

Preventing Discrimination, Exploitation and Abuse of Women Migrant Workers

An Information Guide

**Booklet 5
Back Home:
Return and Reintegration**

**Gender Promotion Programme
International Labour Office Geneva**

Acknowledgements

This Information Guide reflects the collaborative effort of the ILO Gender Promotion Programme, the International Migration Branch and the Special Action Programme to Combat Forced Labour. Several international and national non-governmental organizations, in particular the Asian Migrant Centre, the Migrant Forum in Asia and Anti-Slavery International provided valuable information. ILO Regional and Area Offices also assisted in the preparation of country case studies, which offered very useful background material for the Guide. The initial research and coordination, including the ten case studies, were commissioned and supervised by Katerine Landuyt, with technical assistance from Tanja Bastia.

The Guide was written by Lin Lean Lim, with Katerine Landuyt, Minawa Ebisui, Mary Kawar and Sriani Ameratunga. The authors wish to express their appreciation to the very many organizations and colleagues who have contributed in one way or another to the development of the Guide. We especially would like to thank Thetis Mangahas and Roger Plant of the Special Action Programme to Combat Forced Labour; and Gloria Moreno Fontes-Chammartin, Patrick Taran and Manolo Abella of the International Migration Branch. We also wish to acknowledge the Executive Director of the Employment Sector, Goran Hultin, who has always given his strong support and encouragement for the work of GENPROM. We are greatly indebted to Tiina Eskola who provided editorial and formatting assistance, to Joanna Jackson for editorial assistance and to Nathalie Rousseau, Sergio Pilowsky and Heidrun Kaiser for their wonderful assistance regarding cover design, layout and printing – it was a great pleasure working with all of them. To colleagues in the ILO Subregional Office for South-East Asia and the Pacific and the participants of the subregional validation workshop in Manila, thank you for the valuable comments and suggestions for the finalization of the guide.

This publication was made possible through the generous support of the Royal Government of the Netherlands under the Netherlands Partnership Programme.

Gender Promotion Programme
International Labour Office
Geneva

Booklet 5
Back Home:
Return and Reintegration

Contents	Page
5.1. Aims and structure of the Guide	1
5.2. How to use the Guide	5
5.3. Types of return	9
5.4. Reintegration problems and difficulties: How return migrants can cope	13
5.5. Assistance and support for returning migrant workers	23
5.5.1. The role of governments	26
5.5.2. The role of self-help organizations, the social partners and NGOs	34
5.5.3. Logistical assistance	38
5.5.4. Legal assistance	42
5.5.5. Socio-psychological counselling and medical services	43
5.5.6. Employment and skills related assistance	46
5.5.7. Financial services: remittance management, savings and investments	49
References and additional readings	53
Useful websites	55
Endnotes	59
PowerPoint presentation	63

5.1. Aims and structure of the Guide

This Information Guide is intended:

- **To enhance knowledge and understanding of the vulnerability of migrant workers, especially women, to discrimination, exploitation and abuse throughout all stages of the international migration process, including being trafficked;**
- **To promote and improve legislation, policies and action to prevent such discrimination, exploitation and abuse and to better protect those women migrant workers who are vulnerable; and**
- **To emphasize and explain why and how the prevention of discrimination, exploitation and abuse, including trafficking, of migrant workers should be addressed within a framework aimed at promoting regulated and orderly labour migration as a matter of:**
 - ☑ **Upholding basic human rights, including labour rights and migrant rights;**
 - ☑ **Promoting gender equality and ending all forms of discrimination, racism and xenophobia;**
 - ☑ **Promoting decent and productive work for all workers, women and men, in conditions of freedom, equity, security and human dignity; and**
 - ☑ **Eradicating poverty and social exclusion.**

Box 5.1. Focus on women from a rights-based, gender perspective

Although the focus is on women (and girls), the Information Guide is not women-exclusive. It adopts a rights-based, gender-sensitive perspective that:

- Recognizes the similarities and differences in the migration experiences of different categories of women *and* men in relation to vulnerabilities, violations and consequences;
- Relates these differences in migration experiences to gender -- by distinguishing the biological ("sex") from the socially determined ("gender") differences between women and men. Links differences in migration experiences to the different roles, attributes and behaviour that society deems socially appropriate for women and men, and to the division of labour, access to and control over resources and decision-making and constraints, opportunities and needs facing women and men;
- Addresses the differential and often discriminatory impacts of legislation, policies and programmes on different groups of women and men;
- Considers the interaction between gender and other social categories, such as national origin, class, ethnicity and age;
- Gives particular attention to the especially vulnerable groups of women or men;
- Approaches the issues of women migrant workers not merely from the perspective of moving, working and living in foreign countries but also from the perspective of their generally less valued socio-economic roles and disadvantaged position vis-à-vis men;
- Emphasizes the need for policies that not only address the supply of and demand for migrant workers but also address gender discrimination and inequalities;
- Holds that the elimination of gender inequality and discrimination is a human right and core to efforts to address the problems of women migrant workers;
- Aims to empower, not just to protect, women (and, where appropriate, men), so that they can claim their rights and make informed decisions about their lives.

The Guide shows that changing labour markets with globalization have increased both opportunities and pressures for women to migrate.

For many women, as for men, migration represents a positive experience and can have important empowering impacts. But the focus of the Guide is on those women migrant workers who are especially vulnerable to discrimination, exploitation and abuse, including trafficking.

Women are migrating for employment on almost the same scale as men, accounting for about half of the total migrants worldwide. For many women, as for men, migration is a positive experience, leading to a better life and improvement of their economic and social position. The labour migration process can enhance their earning opportunities, autonomy and empowerment and, thereby, change gender roles and responsibilities and contribute to gender equality. Women migrants are able to achieve their goals and may gain comparatively more than male migrants, not so much in terms of income, but in status and position back home. Although they may earn less than male migrants and they usually work in non-regulated sectors of the labour market, they are often able to improve the economic position of their family and their own status, independence and decision-making power within the family. They may also be able to have a better chance in the local labour market upon return and to earn money to start their own business.

But migration for employment can also expose women to serious violation of their human

The concern is that the overall feminization of international migration is likely to continue and that the vulnerability of women migrants to discrimination, exploitation and abuse is also likely to increase.

rights, including their labour rights. Whether in the recruitment stage, the journey across national borders, transit or living and working in another country, women migrant workers, especially those in irregular situations, are vulnerable. They are exposed to harassment, intimidation or threats to themselves and their families, economic and sexual exploitation, racial discrimination and xenophobia, poor working conditions, increased health risks and other forms of abuse, including trafficking into forced labour, debt bondage, involuntary servitude and situations of captivity. The concern is that the overall feminization of international migration is likely to continue and that the vulnerability of women migrants to discrimination, exploitation and abuse is also likely to increase – because of hardened attitudes towards migrants in general and because gender-based attitudes and perceptions continue to be slow in changing. Gender inequalities persist and labour markets remain highly segmented and segregated in both origin and destination countries.

Women migrant workers, whether documented or undocumented,

Gender-based discrimination intersects with discrimination based on other forms of “otherness”.

are much more vulnerable to discrimination, exploitation and abuse – relative not only to male migrants but also to native-born women. Women and girls are also more at risk than men and boys to trafficking. Gender-based discrimination intersects with discrimination based on other forms of “otherness” – such as non-national/foreigner status, race, ethnicity, religion, economic status – placing women

in situations of double, triple or even fourfold discrimination, disadvantage, marginalization and/or vulnerability.

Although the focus is on women migrant workers, many of the concerns and issues raised, analysis and guidelines provided cut across gender and, sometimes, age. Therefore, this Information Guide could be relevant for all individual migrants, women and men, so that they can better understand the risks involved in labour migration, know their rights and are better able to protect themselves. The Guide also shows why among children, girls are often more vulnerable than boys to exploitation and abuse. However, the greater vulnerability of children to exploitation and abuse and the particular physical, psychological and psychosocial harm suffered by trafficked children require that they be dealt with separately. This Guide does not deal with children-specific solutions, which should also be specific for girls and for boys.¹

The Guide comprises six booklets which are inter-related but which can be used separately. Booklet 1 provides a general introduction of the dynamics of female labour migration. Booklets 2 to 5 cover the different stages of the migration process and the corresponding activities, policies and practices of other actors – the government, business, the private sector, civil society groups and families -- that affect the mobility and employment of women and men within and outside their countries of origin. Booklet 6 focuses on the trafficking of human beings, particularly women and girls.

Booklet 1 *Introduction: Why the focus on women international migrant workers*

Highlights the vulnerability of women migrant workers to discrimination, exploitation and abuse in the different stages of the migration process. The labour market situations women migrant workers go into put them at greater risk to human rights violations, compared to male migrants and local women. To protect women migrant workers, the Booklet introduces a multidisciplinary and comprehensive framework – addressing both demand and supply factors, and incorporating the promotion of human rights, gender equality, decent work and poverty reduction; and involving a wide range of social actors in legal and policy instruments and practical action at international, regional, national and community levels.

Booklet 2 *Decision-making and preparing for employment abroad*

Describes the process of decision-making and preparation for moving to and working in a foreign country. It highlights the kinds of accurate and realistic information and assistance services that potential migrants should have to properly decide on employment abroad. It also identifies other actors in the decision-making process, in particular the families of the women, and emphasizes the need to reach out to and sensitize these other actors. For those who make the decision to become labour migrants, the Booklet describes the information that would help steer them safely through the recruitment and journey

process, including information on their legal rights and obligations and how to claim their rights and what to do in crisis situations. It also stresses the importance of measures to ensure that migrant workers have access to social protection.

Booklet 3 *Recruitment and the journey for employment abroad*

Distinguishes the different modes of recruitment and emphasizes that fraudulent and exploitative practices are very common in the recruitment stage. It defines illegal recruitment and draws attention to the various dangers and risks women can face in the recruitment process. Trafficking is one form of illegal recruitment. It describes what governments, the social actors and migrants themselves can do to prevent these malpractices.

Booklet 4 *Working and living abroad*

Raises awareness of the working and living conditions of women migrants in the destination countries, and provides guidelines on how to improve their situation and especially to prevent and redress cases of violation of their basic rights and to also ease their adjustment and integration. It shows that where women migrant workers are organized and have networks of information and social support, exploitation is much less likely to occur. The focus is on migrant domestic workers who are among the most vulnerable to exploitation and abuse and because domestic work is the single largest employment category for women migrants.

Booklet 5 *Back home: return and reintegration*

Illustrates the specific problems faced by women migrants returning to their home countries and families. It identifies the kinds of supports – logistical, legal, socio-psychological, employment, skills related and financial -- they need to enable them to achieve successful reintegration and avoid re-migration or being re-trafficked. It emphasizes opportunities for remunerative employment as key to successful reintegration.

Booklet 6 *Trafficking of women and girls*

Focuses on a global problem of growing concern: trafficking in persons, especially women and girls. It identifies the supply-side and demand-side causes, describes the mechanics of trafficking and explains why women and girls are more vulnerable to becoming victims. It points out that trafficking in human beings is, first and foremost, a violation of human rights; it should not be dealt with merely from the perspective of fighting illegal migration nor protecting national interests. A wide range of actors need to tackle the entire cycle of trafficking through policy, action and cooperation at different levels for the prevention of trafficking, support for and protection of victims and prosecution of traffickers.

5.2. How to use the Guide

The booklets of the Guide are intended as an **information/reference source for a wide and varied audience:**

- The main target audience are advocates and activists, policy makers and implementers concerned with migration issues and women workers' rights in origin, transit and destination countries. They include government officials responsible for the administration of justice, the judiciary and service providers -- such as migration officers, embassy personnel, labour attachés, labour inspection officials, police and law enforcement personnel, judges, prosecutors, equality officers, social and public health workers and officials from women's bureaus and ministries of labour, justice and immigration/emigration;
- The Guide is also more broadly addressed to workers' and employers' organizations, associations of migrant workers (including associations of domestic workers), public and private recruitment and employment agencies, as well as non-governmental organizations (NGOs), community-based organizations (CBOs) and other civil society groups concerned with human rights;
- The information in the Guide is clearly very useful for individual migrants, both women and men. However, the Guide is written for the use of actors who directly address individual migrants; for example trade unions, government agencies or NGOs to raise awareness among potential migrants or to conduct pre-departure orientation for migrants. As such, they may need to adapt the materials or simplify the language and presentation style to suit the migrant audience.










Individual and institutional users will have to select one or more particular booklets and utilize, adjust and adapt the materials according to their specific national and socio-cultural contexts, needs and purposes. To assist users, the information is structured in as "user-friendly" a format as possible. Different symbols, fonts and colours depict different types of information. At the end of each booklet, notes, a bibliography and useful websites are provided for readers interested in more detailed or additional explanations and reference materials.² A Power Point presentation highlights/ summarizes the main points covered in the booklet. Cross-references are provided where there are areas of overlap in the different booklets or where issues are dealt with in more than one section or booklet. Important information is repeated, so that each booklet is as complete as possible.

The examples given of both "good" and "bad" practices are not intended to single out individual countries. They reflect the availability of information (which also helps to explain why there appears to be more examples from the Asia Pacific region). Although the countries from which the examples are drawn are indicated, the "good" or "bad" practices are not necessarily specific only to these countries.

The Information Guide can flexibly be used for:

- **Awareness raising or sensitisation:** To improve knowledge and understanding of the vulnerabilities faced by migrant workers to discrimination, exploitation and abuse, including trafficking, and the challenges confronting government, workers' and employers' organizations, NGOs and other civil society actors in addressing these vulnerabilities, protecting human rights and promoting decent work for migrant workers, in particular for women migrant workers. Access to such information may empower the women to increase their self-esteem and build confidence to defend their rights as women, as migrants and as workers.
- **Advocacy and publicity:** The Guide intends to place the discrimination, exploitation and abuse that women migrant workers experience on the "radar screen" of the international human rights, development and donor communities. Government agencies, NGOs and other social actors may also use the Guide for media campaigns, community mobilization and outreach to inform or educate the general public and other concerned actors, including migrant women and men themselves, about the role they can play and the possible measures they can take to protect vulnerable women migrant workers and to improve the situation of migrants of both sexes in general.
- **Tool for action:** The Guide indicates the normative framework that could be used for addressing discrimination, exploitation and abuse of women migrant workers. Law and policy makers can refer to relevant international and regional standards and some national examples to adopt a rights-based approach and to formulate or review legislation. The Guide also presents guidelines, checklists and practical examples for action. Users can learn from the experiences of actors in countries of origin, transit and destination and may be better aware of what might be possible or effective for assisting vulnerable women in the migration process. However, since the circumstances vary from one country to another, the information is not intended to represent "best" or "good" practices that should be adopted in all situations or be used in any definite manner.
- **Training and educational purposes:** The information in the booklets may serve as background material in training seminars (such as for migration officers, labour attachés, law enforcement officers and employment agents), topics to include in school curricula or general education programmes targeting potential female migrants, and, importantly, in preparation courses for migrants before they go abroad.
- **Networking tool:** The Guide offers ideas for improving networking and collaboration between and amongst government and social actors, trade unions, NGOs and employment agencies; for generating discussion and stimulating action amongst various stakeholders; and building alliances between various organizations and individual migrant women within and between countries of origin, transit and destination.

To assist users of the Guide, the information is organized in different ways:

- Aims of the different booklets and sections of the Information Guide
-  *Text box in coloured italics, main themes and highlights of different sections of the Information Guide*
-  *Text box in bold italics, international instruments*
-  Coloured text box, important explanations or examples of policies and actions
-  **Key points to bear in mind**
-  *Elaboration/details of key points, checklists or guidelines*
-  *Good practices*
-  *Bad practices*
-  *Lessons learned*
-  Refer to, cross-references

5.3. Types of return



The last stage of the temporary migration process is when migrant workers return home to their countries of origin. The return of migrant workers to their country of origin can be voluntary or forced, on an individual basis or en masse.

☑ ***Forced or involuntary return:***

Involuntary return includes circumstances involving illegal termination or sudden and unjust termination of the employment contract by the employer. Involuntary return may be because the migrant worker has been abused or exploited by the employer or agent, lost her job or been abandoned by the employer or her work permit or visa has expired and cannot be renewed. There can also be situations where a migrant worker may have finished a contract and wishes to extend or stay on under another contract but is unable to do so because the host country requires a migrant worker to first return to her country of origin before being allowed to have a contract extension or to change employers.

