

emissions not controlled by the Montreal Protocol; and (ii) the historical base year or period for implementation of emissions reduction commitments. This provision ensures that a larger number of non Annex 1 Parties are co-opted in Annex 1 to enable burden sharing. However, developing countries have resisted attempts by Annex-I Parties for a compulsory time frame for opting in clause.

### **New Additional Resources And Transfer Of Technologies For Developing Countries\Non Annex I Parties**

Article 12 -of the Protocol calls upon all Parties to formulate to the extent possible, cost effective, national and where appropriate, regional programmes to improve the quality of local emissions and preparation of national inventories of anthropogenic emissions by sources and removal by sinks of GHG's not controlled by the Montreal Protocol. While doing this, special emphasis must be laid on the socioeconomic conditions of the Party concerned, bearing in mid their common but differentiated responsibilities, as provided in the UNFCC. In carrying out these programmes and furthering the objectives of Protocol non Annex-I Parties and especially developing countries are guaranteed transfer of and access to environmentally sound technologies, know-how practices and processes pertinent to climate change, new and additional financial resources to assist them in meeting the costs of adaptation and human and institutional capacity building by way of educational training and imparting technical expertise, by Annex II Parties. Article 13 of the Protocol further reiterates the commitments by Annex II Parties to the UNFCC to provide new and additional financial resources to developing country Parties, through the operating entity (financial mechanism of the UNFCC).

### **Clean Development Fund (CDF)**

The Brazilian proposal for a CDF finds place in Article 14 of the Protocol. It provides for a CDF which would assist Parties not included in Annex I in achieving sustainable development and thereby contribute to the objective of the UNFCC and also assist Annex I Parties in achieving

compliance with their QELROS commitments under Article 3. The CDF would thus have a two fold purpose: (a) it would benefit non-Annex I Parties from various projects undertaken which are certified emission reductions; and (b) these certificates can be used by Annex 1 Parties towards their compliance with QELROS commitments as decided by the meeting of Parties to the Protocol. The CDF would operate under the guidance and authority of the Conference of Parties serving as the meeting of Parties to this Protocol and decide the elaborate procedures for the operation of the CDF, participation of private entities, user fees for certified project activities, auditing and verification mechanisms.

In addition to these main elements, the Protocol provides for a Conference of Parties which would serve as the meeting of Parties (Article 15); establishment of a Secretariat i.e. the UNFCC Secretariat shall serve as Secretariat of the Protocol (Article 16); SBI and SBSTA of the UNFCC to serve as SBI and SBSTA of the Protocol (Article 17); a multilateral consultative process or dispute settlement mechanism as provided in Article 14 of the UNFCC (Article 20); amendment procedures (Article 21); Annex of Protocol i.e. Annex A and B form an integral part, of the Protocol (Article 22); each Party has one vote (Article 23); Secretary General of the United Nations to be the Depository (Article 24); ratification, acceptance or approval clause - open for signature at UN Headquarters in New York from 16 March 1998 to 15 March 1999 (Article 25); entry in force on ninetieth day after the date on which 60 Parties have deposited their instruments of ratification, acceptance or approval or accession (Article 26); no reservation allowed under the Protocol (Article 27); and withdrawal clause (Article 28).

In conclusion, it may be stated that the COP-3, saw the completion of the task of the AGBM process, and thereby adopted a workable compromise in the form of a protocol for controlling emissions of GHG's by Annex-I Parties. It is hoped that COP-4 to be held in Buenos Aires, Argentina in 1999 would see a successful implementation of emission trading albeit a partial fulfilment of larger UNFCC objectives.

### **CONVENTION ON BIOLOGICAL DIVERSITY**



The Convention on Biological Diversity (CBD), negotiated under the auspices of the United Nations Environment Programme (UNEP), was opened for signature on 5 June 1992 and entered into force on 29 December 1993. The first meeting of the conference of Parties (COP-1), took place in Nassau, Bahamas from 28 November to 9 December 1994. Some of the important decisions taken by COP-1 were: adoption of a medium term work programme; designation of a permanent secretariat; establishment of a clearing house mechanism (CHM) and the establishment subsidiary Body of Scientific, Technical and Technological Advice (SBSTTA) and designation of the Global Environmental Facility (GEF), as the interim (institutional structure for the) financial mechanism. The second session of the COP, met in Jakarta, Indonesia from 6 to 17 November, 1995. Among the key decisions taken by COP-2 included: location of the permanent secretariat of the CBD in Montreal, Canada; an agreement to develop a protocol on the safe transfer, handling and use of living modified organisms (LMO's); operation of the CHM and consideration of substantive issues of marine and coastal biodiversity.

