



Workshop Report

REGIONAL WORKSHOP
on
HOME BASED WORKERS IN ASIA: BUILDING A REGIONAL PRESENCE
Mumbai, April 7th and 8th, 2008

Organized by
HomeNet South Asia
□
Friedrich Ebert Stiftung, India

**HOMEBASED WORKERS IN SOUTH ASIA: BUILDING A REGIONAL
PRESENCE
WORKSHOP REPORT**



The key objective of this workshop was to build solidarity and facilitate mutual learning and experience sharing in order to create a presence and a voice of networks of home based workers, at the Asia level.

HNSA, in partnership with FES, organized a workshop on “Homebased workers in Asia Building a Regional Presence: Strengthening Voice and Mutual Learning,” on April 6th and 7th, 2008 at Hotel Ramada Plaza Palm Grove, Mumbai, India. The key objective of Conference was to advocate for bringing the benefits of growth to the home based workers in order to lift them out of poverty. Specifically, this workshop sought to build solidarity and mutual learning and experience sharing among the participants so that they can create a presence and a voice at Asia level – both for advocating for a policy at the national level as well as lobby for the ratification of the ILO Convention 177. The workshop was attended by over 30 participants representing HomeNets from Bangladesh, India, Nepal, Pakistan and Sri Lanka, Laos, Philippines, Thailand and delegates from international agencies like ILO, GLI, UNIFEM and FES.

SESSION 1: INAUGURATION AND WELCOME

The workshop opened with Ms Renate Tenbusch, Project Director, Friedrich Ebert Stiftung, warmly welcoming the workshop participants. Reflecting on the Homenet-FES Cooperation, Ms Tenbusch noted that the first workshop was organized in February 2007, by HNSA in partnership with FES India and Nepal offices and the Global Labor Institute and focused on social protection for home-based workers in South Asia. The workshop triggered off several developments on the advocacy front in the HNSA member countries. In South East Asia, FES Thailand, GLI and HomeNet Thailand had organized a similar workshop in February 2006. That workshop was attended by representatives of the ILO Bangkok, Ministry of Labour, the Thai Labour Solidarity Committee, Trade Unions as well as journalists and home-based workers of the region. This year FES and HomeNet South Asia were jointly seeking to, in this workshop, bring together all representatives from the HomeNet regional and national chapters of South East Asia and South Asia as well as those organizations and government representatives who are working for the

agenda of supporting the interests of home-based workers all over Asia. The main goals of this endeavor are to support creating and empowering the HomeNet Asia Network, advocating for the ratification of the ILO convention and integrating the issue of the home-based workers into the regional bodies the ASEAN and the SAARC as well as lobbying for the drafting and implementation of national home-based workers protection laws.

Ms Tenbusch also pointed out that FES is currently creating an All-Asia-Regional-Project which will be based in Singapore. One major area in this All-Asia-Project will be Gender. At the same time, FES is running regional and sub regional projects in the field of gender and political representation and gender and labor and social justice in Asia. The cooperation between HomeNet and the FES is aimed at creating the regional presence and voice to advocate for the million of women home-based workers sector in Asia who are and will be an important part of the FES regional approach.

Ms Shalini Sinha, Independent Consultant, laid out the background and the objectives of the workshop. She highlighted the large number of home based workers in the region – many of them women. There are about 50 million home based workers in South Asia, out of which 30 million are from India. In Bangladesh, 71% of all women workers are home based, in contrast to only 20% of all male workers who are home based. In Pakistan, 65% of all women workers are home based, in contrast to only 4% of all male workers who are home based. In India, 51% of all women workers are home based as against 11% of all male workers who are home based. Ms Sinha pointed out that the workshop seeks to bring together organizations working in the field of homework: trade unions,

NGOs, representatives of federal authorities and ministries, relevant representatives of international organizations and will build solidarity and mutual learning and experience sharing among the participants. The larger goal of the workshop was to build solidarity and mutual learning and experience sharing among the participants so that they can create a presence and a voice at Asia level – both for advocating for a national policy as well as lobby for the ratification of the ILO Convention 177.

