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Living with Fear and Fragility in Times of Pandemic: Contested Lives of Migrant Workers and Challenges of National and Regional Business and Human Rights Frameworks for Labour Migration in the Association of Southeast Asian Nations



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EXECUTIVE SUMMARY

The Association of Southeast Asian Nations (ASEAN) is a hub of migrant workers from within the region and outside. Specifically, migrant workers have become strong workforces in Malaysia, Singapore and Thailand and contributed to significant national revenues. However, the spread of COVID-19 has revealed that migrant workers in these countries are left unattended.

In Thailand, migrant workers faced temporary unemployment or delayed salary payments due to the lockdown, while undocumented workers lost their jobs during the pandemic's peak. In addition, the government ordered the lockdown of construction sites with shortages of food and medicine. Meanwhile, in Malaysia and Singapore, the housing conditions were cramped, overcrowded and unsanitary. More than 20 men were forced to live in one non-air-conditional bedroom. In some dormitories, those who tested positive and negative still shared facilities. In Singapore, 60% of the total COVID-19 cases were low-skilled migrant workers. Many lived in unhygienic dormitories they identified as a 'living prison'. According to the United Nations Office of High Commissioners for Human Rights, none of these countries have ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Moreover, Thailand, Malaysia and Singapore have shown little interest in ratifying International Labour Organization (ILO) Conventions relating to migrant workers, particularly ILO Conventions 97 and 143. Among the three countries, Thailand has led over the former two countries since it became the first in Asia to adopt the National Action Plan on Business and Human Rights (NAP) in 2019. Malaysia is looking forward to implementing its first NAP in 2023. Only in Singapore, NAP has not been properly discussed. Furthermore, the ASEAN regional infrastructure has failed to protect migrant workers from human rights violations.

This policy paper advocates that willingness from governments and business corporations is key to addressing the rights of migrant workers through legislative and administrative practices at the state level. At the same time, bilateral and multilateral agreements between both sending and receiving countries should be strengthened through the existing ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers and the ASEAN Intergovernmental Commission on Human Rights. More importantly, it is advised that these countries should take the COVID-19 pandemic as their lesson learned throughout multidisciplinary approaches to sustainable solutions.

INTRODUCTION

The COVID-19 pandemic has disrupted the everyday life of people across the globe. This cross-boundary health issue has disturbed our living conditions worldwide. However, those who live in a vulnerable situation may experience difficulties living their lives, including human rights violations, during the spread of the pandemic. The COVID-19 pandemic drastically delivered impacts on livelihoods, public health and food systems and could lead 10 million people to extreme poverty (WHO 2020a). Among those populations, migrant workers are likely to face challenges resulting from their marginalised status and living conditions.

According to article 11 of the International Labour Organization (ILO) Convention 97 (Revised), a migrant for employment is termed as 'a person who migrates from one country to another with a view to being employed otherwise than on his account and includes any person regularly admitted as a migrant for employment' (ILO 1949). Likewise, article 2(1) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW 1990) defines a migrant worker as 'a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national'. Migrant workers worldwide help fulfil the labour market demand, specifically for the countries encountering an ageing society (Harper 2016). Not only have they enhanced production outputs and economic advancements in the countries they are employed, but migrant workers have also transferred remittances back to their home countries and elevated their families' well-being (International Labour Office Geneva n.d.). Even though the pandemic has interrupted the global movements, it is still believed that 169 million people are migrant workers, which has risen 3% from 2019 (ILO 2021b). Among other parts of the world, Southeast Asia and the Pacific occupied around 7.2% of the global distribution of migrant workers (ILO 2021c).