The third Conference of Parties (COP-3) to the CBD met in Buenos Aires, Argentina from 4 to 15 November 1996. The discussion focused on: (a) clearing house mechanism; (b) financial mechanism; (c) agricultural biodiversity; (d) access to genetic resources and transfer of technology; (e) intellectual property rights; and (f) the protocol on biosafety.

As regards the adoption of a protocol on Biosafety, the COP considered the report of the First Meeting of the Open Ended Ad Hoc Working Group on Biosafety (BSWG) and the progress report on the elaboration of a protocol on Biosafety. The Committee of the Whole (COW) had before it the work of BSWG-1, which had considered the matters concerning legislations on safe transfer, handling, use and disposal of living modified organisms and recommended the setting up of a ten-member Bureau. The developing country Parties, however, expressed concern and called for stricter liability measures, risk assessment structures and increased assistance for capacity building. Although, accepting and endorsing the pioneering work done by UNEP International Technical guidelines for Safety in Biotechnology, delegates felt this was only an interim mechanism, which should not prejudice efforts for a

future protocol.

The second session of the Open-ended ad hoc Working Group on Biosafety was held in Montreal from 12 - 16 May 1997. The discussion continued on the elaboration of a Protocol on Safety in Biotechnology based on aide-memoirs submitted by the Chairman. The issues discussed included: objectives of the proposed protocol, procedures for transfer of living modified organisms; advance informed agreement (AIA), competent authorities, information sharing and a clearing house mechanism; capacity building risk assessment and risk management. At the end of the session, some progress was made in identifying the main elements of the protocol and the tentative structure by a number a Contact Groups established for addressing issues relating to definitions and annexes. However divergent views were expressed on the key issue concerning the scope of the protocol.

The third session of the Open-ended ad hoc Working Group on Biosafety (BSWG-3) met from 13-17 October 1997 in Montreal. It established two sub-working Groups to address core articles of the Protocol and delegates besides extending the mandate of the Contact Group on definitions created another Contact Group on institutional mechanism and final clauses. The elements identified as outstanding issues included: socioeconomic consideration; liability and compensation; illegal traffic; nondiscrimination; and trade with non-parties.

The main task before BSWG-3 was preparation of a draft text on biosafety, on issues relating to socioeconomic considerations and liability and compensation. Some delegates were of the view that socio economic consideration should be included in the risk-assessment provision of the Protocol, to provide sufficient safeguards for biotechnology importing countries.

It is against this backdrop that the BSWG-4 met in Montreal from 9-17 February 1998. Delegates met in two sub Working Groups (SWG's) and two Contact Groups (CG's). The draft protocol considered by Working Groups included main provisions relating to: definitions (Article 1); use of terms (Article 2); application of the AIA procedure (Article 3.); notification procedure for AIA (Article 4); response to AIA notification (Articles 5);



decision by the Party of Import (Article 6); review of decisions under AIA (Article 7); notification of transit (Article 8); simplified procedure (Article 9); subsequent imports (Article 10); bilateral and regional agreements (Article 11); risk assessment (Article 12); risk management (Article 13); minimum national standards (Article 14); unintentional transboundary movement (Article 15); emergency measures (Article 16); handling, transport, packaging and labelling (Article 17); competent authority\ focal point (Article 18); information sharing\ biosafety clearing house (Article 19); confidential information (Article 20); capacity building (Article 21); public awareness\ public participation (Article 22); non-parties (Article 23); nondiscrimination (Article 24); illegal traffic (Article 25); socioeconomic consideration (Article 26); and liability and compensation (Article 27).

Other provisions considered at the BSWG-4 include Secretariat (Article 29); subsidiary bodies and mechanisms relating to them (Article 30); Conference of Parties (Article 31); Jurisdiction and scope (Article 32); relationship with the convention (Article 33); relationship with other conventions (Article 34); monitoring and compliance (Article 35); signature (Article 37); accession (Article 39); entry in force (Article 40); withdrawal (Article 42); and authentic text (Article 43).