My Life: My Work

- Our earnings are poor, we are paid Rs 30 for 1000 kites.
- Payment is irregular and work is available only for 6 months in a year.
- The raw material used in making kites is very inflammable and the fear of a fire always looms on our head.
- Most kite makers suffered from chest pain, knee pain and back ache due to the long hours in a crouched position.
- We store our products at home, natural disasters destroy our homes and our future earnings
- We have no information about the new technologies – the ‘pvc pipe kites’ get a better price, but who will impart us these new skills?
- These are my needs and those of several others like me. I want a policy that protects me from vulnerabilities and promotes my well being!

Bilkish Sheikh Bano, homebased kite maker

Ms. Bilkish Sheikh Bano, homebased kite maker gave a moving account of her work and the hardships that she faces. The earnings are poor, Bilkesben said, the payments for 1000 kites is only Rs 30. Payment is irregular and sometimes we get cheated out of our earnings too. Work is available only for 6 months in a year. Raw material is scarce. We work long hours from 7a.m to 10 p.m and get up only to tend to other chores as home makers. We work in huts, and the solution that is used in making kites is very inflammable, as is the gum and the fear of a fire always looms on our head. Most kite makers suffer chest pain, knee pain and back bone ache due to the crouched position that they adopt. The Megacity projects for rebuilding cities have no place for us and we are dislocated in far flung areas where there are no opportunities for income generation. Natural disasters like the recent rains destroy our huts and we have live with leaking roofs and all our stored kites go waste. WE have no information about the new technologies – the introduction of thin pvc pipes – and no skill training opportunities and consequently loose out on work. Bilkeshben concluded by saying that she represented several of the vulnerable home based workers who needs protection.

Ms Leyla Tegmo Reddy in her speech highlighted the vulnerabilities of the home based workers. Typically, home-based workers have little or no legal and social protection, poor working conditions, minimal or no workers benefits. Under investment in human capital, which is compounded over the generations, is a major insecurity faced by the home based workers. This leads to lack of marketable skills. Home based workers lack worker rights, in large part, from the absence of a clear or ongoing employment relationship. The International Labour Organization in 1996 adopted the Convention on Home Work - the first comprehensive standard in favour of home-based workers. According to this Convention, the ratifying countries are obliged to “adopt, implement and periodically review a national policy on home work aimed at improving the situations of home-workers.” In October 2000, the Kathmandu Declaration recommended Formulation of a National Policy. In 2007, South Asian Regional Action plan was formulated- which urged the formulation of national policy for homebased worker, institutionalized systematic collection of data on homebased workers, globalization and liberalization to build better and inclusive markets, ratification of C 177, recognition of homebased worker network. In India, the discussions on the home based workers have started. Ms Reddy concluded by saying that ILO was committed to the cause of home based workers and that there is a need for the development of national policies that promote equality of treatment between home-workers and other wage earners in such areas as the right to organize, protection against discrimination, occupational safety and health, social security and protection, and training.

Dr. Pravin Sinha, Senior Adviser (Labour) in FES in his address pointed out that the National Commission of Unorganised Sector's report states that 70% of Indian survives on ½ dollar a day, and quoted other instances of poverty despite claims for a robust growth rate in India. He pointed out the challenges in addressing issues of rights of home based workers - piece rate workers, particularly those in long production chain as well as self employed. The issues relating to gender further exacerbate their vulnerabilities. Effective systems for protecting their rights do not exist and the situation is further compounded by poverty, excess supply of labour and non effective implementation

mechanisms for the few labour laws that do exist to protect their rights. DR Sinha stated that FES is working with the Trade Unions for formal and informal sector. The workers in the informal sector have no or very little voice, particularly at the national level and are usually not organized in trade unions. Besides information on informal sector organizations working with informal sector does not exist - there are many organizations who are working for informal sector but are not identified. And so, good work done by these organizations is not translated into macro lessons and the benefits of good practices are not reaching other organizations. They are confined to local initiatives and there is a need to identify the organizations working for informal sector and support them.

The workshop was inaugurated by Ms. Bilkish Sheikh Bano, homebased worker and Ms Leyla Tegmo Reddy, ILO, along with the other panelists, by lighting the traditional lamp.

SESSION II: ADVOCATING FOR A POLICY FOR THE HOMEBASED WORKERS IN ASIA: SOME STRATEGIES

The objective of this session was to share experience from across the continent in organizing home workers and advocating for home workers issues at the national level.

