

The title text is positioned in the lower-left quadrant of the page. It is written in a bold, white, sans-serif font. The text is arranged in three lines: 'ASEAN Trade Union Council (ATUC)', 'Inter-Union Cooperation Agreement:', and 'A Strategy to Promote Decent Work'. The background behind the text consists of large, curved, overlapping shapes in shades of teal, orange, and dark blue-grey.

**ASEAN Trade Union Council (ATUC)  
Inter-Union Cooperation Agreement:  
A Strategy to Promote Decent Work**

The recognition of migrants' rights is essential to achieving Decent Work for all men and women. In 2012, the International Labour Organization (ILO) and the Canadian Department of Foreign Affairs, Trade and Development launched the *Tripartite Action for the Protection and Promotion of the Rights of Migrant Workers in the ASEAN Region*, also known as the **ASEAN TRIANGLE Project**.

The ASEAN Triangle Project (ATP) aims to significantly reduce the exploitation of migrant workers in the region through increased legal and safe migration and improved labour protection. The Project promotes bilateral and regional approaches to deal with shared concerns, make regionalism more effective, and enhance the capacity of institutions in ASEAN. One of the Immediate Outcomes of ATP is: *Enhanced capacity of social partners to influence migration policy and protect the rights of women and men migrant workers*. Better involvement of workers' and employers' organizations in migration policy dialogue will enhance the protection of the rights of all migrant workers.

The ASEAN Trade Union Council (ATUC) is an apex organization of eighteen national trade union centers and confederations in nine ASEAN Member States and East Timor that represents five million members. Its affiliates include some of the most representative trade union organizations in ASEAN. It conducts conferences and training workshops on important labour issues. ATUC started work on labour migration in 2009 and its objectives are aligned with ATP. It engages in social dialogue about labour mobility in the region and undertakes initiatives to support its affiliates' activities for migrant workers.

The ATP has developed a three-year work plan with the ATUC that outlines shared objectives and common activities. The work plan was endorsed by the ATUC General Assembly and approved by the ATP Project Advisory Committee. ATP and ATUC implement the work plan in collaboration with the ILO's Bureau for Workers Activities and the International Trade Union Confederation – Asia Pacific.

This document presents one of the outputs of the ATP-ATUC collaboration.

# ASEAN Trade Union Council (ATUC) Inter-Union Cooperation Agreement Among ASEAN Unions As a Strategy to Promote Decent Work

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Workers move to find decent employment for a better future for their families. In ASEAN, almost 13 million people are working outside the region, and another 4 million migrated within ASEAN. Cross border migration is likely to increase all over the world. Better terms and treatment of migrant workers contribute to improvement of wages and working conditions for all workers. Ensuring the protection of migrants' rights is essential to achieve Decent Work for all men and women.

By and large, migrant workers are on their own; they remain outside the trade union movement. They are exploited by the recruiting agents and employers. They do not have a voice in their working places and have to endure poor working and living conditions.

ATUC and its affiliates subscribe to the key principles in addressing issues related to the rights and welfare of migrant workers, including mutual cooperation in the ASEAN region:

Proceeding from the ILO Constitution and the Philadelphia Declaration, as well as the ILO Multilateral Framework on Labour Migration affirming that all ILO Conventions apply equally to migrant workers, regardless of their status;

Appreciating that ILO Conventions No.97 on Migration for Employment, 1949, and No.143 on Migrant Workers (Supplementary Provisions), 1975, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 1990, represent a charter for the rights of migrant workers;

Recognizing that trade unions are founded to defend workers' interests, all workers, including migrant workers, should enjoy the full labour rights included in internationally-recognized standards, the countries' labour laws and collective agreements in receiving countries.

MINDFUL of the potential impact of ASEAN Integration 2015 on conditions of work and life of labour, including migrant workers,

1. ATUC and its affiliates agree to carry out joint trade union campaigns to advance trade union solidarity and to strengthen cooperation among ATUC and its affiliates for protection of both migrant and local workers, including harmonization of their working and living conditions.
2. To address occupational health and safety and housing concerns of migrant workers, as well as to promote special protection for particularly vulnerable workers, such as domestic workers, and those in construction, transportation, agriculture, fishery, and informal sector, including advocacy for priority mutual recognition arrangements (MRA) for these vulnerable sectors.
3. To inform the workers and others on the positive contributions migrant labour make towards the development of both receiving and sending countries, and to inform migrant workers about their rights and the general situation of sending and receiving countries in the languages of migrant workers.
4. To establish information centres for migrant workers to provide both potential migrants, and migrants, with information materials in their native languages (1) on migrant workers' employment and living conditions and social benefits entitlement; and (2) on legal migration, employers' obligations, the national security system, and national laws.
5. To work for the ratification of International Labour Conventions No. 97 and No. 143 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) as well as ILO Conventions dealing with public and private employment agencies; as well as to work for the ratification of ILO Convention No. 189 to promote decent work for domestic workers.