It appears that there are still differing views on the key contentious issues of socioeconomic considerations, liability and compensation, illegal traffic, non-parties and non-discrimination. It is hoped that it would be possible to resolve these outstanding issues and prepare a draft text to be approved by the fourth Conference of Parties to the Convention on Biological Diversity before the convening of an extraordinary session of the COP for the adoption of a Protocol in December 1998.

**UNITED NATIONS CONVENTION TO COMBAT  
DESERTIFICATION IN THOSE COUNTRIES  
EXPERIENCING SERIOUS DROUGHT AND/OR  
DESERTIFICATION, PARTICULARLY IN AFRICA,**

The Convention on Desertification was adopted on 17 June 1994, along with Annex-1 on Regional Implementation Annex for Africa. The

Convention entered into force on 26 December 1996<sup>7</sup> The first session of the Conference of the Parties to the Convention was held in Rome from 29 September to 10 October 1997. It was attended by 102 States Parties and a large number of observers for Governments, United Nations and its agencies, intergovernmental and non-governmental Organizations. As considerable progress had already been made at the Intergovernmental Negotiating Committee's (INC) Sixth Session in August 1997, on the issues for consideration at the COP-1, the session achieved its objectives in a smooth manner. The consensus achieved on the location of the permanent secretariat at Bonn (Germany) and the designation of the International Fund For Agricultural Development (IFAD) as the organization to administer the Global Mechanism bear testimony to the success of the session. Following the recommendation of the Committee on Science and Technology (CST), the COP agreed to establish an Ad Hoc Panel to carry out the process of surveying benchmarks and indicators which would help consideration of linkages between traditional knowledge and modern technology, which is the key factor in the bottom-up participatory approach adopted by the Convention.

The Convention is a watershed in the consistent efforts of the international community against drought and desertification. Some notable elements of the Convention are (i) it gives priority to the African region, which is the worst affected; (ii) it provides for a participatory, bottom-up approach, ensuring use of traditional knowledge by local population; (iii) it adopts a long term approach, that includes the socioeconomic dimension of desertification and; (iv) it also details out precise commitments by Country Parties, in the form of national, sub-regional and regional action programmes.

<sup>7</sup> There are 113 country Parties to the Convention, of which the 28 AALCC Member States are: Bahrain, Bangladesh, Botswana, China, Egypt, Gambia, Ghana, India, Islamic Republic of Iran, Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mauritius, Mongolia, Myanmar, Nepal, Nigeria, Oman, Pakistan, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania and Yemen.



## **General Comments of The AALCC Secretariat**

The Special Session of the General Assembly for an Overall Review and Appraisal of the Implementation of Agenda 21 was an honest assessment of the progress made since UNCED 1992. It may be stated that the focused discussion on the ways and means to accelerate and streamline the implementation of Agenda 21, in a comprehensive manner along with the reaffirmation of Agenda 21 being the fundamental programme for achieving sustainable development, was timely.

In the light of the decision by special session to recommit itself for building a renewed global partnership for meeting the needs of present and future generations, it may be added, that developed countries should fulfil their international obligations made under various multilateral environmental agreements to make available additional financial resources, access to sound environmental technologies and enhanced capacity building measures to developing countries.

The Programme for the Further Implementation of Agenda 21 in paragraph 13, highlighted the entry into force of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the United Nations Convention to Combat Desertification, as important achievements in international environmental law for further strengthening the UNCED process.

The protection of the global climate for present and future generations has been recognized as the common concern of mankind. The adoption of a legally binding Protocol is a first step towards building a genuine global partnership for mitigating the harmful effect of greenhouse gases and other anthropogenic emissions.

The Protocol recalling UNFCCC obligations reiterates the strengthening of commitments by Annex I Parties and providing new and additional resources, environmentally sound technologies to developing country Parties, by Annex II Parties. A novel inclusion in the Protocol, the Clean Development Fund can prove to be an added incentive by increased burden sharing and

implementation of the commitments by developed country Parties, as provided in Annex B of the Protocol.

The QELROS and emission trading amongst Annex I Parties represent quantitative fulfilment of UNFCCC objectives which would require governments, civil society and the private sector to joint efforts to protect common environmental resource.

