



# Situation Report on International Migration in East and South-East Asia

Regional Thematic Working Group on  
International Migration including Human Trafficking



**UNAIDS**  
JOINT UNITED NATIONS PROGRAMME ON HIV/AIDS

UNHCR  
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## Regional Thematic Working Group on International Migration including Human Trafficking



International Organization for Migration



Economic and Social Commission for Asia and the Pacific



International  
Labour  
Organization

International Labour Organization



Joint United Nations Programme on HIV/AIDS



United Nations Development Programme



United Nations Population Fund



United Nations Children's Fund



United Nations Development Fund for Women

The opinions expressed in this publication are those of the chapter authors, and do not necessarily reflect the views of the organizations which are the members of the Regional Thematic Working Group on International Migration including Human Trafficking. This publication follows the United Nations practice in references to countries.

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### **Regional Thematic Working Group on International Migration including Human Trafficking**

The Regional Thematic Working Group on International Migration including Human Trafficking was established in 2005, under the auspices of the Regional Coordination Mechanism (RCM) of the United Nations. The members of the Group includes sixteen regional offices of the United Nations agencies, programmes and relevant intergovernmental organizations in the Asia-Pacific region, namely, ESCAP, IOM, ILO, OCHA, OHCHR, UNAIDS, UNESCO, UNFPA, UNHCR, UNIAP, UNICEF, UNIFEM, UNODC, UNDP, WHO and the World Bank. It is currently co-chaired by ESCAP and IOM.

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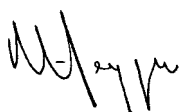
## Foreword

The international community is increasingly recognizing the interdependence between international migration and economic, demographic and social development processes. The United Nations convened the High-level Dialogue on International Migration and Development in September 2006, during the Sixty-first Session of the General Assembly, focusing for the first time its full attention on the issue of international migration and development. Attended by representatives from more than 160 countries as well as relevant international and intergovernmental organizations, the Dialogue underscored the fact that international migration is an integral part of the development process, and that it can be a positive force for development if it is supported by the right set of policies. Furthermore, if national policies on migration are to be effective, they should be complemented by strengthened bilateral, regional and multilateral cooperation in order to promote legal, safe and orderly migration and to reduce irregular migration. Subsequently, the General Assembly adopted Resolution 61/208 in which it welcomed such international cooperation and encouraged consideration of development dimensions in these processes.

The same resolution also called upon United Nations bodies, agencies, funds and programmes as well as other intergovernmental organizations to address the issue of international migration in a more coherent way within the broader context of the implementation of the Millennium Development Goals (MDGs). It is in the spirit of this recommendation that the Regional Thematic Working Group on International Migration including Human Trafficking has prepared this report on International Migration and Development in East and South-East Asia.

The report covers migration dynamics in East and South-East Asia and is a collaborative effort by all the organizations that participate in the Regional Thematic Working Group, which is co-chaired by the Economic and Social Commission for Asia and the Pacific (ESCAP) and the International Organization for Migration (IOM), the aim of which is to explore the complex inter-linkages between international migration and the process of economic, demographic and social development within the region. As such, it aspires to be a tool both for migration policy formulation in a comprehensive manner similar to, and consistent with the formulation of other development objectives, and for fostering understanding of social and cultural interaction. It is also hoped that the findings of this report will support public dialogue that will, in the long term, lead to a process of developing coherent and coordinated migration policies. The report suggests key areas in which there is scope for greater regional and subregional cooperation in improving the management of migration as well as for the enhancement of its positive impacts on the source and host countries and the migrants themselves.

It is our hope, therefore, that this report will contribute to a wider regional discussion of the linkages between migration and development as well as strengthened national policy formulation and greater regional cooperation in addressing migration issues in East and South-East Asia.



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The Economic and Social Commission  
for Asia and the Pacific



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Regional Representative for Southeast Asia  
International Organization for Migration



## Preface

East and South-East Asia, consisting of 16 countries\*, has a population of approximately 2 billion. The region has a history of ancient trade routes and the countries in the region have, to this day, strong economic and cultural ties with each other as well as with countries outside the region. It is a home of 12 million international migrants who have contributed greatly to the economic prosperity of the region and to its cultural wealth. While international migration in the region has long been referred to as a migration for permanent settlement to the West, the cross-border movements of people within the region have risen with rapidity, much of them driven by the prospect for gainful employment.