Mr. Om Thapilya, Coordinator, HomeNet Nepal, in his address on *Advocating for a policy for homebased workers in Nepal*, said that HomeNet Nepal (HNN) has been consistently pouring its energy to organize the home based workers in Nepal since 2002. It has so far organized more than 18000 home based workers from 37 district from all 5 development regions. HNN has also registered four unions of home based workers - Nepal HBWs Union based on Bamboo Workers; Thanka Painters Union registered; Homed Workers Unions Nepal Registered; and Nepal Women HBWs Union Registered. After 2006, HNN has accelerated its advocacy crusade with the support of like minded Trade Unions in the region like the GEFONT and NTUC and submitted a memorandum demanding the immediate promulgation of a separate policy on HBWs and gear up the ratification process of C. 177 of ILO. The Government of Nepal/ MoLTM with has formed a Task Force in 2007 headed by Joint Secretary of MoLTM to initiate policy matters relating to Home Based Workers in which HNN is a member. HNN has used a host of tools for its advocacy initiatives. These include printed and audio/video knowledge products; and harnessing the mainstream print media; advocating with government and other stakeholders, besides targetted HBWs and their networks for self advocacy .

Ms. Saima Haroon, Regional Coordinator, Aurat Foundation, Pakistan, spoke about HomeNet Pakistan's experience of *Baluchistan Resolution on Homebased Workers, 2007*. Balochistan is the largest province of the Pakistan as well as the most back ward and least developed province. In Baluchistan a Resolution was passed in 2007 which recommends to the Provincial Government of Balochistan to provide opportunities to the women home based workers for enhancing their social status economic conditions, and make necessary arrangements for comprehensive labor policy. The Resolution further states that in formulating the policy, the basic needs and rights of laborers be kept in view according to Islamic Orders where laborers are considered with honor. Home Net

Pakistan had employed a multi pronged strategy when advocating for this Resolution including using the media and holding press conferences; individual meetings with women parliamentarians and lobbying of women parliamentarians with male members of Assembly; contributing to the drafting of resolution and follow ups to the process of tabling the resolution.

PATAMABA and SEWA
Building organizations of home based workers

PATAMABA, founded in 1989 was the first organization formed by Filipino homebased workers. Since 2003, however its membership also includes, in addition to homebased workers, vendors, small transport operators, construction workers, and young workers. The latest count (2007) of PATAMABA membership has reached 16,295.

The Self-Employed Women's Association (SEWA) is a national labour union of woman workers in the informal economy in India. SEWA currently has the membership of 9, 59,698 in 9 states of India, out of which 2,14,178 are home based workers.

Ms. Lourdes Guda, Coordinator, PATAMABA, Philippines spoke about *PATAMABA's Experience In Building Organizations Of Homebased Workers*. PATAMABA, founded in 1989 was the first organization formed by Filipino homebased workers. Since 2003, however its membership also includes, in addition to homebased workers, vendors, small transport operators, construction workers, and young workers. From being primarily a women's organization (98 percent of the members are women between the ages 18 to 75), it has started its evolution into an organization that seeks to address the concerns and uplift the plight of both female and male workers from the informal economy. The latest count (2007) of PATAMABA membership has reached 16,295. Through the years, PATAMABA's policy advocacy work has occurred at various levels. It has influenced the national anti-poverty policies and programs through its presence and leadership in the Workers in the Informal Sector Council (WISC) of the National Anti Poverty Commission (NAPC). It has also aided in persuading the Social Security System (SSS) to allow self-employed home workers to avail of social insurance and to facilitate this process through the automatic Debit Account (ADA) arrangement whereby self-employed SS members can use the facilities of partner banks to make their contributions. Other policy issues that Patamaba has taken up includes enactment of a Magna Carta for Workers in the Informal Economy, ratification of ILO Convention 177 on Homework (1966), revision and implementation of DO No 5 on Home workers, and its integration. PATAMABA has been advocating to include homebased workers' concerns into the Philippine Labor Code and social protection for informal workers through greater protection by the SSS and Philhealth, and support for indigenous, informal workers' groups initiated in the communities.