6. To continue engagement in advocacy and campaigns at home and elsewhere for more sustainable measures for employment in place of migration.
7. To organize migrant workers, to ensure they join the trade union in receiving and sending countries, participate in union activities and obtain trade union protection in case of abuses and violations of their rights.
8. To encourage affiliated unions to integrate migrant concerns in collective bargaining with employers; and ensure that labour legislation and collective agreements fully protect all migrant workers.
9. To develop joint measures, including legal support, to denounce abusive practices and to provide legal remedies, and for broadened services to migrant workers.
10. To develop networking through regular seminars, pre-departure union training, and orientation programmes for migrant workers to acquaint themselves with their new environment, as well as to organize conferences on issues related to labour migration and workers' rights.
11. To push cooperation between the governments of sending and receiving countries to enhance governance of migration, in the fields of establishing legal avenues for labour migration, the strengthening of labour inspection, legal cooperation in the case of trafficking, forced labour and other abusive situations, and issues of maintenance of social security entitlements and regulation of activities of recruitment and employment agencies and subcontractors.
12. To develop a model employment contract for migrant workers, based on compliance with provisions of international labour standards and enforced through national legislation, regulations and labour inspection.
13. Tripartite consultation and decision-making mechanisms to address situations related to the status of migrant workers, social protection aspects, measures facilitating the regularization of the status of migrant workers in irregular situations; and to secure the involvement of trade unions in the development of bilateral agreements between governments of sending and receiving countries.

## **Immediate follow-up activities**

14. For leaders of contracting unions to visit their respective countries to discuss details of the implementation of this ATUC Inter-Union Agreement, and acquaint themselves with labour markets and the situation of migrant workers;
  - for exchange of knowledge, experience and experts between trade unions at all levels
  - multi-union discussion and consultations on current issues involving migrant workers, including practical actions to address these issues;
  - improving the participation and consultation of social partners in consultations at all levels – regional, national and local levels, in order to better protect migrant workers and trade union members by way of establishing better cooperation with employers organizations of both countries;
15. To designate and build capacities of focal points in affiliates, to support implementation of work for protection of migrant workers, including in the ASEAN TRIANGLE Project and similar ILO Projects;
16. To encourage affiliates to qualify migrant workers for membership in the unions or the national centre itself;
17. To build mechanisms for the protection of migrant workers, including providing information, direct services by unions or associated Migrant Resource Centres (MRC), or referrals to other national centres and parties engaged in migrant work;
18. To cooperate in activities towards the building of the ATUC Information System on Migrant Workers (ATIS) to monitor migrant workers' cases and to serve as basis for policy and for interventions; and securing resources for these facilities;
19. To organize regular cross-border meetings and joint evaluation of progress made in the implementation of this Agreement and bilateral agreements in order to effect possible improvements as appropriate;

20. To strengthen engagement with ASEAN Confederation of Employers (ACE) and recruitment and employment agencies in their respective countries so as to secure ethical recruitment and better working and living conditions for migrant workers and non-migrant workers alike;
21. To intensify regional and national efforts for ATUC accreditation as ASEAN's labour dialogue partner, through contacts with ASEAN and ASEAN members' focal points;
22. To strengthen engagement with other sub-regional and regional union groupings, as well as those from the ASEAN plus-plus clusters, for broadening coverage of migrant worker protection.
23. To continue working with ITUC AP, ILO and other international institutions for promotion of rights and protection of migrant workers;

26 October 2014, Manila, Philippines.



## **ASEAN Trade Union Council (ATUC) Inter-Union Cooperation Agreement Among ASEAN Unions as a Strategy to Promote Decent Work**

In October 2014, the International Labour Organization's ASEAN TRIANGLE Project and the ASEAN Trade Union Council (ATUC) organized a meeting among ATUC leaders to discuss ATUC's strategy for addressing the concerns of ASEAN migrant workers and to identify key priorities that may be implemented by ATUC and its affiliates. The meeting culminated in the adoption of the ATUC Inter-Union Agreement.

The Inter-Union Agreement articulates ATUC's framework for decent work in labour migration. It contains twenty-three action points for promoting and protecting the rights of migrant workers. This booklet aims to disseminate the inter-union agreement to the members of ATUC's affiliates, as well as potential partners, in support of the agreement's full and effective implementation.

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