Southeast Asian nations, except Timor-Leste, established their regional integration, namely the Association of Southeast Asian Nations (ASEAN), in 1967 and the region has become

progressively driven by the organisation. In 2022, ASEAN celebrated 55 years as a community of 670 million people. As a result of the close cooperation under the ASEAN Economic Community (AEC), this regional integration is a hub of migrant workers from within the region and outside. Statistically, around 9.9 million international migrants lived in the ASEAN nations (United Nations Women Asia and the Pacific n.d.). Among that number, 7.1 million people are migrants moving within ASEAN nations. Thailand, Malaysia and Singapore are leading destinations for migrant workers, contributing to their significant national revenues (ILO Regional Office for Asia and the Pacific 2021a). Nevertheless, the statistical numbers only visibly recognise the documented migrant workers.

This policy paper aims to show that the living conditions of migrant workers in the three ASEAN countries, Thailand, Malaysia and Singapore, have been under the standards set by the ICWM, ILO and ASEAN regional instruments. At the same time, corporates and governments in these countries have failed to follow the existing United Nations (UN) Guiding Principles on Business and Human Rights (GPBHR) for good practices. Moreover, these governments have slowly progressed towards the implementation of the National Action Plan on Business and Human Rights (NAPs). This policy brief takes the COVID-19 pandemic as a lesson learned and provides alternative policy options/scenarios and possible policy recommendations to elevate better living conditions of migrant workers at the national frameworks and ASEAN regional commitments.

PROBLEM DESCRIPTION

The ILO publication on the global impacts of COVID-19 on migrant worker rights and recruitment (ILO 2021a) suggested a list of problems that happened to migrant workers during the spread of the pandemic. They included job and income losses, remittances, return to countries of origin, unpaid leaves and access to healthcare and social protection. Furthermore, migrant workers in many countries were treated unfairly but finally forced to accept those conditions as they did not have alternative options. This part of the paper

will discuss how the COVID-19 pandemic has aggravated the situation of migrant workers in Thailand, Malaysia and Singapore while it will analyse how these countries have responded to global, regional and national problems.

Thailand

It is estimated that four to five million of both documented and undocumented migrant workers are in employment in the country (IOM n.d.). In June 2021, Thailand's Foreign Workers Administration Office, Department of Employment, recorded 2,162,863 migrant workers working in the country (Thailand Development Research Institute 2021). Most of them are from neighbouring countries, including Myanmar, Lao People's Democratic Republic (Lao PDR) and Cambodia, due to their better living standards and broader job opportunities in Thailand. These migrant workers are employed across various sectors as low-skilled workers, such as industrial, textile, agricultural, fishing, food processing, domestic work, construction and tourism, and hospitality (ILO Regional Office for Asia and the Pacific 2021c). In 2002 and 2003, Thailand signed memoranda of understandings (MOUs) with Myanmar, Lao PDR and Cambodia to directly import migrant workers through their official cooperation. Later in 2015, Thailand concluded another MOU with Vietnam to recruit more migrant workers legally from Vietnam (Malikaew 2016).

Thailand was the first foreign country to detect a COVID-19 case outside China on 13 January 2020 (WHO 2020b). In March 2020, when cases increased, the government ordered the closure of businesses and government offices from 22 March onwards. Two days afterwards, a state of emergency was imposed around the country, along with the partial lockdown and border shutdown (Orbis News, Thailand 2020). On 9 April, the curfew began from 10 pm to 4 am every night. Due to the sudden closure of private sectors, many Thai workers decided to return home outside the capital city of Bangkok. Around 60,000 to 200,000 migrant workers immediately decided to cross borders back to families in their home countries, although costs of return were relatively high (Rogovin 2020).

On the other hand, those migrant workers who continued staying in Thailand inevitably faced temporary unemployment situation due to the lockdown. Undocumented migrant workers were at risk of job losses, while some needed to accept lesser or delayed salaries (ILO Country Office for Thailand, Cambodia and Lao PDR 2020). In mid-2020, the situation improved as new cases declined. Businesses started to operate again. However, in December 2020, when the second wave of COVID-19 hit, new cases were mostly found among migrant workers. As a result, the government ordered the shutdown of factories and workers' dormitories, called 'Bubble and Seal Policy' (Migrant Working Group 2021). As a result, they were trapped in the premises with food and medicine shortages and found it difficult to access the COVID-19 testing system (Rojanaphruk 2020).