Although there has been a growing number of articles and publications on international migration in countries in East and South-East Asia, these often focus on selected issues of migration. It is difficult to find a single report that provides a comprehensive overview of the region and country reports that provide a concise analysis of the key national issues and how they are linked to other countries in the region. In addition, the dearth of reliable statistics on international migration hampers the exploration of the complex interlinkages between migration and development in the region.

For these reasons, the Regional Thematic Working Group on International Migration including Human Trafficking decided to prepare a regional report covering 16 countries in East and South-East Asia that would consolidate existing published information and data available from governments in the region on the migration trends in each country and with thematic chapters providing a more in-depth regional analysis of important issues.

The report focuses on East and South-East Asia because the region witnesses a growing and significant scale migration both in regular and irregular manner over the past decades. The objectives of the report are:

- (1) To produce a report that will enhance the understanding of migration issues in East and South-East Asia and make policy recommendation on international migration in the region.
- (2) To assist policy makers and practitioners by making available a comprehensive reference material on international migration in the region.
- (3) To identify gaps in knowledge in the field of international migration in the region.

The Regional Thematic Working Group on International Migration including Human Trafficking reports to the Regional Coordination Mechanism (RCM) and consists of the following international and intergovernmental organizations based in Bangkok, Thailand:

- Economic and Social Commission for Asia and the Pacific (co-chair)
- International Organization for Migration (co-chair)
- International Labour Organization
- Joint United Nations Programme on HIV/AIDS
- Office for the Coordination of Humanitarian Affairs
- Office of the High Commissioner for Human Rights
- United Nations Children's Fund
- United Nations Development Fund for Women
- United Nations Development Programme
- United Nations Educational, Scientific and Cultural Organization
- United Nations High Commissioner for Refugees
- United Nations Inter-Agency Project to Combat Trafficking in Women and Children in the Mekong Sub-Region
- United Nations Office on Drugs and Crime
- United Nations Population Fund
- World Bank
- World Health Organization

The preparation for this report has benefited greatly from the cooperation of governments in the region who provided unpublished data on migration trends and many excellent studies on international migration in East and South-East Asia that have been published in recent years all of which are cited at the end of each country chapter. Many of the members of the working group also made the resources of organization available to the coordinators and contributors to the report.

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\* They are countries falling in East and South-East Asia, in accordance with the geographical classification of the United Nations.



## Acknowledgements

This publication is the product of many months of collaborative work among the members of the Regional Thematic Working Group on International Migration including Human Trafficking. The overall guidance and direction for the preparation of the report was provided by Noeleen Heyzer, Executive Secretary, ESCAP and Irena Vojackova-Sollorano, Regional Representative for Southeast Asia, the International Organization for Migration (IOM).

The ESCAP-IOM project team, which coordinated and prepared the report, consisted of the following members: ESCAP – Keiko Osaki and Seiffe Tadesse; IOM – Federico Soda, Michiko Ito and Stine Laursen. Throughout this process, the team benefited from the eager support and valuable advice by Thelma Kay, ESCAP.

Jerry Huguet, consultant, drafted the majority of the country chapters and worked extensively on the finalization of the report. Several country chapters were written by the following experts: Brunei Darussalam by Gabriel Yong, University of Brunei Darussalam, China by Yan Tan, Flinders University of South Australia, and Mongolia by Aigerim Bolat. Azizah Kassim, Universiti Kebangsaan Malaysia also assisted with the data collection in Malaysia.

Manolo Abella, John Bryant, Graeme Hugo, Keiko Osaki, Nicola Piper and Federico Soda made important contributions by drafting thematic chapters. Unless otherwise noted, other thematic chapters were jointly prepared by Jerry Huguet and the project team.