☑ ***Deportation:***

Return migration may result from an expulsion order. Destination countries frequently deport migrants on an individual level and, sometimes, en masse. On an individual level, deportation is normally due to undocumented migration or because the migrant has committed a crime. Although against international standards, a migrant who has been a victim of trafficking may sometimes be deported [👁️ **Section 6.8 in Booklet 6**]. There may be large-scale return of migrant workers from countries of destination for a variety of reasons,³ including [👁️ **Box 5.2**]:

- Wars and conflicts;
- Diplomatic problems between migrant sending and receiving countries;
- Mass deportation of undocumented migrants;
- Economic collapse, crisis, rise in unemployment in receiving countries;
- Localization or nationalization programmes to replace migrants with local workers;
- Other political or policy changes by the host government.

☑ ***Voluntary return:***

Going home can only be a real choice when the return is voluntary. Returning home for good would be the goal of those who worked abroad to “earn well, save well and provide a brighter future for their families”. Migrants can also make the decision to return to their country of origin by comparing conditions in their countries of destination and origin. For example, the Argentine economic crisis has triggered return flows to Italy and Spain. Many Americans of Irish origin have taken advantage of Ireland’s new economic dynamism to return to that country. There are also Assisted Voluntary Return (AVR) programmes [👁️ **Box 5.11 in Section 5.5.1 below**].

Box 5.2. Large-scale return of migrant workers

The Asian Financial Crisis of the 1990s had a tremendous impact on the migration patterns for the region. In the decades before the crisis, Asia had been a hub of migration, with massive flows between sending and receiving countries. With the onset of the crisis however, this process came to an abrupt halt and in many cases was immediately reversed. Even prior to the crisis, migrant workers tended to be blamed by locals for various social problems, and as unemployment skyrocketed during the late 1990s, migrants became convenient scapegoats for economic collapse. Many host governments put in place measures to give priority to local over foreign workers, including labour importation controls, amnesty offers, repatriation and re-deployment. Over a million foreign workers were forced to return to their countries at the height of the crisis. According to ILO estimates, 117,000 workers were repatriated from South Korea 400,000 from Malaysia and 460,000 from Thailand.

Source: Asian Migrant Centre, Asia-Pacific Bureau for Adult Education and Migrant Forum in Asia, *Clearing a Hurried Path: Study on Education Programmes for Migrant Workers in Six Asian Countries* (Hong Kong, Asian Migrant Centre, 2001), pp. 17-19.

Those who return and stay on for good in their home countries tend to share certain characteristics: they have achieved their goals (relating to migration), they have spouses and children, they are older, they have redirected their life plans or taken up other activities upon their return. Those who want to re-migrate tend to display other characteristics – they were economically poor prior to migration and remain economically vulnerable upon return, they were entertainers abroad and face stigmatisation at home, they enjoyed independence while working abroad and find the socio-cultural norms restrictive at home. ⁴

The ILO has always advocated in favour of the voluntary return of migrant workers. The residence period abroad should be clearly defined for those migrant workers who are issued employment contracts prior to departure. The employment contract should include a clause regarding provisions for the return of the migrant workers following completion of their employment abroad. Expulsions of migrant workers should be avoided. However, in cases where Governments do carry out expulsions, the human rights of migrant workers should be respected throughout the expulsion process. The *Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143)* specifies that:

The ILO has always advocated in favour of the voluntary return of migrant workers.

Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143)

Article 8:

- 1. On condition that he has resided legally in the territory for the purpose of employment, the migrant worker shall not be regarded as in an illegal or irregular situation by the mere fact of the loss of his employment, which shall not in itself imply the withdrawal of his authorization of residence or, as the case may be, work permit.*

Article 9:

- 3. In case of expulsion of the worker or his family, the cost shall not be borne by them.*
- 4. Nothing in this Convention shall prevent Members from giving persons who are illegally residing or working within the country the right to stay and to take up legal employment.*

The ILO Committee of Experts on the Application of Conventions and Recommendations clarified that: ⁵

“A clear distinction should be made between (a) the case where the migrant worker is in an irregular situation for reasons which cannot be attributed to him or her (such as redundancy before the expected end of contract, where the employer failed to fulfil the necessary formalities to engage a foreign worker, etc.), in which case the cost of his or her return as well as the return of family members, including transport costs, should not fall upon the migrant, and (b) the case where the migrant worker is in an irregular situation for reasons which can be attributed to him or her, in which case, only the costs of expulsion may not fall upon the migrant”.

In the case of the victims of trafficking, *the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, 2000* calls for specific repatriation measures to ensure that *“such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary”* (Article 8) [👁 Booklet 6, Section 6.8].

5.4. Reintegration problems and difficulties: How return migrants can cope



The return and reintegration process is often more problematic than the initial departure for migration:

- It is the part of the migration cycle that is the least subject to policy interventions;
- Very little monitoring is done to track the return migrants and research is generally lacking on their needs, difficulties and constraints;
- The hope of “going home for good” can make many women (and men) vulnerable to unscrupulous schemes that promise them investment deals, shares in businesses, etc.;
- Reintegration programmes to assist return migrants to readjust and to fit back into the labour market, society and family tend to be ad-hoc and on such a limited scale that they have not been able to reach the mass of returning migrants. Moreover, awareness of the programmes by migrants is poor and, invariably, most migrants have little information about the types of services available upon their return;
- Women return migrants often face greater re-integration problems than men – because the push factors - importantly the socio-cultural factors behind gender inequalities - have not changed or have changed slowly, while the women themselves may have experienced emancipation while working abroad;
- Many returnees resort to a new cycle of re-migration – reflecting in part the failure of interventions for their social and economic reintegration and the lack of opportunities for sustainable livelihoods [👁️ **Box 5.3**];
- Unable to find jobs, the returnees may become recruiting agents who are linked to traffickers or themselves engage in trafficking of other women and girls;
- The victims of exploitation and abuse, in particular those women and girls who were trafficked, face the greatest reintegration difficulties including stigmatisation and further abuse. There is often a “revolving door” phenomenon, with the trafficked women and girls falling back into the hands of the same or other traffickers and being re-trafficked.

The return and reintegration process may appear to be the most straightforward part of the migration cycle. Policy makers (and indeed migrants themselves) assume that returnees will be able to invest their savings or find remunerative employment, adjust to any changes in their personal and family lives and pick up where they left off with minimal support. The reality is quite different, and in fact, despite the return process being considered the end stage of temporary migration, many women are forced back into the migration cycle looking for new overseas contracts, as they

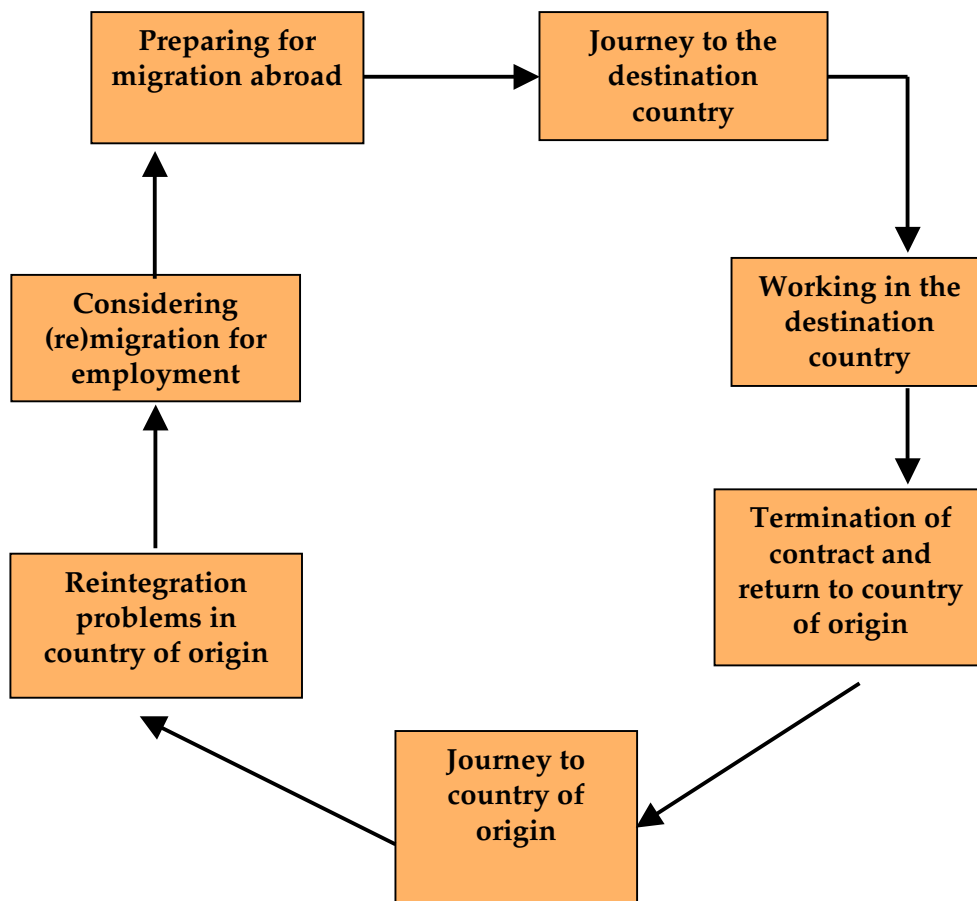
Repeat labour migration can be seen as the failure of current reintegration policies in many countries and the lack of support to enable women to find productive and remunerative employment.

confront a plethora of problems upon their return. Repeat labour migration can be seen as the failure of current reintegration policies in many countries and the lack of support to enable women to find productive and remunerative employment:

*“The concept of reintegration as a process where the returnee can assert some degree of control over their lives through their earnings is unimaginable to both male and female returnees. They express the view that the Government has failed to extend any kind of support to change the circumstances that drove them to work abroad and, therefore, they do not expect the Government to help them on their return. For many of them, the return process is traumatic, subject to harassment by officials at immigration and customs and by extortionists freely roaming around the airport premises”.*⁶

Box 5.3.

The (re) migration process





The main problems and difficulties that women face upon return to their countries of origin can be discussed in terms of:⁷

- ☑ *The socio-psychological effects, including in some cases trauma from the migration experience and health and medical problems;*
- ☑ *The family and social reintegration problems: breakdown of spousal and family relationships; stigmatisation and rejection by families and communities, especially of those who have been trafficked;*
- ☑ *The financial difficulties, including coming home empty-handed, inadequate savings or wastage of savings and lack of viable investment opportunities;*
- ☑ *The employment and skills related problems: lack of remunerative alternative employment; lack of opportunities and support to start and sustain a viable business; lack of skills or de-skilling;*
- ☑ *Filing complaints against exploitation and abuse.*



If the migration process involved prostitution and/or trafficking, women face numerous additional problems upon their return, such as stigmatisation, rejection by families and communities, vulnerability to being re-trafficked, fear of reprisals from traffickers and criminal networks, debts, medical problems including HIV/AIDS infection, psychological problems and traumas. Sometimes, upon return to their countries of origin, the victims of trafficking are subject to prosecution for using false documents, having left the country illegally or having worked in the sex industry [👁 Booklet 6].

- ☑ **Socio-psychological effects:**

Migration involves uprooting and displacement, and many returning women are unprepared for the multitude of changes that have taken place in their absence. Not all these changes are negative, but they are all encompassing, ranging from changes in their role and status, to changes in their relationships with their children and husbands, to changes in decision-making power in their households, to changes in their own sense of identity.

The evidence is mixed about the extent to which migration is an empowering process. Migration can reinforce both vulnerabilities and empowerment of women.

The evidence is mixed about the extent to which migration is an empowering process. Migration can reinforce both vulnerabilities and empowerment of women.⁸ For example, after the migration experience many women returnees descend once again into economic vulnerability because they lose or use up their savings or their businesses fail. On the other hand, many also report feelings of greater confidence and assertiveness than before they migrated. They play a greater role in decision-making within the household – including in economic and financial decisions - and believe that their families and communities hold them in greater respect. There can also be changes in gender roles and the division of labour within the family in certain cultural contexts, but not in others. For example, one study showed that Thai men

played a greater role in childcare when their wives migrated, while Indonesian men did not. Little research has been done however, to assess long-term changes in women's status.⁹

The return process involves a whole host of psychological and social adjustments and these are

The return process involves a whole host of psychological and social adjustments and these are magnified manifold if the woman has been a victim of trafficking and/or prostitution.

magnified manifold if the woman has been a victim of trafficking and/or prostitution. There are major economic, emotional, psychological and physical consequences not only for herself but also for her family and friends. Trauma is especially severe if she has been subjected to physical or sexual violence, forced abortions, unsafe sex, and psychological abuse. These problems are compounded by the fact that upon her return she may be subject to rejection by families and communities, harassment, HIV/AIDS testing, absence of support - leaving her vulnerable to further trafficking and/or prostitution [👁️ Booklet 6].

Box 5.4. How to cope with socio-psychological problems 🙌

If you are providing advice to a woman return migrant, these are things to ask her to consider:

- ☑️ *Feelings of isolation, loneliness, anxiety and depression upon return are common. It is important that you seek help. Find out what counselling services are available through contacting government or non-government organizations in your country involved in providing assistance to migrants. You may be in a country that does not provide many counselling services, in which case, you need to speak to a trusted friend/family member or religious figure in your community.*
- ☑️ *Remember there may be many other women who have been through the same migration experience in your community. Starting a self-help group in your community is an excellent opportunity for you to share your experiences and discuss the difficulties of coming home.*
- ☑️ *If possible, try to speak to your family – your spouse, your children and extended family so that they understand what you are going through and the adjustments that you have to cope with after being away from home.*
- ☑️ *If you have experienced exploitation or abuse it is even more important to seek help. What happened to you is not your fault and happens to many women who migrate. You may be feeling frightened or ashamed but it is important that you seek help immediately by speaking to someone you trust. Again, starting or joining a self-help group is one of the best ways of coming to terms with what has happened to you and has happened to many, many other women who have been on overseas contracts. Eventually, through these groups, you may even be able to help prevent this from happening to other women.*
- ☑️ *Many trade unions provide assistance and support to returning workers. Sometimes they have drop-in centres for returning migrant workers, as well as counselling and legal services.*

- ☑️ ***The family and social reintegration problems:***

The impact of a woman's absence can be seen at multiple levels, from how she sees herself to gender relations to inter-generational relations.

When a woman migrates for temporary work, the household she leaves behind requires considerable reorganization, and upon her return she may face a whole host of unforeseen

problems and changes. Many women are unprepared for these new realities and are at a loss on how to cope with them. Adjustment may be a long and complex process, with women having to come to terms with changed family relations, differences in how her family and community view her, her own changed identity, the new economic status of her family and how she sees herself. The impact of a woman's absence can be seen at multiple levels from gender relations to inter-generational relations.

Family structures and responsibilities are forced to change to accommodate the absence of the woman. In some cases, a husband may have assumed a greater child-rearing role, but it is more often the case that extended family members – parents, siblings or other relatives, take on childcare responsibilities. In the Philippines, for example, this is resulting in the reversal of the trend towards nucleation of the family, as the extended family now plays a greater role in childcare and family responsibilities.¹⁰ These changed roles may also place an additional burden on older generations as they take over the family responsibilities of their children and grandchildren.

A returning woman may find that it is difficult to resume her place within the family and her relationships with different family members. This may be particularly the case when the migrant worker while working abroad was unable to communicate with families at home. It is the women who experienced abuses and were unable to maintain contact with their families who often find it most difficult to reintegrate into their families upon their return.

A woman return migrant may sometimes find that her absence has been detrimental to her marriage. Long periods of separation can cause strains in marriages. Infidelity, estrangement and divorce are not uncommon. In one survey of returned women, many reported instances of alcoholism, laziness and a reluctance to resume the traditional male breadwinning role on the part of their husbands. Some reported that the remittances they sent had been spent on conspicuous consumption items or even on other women.

The migration of mothers as compared to the migration of fathers can have a more severe impact on children left behind. Many migrant women are forced to return prematurely because their children are facing psychological, emotional and other adjustment problems during their absence, such as early unwanted pregnancies, drug abuse, delinquency, dropping out of school or having poor grades, suffering physical or sexual abuse.¹¹

Returning mothers often face problems in their relationships with the children they left behind. Many women are dismayed by the lack of closeness with their children upon their return, and have difficulties adjusting to the fact that their children have grown up without them and away from them. While in some cases, children understand the sacrifices that their mothers have made for them, lack of respect by children is an all too common complaint by returning mothers.