Ms Shalini Trivedi, Policy Coordinator, SEWA, India in her presentation on *SEWA: Visibility And Voice For The Home Based Workers* pointed out that SEWA's goal is to organize women workers for full employment and self-reliance. SEWA currently has the

membership of 9, 59,698 in 9 states of India , out of which SEWA has organised 214178 home based workers. In organizing home based workers, SEWA has adopted a need based approach where the activities of SEWA are based on the identified need of the members themselves. SEWA believes that the workers of the informal economy need capital formation at the household level along with social security. They also need collective, organized strength through economic institutions to be able to actively participate at various levels in the planning, implementation and monitoring processes of the programmes meant for them, and also in all other affairs of the nation. Ms Trivedi also highlighted some of the achievements of SEWA along with its partners – the ILO Convention, a draft national policy on home based workers, State Level-Minimum wages and Welfare Boards particularly in Gujarat and Madhya Pradesh.

Ms. Donna Doane, Research Coordinator, HNSEA, Philippines spoke on *Research as an Advocacy Tool*, using the example of the study the HomeNets did on social protection for homebased workers in South East Asia and South Asia. *She highlighted the HomeNets’ approach to action research as having several components .Firstly, the research must not be of a “hit and run” variety, where the research is essentially from a distant “macro” perspective alone, or one that involves a quick survey or set of questions without any confirmation or follow-up. Secondly, only through careful “grassroots”-based action research can the complexities of homebased workers’ diverse circumstances and needs be acknowledged. Quick surveys and short focus group discussions in communities that the researcher has no personal contact generally result in general statements based on a lack of understanding of the nuances and complexities of the informal workers’ realities. In her concluding statements, Ms Donna said that while we need the research to address government officials, but there may be others as well who need to be “advocated to” in order to influence policies, programs and legislation. In come cases – e.g., as in the work done by the Fair Trade Alliance of the Philippines – the advocacy work addresses and brings together influential groups of business people, together with trade unions, informal workers’ organizations, local politicians, academics, and many others. Their work can be effective only if they are supplied with good data and insights based on careful and detailed research.*

Research as an Advocacy Tool

The fact that these [regional, action oriented research conducted by the Homenets] were multi-country studies – covering several countries in South East Asia and South Asia – make them particularly valuable, since single country studies generally have much less impact We also need to recognize that the real value of these studies is that they do something very unusual: they actually see what is actually going on at the ground level, as opposed to what policymakers assume is going on at the grassroots level ... they bring out the underlying dynamics regarding the home based workers in a very clear and dynamic way.

*Donna L. Doane, Subregional Research Coordinator,
HomeNet South East Asia (social protection)*

Session III: Components of a National Policy for Home based Workers: Comparing models

Each of the members of HomeNets work actively to improve the conditions of homebased workers in Asia and bring them out of poverty. The need for a policy for the home based workers is acutely felt and several of the member countries have formulated draft national policies. The Sessions sought to exchange information and learn from the component of national policies.

H'ble Minister Premala Jayasekara, Rural Industries and Self Employment Promotions, Sri Lanka in his address pointed out that the informal sector is a very important component in the world economy. And yet, people in the informal sector are deprived of most of the social benefits enjoyed by employees of the formal sector. A considerable percentage of the informal sector is below the poverty line. He said that home based workers are an important component of the informal sector - struggling for their day to day living, contributing immensely to the economy but neglected. The H'ble Minister expressed the need to support home based workers, ensuring their rights, recognizing them with respect and dignity and providing financial assistance, social security schemes, education & training. He also pointed out that the new policies of the Government of Sri Lanka based on "Mahinda Chinthana" very much believes in rural development and self employment. As the majority of the rural economy in Sri Lanka is based on Home Based workers the Government has given priority to support them through various programs such as Samurdhi, Gama Naguma Gami Diriya, One Thousand Rural Industry Villages, and Financial Empowerment for the Rural Sector and so on. The minister strongly reiterated that the problems of home based workers should be addressed in order to reduce poverty and bring more economic development and pledged his support to the cause. He said that he will be discussing the issues with relevant Ministries such as the Ministry of Labor, the Ministry of Women's Empowerment and other state bodies. And make the necessary arrangements to discuss ILO C177 Convention at National Level with all parties, to speed up the process of its ratification. Finally the H'ble Minister generously invited HomeNet South Asia to organize its next regional meeting in Sri Lanka.

Ministerial Support

We will make the necessary arrangements to discuss ILO C177 Convention at National Level with all parties, to speed up the process of its ratification We should promote a multi stakeholder partnership where the government, private sector and NGOs work together as a team for this common goal. ... I would propose that HomeNet South Asia should organize your next regional workshop in Sri Lanka, for which we would give all possible support. I wish you all success for your efforts and assure you of our solidarity and support for eradicating poverty in our region.