Malaysia

Migrant workers are the main drivers of Malaysian economy. It is estimated that around 1.98 million migrant workers were employed in Malaysia in 2019 (ILO Regional Office for Asia and the Pacific 2021b). Many are low-skilled labours working in various sectors, including agriculture, fishing, plantation, construction, manufacturing, service and domestic work (Tan & Romadan 2020). More than half of migrant workers in Malaysia are from Indonesia, followed by Myanmar, Vietnam, Philippines, Thailand, Cambodia and Lao PDR. Besides, Malaysia is a famous destination for migrant workers from South Asian countries, such as Bangladesh, Sri Lanka and India (Aziz, Ayob & Abdulsomad 2017).

The Malaysian government imposed nationwide partial lockdown, known as the Movement Control Order (MCO) on 18 March 2020 (Yusof 2021). During the first wave, borders and flights were banned. On 25 April, a total of 14,187 migrant workers tested positive for COVID-19, which constituted around 10% of the total cases in Malaysia (Tan, Noor & Khalidi 2020). However, when the COVID-19 situation began to ease in May, the government relaxed the restrictions. Migrant workers stranded in Malaysia did not have enough options, either

losing their jobs and returning to their home countries or working under health risks. As a major glove exporting country, migrant workers in this industry were forced to work longer hours than usual without appropriate financial and health supports (Foley & Piper n.d.).

However, one of the most concerning issues faced by migrant workers in Malaysia during the spread of COVID-19 was housing conditions. They were forced to live in cramped, overcrowded and unsanitary small dormitories, making them large clusters (Wahab 2020). It was reported from some dormitories that one non-air-conditional room housed 30 men who shared two poor water-running bathrooms (Peter 2020). In some dormitories, spaces were not enough to segregate migrant workers who tested positive and negative as they remained on the same floor and shared facilities together. Furthermore, the buses did not apply physical distance while travelling to working sites (Santiago 2021). In October 2020, the Ministry of Human Resources of Malaysia concluded that 91.1% of migrant worker accommodations were not qualified for the minimum standards, according to the Act 446 on Workers' Minimum Standards of Housing and Amenities (Weon 2021).

Singapore

The total foreign workforce in Singapore was 1,197,100 in June 2021 (Ministry of Manpower, Singapore 2021). These foreign workers in Singapore include both high-skilled and low-skilled labours. However, it was estimated that there are around 300,000 migrant low-skilled labours working in Singapore (Hancock 2022). This micro nation relies heavily on low-skilled migrant workers in various sectors, including manufacturing, construction, service and domestic work. Singapore has attracted migrant workers from Southeast and South Asian nations. A number of Malaysians working in Singapore constituted the highest proportion, followed by migrant workers from China, Indonesia, India, Pakistan and Bangladesh (Bal 2017).

During the first wave of the COVID-19 pandemic, the government enacted the COVID-19 Control Order on 3 April, which later implemented the Circuit Breaker Lockdown from

7 April (Yong 2020). The first case among migrant workers in Singapore was identified on 8 February from a Bangladeshi man working at a construction site. However, the first prominent cluster from migrant worker dormitories began on 30 March. Four workers living together in the same dormitory tested positive. Following this case, Singapore authorities began to proactively conduct the virus tests at 43 large dormitories where more than one thousand workers live in overcrowded and cramped conditions (Sim & Kok 2020).

