded programme, implemented by the ILO, in partnership with IOM and UNDP:

- Including both labour-sending and destination countries in a migrant corridor in a programme ensures easier collaboration between stakeholders;
- Regional programmes are successful in broadening the scope of a programme and building on momentum but require sufficient resources in each country to ensure ongoing progress;
- The engagement of NGOs, CSOs and workers’ organisations remains a key tool in ensuring better response to working condition violations, improved access to justice, and the provision of better response services for survivors of trafficking.

3.5 The Intervention Logic

The underlying intervention logic for this action is that

The action seeks to protect the rights of women migrant workers and migrant children in Southeast Asia

Specifically,

IF technical support is provided for drafting policies and legislations that strengthen safe and fair labour migration for women in line with international labour standards and guidelines.

IF international good practices are transferred to competent institutions for the formulation, implementation and monitoring of laws, policies and regional and national frameworks on prevention and response to violence against women and trafficking in persons, including women migrants are strengthened

IF opportunities are created for cooperation and technical exchange to review and improve existing policies and procedures regulating access to gender responsive child protection systems.

AND IF there is increased availability of up-to-date and relevant information and data for national and regional bodies for designing and implementing policies related to the protection of children’s rights in the context of migration.

THEN regional frameworks, national legislations and policies for the protection of the rights of vulnerable groups, especially women and children in the context of labour migration, will be strengthened in line with international standards. (SO1)

IF capacities of National Governments and social partners are increased, to implement gender-responsive mechanisms, policies and services to attend and/or protect women migrant workers.

IF capacities and procedures of key institutions and service providers are improved to deliver coordinated multi-sectoral support to address violence against women at local, national and cross-border levels.

IF knowledge and tools of the social service workforce for Child Protection, relevant authorities and/or service providers are improved to ensure quality and timely services, based on the specific needs and demands of capacitated children, in the context of labour migration and trafficking.

IF capacities of the institutions and organisations that are part of the criminal justice chain to prevent and prosecute trafficking in persons and migrant smuggling cases are improved

IF quality of protection and assistance services for rights holders is improved to recover psychologically, physically, legally and financially from the abuses suffered during the migrant smuggling process.

AND IF instruments and spaces for the design and implementation of regional cooperation mechanisms are strengthened to effectively tackle trafficking in persons and smuggling of migrants in the Southeast Asia region.

THEN national and regional prevention and protection mechanisms to reduce violence and rights violations faced by vulnerable groups, especially women and children in the context of labour migration, including trafficking and smuggling, will improve from a rights-based, gender-sensitive and child-responsive approach. (SO2)

IF there are increased opportunities for women migrant workers to organise and promote safe and fair labour migration and address labour exploitation and gender-based discrimination.

IF there is increased availability of reliable information and support measures for women migrant workers and their families to prevent and address labour exploitation and human rights violations.

IF there are increased capacities and opportunities of peer networks of women migrants to advocate for and contribute to the implementation of strategies for safe migration, including in destination countries and upon reintegration.

AND IF there is increased availability of multi-sectoral child protection services based on the specific needs of children in the context of labour migration, including victims of trafficking and smuggled migrants (SO3).

THEN the access of at-risk groups, women migrant workers and children in the context of labour migration, to information, services and collective initiatives will be increased to protect them from factors related to abuse, exploitation, harassment, violence and trafficking. (SO3)

PROVIDED THAT the following assumptions hold true: there is support for the organization and empowerment of women migrants and children; the legal and policy space in the region and in the countries of focus are not restricted; there is capacity among stakeholders to ensure decent working conditions

The results will contribute to **mainstreaming** a human rights-based approach which promotes gender equality and empowerment of women and girls, human rights of the most at-risk and vulnerable women and children in the context of labour migration. The action will also contribute to building resilience, and ensuring the inclusion of migrants (women, children), in disaster and emergency preparedness plans.