Many United Nations and IOM officials generously gave their time and provided comments, or drafted sections. Their cooperation is greatly appreciated. They include: Garimella Giridhar, UNFPA; Manolo Abella, Alcestis Mangahas, Pannuda Boonpala, Geoffrey Ducanes, ILO; Chandra Roy, Caitlin Wiesen, Marta Vallejo, Arusha Stanislaus, UNDP; Nenette Motus, IOM and Ying Quing, ESCAP.

The following IOM officials in the countries covered by the report worked on it at various stages and made important technical contributions: Lance Bonneau, June H. Lee, Iuliana Stefan, Bruno Maltoni, Steve Cook, Mathieu Luciano, Akio Nakayama, Gerry Pascua, Andy Bruce, Isabelle Bouan, Varamon Ramangkura, Thanattiya Potimu, Stine Laursen and Claudia Natali.

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# Abbreviations and Acronyms

<b>ADB</b>	Asian Development Bank
<b>APC</b>	Inter-Governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants
<b>APEC</b>	Asia-Pacific Economic Cooperation
<b>APMRN</b>	Asia Pacific Migration Research Network
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>CARAM</b>	Coordination of Action Research on AIDS and Mobility
<b>CEDAW</b>	Convention on the Elimination of all Forms of Discrimination against Women
<b>CHRD</b>	Centre for Human Rights and Development
<b>COMMIT</b>	Coordinated Mekong Ministerial Initiative against Trafficking
<b>CSW</b>	Commercial sex worker
<b>DFID</b>	Department for International Development
<b>DPRK</b>	Democratic People's Republic of Korea
<b>ECLAC</b>	Economic Commission for Latin America and the Caribbean
<b>ESCAP</b>	Economic and Social Commission for Asia and the Pacific
<b>FDI</b>	Foreign direct investment
<b>GCIM</b>	Global Commission on International Migration
<b>GDP</b>	Gross domestic product
<b>GMS</b>	Greater Mekong Subregion
<b>GNP</b>	Gross national product
<b>HIV/AIDS</b>	Human immunodeficiency virus/acquired immunodeficiency syndrome
<b>HTAs</b>	Home Town Associations
<b>ICPD</b>	International Conference on Population and Development
<b>IDP</b>	Internally displaced person
<b>IFAD</b>	International Fund for Agricultural Development
<b>ILO</b>	International Labour Organization
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organization for Migration
<b>IPUMS-International</b>	Integrated Public Use Microdata Series-International
<b>IT</b>	Information technology
<b>JITCO</b>	Japan International Training Cooperation Organization
<b>Lao PDR</b>	Lao People's Democratic Republic
<b>LINKAPIL</b>	Lingkod sa Kapwa Philipino
<b>MDGs</b>	millennium development goals
<b>MoU</b>	memorandum of understanding
<b>MoWA</b>	Ministry of Women's Affairs
<b>MSAI</b>	migrant savings for alternative investment
<b>MTO</b>	money transfer operator
<b>NGO</b>	non-governmental organization
<b>NHRCM</b>	National Human Rights Commission of Mongolia
<b>NTF</b>	National Task Force
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>OFW</b>	overseas Filipino worker
<b>OHCHR</b>	Office of the High Commissioner for Human Rights

<b>OWWA</b>	Overseas Workers Welfare Administration
<b>PHAMIT</b>	Prevention of HIV/AIDS among Migrant Workers in Thailand
<b>POEA</b>	Philippine Overseas Employment Administration
<b>PPP</b>	purchasing power parity
<b>RCM</b>	Regional Coordination Mechanism
<b>RWP</b>	rate of growth of working-age population
<b>SARS</b>	Severe Acute Respiratory Syndrome
<b>STD</b>	sexually transmitted disease
<b>STI</b>	sexually transmitted infection
<b>S\$</b>	Singapore Dollars
<b>TB</b>	tuberculosis
<b>TFR</b>	total fertility rate
<b>TOEA</b>	Thailand Overseas Employment Administration
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNDP</b>	United Nations Development Programme
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNFPA</b>	United Nations Population Fund
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNIAP</b>	United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Subregion
<b>UNICEF</b>	United Nations Children's Fund
<b>UNIFEM</b>	United Nations Development Fund for Women
<b>UNMISET</b>	United Nations Mission of Support in East Timor
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USD</b>	United States dollar
<b>WFP</b>	United Nations World Food Programme
<b>WHO</b>	World Health Organization