12 to 20 migrant workers shared bunk beds and small fans together in one room, while hundreds shared bathroom facilities on the same floor (Nortajuddin 2020). This unhygienic situation represented the ordinary daily life of every low-paid migrant worker in Singapore, who had been packed in small areas. These men packed on the vans every morning and travelled to the construction sites or factories (Chin 2021). Due to these reasons, it was inevitable that dormitories became the major clusters, accounting for 60% of the total COVID-19 cases in Singapore (Sim and Kok 2020). Furthermore, some who tested negative were trapped with average food provided on a daily basis when the authorities sealed the places off (Tan 2020). Even though the government reported improvements of mega-dormitories across Singapore, new cases remained. As a result, many migrant workers compared their accommodation premises to a 'living prison' (Ratcliffe 2020).

RATIONALE FOR ACTION

It is time to address an immediate call for action to improve these migrant workers as the economic backbones for Thailand, Malaysia and Singapore. This part of the brief will address what causes under-standard living conditions of migrant workers in Thailand, Malaysia and Singapore. With concerns towards the living conditions of the migrant workers, there are numerous international standards relating to the protection of the rights of migrant workers. However, these countries' governments and relevant stakeholders have failed to follow them.

No sign of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Thailand, Malaysia and Singapore have not ratified the ICMW (1990). This document is one of the most important documents that hold the ratifying state accountable for the rights of migrant workers and their family members. The failure to apply for signatory status has pressured migrant workers in Thailand, Malaysia and Singapore to vulnerable situations, leading to human rights violations. There are many reasons these countries are reluctant to ratify the ICMW, such as protection obligations and cost-benefit perspective. In addition, the ICMW requires the states to include both documented and undocumented status, which pushes the influx of migrant workers to political and security agenda.

ILO Conventions concerning equal treatment and living conditions remain unratified

Secondly, besides the ICMW itself, there are seven ILO Conventions and Recommendations relating to migrant workers, including the Migration for Employment Convention (No 97 1949), the Migrant Workers (Supplementary Provisions) Convention on the Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No 143 1975), the Migration Employment Recommendation (No 86 1949), the Migrant Workers Recommendation (No 151 1975), the Forced Labour Convention (No 29 1930), the Abolition of Forced Labour Convention (No 105 1957) and the Domestic Workers Convention (No 189 2011).

It is not surprising that Thailand, Malaysia and Singapore have shown little interest in ILO Conventions. Malaysia is the only country on the list that has ratified the ILO Convention 97 on Migration for Employment (1949). Still, it is only applied to Sabah state, where 20% of the total population is migrant workers. These

documented and undocumented migrant workers are mainly from Indonesia and the Philippines and employed in various sectors, such as agriculture, plantation, fishing and manufacturing. Besides Convention 97, Thailand, Malaysia and Singapore have ratified the ILO Convention 29 on Forced Labour and ILO Convention 105 on Abolition of Forced Labour. On the other hand, ILO Convention 143 on the Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (1975) and the ILO Convention 189 on Domestic Workers are unpopular among the three nations.

Malaysia and Singapore are still reluctant to develop their National Action Plan

The third is the GPBHR, endorsed in 2011 by the UN Human Rights Council. This document has become a pioneering framework for the states to protect human rights while businesses must comply concerning human rights. At the same time, when human rights are violated, the GPBHR emphasises that access to remedies must be accessible. Within this framework of business and human rights, in 2016, the UN Working Group on Business and Human Rights initiated the Guidance on National Action Plans on Business and Human Rights for UN member states to follow and adopt their NAPs. These GPBHR and NAPs, thus, are effective mechanisms that states and corporates must comply with.