BECAUSE

Based on the implementation of the EU-funded *Safe and Fair programme*, and the *Protecting Children Affected by Migration programme*, and the *Ship to Shore programme*, having a joint and expanded programmatic approach bringing together labour migration, gender equality and ending violence against women, child rights and anti-trafficking stakeholders is effective in provision of advocacy and technical advice to governments towards the achievement of relevant SDGs. Safe and Fair, along with the ILO's TRIANGLE in ASEAN has effectively contributed towards strengthening legislation and governance frameworks to protect the rights of women migrant workers and is achieving a direct impact in the lives of women migrant workers by supporting increased access to services such as shelters, consular support, health services, and legal aid. By supporting numerous women migrant workers to join trade unions or become networked into migrant workers associations and peer networks, the programme, along with ILO's TRIANGLE in ASEAN programme has also successfully encouraged the active engagement of women migrant workers and has provided opportunities for them to use their voices and better connect with each other. The *Protecting Children Affected by Migration programme* has demonstrated that a) strengthening the availability of a range of child protection services for children affected by migration; b) building the capacity to support children affected by migration; and c) enhancing policies and procedures have been highly effective and instrumental in establishing regional migration management framework for the protection of the rights of children affected by migration, and in supporting information sharing mechanisms and formalised cross-border cooperation.

THEN the action will contribute to the desired **Impact:**

To protect the rights of women migrant workers and migrant children in Southeast Asia

This is **BECAUSE:**

The benefits of labour migration in Southeast Asia can only be reaped when the vulnerabilities of, and risks to, all migrant population groups are reduced through strengthened and effectively implemented laws and policies which promote decent work, improve opportunities for safe and fair migration, effectively prevent and respond to violence against women and girls, ensure that children in the context of labour migration benefit from an enhanced enabling environment, and end impunity of traffickers and smugglers.

3.6 Logical Framework Matrix

This indicative logframe constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be informed for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest. New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

PROJECT MODALITY (3 levels of results / indicators / Source of Data / Assumptions - no activities)

Results	Results chain (e): Main expected results (maximum 10)	Indicators (e): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	To protect the rights of women migrant workers and migrant children in Southeast Asia.	% of women migrant workers who experience forced labour or other labour rights violations during recruitment and employment # of children affected by migration provided with child protection case management services in line with international practice (disaggregated by status, where possible i.e. accompanying migrant workers or underage migrant worker)	To be defined during inception Cumulative data for 3 years (2019-2021): Thailand: 2,546	To be defined during inception Disaggregated data on labour status to be developed (child of migrant worker, forced labour UASC)	Mixed methodology baseline and end-line research on migration experiences of women in ASEAN. Reports from DCY and One Stop Crisis Center (OSCC).	
Outcome 1	Strengthened national legislation,	1.1 # of laws, policies and frameworks introduced or	To be defined during inception	To be defined during inception	Qualitative baseline and end-line desk review of national	National Governments and competent

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	policies, and regional frameworks for the protection of the rights of vulnerable groups, especially women and children in the context of labour migration, in line with international standards.	amended with technical inputs from the Action 1.2 # of bilateral mechanisms in place, supported by the Action, for cross-border information sharing, and referral to child protection systems for children in the context of migration where needed			policies and practices, measuring adherence to normative frameworks. Legal assistance outcomes documented by partners	institutions remain committed to introducing reforms and amendments to the current regulatory framework, in accordance with the international standards Stakeholders remain interested in improving their technical capacities and participating in the policy design cycle, ensuring the availability of their staff and resources accordingly.
Output 1.1 relating to Outcome 1	Technical support for drafting policies and legislations that strengthen safe and fair labour migration for women in line with international labour standards and guidelines.	1.1.1 # of policy and legislative instruments provided with technical support from the Action or recommendations from tripartite stakeholders and women migrants 1.1.2 # of policy proposals and legislative instruments that have been presented and discussed with the competent bodies to strengthen the	To be defined during inception	To be defined during inception	Quantitative calculation based on government announcements	There is sustained national and regional political will to adopt international labour standards into national practice. International attention to working conditions in sectors employing women migrants. Discrimination and inequalities embedded in policies