# NOTES TO DEVELOPMENT INDICATORS AND GRAPHICS IN COUNTRY REPORTS

Development indicators in the top of each country report are from following sources, unless otherwise mentioned in the footnotes:

*Population, 2007*  
*Population growth rate, 2007*  
*Total fertility rate, 2007*  
*Percentage urban, 2007*

Economic and Social Commission for Asia and the Pacific, Population and Development Indicators for Asia and the Pacific 2007 < [http://www.unescap.org/esid/psis/population/database/data\\_sheet/2007/DataSheet2007.pdf](http://www.unescap.org/esid/psis/population/database/data_sheet/2007/DataSheet2007.pdf)>.

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*Growth rate of population aged 15-39 years, 2005-2010*  
*Net migration rate, 2005*

Calculated based on the number of populations from the Department of Economic and Social Affairs, United Nations Secretariat World Population Prospects: the 2006 Revision, <<http://www.un.org/esa/population/unpop>>.

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*Per capita GDP, 2006*

International Monetary Fund, World Economic Outlook and Econstats, <[http://www.econstats.com/index\\_gl.htm](http://www.econstats.com/index_gl.htm)>.

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All country flags are from World Flag Database <<http://www.flags.net/fullindex.htm>>.



# Executive Summary

## Regional overview

Migration has long shaped the nature of societies in East and South-East Asia. The latter, in particular, has attracted migrants because of the opportunities it offers and as a safe haven during periods of dynastic and political change in other regions. The descendants of indentured labourers now constitute integral components of the populations of several countries in the region. Migrants from China have been an especially important element in forming the economic, social and political landscape of South-East Asia and key economies in East Asia.

While international and large-scale internal population movements have been significant components of economic and social development in the region for a long period, current international migration is characterized by a number of aspects that are more recent. These have included the degree of precision with which policy makers have attempted to guide that migration, the gradual evolution of migration as an issue for bilateral and regional discussion, the enhanced interest in the situation and rights of the migrants themselves, and the greater public debate involved in formulating and implementing migration policies.

The dominant direction of international migration appears to be directly related to the economic and demographic situation in a country. Countries in East and South-East Asia that have a relatively low per capita gross domestic product (GDP) and a high rate of growth among the working-age population are countries of out-migration. Thailand is currently the only country in East and South-East Asia with an intermediate per capita GDP and growth rate of working-age population, and it experiences significant levels of both in- and out-migration. The more economically advanced countries have low or negative rates of growth of working-age population and record net in-migration.

Once large-scale migration flows are established, it can be difficult for governments to alter them, due both to their commercial institutionalization and to informal networks. These aspects of migration have assisted in the partial development of a regional labour market, especially in certain occupations such as construction workers and domestic workers. When the demand for foreign workers is great and government enforcement is inadequate, some migration for employment becomes irregular.

The first part of this report provides a brief overview of the migration situation in each of 16 countries in East and South-East Asia by way of "country reports". The second part comprises thematic chapters focusing on migration and its links to important social and economic issues, including policy development, labour migration, remittances, gender, health, children and indigenous peoples.

East and South-East Asia are regions with large economic disparities between countries. These disparities shape the migration flow and make it very difficult to establish coherent migration management policies. Governments in the region are trying to manage the supply of, and demand for **migrant workers** in a way that meets market needs and minimizes irregular migration. While progress is being made in this regard, opportunities for regular migration remain limited, and employer and migrants react by working outside the existing legal framework.

**Remittances**, which are one of the many benefits of migration, are the most visible and direct benefit for migrants and their families. The volume of remittances received in the region as a whole has grown over the past two and half decades. In particular, the increase since 1990 has been robust. Officially, remittances rose from US\$ 4.2 billion in 1990 to US\$ 50 billion in 2006 – or nearly 12 times. Unknown, but large amount is also remitted through unofficial channels. There is growing interest among development practitioners in how to channel remittances in order to maximize their development impact. This interest to maximize the benefit of remittances is well intended; however, it must take fully into account the fact that remittances are private funds sent by migrants.