Among three countries, Thailand took the lead among the ASEAN in adopting the first NAP on 29 October 2019, while Malaysia and Singapore have not committed to it (Rights and Liberties Protection Department, Ministry of Justice, Thailand 2019). Thailand's NAP was developed after a recommendation from Sweden in the Second Cycle of 2012-2016 of the Universal Periodic Review. Although the country was under the military junta that had seized administrative control since mid-2014, the Department of Rights and Liberties Protection, in collaboration with the National Human Rights Commission of Thailand, Ministry of Foreign Affairs, Ministry of Commerce, Ministry

of Finance, Ministry of Labour and other relevant stakeholders, successfully launched the NAP, along with supports from the UN Working Group on Business and Human Rights and the UN Development Programme. Thailand's first NAP focuses on the impacts of business to vulnerable groups, which migrant workers are also included. However, Thailand's NAP has been criticised for many reasons. First, it was found that the state-based non-judicial grievance redress mechanisms are not appropriately addressed, as it lacks a substantial monitoring framework. Likewise, the NAP does not hold businesses accountable through legally binding mechanisms. Instead of using 'must' or 'shall', Thailand's NAP provides 'should' in its provisions (Asia Centre 2021). Last, it seems that the NAP only acts a broad guideline paper because none of the legislative changes have been made to safeguard migrant workers following the NAP implementation.

In 2015, the Malaysian government committed to developing a NAP following a strategic framework for a national action plan on business and human rights conducted by its National Human Rights Commission (SUHAKAM) in 2010. Later in 2019, the cabinet decision in launching the developing process for the NAP was announced. However, the domestic political tension significantly delayed the NAP implementation (The Danish Institute for Human Rights n.d.). Until recently, at the National Conference on Business and Human Rights 2021, held in September 2021, the government announced its expectation to release its first NAP in 2023 (Bernama 2021). Nevertheless, in Singapore, the initiative of NAP has never been discussed formally at the state level.

ASEAN is just a paper tiger

Fourthly, as member states of the ASEAN, the functions of this regional framework have unsuccessfully protected labours and migrant workers in Thailand, Malaysia and Singapore. The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (2007) or the Cebu Declaration and the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017) are

leading instruments which the entire region has agreed upon. Furthermore, under one of the three ASEAN community pillars, the ASEAN Socio-Cultural Community (ASCC), the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers was established in 2007, along with the Declaration. However, ASEAN is only a paper tiger with a non-legal binding regional capacity regardless of these initiatives. ASEAN's regional norms on non-interference in domestic politics and consensus decision-making process are the main barriers for this community (Molthof 2012). Similarly, the ASEAN Intergovernmental Commission on Human Rights (AICHR), inaugurated in 2009, has failed to protect and promote human rights values across the region due to the lack of human rights enforcement regimes and national commitments (Hara 2019).

States' perceptions towards migrant workers are led by nationalistic sentiment

Fifthly, domestic initiatives through legal enforcement and administration are absent in these countries. In Thailand, Malaysia and Singapore, migrant workers are excluded from society. They usually face discrimination and social stigma. At the same time, migrant workers are marginalised and referred to as a 'second-class population' (Chandran 2020a). All of these negative attitudes towards migrant workers have contributed to the state's lack of willingness to uphold the lived experiences of migrant workers. Because of the state's unwillingness, businesses are likely to overlook human rights violations. In Thailand, the government initiated a series of emergency relief packages to assist people amidst the economic decline. Unfortunately, migrant workers were not allowed to receive any assistance, despite being registered in the social security system as other Thai workers (International Commission of Jurists 2021). Similarly, public attitudes towards migrant workers became worse, and they were portrayed as virus carriers (Pross 2021).

Meanwhile, discrimination against migrant workers intensified during the pandemic in

Malaysia. The Human Resources Ministry released a FAQ during the MCO, determining that migrant workers should be terminated first when a lay-off was necessary (Ministry of Human Resources, Malaysia 2020). Moreover, the government refused to distribute aid to migrant workers. Instead, the government encouraged foreign missions from their home countries and civil society organisations to provide relief packages (Wahab 2020). Likewise, migrant workers faced a lack of access to health-care service and insurance, whereas costs of COVID-19 testing was pushed to the employers (Toh 2021). Nevertheless, the situation was the opposite in Singapore following the dormitory cluster. People started to realise that the living conditions of migrant workers needed urgent improvements. Public attitudes towards migrant workers seemed optimistic compared to Thailand and Malaysia, despite the fact that they are not used to including them. The Singaporean government faced criticism in their sincere contribution towards these backbone migrant workers who had built skyscrapers and the economy (Chandran 2020b).