Box 5.5. How to cope with family and social reintegration problems

If you are providing advice to a woman return migrant, these are things to ask her to consider:

- ☑ *Your children have been doing a lot of growing up while you were away. You may still think of them as being the same as when you left. But there have been many changes in their lives and they have probably become attached to and influenced by other members of your family. It may be hurtful for you that they do not seem as close to you as you would hope. Do not worry, there is ample time to get to know them again and forge bonds with them.*
- ☑ *Spoiling your children with gifts is not the answer – this is the way to use up your savings and ensure that you have to go overseas yet again. If they are old enough, explain to them that you went away to earn money for their sake and their future, and if the family is careful about finance then you will not have to go away again to earn more money.*
- ☑ *It is inevitable that your relationship with your husband has changed. It is important to take some time together talking about these changes and rebuilding your relationship.*
- ☑ *Your extended family may have been helping your husband and children while you were away. Make sure they understand how much you appreciate their help and find ways together to make the transition that will enable you to resume or re-establish your role and responsibilities.*
- ☑ *Reach out to other women in your community who have returned from working abroad. They are experiencing the same problems and adjustments as you and will understand what you are going through. Regular meetings with support groups to discuss your experiences will help you cope with the changes in your life.*

☑ *The financial difficulties:*

Those returnees who have been victims of abuse and/or exploitation are

It may seem surprising that so many returning migrant women fall back into poverty, since the purpose of migration is to earn higher incomes and accumulate savings. But temporary migrants often do not save as much as is commonly expected.

often also heavily indebted. When forced to flee an employer migrants are in many cases banned by legislation from taking up paid employment with another employer and often are then expelled from the country. They may return to their home countries before they have been paid their due wages or before they have recovered the sum borrowed in order to travel in the first place, and in some cases may have been required to cover the costs of their own repatriation. They may also be in debt to the original recruiters (or traffickers), family or others. In some cases a returning migrant may come back empty-handed – particularly as a result of deportation after being trafficked, and may never be able to pay off the debts.

Financial difficulties affect many returnees, not just the ones who have experienced exploitation, abuse or have been expelled and deported. It may seem surprising that so many returning women fall back into poverty, since the purpose of migration is to earn higher incomes and accumulate savings. But returnees often face financial difficulties because:

- They did not manage to save as much as is commonly expected by governments or their own families;
- The remittances they sent home were spent by their families on purely consumption goods;


- They spent their hard-earned money on gifts and consumer items for the family;
- They themselves have got used to a higher level of spending;
- They are still in debt for their migration expenses;
- They lost their hard-earned savings through unwise investments, failed business ventures, etc.

In part this can be seen as a failure of training in the pre-departure process – migrants are not adequately made aware of the need to save, not only the remittances that they send home but also for themselves and their return. It is also obviously a consequence of inadequate financial services and facilities in both countries of origin and destination.

Research into the use of remittances and its impact on the local economy has shown that returnees often use their savings and remittances on consumer goods¹². While health and living standards may improve, there is often little investment in productive purposes. This high consumerism creates artificial and unsustainable lifestyles that often force returnees to start a new cycle of migration overseas. Some studies have pointed out that remittances have changed the appearance of villages – with the homes of migrant workers distinguishable by their television aerials and other consumer durables or their new buildings. Others studies have pointed out the differences between successful and unsuccessful migrants and that successful migrants do not face problems with their families, while those who did not bring the expected money home experience increased tension with the family. Many returnees also find that their communities perceive them as wealthy and often pressure them for loans or gifts.

Box 5.6. How to deal with financial issues

If you are providing advice to a woman return migrant, these are things to ask her to consider:

- ☑ *Firstly, and importantly, while working abroad do not remit your entire earnings home for family spending. Make sure that you keep some as your own savings. Your family may spend all the remittances so that when you return there is no money to fall back on. You should also inculcate in your family the value of spending wisely and saving for the future.*
- ☑ *In remitting money home, make use of proper, safe financial channels. Always find out what a fair exchange rate is – especially if you are using informal channels, so that you do not lose on the transaction and your family ends up getting less.*
- ☑ *Try to save part of your earnings regularly. Seek advice on how you can ensure that your savings are secure either in a financial institution in the country where you are working or your home country. Open a bank account in your own country before going abroad and remit your money regularly to the bank. There may also be savings cooperatives set up by migrant workers in your destination country [ **Boxes 5.20 to 5.22 below**].*
- ☑ *If you have been able to save some money through your work overseas, remember the temptation is to spend your savings on gifts and shopping. But this is one way to ensure that your savings will not last very long at all.*
- ☑ *If you intend to buy large consumer items to bring home, first find out about the taxation policies in your country – what are the duty free items you are allowed and how high are the duties you would have to pay.*
- ☑ *You need to start thinking about how you will use your money to earn an income when you go back home. Often government and non-government agencies provide training services to help you start a business. Find out what is available and sign up for a course. Speak to those who are already successfully running their own business about how you can learn from them. It could be the answer to making sure that you do not have to look for work overseas again.*
- ☑ *Find out about savings schemes and group savings cooperatives that may be operating in your community. This helps to ensure that not all of your money will be spent at once.*
- ☑ *Be careful with your savings. Unfortunately there are people who will try to cheat you of your precious earnings. Never give your savings over to anyone unless you are absolutely sure that it is a legitimate savings scheme. Also be alert to strangers who may approach you in drop-in centres, airports, etc.*
- ☑ *Explain to family members and people in your community who may be putting pressure on you that your savings are limited and won't last long.*
- ☑ *Start doing some financial planning. Think about how much money you need for the next few years and how to budget your savings to make it last. There are trade unions and NGOs that can help you with this type of planning.*
- ☑ *If you have not been able to save money, do not despair. You may not have to seek work overseas again. Find out from friends and contacts about jobs that may be available in your community. Or think about going into self-employment. Think about services in your community that you may be able to provide – perhaps something based on your experience working abroad. Find out about training opportunities. Also, there may be financial assistance available that you did not know about. There are organizations able to help you with the types of information that you will need.*
- ☑ *If you have experienced exploitation and abuse, you may very well also be heavily indebted. Find out about your rights. NGOs and trade unions can help you find legal services to claim back money taken by either your employer or recruitment agency.*
- ☑ *Check your employment contract and find out about the law. In all likelihood you should not have to pay for the costs of your return home. If someone has charged you for this, find out how you can get the money back. NGOs and trade unions can advise you on this.*
- ☑ *Remember – you have rights under the law – find out what they are and how you can claim them.*

☑ ***The employment and skill related problems:***

No reintegration process will happen if this doesn't create alternative livelihoods and means of survival for returning migrants.

“Workers migrate in search of better incomes. The centrality of their economic agenda must be recognized. No reintegration process will happen if this doesn't create alternative livelihoods and means of survival for returning migrants”.¹³ Returning migrants confront a number of employment and skills related problems. The labour market conditions that pushed them into migrating in the first place often have not changed; unemployment rates at home remain high and it is often the case that they cannot find work that will give them as much income as their work abroad. Therefore, their economic reintegration option is limited: get whatever available work upon return and/or go into self-employment and set up a small enterprise with their savings.¹⁴ However, the failure rate of such businesses is high, in part due to the lack of adequate training in business management and entrepreneurship and the lack of mentoring and support. A migrant coming home with savings is not necessarily a businesswoman.

The migration process itself may have resulted in de-skilling. Many women work overseas in jobs that are well below their training and qualifications, but offer far higher remuneration than work in their home countries. Women with university degrees end up working abroad as domestic maids, entertainers, and manual labourers in manufacturing. In some cases, their employment abroad deprives their home country of much needed skills, such as for trained nurses or teachers.¹⁵

Of course, de-skilling is not always the case. In some cases, there is an acquisition of skills from the migration experience. Returnees gain skills abroad – domestic workers acquire skills in international cuisine or caring for the elderly, special needs children or the physically disabled; entertainers are skilled in singing and dancing (although some may end up in prostitution); factory workers acquire skills in the use of machines, new technologies or manual skills. Migrant workers may also pick up other skills, such as time management, budgeting and the ability to get along with different people¹⁶. But they need technical assistance and support to determine how they can put these acquired skills to productive use.

☑ ***Filing complaints against exploitation and abuse:***

Migrant workers who suffered exploitation or abuse may not have been able to file complaints or seek legal redress while employed abroad. They should still be able to do so upon return to their home countries. Women migrant workers in particular need to be aware of their rights under the law and to know how to claim these rights. In some countries, the law stipulates that recruitment agencies are jointly liable for violations committed by the employer against the worker.

Box 5.7. How to cope with employment and skills related problems:

If you are providing advice to a woman return migrant, these are things to ask her to consider:

- ☑ *Go to the local employment service to find out about available job opportunities. Local employment services may be able to help you find suitable wage employment.*
- ☑ *Evaluate the skills that you learned overseas. Even if you were doing work that was below your qualifications, it may be that you learned some new skills. If you were doing domestic work for example, you may have learned about managing finances, cooking, childcare, etc. Are these skills that could help you provide a service in your community?*
- ☑ *You may well be able to use some of the skills you acquired abroad to start a business. If you do start a business, remember it is important to get as much help and advice as possible. Don't be tempted to start a business that too many people are already involved in. Market opportunities should be carefully assessed. The failure rate of small businesses is often very high.*
- ☑ *Find out about the kinds of programmes offered by government and non-government organizations for skills or entrepreneurial training, loan and investment programmes and organizing cooperatives.*
- ☑ *Mentoring and support are important too. Many people start a business only to have it fail because they did not have enough experience to deal with the problems that came up. Speak to people in your community who have successful businesses and learn from their experiences. Many communities also have networks of small business owners. Find out about meetings and get involved.*
- ☑ *Find out about micro-finance opportunities. In some countries there are group savings schemes and investment opportunities for returning migrants.*
- ☑ *Check with local government institutions, workers' and employers' organizations, NGOs that can help you find training opportunities to acquire new skills to go into different occupations.*

Box 5.8. How to file complaints against exploitation

If you are providing advice to a woman return migrant, these are things to ask her to consider:

- ☑ *If you have been a victim of exploitation or abuse but were unable to seek redress while working abroad, you can still do so at home – find out what your rights are under the law.*
- ☑ *Seek legal aid to file your complaints and claims against your employer and/or recruitment agent. Legal aid services will be able to help you in preparing your complaint affidavit and other requirements for filing the case.*
- ☑ *Provide copies of your employment contract and all supporting documents (receipts, medical reports) to support your complaint.*
- ☑ *You may be able to file for compensation – make a money claim – on the following grounds:*
 - *Contractual violation: if the employer did not follow the terms of the contract such as underpayment or non-payment of wages;*
 - *Illegal termination: if you were terminated without reason and due process;*
 - *Constructive dismissal: if you were forced to terminate the contract because of unfair labour practice or inhuman treatment;*
 - *Moral damages: if you were subject to any form of abuse, harassment or threats affecting your future and dignity as a person;*
 - *Actual damages: if you encountered actual physical injuries and harm.*

5.5. Assistance and support for returning migrant workers



Reintegration needs to be addressed:

- ☑ *From the pre-departure stage, right through the migration cycle. Women need to begin preparations for their return right from the beginning of the migration process;*
- ☑ *By both countries of origin and destination;*
- ☑ *Not just at the individual level but also at the macro level;*
- ☑ *By giving special attention to trafficked, abused and exploited returnees.*

☑ *Reintegration begins from the pre-departure stage:*

Reintegration is a process that must not begin at the end stage of a temporary overseas contract, but in fact should begin even prior to emigration. A proper registration system and pre-departure training can be preparation not only for emigration but also for return. In the pre-departure process, adequate information and training should be incorporated to enable potential migrants to plan for their return in areas such as:

- How to ensure that their employment contracts clearly specify who is responsible for their return and repatriation upon conclusion of the contract period;
- How to remit money through safe channels while working abroad;
- How to save during migration;
- How to ensure that their savings are used for productive investments and not just for consumption purposes;
- How to maintain linkages with the home country through frequent correspondence with family, keeping up with the news about what is happening in the home country, etc.;
- How to be prepared for the types of changes and adjustments in the families and societies they return to;
- How to find out about the types of services and resources provided by their Governments, workers' and employers' organizations and civil society organizations to assist their reintegration and enable them to develop sustainable livelihoods in their home countries;
- How to better prepare themselves for return and reintegration while still in the receiving country through reintegration savings groups and organizing/investing in economic projects in their home country [👁️ **Boxes 5.20 and 5.21 below**].

☑ *Both the countries of origin and destination need to provide adequate structures of support for the return and reintegration of returnees to be successful:*

The governments of both countries of origin and destination, workers' and employers' organizations, NGOs and other civil society groups working with migrants should put in place a range of measures to assist migrants to successfully return to their homes, communities and families. These include opportunities for

self-employment, access to education and training to develop new skills, information about services and legal rights, proper facilities for savings and remittances, guarantees on the transferability of social security contributions and entitlements, healthcare services and counselling and legal assistance.

In terms of repatriation, especially of those who were trafficked or exploited, source and destination countries should establish minimum standards of responsibility and make a commitment to prosecute traffickers and exploiters. Bilateral and multilateral agreements between source and destination countries can also help to ensure that where repatriation is needed, the process is as smooth and unproblematic as possible [👁️ **Section 5.5.3 on Logistical Assistance**]. NGOs and civil society groups in the country of destination also often provide invaluable support to migrants who are in the process of returning, particularly in cases where they have been subject to abuse and exploitation.

Destination countries can also facilitate the return and reintegration process by setting up structures to enable migrants to keep up-to-date with national and local developments in their home countries, encouraging migrant workers to develop social networks with others from their own country and also ensuring that migrants are able to keep in regular contact with their families.

- ☑️ *The scope of reintegration policies is not just at the individual level but also at the macro level:*
- Countries of origin need to have effective macro policies to address the root causes of migration and re-migration – importantly, poverty, unemployment and gender discrimination. Relying on jobs abroad is an unstable course for national economies so Governments need to find long-term solutions to tackle these problems.*

It is not enough to simply address the reintegration process at the level of the individual returnee. Countries of origin need to have effective macro policies to address the root causes of migration and re-migration – importantly, poverty, unemployment and gender discrimination. Relying on jobs abroad is an unstable course for national economies so governments need to find long-term solutions to tackle these problems. Many returnees are forced back into the migration cycle by the lack of economic alternatives in their home communities, indicating the failure not only of reintegration programmes but wider macro economic policies:

“Existing reintegration programs tend to focus on trafficked persons and are victim-oriented. More comprehensive, social development-oriented reintegration programs need to be explored, especially since Thailand periodically deports tens of thousands of undocumented migrants, including Cambodians. In particular, there is an immediate and strategic need to create employment opportunities in the villages that returning migrants can engage in. Local livelihood/economic alternative programs can include access to emergency loans at reasonable interest rates, migrant savings for social entrepreneurship, [...] livelihood assistance, training and technical help. Current initiatives on community development and the rebuilding of community support systems (especially for those experiencing family, financial or survival problems) need to be increased and strengthened.

Community development and national social development agendas need to be strongly gender-oriented, since the migration patterns follow, and reinforce, existing gender oppressions and biases".¹⁷

- ☑ *Trafficked, abused and exploited returnees need special attention:*

They may need legal aid, socio-psychological counselling, medical services, economic assistance – all of which should be handled in sensitive and confidential ways. The absence of adequate support and opportunities upon their return places them at a heightened risk of repeated abuse and exploitation, including being re-trafficked.

There are certain groups of returnees that

warrant special attention, in particular those who have been trafficked, abused or exploited. The return and repatriation assistance and support measures for the victims of trafficking are dealt with in Booklet 6 [👁️ **Booklet 6, Section 6.8**]. But documented migrants who have been abused or exploited while working abroad also need special attention to help them in their return and their social and economic rehabilitation.

In the first place, trafficked, abused or exploited migrant workers need assistance to return to their home countries or to be able to stay on in the country of destination while they seek redress. In several destination countries, embassy personnel of the countries of origin are regularly involved in the repatriation of their nationals who have been abused or who are undocumented migrants. In destination countries where there is little diplomatic representation or intervention by the countries of origin, exploitation and abuse is more widespread and punitive measures are more likely to be taken against the victims.

Many of the women returnees have been through various traumas ranging from sexual abuse, physical violence and psychological terror. They may have lost their health, self-confidence and their ability to trust. In some cases, once rescued from an exploitative situation they are treated as illegal migrants and criminals, thereby further victimizing the victims. Moreover, they often face rejection and ostracism by their families and communities. Victims of abuse who are able to return to their home country or community, either voluntarily or as a result of deportation, face multiple problems. To deal with these problems, the women returnees may need legal aid, socio-psychological counselling, medical services, economic assistance – all of which should be handled in sensitive and confidential ways. The absence of adequate support and opportunities upon their return places them at a heightened risk of repeated abuse and exploitation, including being re-trafficked.