In terms of **gender** balance among migrants, the region is experiencing what has been termed a "feminization" of migration. In the face of rising male unemployment or under-employment, increasing numbers of women are seeking work in different types of occupations in foreign countries. Migration is not necessarily their first choice, but at times is a reflection of changing labour market structures, both at

home and abroad, that offer specific job opportunities abroad in highly-gendered job categories. However, there are serious limitations to women migrants' chances for personal socio-economic empowerment due to restrictive migration policies and the prevalence of temporary contract schemes, in combination with their work being undervalued and often not legally recognized.

The migration of millions of adults has an impact on their dependants, particularly **children** who are usually left behind in their home country, but also who sometimes migrate with their parents. It is those who migrate with their parents that are the most vulnerable and the most seriously affected, even though they constitute a smaller group than the children left behind. Children who migrate internationally as well as children born to irregular migrants often have great difficulty accessing social services or securing a legal identity. Understanding the difficulties faced by child migrants is the first step towards taking action to assist them. However, even with the best of intentions, policies to assist child migrants are difficult to implement, often because of the children's irregular status in the host country.

Regardless of age or gender, **health** is a cross-cutting issue that, for a number of reasons is of significance to migration. First, the complex two-way causal nexus between migration and health is of considerable significance in developing an effective health policy. There has been little research on this issue in Asia; while population mobility may appear to be a contributing factor in the spread of disease, such a conclusion is ill-informed because the issue is much more complicated. If countries are committed to improving health, a better understanding of the causes of poor health, the risk factors associated with particular diseases and the related significance of international migration is needed, followed by effective interventions.

Finally, **indigenous peoples** commonly belong to the most marginalized groups in society, often as a result of spatial and cultural isolation from the dominant culture of the State. They comprise 5 per cent of the world's population, but account for 15 per cent of the world's poor and approximately one-third of the world's extremely poor people (IFAD, 2007). While the situation of these populations varies throughout East and South-East Asia, certain commonalities can be seen in their ways of life, the challenges they face and how they are affected by migration. They are covered by this report in order to highlight their social and economic vulnerabilities and to emphasize the need for more and better research in East and Southeast Asia on the links between indigenous peoples and migration.

## International cooperation

International cooperation on migration issues takes place at the global, regional, subregional and bilateral levels. There have been growing attempts to address the issue of international migration and development at the regional and sub-regional levels. Countries in East and South-East Asia participate in several regional consultative processes on international migration, which are informal meetings of government officials and representatives of international organizations. Their scope is usually subregional with the focus on specific aspects of migration, such as trafficking or irregular migration, and their outcomes are non-binding.

The member countries of the Association of Southeast Asian Nations (ASEAN) have signed a Declaration on the Protection and Promotion of the Rights of Migrant Workers, and a Declaration against Trafficking in Persons, particularly Women and Children. Representatives of the six governments in the Greater Mekong Subregion have established the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT).

In addition, many countries in East and South-East Asia have signed bilateral Memorandum of Understandings (MoUs) or working-level agreements with other countries in the region to manage labour migration, to combat trafficking in persons and to cooperate in the safe repatriation of victims of trafficking.

## Gaps in knowledge

More research as well as information are required to fill gaps in knowledge and for effective policy formulation and programme implementation. Operations research are needed on migration procedures, both in countries of origin and destination. Very little information is currently available concerning unsuccessful migration, such as when a migrant returns early or files a formal complaint. Similarly, not enough is known about the reasons for policy failures. Inadequate information is available concerning many of the social aspects of international migration, including gender aspects, the impacts on families and children, and on smuggling and trafficking.

## Recommended actions

Because the level of development and the importance of international migration differ for each of the countries in East and South-East Asia, this report recommends broad approaches to the formulation of migration policies rather than specific policies. The recommendations are directed at governments because of their responsibility for policy formulation; however, international organizations, civil society, research institutes and others are partners in the process, and should assist in developing and assessing effective migration policies.