POLICY OPTIONS/SCENARIOS

This part focuses on alternative policies that can improve the lives of migrant workers in Thailand, Malaysia and Singapore. Four policy options are proposed at both domestic and regional levels.

The state's willingness plays a vital role in protecting and promoting human rights towards migrant workers at the national level

Without willingness, it is impossible to enact laws and administrative practices. Initially, developing NAPs on business and human rights was the top priority for Malaysia and Singapore. Collaboration and cooperation with different stakeholders are essential because they provide various perspectives from theories to practices. Moreover, relevant national and local agencies, civil society organisations, international or regional institutions and business operations should be invited to participate in the draft

NAPs. At the same time, voices from trade unions and groups of labours should also be included. Furthermore, these governments should learn from many nations from across the globe where the NAPs have successfully developed and enacted. The state should ensure that the three pillars of the business and human rights framework, which are the state duty to protect, the corporate responsibility to respect and access to an effective remedy, function effectively. Although a NAP has been implemented in Thailand since 2019, it is mandatory to review and evaluate the commitments in the previous years to prepare for the revised version in the near future.

Besides the state's willingness to adopt a NAP, it is the duty and responsibility of business organisations to address their determination towards business and human rights. The mandatory Human Rights Due Diligence (mHRDD) involves four components as follows (UN Office of the High Commissioners for Human Rights n.d.):

1. Identifying and assessing actual or potential adverse human rights impacts;
2. Integrating findings from impact assessments across relevant company processes;
3. Tracking the effectiveness of measures; and
4. Communicating on how impacts are being addressed.

To successfully carry out the corporate's human rights due diligence report, the state should provide accessible tools and resources on GPBHR and NAPs for business organisations. Additionally, the state should first encourage large conglomerates to comply with the mHRDD as a model for other small and medium-sized businesses to follow.

Regional collaboration and cooperation on shared issues relating to migrant workers

At the regional level, Thailand, Malaysia and Singapore, as member states of ASEAN, should collectively collaborate and cooperate on shared issues relating to migrant workers, especially living conditions. Bilateral agreements between sending countries and receiving countries should be firmly established. In contrast, multilateral agreements on migrant

workers, including the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (2007) or the Cebu Declaration and the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017), should be strengthened. In addition, the working group on a regional action plan should be founded to safeguard the lives of migrant workers. Furthermore, the ASEAN member states should institutionalise AICHR to act and respond to human rights issues effectively and efficiently.

Develop legal and administrative frameworks for crisis responses

The three countries, Thailand, Malaysia and Singapore, can take the COVID-19 pandemic as their lesson learned to develop legal and administrative frameworks for crisis responses in the future. This alternative policy should be aligned with multidisciplinary approaches of human security, human rights and humanitarian perspectives. In the current situation, we have witnessed that the living conditions of migrant workers in these countries were left behind. Therefore, migrant workers have become vulnerable to human rights violations, discrimination and social stigma. Moreover, the governments should apply the UN Sustainable Development Goals to their policy implementation. As a result, more than ten goals and targets relating to migrant workers will be achieved.

Ratification of international conventions on migrant workers

Even though it will be slightly difficult, these governments must ratify the ICMW (1990), ILO Convention 97 on Migration for Employment (1949), ILO Convention 143 on the Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (1975) and the ILO Convention 189 on Domestic Workers (2011) to ensure that migrant workers will be safe under legal protection through international mechanisms. On the other hand, these governments should enforce legal obligations according to the relevant ILO Conventions and Recommendations. Furthermore, they should

assure equal protection to migrant workers. The COVID-19 pandemic is an alert for countries like Thailand, Malaysia and Singapore to concentrate on the multiple human rights issues faced by migrant workers. However, to successfully protect and promote the rights of migrant workers, no matter what circumstances we are in, it is crucial to have all stakeholders heard and included.