Premalal Jayseker, Hon Minister of Rural Industries & Self Employment Promotion, Sri Lanka

The draft *National Policy for Homebased Workers, Nepal* was presented by Homenet Nepal. The key long-term objective of the policy is to make the HBWs a productive, free from all forms of discrimination, exploitation and to make HBW a healthy, competent; to increase the national income and to ensure the Basic Minimum Social Protection to HBWs and thereby reducing poverty amongst them. Specifically, the policy has the following objectives -

- to make home work and home based work visible and increase its role by incorporating it in the main-stream of the national economy.
- To mainstream the contribution of home based workers into the national economy.
- To maintain the ethnic and gender equity in home works.
- to provide legal protection to home based workers by promulgating appropriate laws.
- To bring in the perspective of social protection and ensure the occupational safety and health to the home based workers to eradicate all types of violence and discouragement.
- To eradicate the child labor.

The policy also list specific strategy to be followed for each of the objectives stated above.

Mr. Suraj Bhan, Director, Ministry of Labour and Employment, India presented the draft *National Policy for Home Based Workers, India*. The policy document defines “Home-based worker” as a person involved in the production of goods or services directly for the market, or for an employer, in his/her own home or other premises of his/her choice other than the workplace of the employer, for remuneration, irrespective of whether or not the employer provides the equipment, materials or other inputs”. The overall objectives of the policy is to reach the benefits of economic growth to the homebased workers and especially the women homebased workers in order to improve their earnings and working conditions to make them free from all forms of discrimination and exploitation, to help them to directly reach markets, to provide measures of welfare and social security and to ensure freedom from child labour. The draft policy has seven key components – protection for piece-rated workers (Homeworkers); reaching the markets and skills and technology to the home based workers, ensuring housing, social protection and statistics and building voices and visibility of the home based workers.

Magna Carta for Informal Economy, Philippines was presented by Ms. Josephine Parilla, Coordinator, HomeNet Philippines. The Magna Carta for Workers in the Informal Sector was first filed in 2002, and then subsequently filed again as House Bill 1955 towards a Magna Carta for Workers in the Informal Economy in 2007. H.B. 1955 makes the following recommendations:

- Promotion of the total well-being of all workers in the informal economy

- Ensuring their human dignity, economic advancement and access to justice by providing timely services including social, political, economic and legal
- Recognition of the roles and contributions of workers in the informal economy and making them visible in the national and local statistics
- Development and enhancement of their entrepreneurial skills and capabilities so that they can become more productive and self-reliant citizens thereby ensuring participation in mainstream economic activities;
- Promotion of gender equity and equality and the protection of women workers in the informal economy against gender-based discrimination, exploitation and abuse; advancement of women's social, economic, political, and reproductive rights; and improvement of their access to social protection and participation in decision-making bodies
- Protection of vulnerable groups in the informal sector such as: children, differently-abled persons, and those from ethnic communities from discrimination, exploitation, abuse and harassment as well as from performing work hazardous to their occupational, physical, mental, emotional, reproductive and spiritual health; and
- Progressive elimination of child labor in the informal sector through the creation of more quality jobs for adults, effective enforcement of laws against child labor,

A National Policy on Home Based Workers - Common Issues

Several countries presented their draft policies and several common issues emerged.

- Minimum remuneration, including provision for regulation of working conditions
- Social protection which could include insurance – life and health; Child care, and in some instances pensions and maternity benefit and housing.
- Access to market and economic resources including raw material, marketing infrastructure, technology, skill training, credit and information
- Voice and governannace

The need for an Action Plan and implementation mechanisms to be included in the policy was also highlighted by each of the presenters.

elimination of gender-based discrimination against girl child workers; improved access to universal education and social protection, and elimination of cultural factors that tolerate, even accept child labor.