As regards Convention on Biological diversity, among the main issues for consideration is the proposed Protocol on biosafety. At the fourth session of the Open ended Ad Hoc Working Group on Biosafety (BSWG-4) which met in Montreal from 9-17 February 1998 there were differing views on issues relating to socio-economic considerations, liability and compensation and number of other issues. It is hoped that these outstanding issues are resolved to enable the adoption of a protocol in December 1998, at an extra ordinary session of the COP to be convened for this purpose.

The first session of the Conference of Parties to the Convention on Desertification was able to reach a consensus on the location of the permanent secretariat to be at Bonn, Germany. It is a matter of satisfaction that the International Fund for Agricultural Development (IFAD) has been designated to house the Global Mechanism of the Convention. However, it may be stated that, for the effective implementation of national, sub regional and regional programmes initiated under the Convention would require increased financial and administrative support from developed country parties and bodies within and outside the United Nations system.

## **Work Programme Of The Asian-African Legal Consultative Committee**

As regards AALCC's work programme in this field, the United Nations Institute for Training and Research (UNITAR) has shown keen interest in organising a Joint Training Programme on Environmental Law. The World Wildlife Fund (WWF - India) has also evinced a desire for cooperation. It is suggested that a work programme focussing upon the United Nations



Framework Convention on Climate Change could be taken up. The Committee may wish to direct the Secretariat upon the future course of action in this regard.

The implementation of a Programme of Training for Environmental Law can only be undertaken with the active financial and material support from Member Governments. In this regard, it may be recalled, that the Committee established a Special Fund on Environment in 1991. The Governments of Saudi Arabia and Myanmar had generously contributed US \$ 25,000 and US \$ 500 respectively to this fund. As this amount has been utilized for meeting the expenses of participation by AALCC Secretariat officials at environmental conferences, an urgent replenishment of the Fund is needed for launching new initiatives in the field of environment. Further, at the thirty-fourth Session of the AALCC held in Doha, the Committee had urged Member Governments to make voluntary contributions to the Special Fund on Environment.

## **XII. LEGAL PROTECTION OF MIGRANT WORKERS**

### **(i) Introduction**

The item "Legal Protection of Migrant Workers was taken up by the AALCC at its 35th Session held in Manila (1996) upon a reference made by the Government of Philippines, in which the Government of Philippines had invited attention to the plight of migrant workers and the denial and abuse of their basic human rights. A preliminary study prepared by the Secretariat had outlined some basic issues concerning migrant workers in Asia and Africa. Reference was also made to available legal framework within the UN System and initiatives taken therein. At its Manila Session, the AALCC after exchange of views, urged Member States to transmit their views to the Secretariat as to how legal protection to migrant workers could be effectively implemented. The study prepared for the 36th Session held in Tehran focussed on some international trends in migration, the proposal for an International Tribunal and the UN Convention on the Protection of Migrant Workers.

The Assistant Secretary General Dr. Ahmed Al Ga'atri while introducing the item at the Thirty-Sixth session stated that during the 35th Session, Mr. Fidel V. Ramos, President of the Republic of Philippines, while calling for a 'more sensitive approach by governments of their host countries' proposed, in order to facilitate a comprehensive programme of implementation and adherence to the international conventions and standards, had proposed the following : (a) survey of laws and mechanisms in receiving countries to protect migrant workers with a view to harmonizing them at a later stage; (b) bilateral arrangements; (c) system of legal assistance to migrant workers; and (d) constitution of an impartial international or regional tribunal with petitioning mechanism and procedures specific means by which an aggrieved migrant worker may seek redress of his grievances.

These proposals he stated, could be deliberated upon, so that a general consensus emerged among AALCC Member States, and a suitable mechanism or mechanisms brought into existence for offering, willing and effective legal assistance and protection to migrant workers, by both sending and receiving countries. These proposals he felt, had an important key to reorienting policies



both to make international migration more manageable and to promote efficiency in the world economy.

It was observed that as a first step, Member States of the AALCC may consider the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990). The proposed basic rights tribunal, on the other hand, needed thorough consideration. As pointed out by the delegate of Philippines during the 35th Session of the AALCC, it would be worthwhile to examine laws and mechanisms in receiving countries with a view to harmonizing at a later stage.