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
		current regulatory and legislative framework. 1.1.3 # of national institutions that have been involved in discussions around the implementation of the ASEAN Consensus and the definition of key joint initiatives (disaggregated by country).				and practices are frankly addressed.
Output 1.2 relating to Outcome 1	Transferred international good practices to competent institutions for the formulation, implementation and monitoring of laws, policies and regional and national frameworks on prevention and response to violence against women, including migrants Strengthened regional and national frameworks,	1.2.1 Number of regional, national and sub-national legislation, policies, frameworks and strategies that have been collectively developed or revised, with the technical inputs of the action.#	To be defined during inception	To be defined during inception	To be defined during inception	Focus is on Cambodia and Thailand for this output. National level political will to develop and revise legislation and policies is sustained to drive change.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	legislation and policies on responding to and preventing violence against women, including women migrants					
Output1.3 relating to Outcome 1	Created opportunities for cooperation and technical exchange to review and improve existing policies and procedures regulating access to gender responsive child protection systems.	1.3.1 Number of institutions that are prepared and equipped to use the bilateral mechanisms for cross-border information sharing and referral	1 Thailand/Myanmar (on hold since military coup in Myanmar)	1 Thailand/Cambodia (or 2 through regional level support to Malaysia/Indonesia)	Relevant national bodies. Signed MoUs and SOPs.	Focus is on Cambodia and Thailand for this output. Working Group established in March 2023 achieves its objectives.
Output 1.4 relating to Outcome 1	Increased availability of up-to-date and relevant information and data for national and regional bodies for designing and implementing policies related to the protection of children's rights in	1.4.1 # of States adequately reporting on the implementation of the ASEAN Regional Action Plan on Protecting the Rights of Children in the Context of Migration	0	8 All ASEAN State members	Periodic Reviews of the ASEAN Regional Action Plan on Protecting the Rights of Children in the Context of Migration	Sustained national and regional political will. Stakeholders allocate sufficient staff

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	the context of migration.					
Outcome 2	To improve national and regional prevention and protection mechanisms to reduce violence and rights violations faced by vulnerable groups, especially women and children in the context of labour migration, including trafficking in human beings and smuggling, from a rights-based, gender-sensitive and child-responsive approach.	<p>2.1 # of governmental and civil society organizations implementing activities to protect the rights of women migrant workers in Southeast Asia</p> <p>2.2 # of relevant institutions that have implemented new mechanisms or procedures to protect women migrant workers through coordinated, multi-sector services (disaggregated by country). % of organisations and service providers, supported by the action, that report better coordination with the competent institutions to provide quality coordinated multi-sectoral services.</p> <p>2.3. # of cases related to trafficking in human beings and smuggling of migrants prosecuted by national institutions and organisations per year (disaggregated by country).</p>	To be defined during inception	To be defined during inception	Qualitative mapping of relevant organizations and activities.	Sustained national and regional political will.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
		<p>2.4 # of government agency policy and practice changes to address corruption links in trafficking in human beings and smuggling</p> <p>2.5. # of new services put in place to support migrants, especially women and children, in their psychological, physical, legal and financial recovery process.</p>				
Output2.1 relating to Outcome 2	Increased capacities of National Governments and social partners to implement gender-responsive mechanisms, policies and services to attend and/or protect women migrant workers.	2.1.1 # of government, worker organisations, and employer organisations demonstrating improved understanding on the gender responsive policies and services for women migrant workers	To be defined during inception	To be defined during inception	<p>National government reporting</p> <p>Social partner reporting</p> <p>Baseline and endline surveys</p> <p>Pre and Post training tests</p>	Stakeholders allocate sufficient staff and financial resources.
Output 2.2 relating to Outcome 2	Improved capacities and procedures of key institutions and service providers to deliver	2.2.1 # of tailored standard operating procedures (SOPs), protocols, guidelines, codes of conduct co-developed with partners	To be defined during inception	To be defined during inception	Detailed records of capacity-building initiatives (modalities, stakeholders engaged, content covered)	Stakeholders allocate sufficient staff and financial resources.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	coordinated multi-sectoral support to address violence against women at local, national and cross-border levels	# of institutions and providers engaged that demonstrate increased knowledge and skills on survivor-centred approaches. (disaggregated by country).			Work products (published and unpublished) Surveys, focus group discussions, key informant interviews	Institutions show commitment to develop guiding documents, and increase skills and knowledge.
Output2.3 relating to Outcome 2	Enhanced capacities of the institutions and organisations that are part of the criminal justice chain to prevent and prosecute trafficking in human beings and migrant smuggling cases.	2.3.1# of authorities and/or service providers (disaggregated by type) who, in the previous calendar year, completed pre- or in-service training curricula on children in the context of migration, including a focus on labour issues and on establishing/strengthening alternatives to immigration detention for irregular labour migrants. 2.3.2 # of children and youth in the context of labour migration empowered to contribute to the review of the ASEAN Regional Plan of Action on Protecting the Rights of Children in the context of migration (disaggregated by sex and country)	ASEAN Social service workforce trainings 2021-2022: 170 Thailand: 125 over 4 years (authorities and service providers cumulated) Thailand: 170 children and youth country-focused consultation on the RPA review (2022)	200 (follow-up with a labour focus, in partnership with ASEAN Training Centre on Social Work) 120 (follow-up with a labour focus and ASEAN-wide component)	training reports / on-line training data (ATCSW) regional consultation reports	National and ASEAN stakeholders (e.g. ATCSW) continue to welcome capacity-building children in the context of labour migration. The Review of the ASEAN Regional Plan of Action on Protecting the Rights of Children in the context of migration is supported by stakeholders.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
Output 2.4 relating to Outcome 2	Enhanced capacities of the institutions and organisations that are part of the criminal justice chain to prevent and prosecute trafficking in human beings and migrant smuggling cases.	2.4.1 # government agencies demonstrating improved understanding on differences between crimes of trafficking and smuggling based on international frameworks and domestic laws (disaggregated by country).	To be defined during inception	To be defined during inception	National government reporting International organizations and social partner reporting Baseline and endline surveys Periodic review of policy and practice change	Sustained national and regional political will Stakeholders allocate sufficient staff and financial resources Quality screening of irregular migrants is conducted
Output 2.5 relating to Outcome 2	Improved quality of protection and assistance services for rights holders to recover psychologically, physically, legally and financially from the abuses suffered during the trafficking in human beings and migrant smuggling process.	2.5.1 # of diplomatic and/or consular staff who have increased their knowledge on new forms of trafficking and assistance mechanisms with support from the Action (disaggregated by sex and country) 2.5.2 # criminal justice practitioners demonstrating improved understanding on the gender sensitive and human right approaches when prosecuting trafficking and migrant smuggling cases	To be defined during inception	To be defined during inception	National government reporting International organization and civil society partners reporting Baseline and endline surveys Pre and post-training tests	Effective coordination among diplomatic corps and domestic agencies NGOs and civil society actors do not face challenges operating in country, impacting on their capacity to support Effective collaboration between government and NGOs/CSOs