Ms. Suntareee, HomeNet Thailand, made a presentation on the *National Policy On Homebased Workers* in Thailand. For a decade, Homenet Thailand and her alliances have been working to advocate and promote the rights of homeworkers and informal workers. In Thailand, homeworkers are invisible in the constitution, several policies and laws. In 2004, a Ministerial Regulation for Home workers was passed which defined home workers as those who work at location that doesn't belong to employers and who use all or part of raw materials or tools of employers. The 2004 Ministerial Regulation for Home workers stated declared that

report regularly to the labour inspectorate, make a written contracts, and declare condition and amount that employer can deduct from home workers wage. The ministerial regulation has several weakness. The definition excludes several categories of home based workers, and makes no provision on the protection of the fair wage /minimum wage and does not list out any enforcement and implementation mechanisms. Homenet has prepared a draft policy based on Thai Labour Standards, international labour standard, decent work principle and ILO Convention 177. This defines home based workers to cover unpaid labour with in the family, advocates, fair wages, and assigns the employer any responsibility for any sickness, disability and death caused from work, and lays out mechanisms for law enforcement, labour bargain and conflict.

Session IV: Regional and International presence,

Ms. Sapna Joshi, Coordinator, HomeNet South Asia, said that HomeNet South Asia (HNSA), is a dynamic and vibrant network of 300 organizations representing over 4,50,000 home based workers from five countries in South Asia - Bangladesh, India, Nepal, Pakistan and Sri Lanka. HNSA has used several methods of highlighting the issues of home based workers at the regional policy level. It conducted a mapping exercise in all the five countries of South Asia to show the diversity of home based work, thus promoting greater understanding of the size and scope of home based workers in South Asia. HomeNet South Asia also conducted a research study on homebased workers to understand the social security needs and priorities of home based women workers in Bangladesh, India, Nepal, Pakistan and Sri Lanka. The study findings reflects varied risks which arises not only from the labour process and employment patterns of home based work, but also those embedded in the overall weak socio economic position of HBWs in society and the sector. In addition, HNSA conducted a South Asia exhibition of home based workers products in Pakistan in 2005 to showcase the wide diversity of products manufactured by the HBW. HNSA and its partners have developed a strong and multipronged advocacy strategy and built linkages with other stakeholders to highlight the issues of home based workers at the regional level. A three-day Regional Conference in 2007 was organized which was inaugurated by Prime Minister of India Dr. Manmohan Singh and deliberated on issues of social protection; fair trade; and building voice and organizations, in the context of the home based workers. The impact of the strategy resulted to following achievements for HNSA - registration of HomeNet South Asia Trust in Mauritius; vibrant networks of HomeNets in the countries, case study of HomeNet South Asia included as a best practice in SAARC data base, South Asian Regional Action plan was formulated and the setting up of Independent Group on statistics formed by Ministry of Planning and Statistics in India.

*Ms. Rosalinda Pineda Ofreneo, Regional Coordinator, HomeNet South East Asia, in her presentation on *HNSEA: Building A Regional Presence* stated that National homebased workers' networks in Southeast Asia exist in Thailand, Indonesia, the Philippines, Lao PDR and most recently, Cambodia. The first three emerged as part of a major subregional project undertaken from 1988 to 1996 by the International Labor Organization (ILO) and funded by DANIDA, while the latter two came as a result of expansion initiatives by*

subregional and country Homenets. Subregional networking, advocacy and networking is channeled through Homenet Southeast Asia, where common goals include greater visibility, recognition and participation of homebased workers in the ASEAN context ; access to resources and social protection (including occupational safety and health); and better policies and programs through improved legislation and the ratification of ILO Convention 177 on Home Work. Coordination with Homenet South Asia and WIEGO (Women in Informal Employment Globalizing and Organizing) has led to an even broader global solidarity anchored on a rights-based approach.

Homenet Southeast Asia's visibility and policy advocacy within the region were further boosted by the participation of its representatives in various international conferences and workshops sponsored by the Association of Women for Rights in Development (AWID) in Bangkok in 2005, the WIEGO General Assembly and Urban Policy Seminar in Durban in 2006, the International Conference on Health Insurance held in Manila in 2006, the Annual Conferences of the International Association for Feminist Economics (IAFFE) in Australia (2006) and Bangkok (2007), the 30th anniversary conference and law review workshop of the Asia Monitor Resource Center in 2007, the FNV partners' consultation and the Ford social protection research workshop in Delhi in 2008. In terms of advocacy within the ASEAN context, Homenet Southeast Asia sent a delegation from all four member countries to the 2nd ASEAN Civil Society Conference held in Cebu City end of 2006. They were successful in promoting the Homenet position on informal work and pushing for the ratification of ILO Convention 177 in the workshop and plenary sessions. An abridged version of the Homenet position paper, challenging ASEAN governments to address insecurities informal workers face, was published in the leading Philippine newspaper. Subsequently, representatives of Homenet Southeast Asia participated in three major ASEAN-related gatherings in October and November, 2007 - advocating for an ASEAN Social Charter, ratification of key ILO conventions by ASEAN member countries, universal health insurance, legislation for informal workers (who comprised 156 million or 63.7 percent of total ASEAN employment in 2006), and support for fair trade groups and other social enterprises.