POLICY RECOMMENDATIONS

- Educate society to change their public attitudes towards migrant workers to terminate unequal treatment and discrimination at the national level by legislating an anti-discrimination act, focusing on workplace discrimination. Currently, Thailand, Malaysia and Singapore do not have this provision in place. At the regional level, ASEAN should implement an agreement on labour migration that requires the state's response on establishing action plans and task forces. Besides, relevant state officers should be trained to understand the circumstances of migration for employment and the social and economic conditions migrant workers are facing.
- Deliver quality well-being guaranteed under the ILO standards, including decent jobs, wages and welfare supported by state bodies and business corporations. Moreover, migrant workers should be empowered to assemble with their fellows and local citizens. Trade unions should allow migrant workers to participate and express their voices without fear.
- Ensure all migrant workers have access to hard and soft skills. Education or self-development programme is key to accessing wider opportunities and living. Low-skilled migrant workers can use this occasion to elevate themselves to become high-skilled labours. Education or self-development programmes must be provided in partnership between the government and the corporations in free-of-charge with translations supported.
- Implement the new NAP for Thailand that includes the state-based non-judicial grievance redress mechanisms and monitoring system. Along with the NAP implementation, some

legislative amendments should be taken into account. For Malaysia and Singapore, their first NAP should be urgently drafted by the states' agencies by capturing the lessons learned from Thailand in terms of contexts and other successful countries in terms of contents.

- Encourage migrant workers to participate in trainings on human rights principles, along with the state's protection mechanisms and corporate responsibilities. All migrant workers should be educated on how to protect themselves or their fellows from human rights violations and access remedies when violations have taken place. Moreover, migrant workers should be empowered to attend every public hearing of any laws and policies that may negatively impact their lives. Their voices should matter at all levels, from regional, national and local levels.
- Promote business corporations to collectively collaborate and cooperate with government agencies, civil society organisations, intergovernmental organisations and other groups, such as faith-based organisations, to build a strong network that urges the business sector to respond to migrant workers' problems immediately without waiting for government institutions.
- Improve capacities of the existing hotlines, led by the labour affairs authorities of these countries. The hotlines should act as a help desk to support migrant workers with legal and policy advice, complaint system and emergency assistance. They should be available 24 hours, with various language translations available for non-Thai or Bahasa Malaysia speakers, including Burmese, Lao, Khmer, Vietnamese, Bahasa Indonesia, Tamil, Bengali and English. Also, the hotlines should place concerns towards privacy and security of persons who call. In addition to the hotlines, alternative channels, such as chat applications and emails, should be provided.
- Establish a network of business corporations to draft declarations to protect and promote the rights of migrant workers. The network should enable the exchange of knowledge to develop the mHRDD. Government agencies and business organisations should collaborate and cooperate in implementing effective monitoring mechanisms. All details among this network should be accessible and transparent. Every person shall have the right to enquire and follow up on the related matters on the rights of migrant workers.
- Empower migrant workers from the same sector or country to establish a network to exchange professional skills and knowledge on human rights protection and promotion. This network can provide safe spaces for migrant workers to support each other as many of them are from the same country or industry.
- Empower civil society organisations in both sending and receiving countries to collaborate and cooperate on issues related to the human rights of migrant workers. Currently, there are many organisations specialising in this matter, but they lack cooperation across their borders.
- Improve ASEAN roles and capacities in regional cooperation on the existing agreement for the promotion and protection of the rights of migrant workers. The ASEAN community should set up complaint channels available for migrant workers at the regional level, such as hotlines, chat applications, or emails if the national complaint channels do not function effectively and efficiently. Moreover, ASEAN should establish an emergency response plan to exercise immediate response to migrant workers if the state mechanisms fail to deliver assistance.

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