5.5.1. The role of governments

The responsibility of governments to provide effective reintegration policies and programmes

The role of governments – in particular governments of countries of origin - is crucial, since for any reintegration programme to be successful it needs to reach out to the mass of return migrant workers.

cannot be over emphasised, particularly given that many governments actively encourage temporary migration as part of their labour market and economic policies to earn valuable foreign exchange and to cope with unemployment problems. Return migrants should not have to cope on their own with their reintegration problems. The role of governments – in particular governments of countries of origin - is crucial, since for any reintegration programme to be successful it needs to reach out to the mass of return migrant workers. While private and other non-government organizations, trade unions, employers' groups, religious groups and women's organizations provide valuable support to returnees they do not have the capacity to reach a large target group. And indeed private organizations, NGOs and charities often step in because of lack of government initiatives, but they simply do not have the resources to provide anything more than ad-hoc or small-scale targeted interventions nor are they able to provide a supportive policy environment.



A government-assisted return and reintegration programme should have certain key elements:

- It should be carried out and coordinated at the national level;
- It should be accessible to both voluntary and involuntary return migrants;
- It should involve active and inclusive participation of the return migrants;
- It should be gender-sensitive and take into account that women and men may not face the same kinds of return and reintegration problems;
- It should give special attention, including specifically targeted assistance and support, to those migrants who experienced exploitation and abuse or were trafficked.



To support and facilitate the return and reintegration of migrant workers, governments of countries of origin should:¹⁸ [👁️ Boxes 5.9 and 5.10]

- Establish clear rules and regulations regarding responsibility for repatriation. Such regulations should be clearly stated in the responsibilities of employment agencies and the conditions of their licences and also in the employment contracts signed by migrant workers and employers;
- Establish labour attaches in countries of destination to prevent abuse and exploitation and, where exploitation and abuse or trafficking has occurred, ensure safe repatriation for victims seeking to return home, and provide information on legal rights and procedures for claiming compensation:





A survey found that Nigerian women migrant workers were highly concerned about the non-involvement of their government in repatriating victims of abuse and exploitation. Those who had been trafficked reported that they felt abandoned by the Nigerian Government. While embassy officials were aware of the plight of the women, they did not consider it their duty to intervene without direct authority from the Nigerian capital. Migrants indicated that the return to Nigeria could be facilitated if their government were to financially empower embassies around the world to repatriate those in distress. They also requested the government to provide embassies and missions with special funds to facilitate their effective intervention and adequate logistics to monitor the activities and plight of Nigerian workers in foreign lands.¹⁹



Ethiopian returnees have detailed how many Ethiopian women are living in the Gulf States as runaways after facing abuse by their employers. As soon as they leave their employer's home they are classified as illegal aliens and face large penalties for each day they are so classified. This leaves them with no protection, no access to medical care and little possibility of returning home. Many returnees from Ethiopia assert that a more interventionist policy from their own country would help to prevent exploitation and abuse.²⁰

- Provide incentives for migrant workers to return home upon completion of their employment contracts, thus decreasing the chances that migrant workers will stay on in the destination country in an irregular situation exposed to the risks of being exploited and abused;
- Provide repatriation assistance with adequate resources in special cases. These include cases of destitute workers who have lost their jobs or have been abandoned by employers, workers seeking to escape physical or sexual harassment by employers or traffickers, and medical cases for whose return employers are not prepared to assume responsibility. There are also emergencies from time to time, when nationals may need to be evacuated on account of war or other contingencies, which would put their lives at risk.²¹
- Set up a registration and database on returning migrants and use this to monitor their problems and progress, as well as target reintegration assistance;
- Develop partnerships with NGOs, workers' and employers' organizations and migrant grassroots organizations to assess reintegration needs and target assistance; provide forums to discuss returnees' issues and needs;
- Provide legal aid, counselling and referral to social services for returnees in need, in particular those who have been trafficked, exploited or abused;
- Set up reception programmes to help returnees make the most of the new skills acquired abroad or of the savings they have accumulated. This could be done in conjunction with existing services, for example, employment centres;
- Extend assistance and services that are provided to return migrants to local residents in the returnees' areas of origin to prevent local resentment and to facilitate their acceptance and reintegration;

- Provide, through bilateral arrangements with destination countries, reliable channels through financial institutions for migrant workers to send home their remittances, so as to ensure that they are not cheated out of their hard-earned money;
- Provide advice and investment opportunities for returnees to invest their savings;
- Improve access to social security for migrant workers, including taking into account the fact that generally women migrant workers have less access to social security than their male counterparts. Bilateral agreements with countries of destination should cover issues of social protection. In this context, some basic principles of ILO Conventions are worth highlighting:²²
 - Equality of treatment, which means that an immigrant worker should have, as far as possible, the same rights and obligations as a regular resident of the same age, sex, civil status and relevant social security qualification [*Equality of Treatment (Social Security) Convention, 1962 (No.118)*]. ;
 - Maintenance of acquired rights and provision of benefits abroad, which means that any right or paid up prospective right should be guaranteed to the migrant in either territory, even if it has been acquired in the other, and that there should be no restriction on the payment, in any of the countries concerned, of benefits for which the migrant has qualified in any of the others [*Maintenance of Social Security Rights Convention, 1982 (No.157)*];
 - Maintenance of rights in the course of acquisition, which means that where a right is conditional upon the completion of a qualifying period, account should be taken of periods spent by the migrant worker in each country;
- Address the larger macro economic and labour market problems underlying migration and re-migration and the particular vulnerabilities of women migrant workers to discrimination, exploitation and abuse [ **Booklet 1, Section 1.4.1**];
- Provide special services and support for the victims of trafficking, including providing them with the necessary travel and identity documents and making arrangements with the country of destination for their safe return and repatriation. Do not treat them as criminals; they have been victims of a crime. It is the traffickers that need to be punished, while vulnerable women and girls need to be protected from being re-trafficked [ **Booklet 6**];
- Develop bilateral and multilateral agreements with receiving countries outlining the roles and responsibilities of all parties in the return process.

Box 5.9. Government programmes for the return and reintegration of migrants

Sri Lanka:

The Sri Lanka Bureau of Foreign Employment (SLBFE) has compulsory registration for migrants before they leave. Registration includes insurance for death, disablement, sickness and transport expenses. Although there is some reluctance to pay the registration fee, migrants have come to appreciate the benefits of registration, especially the insurance coverage. SLBFE has also negotiated Memoranda of Understanding with host countries including the Gulf States, Singapore and Hong Kong, which binds agents to fulfil obligations, pay a minimum wage and prevent exploitation. Through the model contracts between employers and workers, employers are expected to pay for the return ticket upon completion of contract. Sri Lanka has also set up a Migrant Assistance Centre near the airport that has the mandate to assist returnees particularly those in crisis situations.

Source: M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.14.

Philippines:

The Philippines Overseas Employment Administration (POEA) of the Department of Labour and Employment is the government agency tasked with the responsibility of overseeing the activities of the overseas employment industry. Its operations cover pre-employment services, licensing and regulation, adjudication and welfare services. Its mandate also includes “the effective monitoring of returning contract workers, promoting their re-training and re-employment or their smooth re-integration into the mainstream of the national economy, in coordination with other government agencies”. This part of the mandate has, however, not been a priority of the POEA’s operations. Instead, return migration has been treated very much as a “welfare issue”. It is the Overseas Workers Welfare Administration (OWWA) that has addressed post-migration issues in a more substantial manner. The OWWA is a welfare fund sourced from mandatory contributions of overseas contract workers and their employers. The fund is governed by an independent board of trustees but attached to the Department of Labour and Employment. It is primarily responsible for the organized return and productive reintegration or redeployment of migrant workers, addressing both economic and social components. Through the OWWA Fund, migrant workers are provided economic and social assistance and benefits upon return.

The Expanded Livelihood Programme (ELP), previously called the Expanded Livelihood Development Programme, offers credit services to return migrants and their families. Between 1990-1996, 3522 return migrants and their families were able to take out loans. About 45 per cent of loan applicants were women and more than half were from the national capital region. Most of the livelihood projects engaged in by the women were in trading. About half invested in “sari-sari” stores (small variety stores) and about a third were engaged in services. Since June 2000, the maximum loan amount has been raised from P50,000 to P100,000 and the interest rate reduced from 15 per cent to 9 per cent per annum. The loan period has also been extended from three to five years. With the changes in the credit programme, new training courses and business planning seminars were also put in place.

The Replacement and Monitoring Centre provides training and retraining in preparation for re-deployment or reintegration of return migrant workers. The Centre refers returnees to the Technical and Skills Development Authority (TESDA) and the Technology and Livelihood Resource Centre (TLRC) for specific courses in vocational skills and entrepreneurship. Business counselling is also offered.

The Social Benefits Package is a type of social assistance and security that includes mandatory life and personal accident insurance protection, facilitation of documentary

requirements for repatriated migrant contract workers in distress, and provision of sickness and disability benefits. A grant of P10,000 is given for the burial of indigent migrant workers. Source: Villalba, M.A.M.C., Philippines: *Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), pp.37-38; and ILO, POEA and the Commission of European Communities, *Entrepreneurship on Migrant Earnings in the Philippines Results and Experiences from an ILO Project* (Geneva, ILO, 1991).

Guatemala:

A return and reintegration programme implemented by the International Organization for Migration (IOM) resettled about 45,000 Guatemalans in 1998-99 who had fled to southern Mexico in the 1980s. Returning Guatemalans were provided with land in their villages of origin, and the return programme helped to resolve some lingering land conflicts. The returning Guatemalans were well organized in Mexico, which facilitated their return. The Guatemalans had formed cooperatives to earn money and they were able to continue their non-traditional activities and roles after their return to Guatemala. Keys to the success of this programme included its voluntary nature, the presence of mediators to resolve land disputes and Mexico-Guatemalan government cooperation.

Source: International Organization for Migration, *Best Practices Concerning Migrant Workers and their Families* International Workshop under the auspices of the Government of the United States, in compliance with the Plan of Action of the Summit of the Americas, Santiago de Chile, 19-20 June 2000.

El Salvador:

A "Bienvenido a Casa/Welcome Home" programme, funded by the United States and implemented by IOM, provides reception services to Salvadorans returning or removed from the US. From offices at the San Salvador airport, the programme provides services to 5000 returned Salvadorans between February 1998 and May 2000, including up to three days lodging, the ability to call home, and tickets to the areas of Salvador where their relatives lives. About 65 per cent of those who received welcome home services were simply unauthorized in the US; 35 per cent were removed for other reasons, including about 15 per cent because of criminal convictions in the US. This pilot programme has helped El Salvador to learn about who is being returned from the US, and increased the acceptance of returned Salvadorans in El Salvador. The programme also noted that assistance for returning migrants should be extended to local residents in the migrants' area of origin to prevent local resentment and to facilitate their acceptance and reintegration.

Source: International Organization for Migration, *Best Practices Concerning Migrant Workers and their Families* International Workshop under the auspices of the Government of the United States, in compliance with the Plan of Action of the Summit of the Americas, Santiago de Chile, 19-20 June 2000.

Box 5.10. Plan for the reintegration of returning women migrant workers

The Philippine Plan for Gender-Responsive Development (1998-2025) puts focus on strategies for addressing the economic needs of returning migrant women. Among these strategies are:

- The development of comprehensive programmes to assist reintegration of returning migrant women workers into the social mainstream;
- Assisting women to undertake entrepreneurial livelihood projects preferably in their own communities;
- Promotion of programmes that will encourage women to use skills acquired from foreign employment to start and manage community-based small-scale industries;
- Encouraging and assisting returnees to get together for formal or informal networking and exchanges and to provide guidance to recent returnees on various adjustment problems.

Although the Plan identifies these strategies, it does not spell out how they are to be actually implemented and monitored, who is to be responsible or where the resources for implementation are to come from.

Source: Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.19.



Countries of destination also have a critical role to play if the reintegration process is to be successful. Countries of destination should:²³

- Work towards an informed, transparent, orderly and managed labour migration admissions system [👁️ **Booklet 1, Section 1.4.1**] that will admit labour migrants based on systematic and realistic assessment of the labour market situation and ensure proper contracts for migrant workers that specify working conditions, length of contract and arrangements for return to their home countries [👁️ **Booklet 3**];
- Provide structures to encourage and enable migrant workers to save. Group savings arrangements and structures may be useful for the return process. Migrants should manage their own group savings in order for them to learn to work collectively, develop networks, manage their own finances etc;
- Collaborate with countries of origin through bilateral agreements to provide migrant workers with proper and safe channels for sending remittances home;
- Where migrant workers have been contributing to social security schemes, ensure that their contributions and benefits are transferable back to their home countries upon their return;
- Enable migrant workers' access to education and training programmes. This will build capacities, better prepare them for return and raise awareness of the issues that migrants may face upon their return;
- Allow freedom of association, so as to enable migrant workers to organize and form their own support group structures. These self-help organizations can represent an essential part of the return and reintegration process;

- Develop bilateral agreements between sending and receiving countries. These should specifically address the return process, ensuring that it is as straightforward as possible and that migrants' human rights are fully respected;
- Undertake to treat any illegal or undocumented workers as humanely as possible, with guaranteed safe repatriation;
- Encourage and assist the voluntary return of migrant workers [👁️ **Box 5.11**];
- Ensure adequate protection for trafficked persons, including not expelling them immediately because of their irregular residence and/or labour status and providing them temporary residence status if they decide to give testimony in criminal proceedings against the traffickers [👁️ **Booklet 6**];
- Promote partnerships with NGOs and workers' and employers' organizations in both the receiving and sending countries. Networking across countries is crucial for building effective reintegration projects;
- Support development programmes in the countries of origin to help ensure greater sustainability of return [👁️ **Boxes 5.12 and 5.13**].

Box 5.11. Assisted Voluntary Return Programmes

Although most persons unable to remain in the host country are still returned forcibly by governments, Assisted Voluntary Return (AVR) has emerged as a more effective counter strategy. Mostly tested and proven in Europe, it offers host country governments a more humane and cost effective alternative to the classic enforcement action. Return migration is likely to be most sustainable and cost effective when it is voluntary, protective of migrant rights and linked to development opportunities in the country of origin. AVR has occurred, for example, with the mass return of more than 380,000 Bosnians and Kosovars from 40 different countries of destination in 1996-2002 under the International Organization for Migration (IOM) AVR Programme for Kosovo. A similar multilateral programme is now underway for Afghanistan. The Bosnia and Kosovo offer blueprints for other similar scenarios and can apply to a full range of persons seeking or needing to return home, but without the means to do so, including stranded migrants and students, victims of trafficking and other vulnerable groups (ethnic minorities, unaccompanied minors, aged and sick persons). But policies in countries of destination continue to vary widely on the AVR application, particularly in regard to eligibility and size/nature of reinstallation or reintegration assistance.

The IOM has prescribed to host countries the following elements in its Policy and Guidelines on AVR:

- Information/counselling based on country of origin information;
- Pre-departure education and vocational training (also proven to be most cost efficient and conducive to reintegration if undertaken in the home country after arrival);
- "Look and see" visits to the home country;
- Special support for vulnerable groups (e.g. psycho-social counselling/medical attention for victims of trafficking);
- Travel assistance (documents, tickets, transit assistance, escorts if necessary);
- Reception in the country of origin;
- Modest financial assistance package (baggage allowance, pocket money, reinstallation grant);
- Post-arrival referrals to NGOs, support groups, medical support;
- Post-arrival reintegration support programmes (micro-enterprise, salary supplementation, other job placement and employment generation schemes)

Source: International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003), pp.278-279.

Box 5.12. Promoting development in countries of origin: The Cotonou Agreement

Signed on 23 June 2000, the Cotonou Agreement aims at building a partnership between the European Union and 77 countries in Africa, the Caribbean and the Pacific (ACPs) in order to reduce and eventually eradicate poverty by promoting sustainable development, capacity building and integration into the world economy. Migration is an important element of the political dialogue which seeks to explore different dimensions of cooperation. Moreover, management of migration is one of the priorities in the field of technical cooperation, which assist ACPs in developing national and regional manpower resources. Given the significant scale of labour migration between the ACPs and the EU, article 13 sets forth a framework for migration management which should include:

- Respect of the rights of migrants shall be guaranteed. Rooted in international law and human rights dispositions, an important component of this is the commitment to fair treatment (absence of discriminatory practices) of migrants who reside legally on the territories of the concluding parties;
- Strategies to tackle root causes of massive migration flows – This should aim at “supporting the economic and social development of the regions from which migrants originate”. The training of ACP nationals and the access to education in the EU for ACP students are two explicitly mentioned elements of such strategies;
- Regulations to counter irregular migration – The parties are committed to return and re-admit all nationals who are in an irregular situation. To this end, bilateral readmission and return agreements shall be concluded.
- Based on principles of cost efficiency and ownership, technical cooperation should enhance the transfer of knowledge, develop national and regional human capacities and promote the exchange between EU and ACP professionals. As an integral element of technical cooperation, the EU is committed to support the ACP’s efforts to reverse the brain drain.