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
		(disaggregated by sex and country) # of regional network of legal experts established				Victims of trafficking want to receive protection and assistance services and do not deliberately avoid engaging with authorities
Output 2.6 relating to Outcome 2	Strengthened instruments and spaces for the design and implementation of regional cooperation mechanisms to effectively tackle trafficking in human beings and smuggling of migrants in the Southeast Asia region	2.6.1 # of dialogue and meetings organized that increase regional or international cooperation or coordination in trafficking and migrant smuggling cases 2.6.2 # joint investigations established	To be defined during inception	To be defined during inception	National government reporting Baseline and endline surveys	Sustained national and regional political will National cooperation capacity is sufficient to support regional or international cooperation
Outcome 3	To increase the access of at-risk groups, women migrant workers and children in the context of labour migration, to information, services and collective	3.1 # of women migrants who are provided with information by networks supported by the Action. (disaggregated by country). 3.2 # of women and children migrants benefitting from services and legal assistance interventions supported by the	To be defined during inception	To be defined during inception	Partner data Service provider data Notes from consultation and dialogues	Effective collaboration between diverse stakeholders. Expanded space for civil society organizations and women's rights advocates to operate.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	initiatives to protect them from factors related to abuse, exploitation, harassment, violence and trafficking in human beings.	<p>Action(disaggregated by country).</p> <p>3.3 # of women migrant workers who report greater engagement and influence in decision-making processes, dialogues with government stakeholders on labour migration, ending violence against women, and anti-trafficking policies and interventions (disaggregated by country)</p> <p>3.4 # of children in the context of labour migration (disaggregated by sex and age) who receive support and child protection services, through the Action</p> <p>3.5 # of grassroots civil society organisations benefitting from EU support</p>				
Output 3.1 relating to Outcome 3	Increased opportunities for women migrant workers to organise and promote safe and fair labour	3.1.1 # of women migrant workers who join trade unions or are networked into migrant worker associations. (disaggregated by country, and work sector)	To be defined during inception	To be defined during inception	Quantitative calculation based on technical progress reports of implementing partners	Trade unions recognize that greater engagement in organizing women migrant workers falls within their mandate.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	migration and address labour exploitation and gender-based discrimination	3.1.2 # of trade unions and migrant workers associations implementing cross border activities to address safe and fair migration, labour exploitation and gender-based discrimination of women migrant workers.				Government willingness to register migrant associations in the informal sector.
Output 3.2 relating to Outcome 3	Increased availability of reliable information and support measures for women migrant workers and their families to prevent and address labour exploitation and human rights violations.	3.2.1 # of migrant women provided with information and support services related to safe migration including legal aid, skills development, financial literacy	To be defined during inception	To be defined during inception	Quantitative calculation based on technical progress reports of implementing partners	Commitment by service providers to working in target communities. Restrictive and patriarchal gender norms are challenged; Overcoming distrust of government services among women migrants.
Output 3.3 relating to Outcome 3	Increased capacities and opportunities of peer networks of women migrants to advocate for and contribute to the implementation of strategies for safe migration, including in	3.3.1# of women migrant networks strengthened (e.g. through skills-building, increased membership) 3.3.2# of women migrant networks established or supported.	To be defined during inception	To be defined during inception	Detailed programmatic records Tracking of interventions and outcomes.	Networks of women migrant can continue to organize and engage members safely, and advocate in policy spaces.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baseline (values and years)	Targets (values and years)	Sources of data	Assumptions
	destination countries and upon reintegration.	3.3.3# of advocacy interventions undertaken by women migrant networks				
Output 3.4 relating to Outcome 3	Increased availability of multi-sectoral child protection services based on the specific needs of children in the context of labour migration, including victims of trafficking and smuggling.	<p>3.4.1. Number of service providers who have improved their knowledge and tools to support migrants with their birth registration, legal status and/or nationality and other civil identity documents.</p> <p>3.4.2. Number of institutions and/or organisations that have improved their technical capacity to implement alternatives to detention for migrant children.</p> <p>3.4.3. Number of cross-border cooperation strategies that have been implemented with the support of the action to disseminate SoPs or share information for case management.</p> <p>3.4.4. Number of women and children who have received information on access to prevention, assistance and protection services targeted for labour migrants.</p>	To be defined during inception	To be defined during inception	programme reports	IPs are enabled to operate, notably in cross border contexts.