Mr. Dan Gallin, Founder, Global Labour Institute spoke on the *Strategy for Ratification of the C17*. He said that GLI had a strategy by which they hoped to target countries with a low-key campaign where the political situation had developed favourably, with a progressive majority in parliament and progressive governments. In Europe, this was Spain and Portugal, in Latin America Argentina, Brazil and Uruguay, in Africa South Africa and in Asia Nepal. What in fact happened is that in Spain and Portugal GLI did get trade union support in the form of representations to the Ministries of Labour, but there the issue then remained stuck. In Portugal, even requests for help to a fairly strong and politically influential home workers' union remained without response. Spain, however, adopted a law on self-employed workers in June 2007, which may have been an indirect result of GLI efforts.

In Uruguay, the ratification issue got as far as a parliamentary commission on labour legislation in 2006 but has remained stuck there since. Argentina did ratify. That was in

response to growing immigration from its poorer neighbours (Bolivia, Paraguay) most of whom ended up in the informal economy. The government decided that a legal framework had to be created to protect these workers and therefore ratified the Convention and adopted legislation to implement its provisions. In South Africa, ratification was discussed at tripartite level soon after the 1996 ILC, but in the face of strong employers' opposition the unions decided not to pursue the matter. In Nepal, GLI have had the highest level of support so far, with a strong home workers' movement and a strong trade union movement taking up the issue. We may have a breakthrough there – we shall see. In India, as in some other Asian countries, the government appears to be prepared to adopt a national policy on home work, but ratification of C. 177 is not on the agenda.

Germany already has a strong legislation on home work, which in certain respects goes beyond the provisions of the Convention, so the issue of ratification is more one of solidarity than one of immediate consequence for home workers in Germany, which is a point we have been trying to make. If Germany ratifies, it would have a tremendous impact in Europe. We may then secure a ratification in Austria which, like Germany, has strong legislation on home work. Perhaps also in other countries.

By all means let us support every effort by governments to introduce a progressive national policy, but let us not lose sight of the fact that national policy cannot do two essential things that ratification does:

In the first place, it establishes international accountability. The countries that ratify C. 177 commit themselves to submit annual reports to the ILO on the situation of home workers in their countries and on what they have done to implement the Convention. Ratification keeps the issue alive at international level.

Secondly, every ratification strengthens the case of those seeking ratification in other countries, and we need more ratifications in order not to lose the Convention, because if we cannot go beyond the present small number of ratifications, the employers will inevitably claim, sooner or later, that the Convention is irrelevant and should be scrapped. What they are trying to avoid, and what we must do, is to build an international institutional authority to protect home workers.

Mr. Dan Gallin, Founder, Global Labour Institute, Geneva

Session V: Advocating for the home based workers - Panel discussions with experts

This session with panel experts reflected on the issues that had emerged during the conference deliberations. Reflecting on the issues of definition, Dr. N. S. Sastry, Chairman for Independent Group on Homebased Workers in India talked about the

work of the Group that he was heading. the Ministry of Statistics and Programme has set up an Independent Group on Home based Workers in India, in which some of the stakeholders work jointly with the Ministry of Statistics and Programme Implementation and UNIFEM to examine the existing data sources and suggest means to capture the data related to home based workers. The members of the group are NSO, CSO, SEWA, UNIFEM, HomeNet South Asia and GIDR. The Independent Group aims to firm up the concepts and definitions of home-based workers and their categories for data collection purposes; to provide a framework for key tabulations and analysis of available data on home-based workers from surveys on employment and unemployment, unorganized/informal sectors and economic censuses and to identify data needs, assess the available data sources and specify data gaps and make recommendations on the pilot data collection programmes for the filling these gaps in respect of home-based workers. The Group has submitted a draft report and addressing issues of definitions were very complex. He hoped that the Groups attempts at defining the home based workers would be guidelines for the policy makers and the participants of the workshop.