Source: International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003), p.260-261.

Box 5.13 Promoting sustainable return through promoting development in countries of origin

Even voluntary return to the country of origin is often not successful because the economic conditions that pushed people into migrating in the first instance have not changed. Some countries of destination are therefore trying to redress this in very practical ways; e.g. by investing in reintegration strategies at the returning end to ensure greater sustainability of return. This is the case in Finland, Germany, the Netherlands and Switzerland.

Since development ministries are still largely reluctant to mix migration and development solutions, more and more immigration ministries in countries of destination are diversifying their budgets to fund such micro-economic solutions. In developing countries, these can help bridge the gap between immediate return support and longer-term development. More and more governments are establishing linkages between migration and development, and challenging relevant international funding agencies to support combined solutions.

Source: International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003), p.280.

5.5.2. The role of self-help organizations, the social partners and NGOs



Associations of return migrant workers at the local community level are one of the most effective ways of organizing for mutual support among the returnees, for involving other community and family members in the return and reintegration process and for improving access to services and facilities. Such organizations can:

- Provide opportunities for women return migrant workers to network with others who have shared the same experiences and to help each other in the readjustment and reintegration process;
- Provide mutual support especially for those who have suffered abuse or exploitation;
- Support and build the self-confidence of returning migrants who are facing a multitude of problems;
- Implement small-scale savings and credit schemes to assist returnees in various income-generating activities;
- Improve access to resources and financial support for their economic reintegration;
- Enhance information sharing on the kinds of government and non-governmental assistance and support available for return migrant workers;
- Raise awareness of potential and future migrants by providing first-hand information on workplace situations, benefits and hardships and coping mechanisms. They can alert potential and future migrants of the likely dangers and risks they face in seeking employment overseas;
- Improve preparation in case of subsequent migration. If a woman decides that she needs to re-migrate, being involved in a returnee support group will enable her to be better prepared for her next migration experience;
- Advocate and lobby at the community level for government action to address the problems of return migrants, including measures to address the specific problems of women who have been exploited or abused.



Trade unions, employers' organizations, NGOs, government agencies and religious institutions can all play a role in assisting return migrant workers to set up their own organizations. Those migrant workers who belonged to migrant associations while working abroad can also play a lead role.



Such community-based organizations can include not only return migrants but also family members and concerned members of the local community, so as to more directly involve them in the reintegration process and to promote better understanding of families and the local community of the problems returnees face. However, in situations where women return migrants, especially women who have suffered exploitation and abuse, are not comfortable with sharing their problems with others who have not had the same experiences or fear stigmatisation, rejection or further discrimination, it

would be better to have limited membership associations or mutual self-help groups.



Cooperatives can be an important form of group organization. Return migrant workers and their families in many countries have successfully set up cooperatives for savings, accessing financial services, including being able to obtain larger loans, and organizing for group economic activities.



In Sri Lanka, the Migrant Services Centre, an NGO, has set up migrant worker associations in several parts of the country to organize return migrant workers. These migrant worker associations are a social safety net designed to provide answers to questions and issues that confront the returnees. These associations are voluntary bodies and the Migrant Services Centre introduces them to communities only if the women migrants, returnees and their families wish to come together to set up such an association and they are sponsored by a trade union or a non-profit making organization or NGO. At present, five associations have been formed, two sponsored by trade unions, one with an NGO, one with the plantation community and one with the Katunayake Export Processing Zone workers.²⁴



In the Philippines, several return migrant workers and their families have organized themselves mainly to access resources and financial support for their reintegration. A major factor that motivated them to organize into cooperatives is the need to access bigger loans for livelihood from the rediscounting scheme of the Overseas Workers Welfare Administration (OWWA) (which is the main government agency responsible for the organized return and productive reintegration of Filipino migrant workers) accessible to cooperatives. Moreover, cooperatives registered with the Cooperatives Development Authority can also use such services as a pre-membership seminar on cooperatives and exemption from business taxes.²⁵



In Nigeria, NGOs often work with returned migrants who have been victims of abuse or exploitation to assist in educating the community about the risks and dangers that migration for employment can entail.²⁶



In Bangladesh, the Welfare Association of Repatriated Bangladeshi Employees (WARBE) organizes numerous activities including lobbying for the ratification of the U.N. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and for more effective reintegration programmes for returning migrants. On International Migrants Day, December 18, WARBE organizes rallies in support of returned migrants, including producing street dramas, etc. ²⁷



Some useful and innovative ways in which trade unions could assist return migrant workers include [👁️ Box 5.14]:

- Using the trade union expertise in organizing to assist return migrant workers to set up their own organizations or to join existing unions;
- Assisting return migrant workers to have a “voice” at local and national levels; for example, by advocating on their behalf and helping to bring to

the attention of the government the problems faced by return migrant workers;

- Using their links with trade unions in countries of destination to provide information to potential return migrants on socio-economic and labour market conditions and opportunities in the country of origin;
- Making available their services and facilities to return migrant workers, for example, in terms of job placement centres or telephone help lines to assist return migrants in job search or employment related problems; assistance to deal with bureaucracies such as to obtain necessary documents; access to facilities such as being able to join medical insurance or health funds; legal literacy training, etc. Return migrants who are assisted in such practical ways are much more likely to realize the benefits of becoming trade union members.



Employers' organizations in the countries of origin can also assist in the return and reintegration process through:

- Disseminating information on job opportunities and vacancies in companies. Such information dissemination could be done in close collaboration with reception programmes for returnees and also with employment services;
- Using their links with employers' organizations in countries of destination, to provide information to potential return migrants on employment opportunities in the country of origin and the types of qualifications and skills required;
- Providing advisory services, support facilities and mentoring for return migrants seeking to go into self-employment or to set up their own businesses.

Box 5.14. Organizing for return and reintegration

In Hong Kong, the Filipino Migrant Workers' Union (FMWU) was founded in 1998, with a membership of mostly women migrant domestic workers. All of them belong to about 20 reintegration and savings groups (RSGs) under the union. The FMWU is unique in that one of its key principles is the promotion of migrant reintegration. Because it is a registered trade union, it also ensures the promotion of the rights of migrants as workers and as women. The union accepts only individual members but each of them is required to become a member of a RSG. An RSG collects, manages and protects the savings of the group. They decide their own savings policies, including the minimum amount to save each month. Each RSG is normally composed of members from the same place in the Philippines, or simply a group of friends. The FMWU derives support and training assistance from the Asian Migrant Centre (AMC). The union ties up with AMC in conducting a Basic Course on Reintegration, which is required for all members. Other training (e.g. leadership, team-building, theatre, computer, book-keeping) is also provided. Several of the FMWU RSGs have started reintegration projects in the Philippines through Unlad Kabayan, the partner NGO. The Union has also supported the organizing of unions and organizations for the Indonesians, Thais and other migrant nationalities in Hong Kong.

Source: Molina, B. Jr. and R. Varona, "Migrant reintegration: towards a more empowering and liberating strategy" in Asian Migrant Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC, 1999).

Box 5.15. Community-based and self-help organizations of return migrant workers


In the Philippines, the Kanlungan Centre Foundation (KNL), an NGO, helps to organize communities with large populations of female migrant workers in so-called “structures of care”. The structures of care serve as a mutual support group of women migrant survivors of violence overseas or in the local community. Initially the KNL organized support groups among walk-in clients, a difficult strategy because clients come from diverse areas and the staff is limited. Many female returnees could not attend seminars or mass actions because they have children at home who would be left unattended. Thus, the KNL decided to move to areas where the women returnees form a majority of the population. The first community extension work area was in Punta in Sta. Ana, Manila where there were many returning migrant women from Japan. KNL collaborated with the Catholic parish council that had put up a migration desk within its labour centre, in the organizing of the community. As the community became organized, problems were collectively discussed and addressed through collective efforts. In another region, the Pugo Overseas Workers and Community Association (POWCA), which is composed of migrant returnees and concerned citizens, provides welfare services and assistance to its members, livelihood projects and community-based mental health programme because the number of women migrant returnees with psychological problems is quite high. POWCA also undertakes seminars on agricultural development, savings and finance management. Micro enterprises of hog raising and broom making, among other enterprises, have grown out of these seminars. The organizing of POWCA has enabled returnees to use resources offered by the government Overseas Workers Welfare Administration (OWWA).

Source: Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.44.

In Sri Lanka, the Kegalle Migrant Worker Centre is supported by the Forum on Development, a Kegalle-based NGO that focuses on community development, small-scale savings and credit and providing community development education and leadership skills to community leaders. Set up in 1998, it operates two branch associations at the village level. Each village association has a membership of 20 women, return migrant workers as well as other women from the village. The main aim of the association is to foster alternative income-generating programmes to motivate women in the village to look for income avenues locally without resorting to migration. The returnees advocate against migrating due to the hardships faced at the workplace and at home. These returnees include women who have benefited economically from migration as well as those who did not. The associations carry out small-scale savings and credit schemes providing loans for a range of income-generating activities such as preparing food, the packaging of spices, sewing, operating a beauty salon, raising poultry, and manufacturing furniture. All initiatives have been successful. These associations have motivated several migrant aspirants to look at alternatives to leaving family and home in search of an income. The associations also use a popular method of street theatre to take their message to a wider audience. The street dramas on the advantages and disadvantages of migration (weighing heavily towards disadvantages) are written and produced by the women who themselves act in the dramas. Another major concern of the associations addressed by the street theatre troops is the negative image of migrant women workers whose own communities consider them as women of loose morals and untrustworthy.


Source: M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p. 34.

5.5.3. Logistical assistance

Countries of origin tend to offer less assistance to their nationals for the return process than for the original departure to the country of destination. Many temporary migrants come back to their home countries anonymously and without assistance by government or private agencies. Few attempts have been made to register them upon their arrival home. Logistical assistance tends to be reactive rather than proactive. It is usually only in response to a crisis on a large scale – e. g. on account of war, natural or economic disasters - or a crisis at the level of the individual migrant who has been abandoned by her/his employer or agent, who is escaping from physical or sexual harassment or threats, or who has a medical emergency not covered by the employer. Repatriation of victims of trafficking is dealt with in Booklet 6 [ **Booklet 6, Section 6.8**].



To provide logistical assistance to facilitate the return and repatriation process, governments (which can include both origin and destination countries) should:

- Ensure that the logistics of return, including repatriation costs, are clearly stipulated in the contract with the employer or the recruitment agency [ **Box 5.16**];
- Register migrant workers with a government agency before they leave their country of origin and include in the registration compulsory insurance for death, disablement and transport expenses;
- Develop bilateral and multilateral agreements between sending and receiving countries to ensure the safe return of migrants and victims of abuse and exploitation. Without diplomatic representation by the sending country in the receiving country, migrants are even more vulnerable to abuse, exploitation and criminalization if they run away from abusive employers or agents or become “illegal”. Labour attaches in consulates or embassies play an increasingly important role in negotiating for the release of undocumented workers, those in jail or stranded in embassies.




Do not criminalize undocumented workers. Bilateral agreements should address the issue of undocumented workers and provide mechanisms to ensure their safe return and respect of their human rights.



*Promote full respect for, and compliance with, the **1963 Vienna Convention on Consular Relations**, which obliges States Parties to inform foreigners arrested or detained that they have the right to notify their consular representatives; these representatives may be able to provide the migrant with assistance in judicial process. The right of migrant workers to be informed of the right to consular assistance should not be linked to their regular or irregular situation.*

- A registration system should be set up between both sending and receiving countries to monitor returnees. This could involve embassies, immigration departments, labour departments and recruitment agencies.

A computerized information system could be implemented to monitor and identify returnees;

- Establish proper reception at ports of entry to avoid harassment and assist returnees to be sent to their homes as soon as possible to avoid the dangers of being robbed or cheated of their savings;
- Streamline procedures for the return process in airports and provide all returnees with information packages on the resources and services available to them and register them in a returnees database;
- In crisis or emergency situations, ensure that an emergency plan is in place to cope with any sudden large-scale repatriation/deportation of migrant workers from abroad. Such plans should coordinate the efforts of various government and non-government agencies to ensure that the returnees have the necessary humanitarian, shelter, transport, monetary and other assistance needed [ **Box 5.17**].

Box 5.16. Repatriation of Migrant Workers

In **Singapore**, employers are responsible for the repatriation of workers brought into the country. A security bond of \$5,000 per worker is deposited by the employer with the Work Permit Department. If the employer fails to repatriate the worker upon cancellation of the work permit then the deposit will be lost.

Source: Ministry of Manpower, Singapore, *A Guide for Employers: Employing Foreign Domestic Workers*, (Singapore, Ministry of Manpower), website: <http://www.mom.gov.sg> p 8.

The Philippines has established the following rules and regulations for the repatriation of Filipino migrant workers:

Primary responsibility for repatriation:

The repatriation of the worker, or his/her remains, and the transport of his/her personal effects shall be the primary responsibility of the principal or agency that recruited or deployed him/her abroad. All costs attendant thereto shall be borne by the principal or the agency concerned.

Repatriation of workers:

The primary responsibility to repatriate entails the obligation on the part of the principal or agency to advance the cost of plane fare and to immediately repatriate the worker should the need arise, without a prior determination of the cause of the termination of the worker's employment. However, after the worker has returned to the country, the principal or agency may recover the cost of repatriation from the worker if the termination of employment was due solely to his/her fault. Every contract for overseas employment shall provide for the primary responsibility of agency to advance the cost of plane fare, and the obligation of the worker to refund the cost thereof in case his/her fault is determined by the Labour Arbiter.

Repatriation procedure:

When a need for repatriation arises and the foreign employer fails to provide for its cost, the responsible personnel at site shall simultaneously notify OWWA and the Philippine Overseas Employment Administration (POEA) of such need. The POEA shall notify the agency concerned of the need for repatriation. The agency shall provide the plane ticket or the prepaid ticket advice (PTA) to the Filipinos Resource Centre or to the appropriate Philippine Embassy; and notify POEA of such compliance. The POEA shall inform OWWA of the action of the agency.

Action on non-compliance:

If the employment agency fails to provide the ticket or PTA within 48 hours from receipt of the notice, the POEA shall suspend the licence of the agency or impose such sanctions as it may deem necessary. Upon notice from the POEA, OWWA shall advance the costs of repatriation with recourse to the agency or principal. The administrative sanction shall not be lifted until the agency reimburses the OWWA of the cost of repatriation with legal interest.

Emergency repatriation:

The OWWA, in coordination with the Department of Foreign Affairs (DFA), and in appropriate situations, with international agencies, shall undertake the repatriation of workers in cases of war, epidemic, disasters or calamities, natural or man-made, and other similar events without prejudice to reimbursement by the responsible principal or agency within sixty (60) days of notice. In such cases, POEA will simultaneously identify and give notice to the agencies concerned.

Mandatory repatriation of underage migrant workers:

The responsible officer at the foreign service post shall immediately cause the repatriation of underage Filipino migrant workers. The cost attendance to this activity shall be borne correspondingly by the agency and/or principal or the OWWA as the case may be.

Other cases of repatriation:

In all cases where the principal or agency of the worker cannot be identified, cannot be located or had ceased operations, and the worker is in need and without means, the OWWA personnel at job site, in coordination with the DFA, shall cause the repatriation. All costs attendant to repatriation borne by the OWWA are chargeable to the Emergency Repatriation Fund provided in the Act, without prejudice to the OWWA requiring the agency/employer or the worker to reimburse the cost of repatriation, in appropriate cases.

Source: Website: <http://babalikkarin.com/repatriation.htm>

Box 5.17. Repatriation programmes

In 1998, after the Hurricane Mitch disaster, the government of Costa Rica ordered a mass deportation of Nicaraguans, which led the Ministries of Health and Family coordinated by the Secretariat of Social Action in Nicaragua to provide a much needed response in terms of ensuring the deported population with temporary minimum conditions, such as shelters and monetary support, which would allow them to return to their places of origin. In 1999, a contingency plan was drafted to assist an eventual migration emergency, which was considered possible after August 1 with the closure of the amnesty period that the Costa Rican government had allowed. This inter-ministerial plan, coordinated with the assistance of local governments, entailed the designation of shelters near the borders, transport assistance for returnees to go back to their communities as well as supplies of food for a month. The plan also foresaw that humanitarian assistance would be provided by CARITAS, a major regional NGO working on migrant issues. Fortunately, the mass deportations from Costa Rica did not materialise and the plan was not put into effect.