4 IMPLEMENTATION ARRANGEMENTS

4.1 Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with the partner countries.

4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

4.3 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.⁷⁹

4.3.1 Indirect Management with an entrusted entity(ies)

This action may be implemented in indirect management with an entity/entities, which will be selected by the Commission's services using the following criteria:

- Knowledge of the context in Southeast Asia at regional, cross-border and countries' level;
- Expertise on migration related issues, in particular labour migration and/or trafficking and/or women rights and/or children rights, and on-going and past management of several projects in SEA countries, including multi-country/cross-border activities;
- Regular working relationship with relevant ministries with a focus on labour and/or migration and/or women/children rights related issues and other government authorities in SEA countries, including policy dialogue;
- Experience in strengthening the legal framework related to labour and/or migration and/or women/children rights issues;
- Experience in working also with NGOs/CSOs and other stakeholders in the field of labour and/or migration and/or women/children rights;
- Expertise in providing advisory services, capacity building and technical assistance to public and private sector;
- Capability to ensure coordination and operating coherently at all levels with public institutions as well as other organisations and stakeholders and donors dealing with the sectors covered by this action (including civil society, associations, media, etc.);
- Experience in promoting alignment with international standards and with EU interests, policies and values in partner countries.

The implementation by this entity/these entities entails the execution of the activities in section 3.2 in order to achieve all the outcomes and related outputs as described in section 3.1 above.

⁷⁹ www.sanctionsmap.eu. Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

4.3.2 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

In case of exceptional circumstances outside of the Commission's control, the implementation modality described in section 4.3.1 could be changed from indirect management with a pillar assessed entity to direct management through procurement and/or grants for the full amount indicated in section 4.5:

-Procurement (direct management):

Procurement would contribute to the achievement of the outcomes 1 (all outputs) and 2 (outputs 2.2, 2.3, 2.4 and 2.6) specified in section 3.1 with an indicative global budgetary amount of EUR 11,000,000.

- Grants (direct management):

(a) purpose of the grant(s)

To support the partner countries in protecting the rights of women migrant workers and migrant children in Southeast Asia. Specifically, by enhancing national and regional capacities and mechanisms, as well as by supporting the empowerment of women migrant works and children in the context of labour migration. Grants would contribute to the achievement of outcomes 2 (outputs 2.1 and 2.5) and 3 (all outputs). Indicative global budgetary amount: EUR 2,000,000.

(b) Type of applicants targeted

Public bodies, NGOs, pillar and non-pillar assessed national and international organisations with experience and capacities in the sectors targeted by this action.

