

SAARC DECLARATION ON LABOUR MIGRATION

PREAMBLE

We, the Heads of State and Government of the SAARC Member States (Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) attending the Nineteenth SAARC Summit in Islamabad, Pakistan, on 09-10 November 2016:

REAFFIRMING the objectives of SAARC, among others, to promote the welfare of the people of South Asia and to improve their quality of life;

RECALLING the commitment made in the Eighteenth SAARC Summit Declaration to “collaborate and cooperate on safe, orderly and responsible management of labour migration from South Asia to ensure safety, security and wellbeing of migrant workers in the destination countries outside the region”;

NOTING the inclusion of stand-alone goal related to Migration in the Sustainable Development Goals (SDGs) Agenda-2030;

RECALLING relevant International legal instruments such as the Universal Declaration of Human Rights, Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, to which all the SAARC Member States are parties, in order to safeguard human rights and fundamental freedoms of individuals;

RECOGNISING the increased exodus of youth for employment abroad from our region primarily due to poverty, inequalities and lack of adequate employment opportunities as well as choice of migrant workers;

REALIZING vulnerabilities of specific groups particularly low skilled migrant workers and women migrant workers, including those engaged in domestic and other informal works;

ACKNOWLEDGING that migration for work present both opportunities and challenges and well managed and just migration system brings positive development impact for countries of origin and destination;

EMPHASIZING the need to work together in the spirit of mutual cooperation for better management of labour migration, including protection and welfare of migrant workers of our region;

UNDERSCORING that cooperation and dialogue strengthen the understanding of Member States in management of labour migration by harmonizing policies on migration, in accordance with laws, regulations and policies of respective SAARC Member States;

NOTING that significant progress has been made through finalization of a ‘SAARC Plan of Action for Cooperation on Migration’.

HEREBY DECLARE AS FOLLOWS:

GENERAL PRINCIPLES

Pursuant to the prevailing laws, regulations and policies of respective Member States, we shall:

- i. **Deepen** the process of regional economic cooperation and integration in South Asia as one of the effective means of ensuring economic growth and combating poverty and inequality;
- ii. **Effectively** address root causes of migration through targeted development policies and expand domestic employment opportunities;
- iii. **Encourage** and promote investment to enhance livelihood opportunities through employment for their citizens as sustainable alternative to migration;
- iv. **Forge** collective collaboration with destination countries to promote decent, humane and dignified labour migration that respects human rights of workers;
- v. **Undertake** concrete actions to respond to challenges at all stages of labour migration at the appropriate level in a spirit of partnership, shared responsibility and cooperation;
- vi. **Establish** and enforce legal measures to promote fair recruitment and adopt appropriate mechanisms for eliminating recruitment malpractices;
- vii. **Integrate** migration into national and multi-sectoral development policies for maximizing benefits of migration;
- viii. **Incorporate** issues of women migrant workers, including those involved in domestic sector, into national policies and programs to reduce their vulnerability, exploitation and abuse throughout migration cycle, and increase access to informed choices about migration;
- ix. **Strengthen** regional cooperation with destination countries for maximizing mutual economic benefits from migration;
- x. **Cooperate** mutually in combating irregular migration and human trafficking;

COMMITMENTS BY SAARC Member States

We agree to:

1. **Development of a Framework for Skills Qualification;**
 - 1.1 **Work** towards developing a South Asian qualification reference framework and competency standard;

- 1.2 **Work** towards harmonization of skills qualification at the regional level and recognition of skills of migrant workers from South Asia in destination countries.
2. **Strengthen Pre-departure Preparation of Migrant Workers**
 - 2.1 **Develop** and implement, where as possible, common curriculum for pre-departure preparation, including information on gender, health and life skill;
3. **Formulation of Standard Employment Contract and Minimum Wages**
 - 3.1 **Develop** standardized employment contracts to establish minimum regional standards on labour migration;
 - 3.2 **Develop** common position on minimum wages and non-discrimination in payment of wages and benefits for the same work amongst workers from SAARC countries;
4. **Establishment of a Mechanism for Information Exchange and Knowledge Building**
 - 4.1 **Support** each other in capacity-building for the management of migration;
 - 4.2 **Promote and facilitate** sharing of information and data on national policies and programs concerning migrant workers and best practices as well as opportunities and challenges encountered by SAARC Member States relating to migrant workers;
 - 4.3 **Encourage** consultations with different stakeholders at national/regional/international level on issues related to labour migration;
 - 4.4 **Support** joint study/research on migration and its impact on individual, family, society and overall development at national and regional level;
 - 4.5 **Collaborate** with global and regional initiatives/mechanisms on Migration as appropriate.
5. **Ensuring Fair and Ethical Recruitment**
 - 5.1 **Formulate** guidelines/regional framework on ‘fair and ethical recruitment’ with regard to recruitment options, legislation, enforcement, certification and monitoring of recruitment process in line with international legal standards;
 - 5.2 **Take** joint initiatives to minimize migration costs and to gradually ensure migration free of cost;
6. **Maximizing the Developmental Potentials of Migration**
 - 6.1 **Encourage** Member States to develop and implement respective National Action Plan for leveraging development potentials of migration and remittances;
 - 6.2 **Develop** mechanism to minimize costs of communication and remittance transfer;

6.3 **Develop** reintegration programs for migrant returnees in utilize their skills, knowledge and experience for the development of their own country.

7. Improvement in the Justice Mechanisms, Support Services, Welfare and Protection

7.1 **Promote** fair and appropriate employment protection, payment of wages and adequate access to decent working and living conditions for migrant workers;

7.2 **Facilitate** migrant workers of SAARC Member States for access to justice, free legal assistance and support in the destination as per the legal system of destination countries;

7.3 **Establish** and implement human resource development programs and reintegration programs for migrant workers in their countries of origin;

7.4 **Extend** assistance, whereas possible, to migrant workers caught in conflict or crisis situations outside SAARC upon request from a Member State;

7.5 **Establish** mechanism to hold dialogue with countries of destination.

Follow-up mechanism

We agree to:

- a) Establish SAARC Technical Committee on Labour Migration to hold regular expert level meetings and prepare a multi-year Action Plan for implementation of the Declaration and follow up and reporting progress thereof;
- b) Set up SAARC Ministerial Forum on Labour Migration preceded by Secretaries Level forum to approve the Action Plan and monitor its implementation.