Source: A. D'Angelo and M.P. Marciacq, *Nicaragua: Protecting Female Labour Migrants from Exploitative Working Conditions and Trafficking* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.33.

Some 156,000 foreign residents in Iraq and Kuwait were evacuated under the airlift overseen by the International Organization for Migration, as a consequence of the 1991 Gulf War. Individual migrants and their families sustained massive losses as a result of their involuntary mass departure. Estimates vary but range into the hundreds of millions of U.S. dollars. Of the many sending countries affected, the government of Bangladesh appears to have been the most interventionist – it established a crisis management committee to oversee the welfare of returned migrants. Returnees were registered on arrival and provided with medical attention and transport. A task force comprising several government ministries was set up to oversee employment projects for returnees. A scheme to promote self-employment among 8,000 returnees was initiated, partly financed by their own savings and by international donations. With the restoration of the Kuwaiti government, the Bangladeshi government refocused its efforts on migrants return to the Gulf to retrieve assets and jobs, or on remigration to other destinations. A huge 90 per cent of the returnees surveyed indicated a wish to work overseas again.

Source: United Nations Research Institute for Social Development, *'Consequences of the Forced Mass Repatriation of Migrant Communities from West Africa and the Middle East'*.

www.unrisd.org/engindex/publ/list/dp/dp38/dp-38-07.htm

5.5.4. Legal assistance



Returning migrants often need legal assistance for a variety of reasons relating to, for example, the original recruitment process, violations by employers, unpaid wages, illegal termination, contractual problems, violations committed by the migrants themselves, and other legal problems. Government and non-government organizations have a crucial role to play in providing such legal counselling and access to legal aid and conducting training on legal literacy, so that returnees can demand restitution for any abuse or exploitation that occurred during the migration process:

- Government and non-government programmes – both orientation programmes before departure and reintegration programmes upon return - should ensure that returnees are made aware of their rights under the law through legal literacy training;
- The government should ensure that legal aid is available for returnees who wish to take action against exploitative employers or recruitment agencies. As far as possible, the legal aid should be free – since those most in need of it are not likely to be able to afford to pay;
- Legal assistance should be gender-sensitive. There should not be prejudicial treatment of women who were trafficked into prostitution. Sensitivity is also required because many of the women and girls who were trafficked may have been very severely traumatized by their experience; they may find it easier to speak to a woman legal aid officer [👁️ **Booklet 6**];
- Trade unions, NGOs, legal advocates, the media, academics, and other civil society groups can campaign for the rights of migrant workers in cases where gross violations have taken place.



In a number of countries paralegal counselling is provided by NGOs to assist women migrants and their dependents. One such organization, the Kanlungan Centre Foundation in the Philippines provides information to aggrieved workers on how they can file complaints upon their return to the Philippines. Legal literacy is a crucial aspect of the work done by this NGO, ensuring that returning migrants become aware of their rights under the law. Many migrants may not be aware for example, that recruitment agencies in the Philippines are jointly liable for violations committed by employers. Workers can file claims on contractual violations, illegal termination, unfair dismissal, money claims, moral damages and actual damages (such as loss of wages).²⁸



In Sri Lanka, the Migrant Service Centre is the main NGO involved in providing assistance and services to migrant workers, prospective and returnee. It administers a telephone hotline for complaints from returnees and provides numerous legal services and advice.²⁹

5.5.5. Socio-psychological counselling and medical services



Returning women migrant workers face numerous psychological adjustments and traumas. Even if they have not been involved in abusive and exploitative situations or been victims of trafficking, at the very least they may need help adjusting to changed family and spousal relationships, changes in their own sense of identity and in many cases culture shock and alienation from their communities:

- Returnees should be made aware of whatever counselling services are available both in the receiving country and upon their return. Returnees should be provided information and contact details of the kinds of support and assistance available through state agencies and other private organizations;
- The mental health of returnees should be a major concern. Taking care of their mental health contributes to identifying positive and sustainable solutions for their enhanced reintegration. A “psycho-social” approach can be a useful way of comprehending and dealing with mental health. Such an approach influences the state of mental health of the individual by acting on the contributory social factors. In addition to the need for psychological, psychiatric or other direct medical or non-medical interventions for the individual migrant, community-based services may also be needed to address the social factors. For example, there may be a need to address the returnee’s family situation and to assist the returnee to find housing or employment;
- The provision of counselling should be very sensitively handled and the confidentiality of the counselling process should be respected. Gender issues and cultural and social practices should be seriously considered. Especially victims of trafficking and abuse may not only have been severely traumatized but also fear the shame and stigma of being labelled prostitutes by their home communities;
- Where appropriate, the counselling services should involve the families of the returnees. However, it is important to note that this may not be advisable where a returnee has been abused or involved in prostitution or trafficking, as she may not have informed her family of what happened to her, fearing stigmatisation or even rejection;
- Grassroots or community-based organizations should facilitate the development of mutual support groups for victims of violence and abuse;
- Both government and non-government organizations should conduct national awareness campaigns on the difficulties of migration and the return process, to promote better understanding of the experiences of returnees.

Victims of abuse and trafficking face even greater traumas especially if they have been subject to sexual and physical violence. Yet counselling is not readily available in most countries, or is on the basis of whoever can afford to pay for it

privately. Often religious institutions step in to provide counselling and care for abused returnees and work towards their rehabilitation. Organizations such as CARITAS³⁰ provide similar counselling services in a number of countries, but these measures are ad hoc rather than systematic.



In the Philippines, both private and Government initiatives are available to assist returnees to cope with the experiences of the migration process and come to terms with the changes in their lives upon their return. For example, the Kanlungan Centre Foundation (KNL) conducts crisis intervention and feminist case management. “KNL case managers take a feminist, holistic approach, relating to the migrant women victim as a total person – as a woman, a mother, daughter, worker, wife or citizen ... Case analysis takes a careful look at the multi-layered problems faced by the woman victim. This analysis allows the victimized woman’s long-suppressed feelings – shame, anger, helplessness, desire for revenge – to surface and be released. She expresses herself with emotion, she articulates her aspirations, she unloads her burdens and achieves her freedom by taking a decision”. KNL handles the gamut of psychological problems that returning women face from re-adjustment to family life, marital and child problems, wife battering, juvenile delinquency and drug abuse by children and so forth. KNL provides counselling services for one or several members of the migrant worker’s family. It also makes referrals for problems that require specialized professional attention. KNL has also developed what it calls “structures of care”. Since many returning women cannot attend seminars because of family responsibilities, KNL took its work to the communities themselves, forming mutual support groups for survivors of violence overseas.³¹



A self-help community-based approach [👁️ Box 5.15 above] is one of the most successful ways of providing counselling and care for abused returnees and those who are experiencing difficulties adjusting to the changes in their life. If possible, it is important to also involve the families of returnees in this type of counselling. The involvement of families breaks the isolation experienced by many returnees and enables the family to better understand the difficulties experienced by the migrant woman.



In La Union, a region of the Philippines that accounts for the third largest number of overseas migrants who are predominantly women, a number of “structures of care” have been organized. One of these, the Pugo Overseas Workers and Community Association (POWCA) is composed of migrant returnees and concerned citizens. The main objective of the POWCA is to provide welfare services and assistance to its members, livelihood projects and a community-based mental health programme because the number of women migrant returnees with psychological problems is quite high.³²



There are numerous medical related problems that returnees face, but medical assistance is rarely provided on a systematic basis. Victims of trafficking and sexual abuse may be offered HIV/AIDs and pregnancy testing, but it is essential to ensure that these services are anonymous and are voluntary rather than mandatory:

- Governments should set up structures to ensure that returnees are covered by medical insurance;
- Governments should not discriminate against migrant workers in terms of access to social security because of prolonged absences. This is especially important because women normally do not enjoy the same access to social security as their male workers;
- HIV/AIDS testing for victims of abuse should be voluntary and completely confidential;
- Provide counselling and medical care for returnees who may be pregnant.



In Sri Lanka compulsory registration of migrant workers means that they are covered by death and disablement insurance, and the welfare fund set up through registration fees is often used to assist in medical emergencies.



The Philippines Government has set up a Social Benefits package that provides social security assistance including mandatory life and personal accident insurance protection, welfare benefits to cover sickness and distress, disability benefits and grants for burial.

5.5.6. Employment and skills related assistance

One distinctive aspect of returning home is the likelihood of returnees to choose business ventures or self-employment rather

Starting a business is often perceived as one of the expected gains of overseas employment and is also a choice of economic activity of migrants upon return. However, there are often serious problems with the viability and sustainability of these business ventures.

than go into paid employment. Depending on the context, this may or may not be a result of the lack of formal employment available in their home countries. Starting a business is often perceived as one of the expected gains of overseas employment. However, there are often serious problems with the viability and sustainability of these business ventures³³ [👁️ **Box 5.18**]. Lack of capital is one problem, relating both to the difficulty in accessing credit and the lack of savings of the potential entrepreneur. Moreover, many returnees lack skills or experience but do not seek assistance from anyone outside their family circle in setting up the business. Being unaware of possible business opportunities that can be exploited, returnees often opt for the types of businesses which others have engaged in, regardless of whether such businesses optimise the use of their resources or not and regardless of the market potentials.

Successful reintegration into the domestic labour market is perhaps the most important aspect of return. On the

Successful reintegration of return migrants into the domestic labour market will mean more productive and fuller use of the country's human and financial resources, including, very importantly, the skills and savings acquired from abroad -- Tap the "Brain Gain".

part of the individual woman return migrant worker, it will determine whether she is able to stay home or has to re-migrate, whether the sacrifices she made by working abroad are eventually fruitful and whether she is able to make productive use of her migration experience and resources. On the part of the government, successful reintegration of return migrants into the domestic labour market will mean more productive and fuller use of the country's human and financial resources – including, very importantly, the skills and savings acquired from abroad. Re-entry into the labour market should not, however, mean only self-employment and the setting up of new businesses. Greater effort should be put into helping return migrants, especially those with newly acquired skills, to find appropriate wage employment. Therefore, governments should:

- Improve employment services, so as to be able to better counsel return migrant workers and assist them to more realistically assess opportunities in both wage and self-employment;
- Conduct more systematic testing of the skills and knowledge – including technical skills, new technologies, handling of new equipment, organization, management or business strategies, provision of new services - that returnees have acquired while working abroad. Give special attention to innovative programmes that will enable the returnees to productively use these new skills and knowledge;

- For those who experienced de-skilling while working abroad, provide training to enable them to regain lost skills and knowledge, especially if they have the opportunity to find employment in their own specialty;
- Provide livelihood training as an integral part of any reintegration programme – not only in new technical skills for alternative employment but also in entrepreneurship, business management and financial accounting;
- Assist returnees in the identification of viable business opportunities. Many returnees start up small stores that eventually fail because of the lack of sustainable markets;
- Provide training opportunities for those returnees who wish to start a business and ensure this is followed up with adequate business support and counselling;
- Ensure that women returnees have opportunities equal to men to participate in such training – this may include arranging training sessions at times suitable for women with family responsibilities;
- Ensure that social finance schemes are equally available for women who need extra capital to start or expand their business;
- Encourage successful entrepreneurs to develop mentoring networks for women returnees who have started businesses;
- Provide an enabling environment for small enterprise development, for example, through streamlining procedures, providing access to micro finance and tax incentives;
- Conduct continuous monitoring and research to evaluate the progress of business start-ups and identify interventions to address problems.

Box 5.18. A failed economic reintegration programme 🗑️













In Sri Lanka, the People’s Bank, working with UNICEF in 1992, launched the Rehabilitation of the Gulf Returnee Project in an effort to encourage investment among returnees. In terms of its agreement with UNICEF, the People’s Bank granted loans for self-employment and small-enterprise projects to returnees from Kuwait, the majority of whom were domestic workers. This scheme was also available to the families of returnees, and loans were provided at the low interest rate of 11% per annum.

The scheme was a complete failure for a number of reasons. One reason was that it was not a state sponsored strategy for reintegration and sustainability and, thus, received low respect and support. But the main reason was that returnees lacked motivation and skills to engage in long-term entrepreneurial activities that, in any case, would never provide incomes equal to the salaries of unskilled domestic workers abroad. Both the bank and the returnees failed to consider basic factors essential for success in commercial venture, such as market realities, competitiveness and management, nor did the Bank monitor activities effectively. Many migrants obtained the loans and used them to pay agency fees for a return stint abroad or used the credit to meet consumption or emergency needs.

Source: M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p. 29.

Box 5.19. Entrepreneurship on Migrant Earnings in the Philippines **Lessons learned from an ILO Project**

A project was implemented by the ILO, Philippines Overseas Employment Administration (POEA) and the Commission of the European Communities in the early 1990s to enable some 300 migrant workers and their families to develop sustainable entrepreneurship and self-employment as a permanent source of employment and income beyond migration. An assessment was conducted of the resources, needs and motivations of a selected group of returnees, and on this basis, Business Awareness Courses, Entrepreneurship Development Training Courses, Technical Skills Upgrading Seminars, Business Advisory Services and Access to Financing were developed. The project also helped to develop a network of NGOs – including the Employers Confederation of the Philippines, the Cebu Chamber of Commerce and the Leyte-Samar Rural Development Workers Association - to deliver support services for entrepreneurship and self-employment to overseas workers and their families on a sustainable basis. A number of valuable lessons were compiled from the results of the project:

-  Perhaps the most important lesson learned was that while the project approach was viable, there can be sustainability only by developing an institutional capacity at the national level to promote small enterprise development based on migrant earnings;
-  Returnees are not necessarily more entrepreneurial in nature than other people. The challenge of starting a business is different from the risk-taking involved in migrating abroad for employment;
-  Approximately half the clients of the project were dependents of migrant workers still abroad. The wives proved to be the actual entrepreneurs, preparing for their spouses' return. The role that families can play in relation to the self-employment option therefore deserves particular attention;
-  The decision to pursue self-employment is made at an early stage, usually during the migration experience or even in some cases before. This suggests that migrants and their dependents should be informed about options and opportunities beyond migration as early as possible;
-  Self-employment involves the investment of hard-earned resources; prudence must be exercised before selecting this option. Business Awareness courses have proven to be excellent ways to assist returnees with their decision making;
-  Training course should be short – time is a precious commodity, especially for women coping also with domestic responsibilities;
-  In designing training courses, use trainers with practical business experience, do not make courses too 'academic';
-  Advisory services were evaluated as extremely useful to clients, in some cases even more than group training. Clients especially appreciated useful leads on potential markets or sources of equipment and inputs, also advice on coping with government regulations;
-  Access to financing is critical. Clients also appreciated being informed about terms and conditions of credit facilities and receiving assistance in properly packaging loan applications;
-  Support to entrepreneurship is a field which requires professional skills, experience and contacts. It can best be provided by specialized agencies, employers' organizations and specialized NGOs with strong links to the business community;
-  Success or failure in business depends to a large extent on the favourable economic, political and social climate. Governments need to create this environment through macro level policy instruments, appropriate rules and regulations and the provision of basic social infrastructure;
-  Government organizations involved in the supervision of overseas employment should monitor flows of return migration in order to facilitate reintegration. For this purpose they may wish to open windows through which migrants and their families can be referred to appropriate professional organizations at various stages of the migration experience.

Source: *Entrepreneurship on Migrant Earnings in the Philippines: Results and Experiences from an ILO Project*, (brochure produced by the International Labour Office, Philippine Overseas Employment Administration, Commission of the European Communities, 1991).

5.5.7. Financial services: remittance management, savings and investments

*“The reality is that neither the Government nor financial institutions have perceived the returnee migrant worker, especially the housemaid, as a potential investor as he/she does not have the financial resources to engage in an investment scheme deemed profitable by any financial institution. At present, there are no interest free loans or low-interest loans available through government sources to any disadvantaged group and the Government is yet to devise a scheme to alleviate the problems associated with indebtedness among the majority of migrant workers. It is for this reason that most migrants feel the necessity for repeat migration”.*³⁴

Migrant remittances represent an important source of foreign exchange in those countries with

The difference between a successful returnee and one who is forced to continue a cycle of temporary migration is often a matter of savings and their investment in productive purposes.

large numbers of their nationals working abroad. Migrant remittances can be through official bank channels (and are therefore recorded in statistics) or through unofficial or informal channels (private money courier systems, friends or relatives or carried home by the migrants themselves). The choice between official or informal channels is determined by exchange rates, bank charges for transfers, the development of the banking system in the country of origin and the real interest rate determined by the inflation rate in the country of origin.