4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions:

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

4.5 Indicative Budget

Indicative Budget components	EU contribution (amount in EUR)
Implementation modalities – cf. section 4.3	
<i>Indirect management with entrusted entity(ies) - cf. section 4.3.1</i>	<i>13 000 000</i>
Evaluation – cf. section 5.2 Audit – cf. section 5.3	may be covered by another Decision
Totals	13 000 000

4.6 Organisational Set-up and Responsibilities

An inception phase will be carried out in order to have further consultations with stakeholders, and define/refine the workplan as needed. The inception phase will also be used to define/refine indicators, baselines and targets of the logframe to measure the action progress during implementation.

A project steering committee (PSC) will be established with responsibility for reviewing project implementation progress and guiding the project. The PSC will meet twice a year and ad hoc, as required. The PSC shall be chaired by the EU Delegation and the identified implementing partner(s). The secretariat of the PSC will be the responsibility of the project team. A document detailing set-up and responsibilities of the PSC shall be elaborated at the outset of the project by the implementing partner(s) in full coordination with the EU Delegation and approved by the PSC.

In addition to the PSC, regional and national advisory committees will be set up and will take place on a regular basis. Members will include the EU Delegation, implementing partners, the relevant Government authorities of the concerned countries and involved ministries. Employers' associations, workers'/women's/children rights' organisation, migrant representations, relevant CSO as well as EU Member States or other donors may be invited as deemed relevant. The secretariat of these committees will be established by the implementing partners and be the responsibility of the project team. A document detailing set-up and responsibilities of the committees shall be elaborated at the outset of the project by the implementing partner(s) in full coordination with the EU and approved by the PSC.

The action shall be carried out at the following location: the regional project team will be based in Bangkok, Thailand and activities will be carried out in SEA and in particular: Cambodia, Indonesia, Malaysia and Thailand. As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action and may sign or enter into joint declarations or statements, for the purpose of enhancing the visibility of the EU and its contribution to this action and ensuring effective coordination.

5 PERFORMANCE MEASUREMENT

5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Roles and responsibilities for data collection, analysis and monitoring:

- The implementing entity will fully coordinate and monitor the activities on a country-by-country basis and at regional level, and report to the Commission in an aggregated and regular basis.
- The implementing entity will conduct an inception phase at the beginning of the project implementation to define/refine indicators, baselines and targets of the logframe to measure/monitor the action progress during implementation;
- The implementing entity will be responsible for conducting any necessary baseline and final surveys as well as regular monitoring and evaluation (M&E) and reporting of all project activities. In addition to its regular M&E functions, and when applicable, the entrusted entity will also be responsible for M&E, including financial monitoring and management of grants (if applicable), as well as any sub-contracting that might be envisaged, and will include relevant details in the reports referred to above.

All monitoring and reporting shall assess how the action is considering the principle of gender equality, human rights-based approach, and rights of persons with disabilities including inclusion and diversity Indicators shall be disaggregated at least by sex. Monitoring and reporting in the action will adopt the do no harm principle, which means that interventions, including those relating to anti-trafficking, will not detract from enjoyment of human rights,. Guarding against harm also means making sure that crime prevention efforts do not detract from other prevention work, such as efforts to improve access to livelihoods, to counter discrimination and vulnerability, and to provide people vital pathways and opportunities to migrate safely or seek asylum.

Any monitoring and evaluation will be gender-sensitive, assess gender equality results and implementation of rights-based approach working method principles (participation, non-discrimination, accountability and transparency) in terms of implementation of the project and project outcomes. Key stakeholders will be involved in the monitoring process. Monitoring and evaluation will be based on indicators that are disaggregated by a minimum (sex, age, country of origin), and even further when appropriate (group, location urban/rural etc.). However, adopting a do no-harm approach, information and data regarding victims of trafficking, survivors of violence, children will be kept confidential.

5.2 Evaluation

Having regard to the importance and nature of the action, a mid-term and a final evaluation(s) may be carried out for this action or its components via independent consultants contracted by the Commission or via an implementing partner.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to possible adjustments/reorientation of certain activities, if necessary, in order to achieve the objectives at the end of the implementation.

The final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that there is a potential for follow-up programmes.

If contracted by the Commission, the later shall inform the implementing partner at least 60 days in advance of the dates envisaged for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports may be shared with the partners and other key stakeholders following the best practice of evaluation dissemination. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, apply the necessary adjustments.

The financing of the evaluation may be covered by another measure constituting a Financing Decision.

5.3 Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6 STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 “[Communicating and Raising EU Visibility: Guidance for External Actions](#)”, it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union’s support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service

providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.