**Report of**

**the Ministry of Labour and Vocational Training of Kingdom of Cambodia**

 **on Protection of Migrant Workers**

1. **Introduction**

The Royal Government of Cambodia has focused on development of all sectors including labour and vocational training with a view to improving working conditions, increasing employment opportunities, creating good working environment, strengthening harmonious industrial relations, and improving technical and vocational training and education to be responsive to labour market demand which will contribute to poverty alleviation, improvement of livelihood and sustainable economic development with deep reforms of all areas.

Labour migration has provided workers with decent income, knowledge, working experiences, technical and new technological skills and soft skills. Moreover, the labour migration is a major driving force for economic and social development in Cambodia. The government has a precise mechanism for selecting, training, sending and managing Cambodian trainees and workers abroad.

1. **Action taken to advance the protection of migrants in vulnerable situations**

The government has put in place national policies and legal instruments, namely:

1. National Employment Policy 2015-2025
2. National Technical and Vocational Training and Education Policy 2019-2023
3. Labour Migration Policy for Cambodia 2019-2023
4. Cambodia Decent Work Country Programme 2019-2023
5. Strategic Plan for Development of Labour and Vocational Training 2019-2023,
6. Sub-Decree No. 190 dated 17 August 2011 on the Management of Sending Cambodian Workers Abroad through Private Recruitment Agencies and other regulations as well as guidelines.

So far, the Royal Government of Cambodia has signed memorandum of understanding (MoU) with countries of destination, namely the Republic of Korea, Thailand, Malaysia, Japan, Singapore, Hong Kong Special Administrative Region, Arabia Saudi, Kuwait and Qatar.

Meanwhile, the government has also implemented international instruments, namely

1. The United Nations Convention on the Protection of the Rights of All Migrant Workers and their Families
2. The ILO Convention No. 97 on Migration for Employment Convention (Revised), 1949
3. The Convention No. 143 on Migrant Workers (Supplementary Provisions), 1975
4. The ILO Convention No. 181 on Private Employment Agencies, 1997
5. The ILO Conventions No. 188 on Work in Fishing, 2007
6. ILO Convention No. 189 and Recommendation No. 201 on Domestic Workers, 2011
7. ASEAN’s instruments:
* Declaration on the Protection and Promotion of the Rights of Migrant Workers
* Consensus on the Protection and Promotion of the Rights of Migrant Workers
1. **Advances in the protection of the human rights of migrants through the implementation of the Global Compact for Safe, Orderly and Regular Migration**

The Ministry of Labour and Vocational Training has been mandated by the government to cooperate closely with the Ministry of Foreign Affairs and International Cooperation and the Ministry of Interior to manage the labour migration process as well as the process of sending Cambodian workers abroad in order to protect and promote their rights in line with policies, guidelines and legal instruments. Furthermore, in the process of developing policies and legal instruments, the Ministry of Labour and Vocational Training always received support from development partners and institutions including the International Labour Organization (ILO), the International Organization for Migration (IOM), the United Nations entity dedicated to gender equality and the empowerment of women (UN Women), Legal Support for Children and Women (LSCW), workers’ and employers’ organisations and other partners in order to promote and protect workers’ rights as enshrined in the above-mentioned policies and legal instruments.

Until now, Cambodian migrant workers have gone to work in such countries as South Korea, Malaysia, Thailand, Japan, Saudi Arabia, Kuwait, Qatar, Singapore and Hong Kong special administrative region. As of 2019, the Ministry of Labour and Vocational Training has licensed 116 private recruitment agencies to recruit, train, send and manage Cambodian trainees and migrant workers for overseas employments in the above-mentioned countries except South Korea that the migrant workers have to be sent through the Employment Permit System (EPS), which has to be implemented under government-to-government arrangement.

In order to further strengthen the work proficiency of the private agencies in managing the migrant workers to work overseas, two associations of recruitment agencies have been established and properly operated in line with the existing policy, principle and regulations, and the code of conduct of the associations has been developed with technical assistance from the International Labour Organization (ILO).

1. **Best practices in identifying missing migrants and ensuring access to information and justice to their families**

To manage the overseas migrant workers, the Royal Government of Cambodia has assigned labour counsellors to work at Cambodian embassies in receiving countries in which there are over 3,000 Cambodian migrant workers. They include (i) two labour counsellors in South Korea, (ii) three labour counsellors in Thailand, (iii) two labour counsellors in Malaysia, (iv) one labour counsellor in Japan. Meanwhile, in accordance with the sub-decree No. 190 dated 17 August 2011 on the Management of Sending Cambodian Workers abroad through Private Recruitment Agencies, it is required to have staff to work in the receiving countries to monitor and solve the issues of the migrant workers.

In addition, the government has established a complaint mechanism for Cambodian migrant workers, who have been mistreated by any party or private agency or any employer that the migrant workers find that the treatments are unfair or against the existing laws and regulations. This mechanism is welcomed and strongly supported by migrant workers, national and international communities.

In addition to the above-mentioned fair management with precise mechanism, during national festivals, the Ministry of Labour and Vocational Training always ensures the well-being of overseas workers by assigning its officials to visit and celebrate at the places where workers live and work, give them warm care and fun as we do with the local workers. Every time we visit them, we have observed that our migrant workers always come in a great number happily and always express their gratitude to the government for its wise leadership, respecting their rights, and providing the local and overseas workers with opportunities of their own work choices without any discrimination.

**V- Conclusion:**

The Ministry of Labour and Vocational Training will further continue to work closely with relevant institutions and partners and governments of the receiving countries to strengthen the management, protection and promotion of Cambodian migrant workers’ rights by visiting them more often, solving their problems more effectively, and fostering their confidence in the government’s efforts to improve their livelihood and qualifications and to offer them with social protection network services.

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