Those moving within unskilled or semi-skilled labour migration flows (where women tend to be concentrated) play a different role with respect to remittances than those migrating on account of the brain drain. Studies have shown that better educated, well-paid migrants tend to keep most of their savings in the host country and to remit a smaller share of their income. On the other hand, less educated, lower-paid migrants tend to transfer home a larger percentage of their earnings, mainly because of the dependency of their relatives at home.³⁵

Firstly, and very importantly, the ratio of officially transferred financial resources should be enhanced – both to ensure that the migrants’ remittances are safe and also to increase the development efficiency of remittances in the home country. “Earnings sent from abroad only influence economic development if they access the national financial system. As long as remittances are informally transmitted and ‘kept in the kitchen drawer’, they will not contribute to local or national development. Savings can only create multiplier effects if they are accessible to other economic actors”.³⁶ The most important precondition is that there should be efficient official transfer mechanisms that offer services at acceptable rates. Foreign exchange regulations should not be so strict or the banking system so cumbersome that migrants prefer to seek out informal channels.

It is also critical to ensure that remittances and the savings that return migrants bring back with them are productively invested. The difference between a

successful returnee and one who is forced to continue a cycle of temporary migration is often a matter of savings and their investment in productive purposes. Governments, trade unions, employers' organizations and NGOs can assist, starting with financial counselling early in the migration process:

- Establish pre-departure savings consciousness: Intending migrants need to be aware of the importance of saving for their return. As part of pre-departure training programmes, include information on the importance of savings, and the financial channels available for migrant workers to save or to remit money home [👁️ **Booklet 2**] and the importance of planning ahead for productive investment of their savings upon their return;
- Proper financial institutions and arrangements for remittances and savings of migrant workers are critical. Although the safest channel for remitting funds is usually the commercial banks, they are seldom the least costly or most convenient and speedy means. Central bank regulations governing banks' foreign exchange transactions often impose burdensome procedures which take time (and often require much patience) to carry out, while informal foreign exchange brokers are often much faster and more friendly. The latter also tend to be more competitive, offering special services which regular commercial banks cannot provide, such as delivering remittances to the recipient's front door. It is very important for governments to take steps such as liberalizing foreign exchange markets and the banking system and improving banking services for migrants, including making sure that there are facilities in their rural communities of origin;
- Encourage and assist migrant groups to set up savings and credit cooperatives and ensure that all migrants – those who are going and those who are returning -- have reliable information on these cooperatives;
- Local banks can also offer incentives to migrants, returnees and their families to keep their surplus money remaining after the essential expenses are covered on official bank accounts in order to make them accessible to other economic actors. They could also encourage migrant savings with enhanced interest rates for foreign currency accounts and other loan benefits. It is also important to link such initiatives with the necessary support systems, such as skills in financial management.

Box 5.20. Mobilization and investment of migrants' savings

To be able to go home for good, migrants need to be economically prepared to use the main resource they have – their income. The Asian Migrant Centre (AMC) therefore developed and launched its reintegration programme in September 1995 focusing initially on organizing Filipino, Thai and Indonesian domestic workers in Hong Kong into separate savings groups. The essential steps in the AMC Reintegration Programme include:

1. **Migrant organizing, education and training:** to build grassroots groups with strong human rights, reintegration, class and gender perspectives through existing organizations or actually forming new organizations to spearhead savings and reintegration projects. One of the most basic strategies is to build migrants' trade unions. Based on experience, it is usually easier to attract migrants to join by highlighting issues that are close to their hearts, e.g. the need to go back home to their families, the social impacts of migration, the economic power of migrants, learning new skills, developing their collective and political power. Savings is an effective entry point for organizing. Giving emphasis to economic concerns does not simply mean counting money and collecting monthly savings. Since 1998, AMC has developed and required all members of the savings groups to undergo a basic course on reintegration that includes the national situation, migrants' situation, rights of migrants, nature of migrant work, why migrants are exploited, role of governments, globalization and its impacts, remittances and economic potential of migrants, why alternatives are needed.
2. **Savings mobilization:** Reintegration becomes meaningless if migrant workers have no livelihood to return to. Migrants also become more empowered and assertive of their rights if they are economically prepared to go home. Therefore, a basic function of each reintegration and savings group (RSG) is to mobilize members' savings. It should train and prepare migrants to go home by utilizing the main resource that they have – their income. In practice, each RSG agrees on a minimum savings contribution and basic operating policies. Each RSG manages its own savings programme. Partner NGOs act as external auditors, supervisors and trainers.
3. **Social transformation, campaigns, advocacy:** The migrants should work with the people's movement in their own country to change the exploitative situation and structures that drove them to work abroad. Unless these are changed, the migrant returnee will not be able to fully integrate. Migrants must start this process while they are still working abroad.
4. **Alternative investments/entrepreneurship:** One of the key principles of the AMC reintegration programme is the MSAI (Migrant Savings for Alternative Investments). Migrants' savings are built up so that these can be used as capital to start alternative investments in the migrants' home country. When migrants return, it is unlikely that they can find work that will give them as much income as their work abroad. Therefore, their economic reintegration option is limited: get whatever available work upon return and/or embark on alternative investments. Investments or livelihood projects need capital. While the government or local sources might be able to lend capital, this will require collateral, high interest, and months of delay. In fact, commercial sources have to be more opportunistic than helpful. As wage earners, it is therefore obvious that the best option for migrants is to mobilize their savings and use these for productive investments. Once migrants start with their economic projects, the reintegration programme has to deal with the difficult issues of alternative enterprises, market realities, sustainability, risks, etc. The role of NGO partners is to provide expert advice and train migrants to deal with these issues.
5. **Linkages with groups in host and home countries:** This is a critical element. Various aspects of reintegration require specific skills. Given the limitations of migrants (such as having limited skills, having only one day off a week), it is essential for the RSGs to build strong linkages with partner NGOs and other groups that can provide specialist services. For example, a Thai RSG in Hong Kong needs a reintegration partner(s) in Thailand to operationalize the reintegration process. In the home country, the work is more on managing the investments, organizing migrants' families and communities, doing market studies and entrepreneurship training.

Source: B. Molina, Jr. and R. Varona, "Migrant reintegration: towards a more empowering and liberating strategy" in Asian Migrant Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC, 1999).

Box 5.21. Migrants' alternative investments

Bagong Bayani sa Hong Kong (BBHK) was formed in May 1998 after series of orientation seminars about the AMC reintegration programme. It had an initial membership of seven women migrants, most of who came from the same town in the Philippines.

The group agreed to set monthly savings for each member at US\$25, or 5 per cent of their monthly salary. To pay for organizational operations, they also contribute US\$1.30 as monthly dues. By December 1998, the group had accumulated more than US\$5,400 in savings and decided to start a reintegration project in their hometown in the Philippines. It entered into an agreement with a partner organization in the Philippines, Unlad Kabayan, to help oversee their project while the migrants continued to work in Hong Kong. Unlad Kabayan conducted a feasibility study and the project (school and office supplies shop) was started. It was managed by the migrants' family members. The project was formally opened in April 1999, eleven months after the group started in Hong Kong. Upon agreement of the group, one member of BBHK finished her contract in Hong Kong and returned to the Philippines to run the project and ensure that the families are involved in the process. As of July 1999, the BBHK school and office supplies shop has been registered as a cooperative, where the board of directors are the representatives of the members who are still in Hong Kong. Plans of the cooperative included organizing the municipality's small vendors and farmers and encouraging them to become part of the cooperative and also to extend accessible and easy credit and self-help services to members. In the meantime, the BBHK in Hong Kong continues to pool their resources together as they prepare to go home and reintegrate into their community.

Source: B. Molina, Jr. and R. Varona, "Migrant reintegration: towards a more empowering and liberating strategy" in Asian Migrant Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC, 1999).

Box 5.22. Pooling remittances and creating incentives for productive investments

Economic reintegration could be enhanced through the pooling of remittances and creation of platforms for economic activities such as local credit cooperatives or special investment schemes. It is also possible to create incentives for productive investments. In Africa, the residual financial resources of migrants' families are mainly invested in unproductive assets such as real estate, land and imported luxury goods, because these investments appear to be safe. As soon as local credit cooperatives prove that investments in productive activities yield revenues, carry little risk and trigger multiplier effects, general investment behaviour is likely to change. However, local credit cooperatives are not the only productive channel for remittances in Africa. Secure bank deposits in foreign or local currency at favourable rates would certainly represent an attractive alternative. Over the years, migrant associations or more correctly migrants-cum-non-migrants network associations, such as "home improvement unions" in Nigeria and "social welfare associations" in Kenya and other countries generate pooled remittances from community members' contributions.

Source: International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003), p.231.

References and additional readings

- Abella, M.I., *Sending Workers Abroad A Manual for Low- And Middle-Income Countries* (Geneva, ILO, 1997).
- Asian and Pacific Development Centre, *Regional Policy Dialogue Foreign Women Domestic Workers: International Migration, Employment and National Policies* (Kuala Lumpur: APDC, 1992).
- Asian Migrant Centre, Asia South Pacific Bureau for Adult Education and Migrant Forum in Asia, *Clearing a Hurried Path: Study on Education Programmes for Migrant Workers in Six Asian Countries* (Hong Kong, Asian Migrant Centre, 2001).
- Asian Migrant Centre, Migrant Forum in Asia, *Asian Migrant Yearbook Migration Facts, Analysis and Issues* (various years) (Hong Kong, Asian Migrant Centre).
- Asian Migrant Centre and Coalition for Migrants' Rights, "Strategies, Experiences and Lessons: Protecting the Rights and Empowering Asian Migrant Domestic Workers", power point presentation made at the ILO Programme Consultation Meeting on the Protection of Domestic Workers against the Threat of Forced Labour and Trafficking, 17-19 February, 2003, Hong Kong.
- Asian Migrant Centre and Mekong Migration Network, *Migration Needs, Issues and Responses in the Greater Mekong Subregion A Resource Book* (Hong Kong, Asian Migrant Centre, with the support of the Rockefeller Foundation, December 2002).
- Asia-Pacific Migration Research Network, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Asian Research Centre for Migration Institute of Asian Studies, 2001).
- Asis, M. M.B., "Filipino women at the journey's end: exploring gender issues in return migration". Paper presented at the International Workshop on International Labour Migration and Socio-Economic Change in Southeast and East Asia, Scalabrini Migration Centre, 2001.
- Bohning, W.R., *Employing Foreign Workers A Manual on Policies and Procedures of Special Interest to Middle and Low-Income Countries* (Geneva, ILO, 1996).
- D'Angelo, A. and M.P. Marciacq, *Nicaragua: Protecting Female Labour Migrants from Exploitative Working Conditions and Trafficking* (Geneva, ILO GENPROM Series on Women and Migration, 2002).
- Dias, M. and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002).
- Foundation against Trafficking in Women, International Human Rights Law Group, Global Alliance against Traffic in Women, *Human Rights Standards for the Treatment of Trafficked Persons* (Bangkok, Global Alliance against Traffic in Women, 1999).
- Gullaprawit, Chirapun, *Planning for Return Migration: Case Studies of Six Villages in Thailand* (Bangkok, National Economic and Social Development Board, 1991).

- International Labour Office, *Migrant Workers General Survey on reports* (Geneva, ILO, 1999).
- International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003).
- International Organization for Migration, *Best Practices Concerning Migrant Workers and their Families* International Workshop under the auspices of the Government of the United States, in compliance with the Plan of Action of the Summit of the Americas, Santiago de Chile, 19-20 June 2000.
- Kanlungan Centre Foundation, Inc, *Destination: Middle East A handbook for Filipino women domestic workers* (Philippines, Kanlungan Centre Foundation, Inc. with the support of the ILO, December 1997).
- Kebede, E., *Ethiopia: An Assessment of the International Labour Migration Situation The Case of Female Labour Migrants* (Geneva, ILO GENPROM Series on Women and Migration, 2002).
- Molina, B. Jr. and R. Varona, "Migrant reintegration: towards a more empowering and liberating strategy" in Asian Migrant Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC, 1999).
- Nightingale, F., *Nigeria: An Assessment of the International Labour Migration Situation The Case of Female Labour Migrants* (Geneva, ILO GENPROM Series on Women and Migration, 2002).
- UNLAD Kabayan Migrant Services Foundation, *Migrant Services Foundation, Planning your Re-Entry, Filipino Migrant Workers Orientation Course*, (Philippines, Unlad Kabayan, 2001).
- Verghis, S. and I. Fernandez (eds.), *Regional Summit on Pre-Departure, Post Arrival and Reintegration Programs for Migrant Workers*, September 11-13, 2000, Genting Highlands, Malaysia (Kuala Lumpur, CARAM Asia, 2000).
- Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002).
- Wijers, M. and L.L. Chew, *Trafficking in women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution*, (Netherlands, Foundation Against Trafficking in Women, 1999).

Useful websites

Amnesty International

<http://www.web.amnesty.org>

Anti-Slavery International

<http://www.antislavery.org>

Asian Migrant Centre

<http://www.asian-migrants.org>

Asian Monitor Resource Centre

<http://www.amrc.org.hk/>

Asian Pacific Forum on Women, Law and Development

<http://www.apwld.org/lm.htm>

Asia-Pacific Migration Research Network

<http://www.unesco.org/most/apmrn.htm>

Asian Partnership on International Migration

<http://apim.apdip.net>

Asian Research Centre for Migration

<http://www.chula.ac.th/INSTITUTE/ARCM/main.htm>

Bangkok Declaration on Irregular Migration

<http://www.thaiembdc.org/info/bdim.html>

CARITAS

<http://www.caritas.org>

Coalition Against Trafficking in Women (CATW)

<http://www.catwinternational.org/>

Charter for the Rights of Migrant Domestic Workers in Europe

<http://www.philsol.nl/of/charter-domestics-oct99.htm>

Collection of resource and links on initiatives against trafficking in persons

http://www.hrlawgroup.org/initiatives/trafficking_persons/

Coordination of Action Research on AIDS and Mobility –Asia (CARAM Asia)

<http://www.caramasia.gn.apc.org>

Council of Europe

http://www.coe.int/T/E/Committee_of_Ministers/Home/

Domestic Workers

<http://www.asylumsupport.info/news/domesticworkers.htm>

Economic Commission for Europe (ECE)

<http://www.unece.org>

European Commission Justice and Home Affairs

http://europa.eu.int/comm/justice_home

European Monitoring Centre on Racism and Xenophobia

http://europa.eu.int/agencies/eumc/index_en.htm

European Strategy on Trafficking in Women

http://europa.eu.int/comm/justice_home/news/8mars_en.htm

European Union policy documents

http://europa.eu.int/index_fi.htm

Femmigration

<http://www.femmigration.net/>

Filipino laws and Overseas Employment

<http://www.chanrobles.com/republicactno8042.htm>

Global Alliance Against Trafficking in Women (GAATW)

<http://www.thai.net/gaatw>

Global Campaign for the Ratification of the Convention on the Rights of Migrants

<http://www.migrantsrights.org>

Global Programme against Trafficking in Human Beings, UN Office for Drug and Crime Control Prevention, Vienna

http://www.odccp.org/trafficking_human_beings.html

International Human Rights Law Group

<http://www.hrlawgroup.org/>

Human Rights Watch (HRW)

<http://www.hrw.org>

Information for Domestic Workers Arriving in UK – Government Website

<http://www.ind.homeoffice.gov.uk/>

International Confederation of Free Trade Unions (ICFTU)

<http://www.icftu.org/>

International Labour Office (ILO)

<http://www.ilo.org>

<http://www.ilo.org/public/english/standards/decl/>

<http://www.ilo.org/genprom>

<http://www.ilo.org/childlabour>

<http://www.ilo.org/asia/child/trafficking>

<http://ilolex.ilo.ch:1567>

<http://natlex.ilo.org>

International Movement Against Discrimination and Racism

<http://imadr.org>

International Organization for Migration (IOM)

<http://www.iom.int>

Kalayaan. Justice for Overseas Domestic Workers

<http://ourworld.compuserve.com/homepages/kalayaan/home.htm>

Kanlungan Centre Foundation Inc.

