

Facilitating migrant workers' access to justice:

Migrant Worker Resource Centers (MRCs) supported by TRIANGLE in ASEAN programme

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▶ The ILO's TRIANGLE in ASEAN programme

Overall goal: Maximize the contribution of labour migration to equitable, inclusive and stable growth in ASEAN.

- ▶ Engages at the **regional level** through ASEAN institutions, especially the ASEAN Committee on Migrant Workers (ACMW) and SLOM.
 - 4 countries of origin: **Cambodia, Lao PDR, Myanmar and Viet Nam**
 - 2 countries of destination: **Thailand and Malaysia**
- ▶ Supported by the Governments of Australia and Canada (2011-2025)



▶ TRIANGLE supported Migrant Worker Resource Centers (MRCs) in 2024

- ▶ Physical centers providing a **services to migrant workers** in countries of origin and destination: **Labour rights counselling, legal aid, information, education, networking, and trade union organizing.**
- ▶ TRIANGLE **MRC partners** include **government institutions, trade unions and civil society organisations.**

Cambodia

1. Battambang
2. Kampong Cham
3. Kampot
4. Phnom Penh
5. Prey Veng

Lao PDR

6. Champassak
7. Luang Prabang
8. Savannakhet
9. Xayaboury

Thailand

10. Bangkok
11. Chiang Mai
12. Mae Sot

Malaysia

13. Kuala Lumpur /Selangor
14. Penang

Viet Nam

15. Bac Ninh
16. Ha Tinh
17. Phu Tho
18. Quang Ngai
19. Thanh Hoa

Myanmar

20. Keng Tung (Shan State)
21. Tachilek
22. ThreePagodas Pass
23. Yangon



MRC results 2011-2023

Gender and disability budgeting

While all activities promote gender equality and disability inclusion, since 2016,

25% of all activity funds have been spent on redressing gender balance and disability inclusion.

In 2023, the amount spent was at 29.6%.

Services to migrant workers

225,480

migrant workers

accessed services through

46%
women



Migrant Worker Resource Centres

in six countries. This includes 13,011 (55%) women in 2023.

US\$ 11,912,160

was ordered in compensation to migrant workers for legal claims.

This includes US\$458,671 (in 558 cases) in 2023.



▶ TRIANGLE report 2017: Analysis of 1,014 MRC cases 2011-2015



- ▶ The study reviewed:
 1. Utilization of complaint mechanisms
 2. Subject of complaints
 3. Mechanism for resolution
 4. Time required for resolution
 5. Remedies awarded for complaints
 6. Sanction of offenders
- ▶ Findings from the 2017 study are getting outdated, but the methodological approach and **conclusions are still valid.**
- ▶ TRIANGLE plans to do similar analysis of a much broader 2011-2024 MRC data set in 2025.
- ▶ *A few snapshots of 2021-2023 data provided in the following slides.*

▶ TRIANGLE report 2017: Conclusions

- ▶ **Progress** has been achieved in increasing access to justice for migrant workers in some countries, but **challenges remain**. Only the most brazen violations of migrants' rights are rectified.
- ▶ Manifest **differences between women and men** in access to justice due to the informal and unrecognized nature of much of women's migration and employment.
- ▶ Overall, there is a **substantial and largely unmet demand** for fair and responsive remedies within the region.
- ▶ **NGOs and trade unions play a critical role** in providing an access point for migrants to seek redress.
- ▶ **Most migrant workers seek practical resolutions**, such as disbursement of unpaid wages, deployment to destination countries and return of identification documents. These needs are currently not adequately met.
- ▶ **Expanded efforts are needed** to improve the accessibility and effectiveness of complaint mechanisms to ensure that migrant workers are provided with just remedies.

TRIANGLE MRC legal assistance outcomes 2021-2023:

Types of complaints

Type of complaints	2023			2022			2021		
	Men	Women	Total	Men	Women	Total	Male	Female	Total
Non-payment of wages	37	30	67	72	37	109	30	4	44
Documents not provided	11	16	27	31	57	88	65	69	144
Underpayment of wages	15	5	20	8	5	13	43	14	87
Missing persons	0	0	0	5	1	6	0	0	2
Delay in deployment	168	151	319	81	64	145	90	37	162
Termination of employment	19	55	74	178	57	235	44	7	61
Benefits not provided	3	9	12	0	2	2	0	2	2
Rest day	0	0	0	0	1	1	n/a	n/a	n/a
Restriction of movement	0	0	0	0	0	0	1	0	1
Forced labour	0	0	0	410	3	413	45	0	50
Accident	6	2	8	12	2	14	1	3	4
Physical or sexual abuse	0	2	2	2	5	7	3	2	5
Unlawful wage deductions	0	0	0	2	1	3	1	0	4
Insurance	0	0	0	1	1	2	1	1	3
Documents withheld	1	3	4	66	7	73	9	2	11
Occupational safety and health				4	10	14	5	5	19
Arrested	15	0	15	56	47	103	14	13	27
Trafficking	4	9	13	33	15	48	n/a	n/a	n/a
Repatriation	23	18	41	1	2	3	n/a	n/a	n/a
Disability	0	0	0	1	0	1	n/a	n/a	n/a
Other	0	2	2	5	1	6	57	3	60
TOTAL COMPLAINTS	302	302	604	968	318	1286	408	162	686
Forced labour cases among total complaints (%)	0%	0%	0%	42%	1%	32%	11%	0%	7%

▶ TRIANGLE MRC legal assistance outcomes 2021-2023: Mechanisms for resolution of cases

Mechanism for resolution (Cases)	2023	2022	2021	total	% of total mechanisms for resolution
Administrative process	426	260	155	686	70%
Case dropped	25	61	46	86	9%
Court hearing	27	4	5	31	3%
Informal mediation	80	91	45	171	17%
Other	0	7		7	1%
TOTAL CASES				981	100%

Thank You!

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