Ms Renate Tenbusch, Project Director, Friedrich Ebert Stiftung, reflected on the experience in Germany with the Home based Workers Protection Act (HAG) and ratification of the ILO Convention 177. The main features of The Home Workers Act (HAG) are compulsory registration when establishing a home based worker or contracting a home based worker; monitoring; and tariffication - agreements like minimum remuneration, minimum standards of the home based workers council are binding for all sectors, employers, agents etc. whether organized in employers-organization or not . The Act defines home based worker as those working in privately owned or rented area alone or with help of family members, producing on contract basis with agent or company and delivering products to agent or company against remuneration. Ms Renate Tenbusch pointed out that the definition is narrow and leaves out self-employment and all “new forms of work”, labeled as precarious work in Germany! In her concluding remarks, she pointed out that the ILO Convention had not been passed in Germany but the country did provide a window of opportunity for advocating in Germany, Europe and Worldwide as the German Parliament agreed in March 2008 to focus their official strategy on Economic Development and Cooperation with non developed and developing countries on establishing and Reforming Social Security Systems in the development cooperation (the overall target is to achieve the MDG).

The crises in the housing market in USA showed clearly that the weakest link in the economic chain is the one that loose out in times of economic crises and can't expect to be bailed out by the government. Thus they do need specific protection! Same goes for workers in the informal sector and specifically for the home based workers as the weakest links in a long chain of employers, contractors, middlemen and agents

Ms Renate Tenbusch, Project Director, Friedrich Ebert Stiftung,

Ms Ratna Sudarshan, Director, ISST, New Delhi, Mr Dan Gallin, Founder, Global Labour Institute, Geneva and Ms Rosalinda Pineda Ofreneo, Regional Coordinator, HomeNet South East Asia made brief comments about developing networks of workers. Ms Sudarshan recommended that the formation and sustenance of networks like the HNSA can be researched to draw out policy recommendations. Ms Ms Rosalinda pointed out the need for a HomeNet Asia – a network of home based workers at the Asia level. She also reflected on the addressing the issue of attaining financial sustainability for the networks. Mr Gallin spoke about WIEGO and its efforts to build global networks of domestic workers and rag pickers.

Next steps/Emerging Issues

Definition of home based workers

This is a complex issue that all networks are grappling with. The term “home based work” encompasses a wide diversity. Home based workers do piecework for an employer, who can be a subcontractor, agent or a middleman or they can be self-employed on their own or in family enterprises. Principally, there are two main types of home based workers: Piece-rate workers – those working for an employer or intermediary and Own-account workers – those who do their own marketing and it is important to distinguish between them, both conceptually and statistically. Their needs differ and as will the interventions to address their vulnerabilities. The initiatives such as that of India in defining the home based workers were welcomed.

HomeNet Asia: Network at the Asia level

Networks of home workers have been formed in both the regions – HNSA and HNSEA, and have been very effective in bringing the issues of home based workers centrestage. Now, they need to grow and become stronger. A strong, innovative and unparalleled information base on home based workers in the region has been created, it needs to be sharpened into a powerful advocacy tool which takes the issues of home based work beyond the national boundaries and highlights similar messages from all countries – of numbers, statistics, earnings, and vulnerabilities of the home based workers. The need for an Asia level network was highlighted to strengthen the collective voice of the home-based workers of the region. The Asia level network will carry the voice of the home-based workers at the national, regional and international levels, to influence legislation, policies and programmes.

Strengthening Advocacy Efforts

The advocacy efforts of HomeNets in both the regions have gathered momentum over the past year. The participants acknowledged that there was a need to ride the momentum gathered during the period to further strengthen HNSA and member networks’ advocacy efforts. *Knowledge sharing workshops* such as this was acknowledged several times during the workshop as a powerful tool in this direction and the need for continuing such exchanges was strongly highlighted. The other need identified by all the members was that of *developing knowledge products* based on experiences from other countries particularly for the ratification of the ILO Convention. These knowledge products would then be used as advocacy tools,

To be added

Annexure 1: Workshop Agenda

Annexure 2: Workshop Participants

Annexure 3: Background Note

Annexure 4: Papers