<http://www.kanlungan.ngo.ph>

Link to anti-trafficking websites

<http://stop-traffic.org/Countries.html>

Migration Forum in Asia (MFA)

<http://www.migrantnet.pair.com>

Migrant Rights International

<http://migrantwatch.org>

Mission for Filipino Migrant Workers (MFMW)

<http://www.migrants.net>

Network of Migrant Workers Organisations

<http://www.solidar.org>

Network Women's Program (La Strada Foundation)

http://www.soros.org/women/html/info_trafficking.htm

Office of the High Commissioner for Human Rights (OHCHR)

<http://www.unhchr.ch/women/focus-trafficking.html>

<http://www.unhchr.ch/html/menu2/7/b/mwom.htm>

Office of the UN High Commissioner for Refugees (OUNHCR)

<http://www.unhcr.ch>

Organization for Security and Cooperation in Europe (OSCE): Europe Against Trafficking in Persons

www.osce.org/europe-against-trafficking

Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR)

<http://www.osce.org/odihr/democratization/trafficking>

Palermo Convention on Transnational Organized Crime and its Protocols

<http://www.unodc.org/palermo/convmain.html>

Promotion of the rights of migrants (December 18)

<http://www.December18.net/intro.htm>

Scalabrini Migration Center

<http://www.scalabrini.asn.au/philsmc.htm>

STOP-TRAFFIC

<http://www.stop-traffic.org>

Stop traffic listserv and archives

<http://www.friends-partners.org/partners/stop-traffic/>

Trafficking Directory

http://www.yorku.ca/iwrp/trafficking_directory.htm

United Nations Crime Commission documents on the Trafficking Protocol

http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents/index.htm

United Nations Development Fund for Women (UNIFEM)

<http://www.unifem.org>

United Nations Division for the Advancement of Women (UNDAW)

<http://www.un.org/womenwatch/daw>

United Nations Interregional Crime Prevention Institute (UNICRI)

<http://www.unicri.it>

United Nations Secretariat

<http://www.un.org>

United Nations Treaty Collection

<http://www.un.org/Depts/Treaty/>

USA Government

<http://usinfo.state.gov/topical/global/traffic/>

<http://www.state.gov/g/tip>

<http://cia.gov/csi/monograph/women/trafficking>

US Anti-trafficking initiatives

<http://secretary.state.gov/www/picw/trafficking/region.htm>

UNICRI Global Programme Against Trafficking in Human Beings

http://www.unicri.it/trafficking_in_human_beings.htm

Women's Aid Organisation, Malaysia (WAO)

<http://wao.org.my>

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

<http://www.unhchr.ch/html/racism/>

World Wide Web Virtual Library (WWWVL)- Migration and Ethnic Relations

<http://www.ercomer.org/wwwvl/>

Endnotes

¹ See, for example, P. Boonpala and J. Kane, *Trafficking of children: the problem and responses worldwide* (Geneva, ILO, International Programme on the Elimination of Child Labour, 2001). Also ILO, *Unbearable to the human heart Child trafficking and action to eliminate it* (Geneva, ILO International Programme on the Elimination of Child Labour, 2002).

² Some of the background materials used to develop the Guide came from case studies in sending and receiving countries of the situation of the women migrant workers within their families, workplaces, communities and societies. The case studies also looked at the initiatives, policies and programmes, “good” and “bad” practices implemented by government, private recruitment and employment agencies and a wide range of social actors to assist and protect women migrants against discrimination, exploitation and abuse and to assist those vulnerable to being trafficked. See ILO Gender Promotion Programme (GENPROM), Working Paper Series on Women and Migration.

³ B. Molina, Jr. and R. Varona, “Migrant reintegration: towards a more empowering and liberating strategy” in Asian Migrant Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC), p. 56.

⁴ Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), p.63.

⁵ International Labour Office, *Migrant Workers General Survey on reports* (Geneva, ILO, 1999), p. 113.

⁶ M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p. 32.

⁷ See M. Wijers and Lin Lap Chew, *Trafficking in women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution*, (Netherlands, Foundation Against Trafficking in Women, 1999), p.106. Also Asian Migrant Centre and Coalition for Migrants’ Rights, “Strategies, Experiences and Lessons: Protecting the Rights and Empowering Asian Migrant Domestic Workers”, power point presentation made at the ILO Programme Consultation Meeting on the Protection of Domestic Workers against the Threat of Forced Labour and Trafficking, 17-19 February, 2003, Hong Kong.

⁸ Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), pp. 63 and 245.

⁹ Ibid.

¹⁰ Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), p.53.

¹¹ B. Molina, Jr and R. Varona, “Migrant reintegration: towards a more empowering and liberating strategy” in Asian Migration Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC) p60.

¹² Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), p17

¹³ B. Molina, Jr and R. Varona, "Migrant reintegration: towards a more empowering and liberating strategy" in Asian Migration Centre and Migrant Forum in Asia, *Asian Migrant Yearbook 1999 Migration Facts, Analysis and Issues in 1998* (Hong Kong, AMC) p.57.

¹⁴ Ibid.p66.

¹⁵ The issue of 'Brain Drain' has been well established in debates on migration and development. An IMF Working Paper estimated that the total brain drain from Least Developed Countries (LCDs) to OECD countries is a stock figure of 12.9 million. (quoted in Olesen p.12) However, there are also instances of 'Brain Gain' where migrants actively return to their home countries with enhanced skills and potentials. See paper by Henrik Olesen 'Migration, Return and Development: An Institutional Perspective' Unpublished.

¹⁶ Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), p64.

¹⁷ Asian Migrant Centre and Mekong Migration Network "Cambodia" in *Migration Needs, Issues and Responses in the Greater Mekong Subregion A Resource Book* (Hong Kong, Asian Migrant Centre, with the support of the Rockefeller Foundation, December 2002), p.75.

¹⁸ Partly adapted from HUMAN RIGHTS STANDARDS FOR THE TREATMENT OF TRAFFICKED PERSONS January 1999 found at www.hrlawgroup.org

¹⁹ F. Nightingale, *Nigeria: An Assessment of the International Labour Migration Situation The Case of Female Labour Migrants* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.20.

²⁰ E. Kebede, *Ethiopia: An Assessment of the International Labour Migration Situation The Case of Female Labour Migrants* (Geneva, ILO GENPROM Series on Women and Migration, 2002), pp.37-39

²¹ For example, during the Gulf War, many governments took extraordinary measures by air and by sea to evacuate their nationals from the danger zones in Kuwait, Iraq and Saudi Arabia.

²² See Abella, M.I., *Sending Workers Abroad A Manual for Low- And Middle-Income Countries* (Geneva, ILO, 1997), p.95.

²³ Partly adapted from HUMAN RIGHTS STANDARDS FOR THE TREATMENT OF TRAFFICKED PERSONS January 1999 found at www.hrlawgroup.org


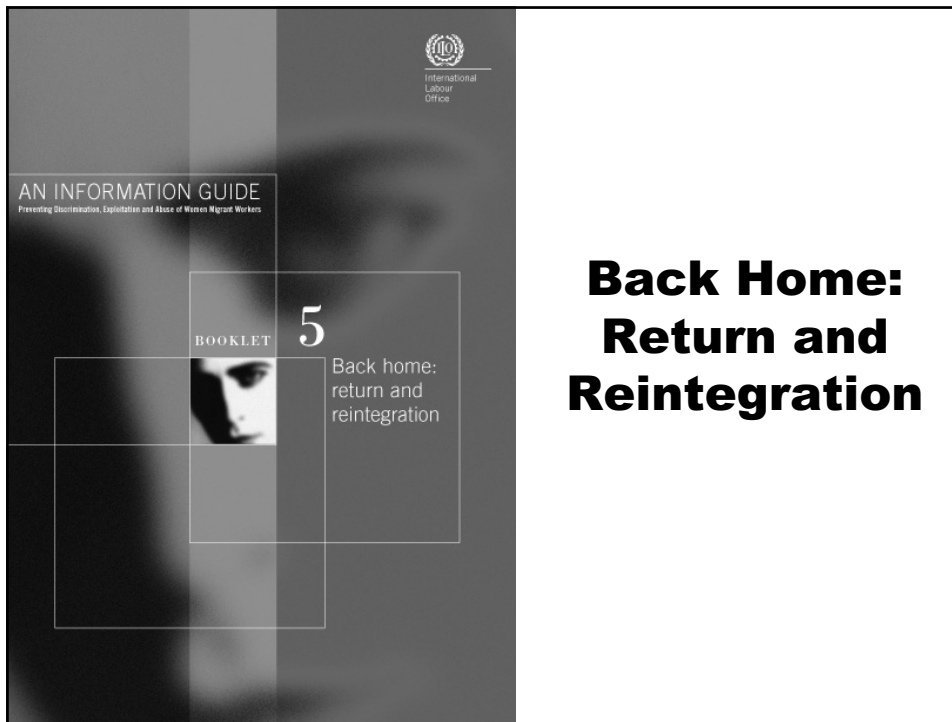
²⁴ M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p. 34

²⁵ Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.45.

²⁶ F. Nightingale, *Nigeria: An Assessment of the International Labour Migration Situation The Case of Female Labour Migrants* (Geneva, ILO GENPROM Series on Women and Migration, 2002).


²⁷ See website: www.warbe@bangla.net

-
- ²⁸ Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.45.
- ²⁹ M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p. 35.
- ³⁰ See CARITAS Website: <http://www.caritas.org/>
- ³¹ Villalba, M.A.M.C., *Philippines: Good Practices for the Protection of Filipino Women Migrant Workers in Vulnerable Jobs* (Geneva, ILO GENPROM Series on Women and Migration, 2002), p.43.
- ³² Ibid, p.44.
- ³³ Asia-Pacific Migration Research Network and Asian Research Centre for Migration, *Female Labour Migration in South East Asia: Changes and Continuities* (Bangkok, Institute of Asian Studies, 2001), p61.
- ³⁴ M. Dias and R. Jayasundere, *Sri Lanka: Good Practices to Prevent Women Migrant Workers from Going into Exploitative Forms of Labour* (Geneva, ILO GENPROM Series on Women and Migration, 2002), pp.30-31.
- ³⁵ International Organization for Migration, *World Migration 2003 Managing Migration Challenges and Responses for People on the Move* (Geneva, IOM, 2003), pp.228-229.
- ³⁶ Ibid, p.230.




AIMS OF BOOKLET 5

- To illustrate specific problems faced by returnees;
- To identify supports for successful reintegration: logistical, legal, socio-psychological, employment, skills related, savings, remittance management and productive investments;
- To highlight role of governments, the social partners and NGOs in reintegration;
- To emphasize opportunities for remunerative employment as key to successful reintegration.



TYPES OF RETURN

- Forced or involuntary return:**
 - Illegal termination, sudden unjust termination by employer/agent; result of exploitation or abuse, abandonment by employer, expiry and non-renewal of work permit/visa;
- Deportation:**
 - **Individual level:** undocumented worker; result of a crime committed by migrant, result of trafficking;
 - **Mass level:** because of wars, conflicts, diplomatic problems; mass deportation of undocumented workers; economic crisis; localization programmes; political or policy changes by host government;
- Voluntary Return:**
 - Assisted Voluntary Return Programmes

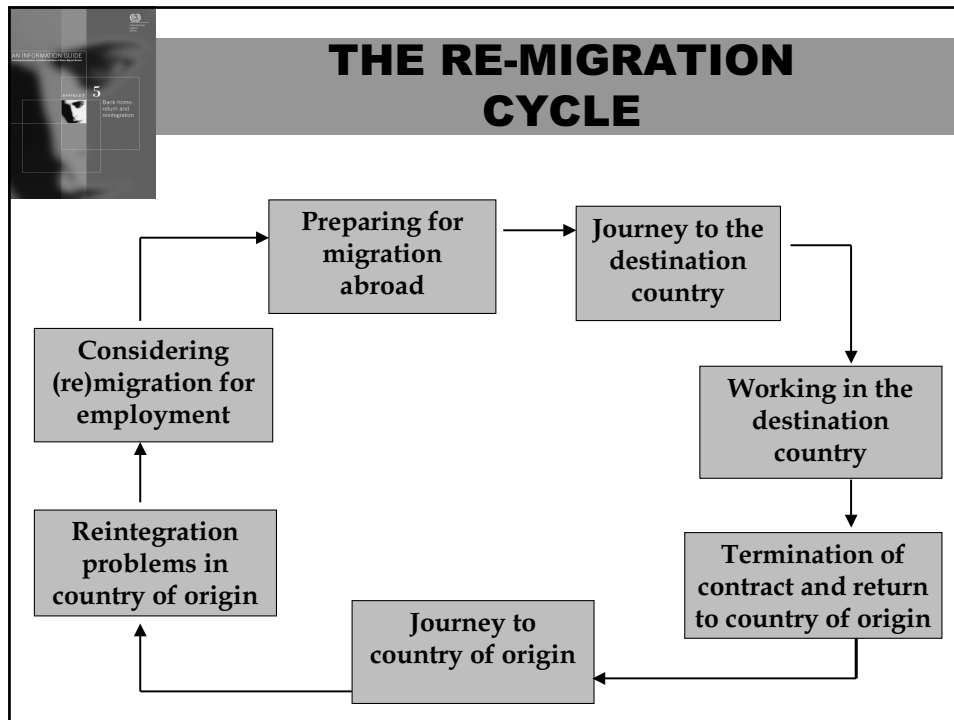


VOLUNTARY RETURN

The ILO has always advocated in favour of the voluntary return of migrant workers.

Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143) Article 8: On condition that he has resided legally in the territory for the purpose of employment, the migrant worker shall not be regarded as in an illegal or irregular situation by the mere fact of the loss of his employment, which shall not in itself imply the withdrawal of his authorization of residence or, as the case may be, work permit.

Article 9:.....In case of expulsion of the worker or his family, the cost shall not be borne by them. Nothing in this Convention shall prevent Members from giving persons who are illegally residing or working within the country the right to stay and to take up legal employment.



- WHY IS RETURN AND REINTEGRATION SO PROBLEMATIC FOR RETURNEES?**
- Socio-psychological effects;
 - Family and social reintegration problems;
 - Financial difficulties;
 - Employment and skills related problems;
 - Filing complaints against exploitation and abuse.



REINTEGRATION NEEDS TO BE ADDRESSED:

- From the pre-departure stage, right through the migration cycle;
- By both countries of origin and destination;
- Not just at the individual level but also at the macro level;
- By giving special attention to trafficked, abused and exploited returnees.



ASSISTING SUCCESSFUL REINTEGRATION: WHAT CAN ORIGIN COUNTRY GOVERNMENTS DO?

- Establish clear rules and regulations regarding responsibility for repatriation;
- Provide incentives for migrants to return upon completion of employment contracts;
- Provide repatriation assistance for those in need, including consular services, legal aid, counselling and referral to social services;
- Set up registration and database on returnees;
- Provide reliable channels for migrants to send remittances;
- Provide advice on investment and employment opportunities;
- Improve access to social security;
- Provide special services and support for victims of trafficking.



WHAT CAN DESTINATION COUNTRY GOVERNMENTS DO?

- Work towards informed, transparent, regulated, orderly and humane labour migration system;
- Provide Assisted Voluntary Return Programmes;
- Provide structures to encourage migrant workers to save;
- Establish bilateral agreements with origin countries to provide migrants with proper and safe channels for remittances and also to cover procedures for return;
- Ensure transferability of social security contributions;
- Treat irregular migrant workers as humanely as possible; with guaranteed safe repatriation;
- Ensure adequate protection for trafficked persons;
- Support development programmes in countries of origin to enhance sustainability of return.



WHAT CAN MIGRANT ASSOCIATIONS DO?

Associations of return migrant workers at local level are one of the most effective ways of organizing for mutual support among returnees, involving community and family members and improving access to services and facilities by:

- Providing opportunities for women returnees to network with others, including mutual support for those who have suffered abuse;
- Improving access to resources and financial support, including credit schemes, for their economic reintegration;
- Enhancing information sharing on types of support available;
- Providing first-hand information to potential migrants;
- Improving preparation in case of subsequent migration;
- Lobbying for action to address the problems of returnees.



WHAT CAN TRADE UNIONS DO?

- Assist return migrants to set up their own organizations or join existing unions;**
- Assist return migrants to have a voice, advocate on their behalf;**
- Link with trade unions in destination countries to provide information to potential returnees on conditions and opportunities in country of origin;**
- Make available services and facilities to return migrants in terms of job placement centres, legal aid, etc. Returnees who are assisted in practical ways much more likely to join unions.**



WHAT CAN EMPLOYERS' ORGANIZATIONS DO?

- Disseminate information on job opportunities and vacancies, in collaboration with reception programmes for returnees and with employment services;**
- Through links with employers' organizations in destination countries, provide information to potential returnees on employment opportunities in country of origin;**
- Provide advisory services, support services and mentoring for returnees setting up own businesses.**



ASSISTANCE AND SUPPORT FOR RETURNING MIGRANT WORKERS

- Logistical assistance;**
- Legal assistance;**
- Socio-psychological counselling and medical services;**
- Employment and skills related assistance;**
- Financial services: remittance management, savings and investments.**