It was stated that the AALCC consider giving the Secretariat an appropriate mandate to draft a model legislation among AALCC Member States so as to protect the rights of migrant workers, if not more, at least within the framework of the existing conventions and recommendations. This would go a long way in facilitating the movement of migrant workers, more particularly in the countries of the Asian-African Region.

At the Tehran Session, the Secretariat was mandated to study the utility of drafting a model legislation aiming at the protection of the rights of migrant workers within the framework of International Labour Conventions<sup>1</sup> and recommendations<sup>2</sup> of the relevant UN General Assembly Resolutions<sup>3</sup> and the International Convention on Protection of the Rights of all Migrant

<sup>1</sup> Some noteworthy International Labour Conventions open for ratification by Member States are (i) Convention (No. 97) concerning migration for employment (revised 1949); (ii) Convention (No. 143) concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975; (iii) Convention (No. 118) Concerning the Equality of Treatment (Social Security), 1962.

<sup>2</sup> Some important International Labour Recommendations which are non binding guidelines but which may guide National Policy and practice are : (i) Recommendation (No. 86) concerning Migration for Employment, (revised 1949); (ii) Recommendation (No. 151) Concerning Migrant Workers, 1975; (iii) Recommendation (No. 167) Concerning the Maintenance of Security Rights, 1983; (iv) Recommendation (No. 100) Concerning the Protection of Migrant Workers in Underdeveloped Countries, 1955.

GA Resolutions 51/85 and 51/65 dated 12 December 1996.

workers and Members of their Families. At the same time the Secretariat was cautioned that there should be no duplication of work. In pursuance of the mandate the Secretariat had urged Member States to transmit to the AALCC Secretariat their comments and relevant national legislation on the protection of migrant workers.

### Thirty Seventh Session : Discussion

The Assistant Secretary General Dr. Ahmed Al-Ga'atri while introducing the Secretariat report on the item stated that the item had been included in the agenda at the Thirty-fifth session of the AALCC, in response to a reference made by the Government of the Republic of Philippines. He further stated that at the thirty-sixth session held in Tehran, the Secretariat was mandated to study the utility of drafting a model legislation aimed at the protection of the rights of the migrant workers within the framework of the International Labour Conventions and Recommendations, relevant UN General Assembly resolutions and the International Convention on the protection of the rights of the Migrant Workers and Members of their families. He drew attention to the resolution adopted during the 52nd Session of the General Assembly, which had encouraged, where relevant, interregional, regional and sub-regional mechanism to continue to address the question of international migration and development. It further states that in spite of the existence of an already established body of principles, there is a need to make further efforts to ensure the human rights and dignity of all migrants and their families and that it is desirable to improve the situation of all documented migrants and their families. He noted that the Secretariat was cautioned that there should be no duplication of work.

He stated that though the Secretariat had proposed a framework as well as a draft structure, yet it was very important to study the local conditions affecting migrant workers in as many States as possible. Unless this was done, it would be difficult to prepare a text which will meet the common minimum agenda of each Member State and be generally acceptable.

As time available during the session was not enough to study the topic, he was of the view that an "open ended working group" be established. This



would give an opportunity to discuss the subject in greater detail.

The Delegate of Ghana commended the Secretariat for its documentation on the subject and observed that international migration in today's time required due attention, because the world is getting smaller in view of technological development. His delegation supported the view expressed during the 36<sup>th</sup> Session that as a first step, Member States of the AALCC may consider the possibility of ratifying the UN Convention on the Protection of Migrant Workers and their Families. Nonetheless he was of the view that Member States send their relevant legislations to the Secretariat. He supported the idea of the Government of Philippines on the establishment of a tribunal with direct petitioning mechanisms from migrant workers.

The Delegate of the People's Republic of China observed that the model legislation contained in the Secretariat study covered the essential aspects of legal protection of migrant workers on which further deliberation could be done, and responses from the Member Governments would help in advancing the work.

As far as migrant workers is concerned, she stated that countries may find themselves falling into different categories of either sending States or receiving States or both. Varied situations and interests could influence their attitude to the issues. But in the spirit of the protection of the migrant workers and in accordance with international law there could be agreement on this issue.

The delegation supported the suggestion of the Secretariat to constitute an "Open-ended working group" as time available during the session was not enough to conduct an in-depth study on this issue.

The Delegate of Singapore noted that the Secretariat at the 36<sup>th</sup> Session was mandated to study the utility of drafting a model legislation and it is important that Member States give their comments, from them a conclusion and report can be prepared for the next session. The delegate considered protection of migrant workers important but was of the view that there should be no duplication of work on this subject.

The Delegate of Sudan informed the Committee that the Sudanese work and labour laws did not distinguish or discriminate between nationals and migrant workers and provided adequate protection to them. She supported the idea of a model legislation on the subject.

The Delegate of Japan expressed his gratitude to the Secretariat for useful background documents. He supported the view of the Delegate of Singapore that the utility of drafting a model legislation must first be looked into. He was of the view that the setting up of the "Open ended Working Group" as suggested by other delegations might produce some good study on this subject. Furthermore, the UN Convention on Migrant Workers was, in his view, too stringent. Many governments, including his own find it difficult to ratify the Convention. The Committee, he felt, could look into the reasons as to why, so few States had ratified the Convention and make a realistic and pragmatic approach on the subject.

The Delegate of India said the idea for legal protection of migrant workers first came up in 1972 and later in 1990's when the UN Convention on the Protection of Migrant Workers and their Families was adopted. In his government's view the item was of topical importance and the AALCC could contribute a lot by undertaking a comprehensive study. However, he said his Government had reservations on the definitional aspect as to who is a 'legal' or 'illegal' migrant worker. The AALCC, in his opinion, could study the issue further. He said the study should also take into consideration human rights aspects, as provided in the International Covenant on Civil and Political Rights.



**(ii) Decision On "The Legal Protection Of Migrant Workers"**  
(Adopted on 18.4.98)

**The Asian African Legal Consultative Committee at its  
Thirty seventh Session**

**Having** considered Doc. No. AALCC\XXXVII\New Delhi\98\S-7 on "The Legal Protection of Migrant Workers;"

**Having** heard the comprehensive statement of the Assistant Secretary General;

**Mindful** of the difficulties faced by the migrant workers;

**Mindful** also of the crucial issue of the protection of the basic human rights of migrant workers;

**Recalling** General Assembly Resolution 51\148 and the work of the United Nations in the implementation thereof,

1. **Urges** the Member States to transmit to the AALCC Secretariat the text of their relevant laws and mechanisms concerning the protection of migrant workers;

2. **Directs** the Secretariat to seek written comments from the Member States on

(i) the utility of drafting a Model Legislation on the Protection of Migrant Workers; and (ii) the constitution of "Open Ended Working Group" for an in-depth examination of the issue; and

3. **Decides** to place the item "Legal Protection of Migrant Workers" on the agenda of its thirty eighth Session.

**(iii) Secretariat Study : Legal Protection of Migrant Workers**

The Secretariat is grateful to the five Member States i.e. People's Republic of China, Kuwait, Philippines, Qatar and Sri Lanka who have responded by sending their relevant national legislations and comments to the AALCC Secretariat and have appreciated the idea of a model legislation to protect migrant workers.

The Government of China while appreciating the work of the AALCC in the sphere of promotion and protection of the legitimate rights of migrant workers, supports the AALCC in the work to collect comments of Member States in respect to the protection of migrant workers. In furtherance of this objective the Government of the People's Republic of China has sent to the AALCC's Secretariat, the "Labour Law of the People's Republic of China" and "the Rules for the Administration of Employment of Foreigners in China".

The State of Kuwait has sent in the ' "Labour Law no 28 of the year 1969 (oil sector); Labour Law no 38 of the year 1964 (private sector); Ministerial Ordinance no. 617 of the year 1992 Regarding the Rules and Regulation of Employment Offices; Law no 40 of the year 1992 Regarding the Regularization of the Work of the Employment Offices and Ministerial Ordinance no 115 of the year 1996 regarding the Organising of the Private Employment Offices.

The Government of Philippines has reiterated the positive utility for Member States to have a draft model legislation aiming at the protection of migrant workers in consonance to international instruments, because upholding the rights of these workers will maximize their economic contributions to the host countries and minimize sources of friction and discord among the sending and receiving states. They have transmitted to the Secretariat the "Republic Act 8042 entitled "Migrant Workers and Overseas Filipinos Act" as well as pertinent provisions of the Philippine Labour Code and Immigration Act on the Employment of Alien Workers.

The State of Qatar in a note on the "Situation of Foreign and Migrant