- Governments and their partners should aim to achieve coherent migration policies. There are two main aspects of policy coherence. First, migrant policies should be internally coherent based on agreed objectives. Second, migration policies should be consistent with the broader social and economic development policies of the country.
- Greater dialogues involving both countries of origin and destination, as well as regional cooperation should be facilitated to address common migration concerns. A more international perspective can contribute to more effective policies and alleviate many of the problems associated with migration.
- Improving the financial infrastructure underlying remittances is critical to harness the development impacts of migration. Among the critical issues are enhancing remittances by regularizing informal remittance channels, improving regulatory and institutional frameworks, and reducing the money transaction costs through market competition.
- Governments should explore the full scale of irregular migration and identify the conditions which promote it, especially, in relation to job opportunities available in countries of origin and the demands for labour in destination countries, as well as existing measures to restrict the movements of people. In further efforts to prevent irregular migration, the negative consequences of irregular migration, including life risks and abuse, should be addressed and widely publicized through various measures, especially by media.
- It is imperative for governments to intensify efforts to promote full potential and dignity of migrants. Government or independent oversight of the recruitment industry should be strengthened across the region. Origin countries with a large number of women migrant workers abroad should consider how to provide gender sensitive protection for those workers without limiting their right to migrate. Countries which receive child labour migrants should seek to discourage this practice.
- Governments in the region should establish more systematic and comprehensive approaches to identify victims of trafficking. Greater attention should be given to situations in which men as well as indigenous peoples and ethnic minorities are trafficked, as current legislation and practice focus mainly on women and children.
- More comprehensive data and usage are required if migration is to be incorporated in national planning or policy. Clearer definition of migration, strengthened data collection, increased research into migration and evaluations of current programmes and policies would improve policy formulation and implementation.





## **Part I**

# **Country Reports**





# BRUNEI DARUSSALAM

Development indicators	
Population, 2007 (in 1,000)	390
Population growth rate, 2007 (%)	2.1
Growth rate of population aged 15-39 years, 2005-2010 (per cent)	1.89
Total fertility rate, 2007	2.3
Percentage urban, 2007	74.0
Net migration rate, 2005 (per 1,000)	1.9
Per capita GDP, 2006 (at current prices in US Dollars)	15,208.27

## Key issues

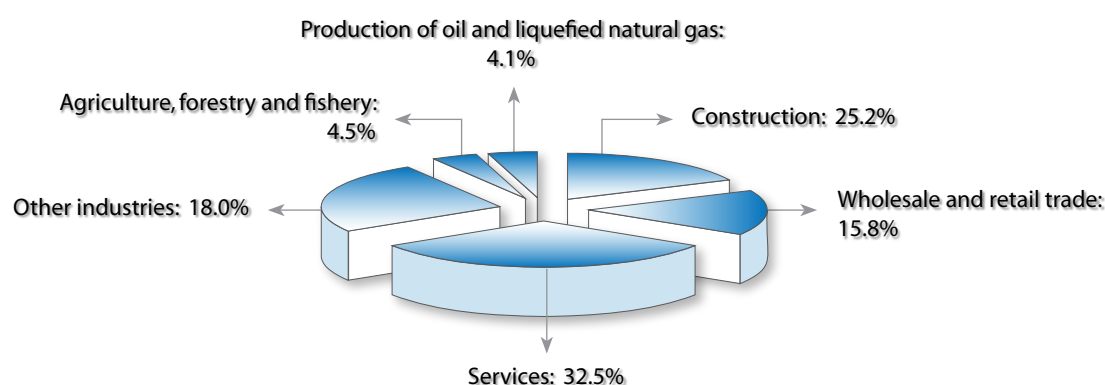
- Migrants can be granted permanent resident status after 15 years of residence and under the fulfilment of other conditions. Brunei Darussalam has resisted international pressure to accept asylum seekers or refugees on political or humanitarian grounds.
- While the necessary regulatory instruments are in place to protect citizens and migrants alike, the authorities are struggling to cope with the new migration patterns (in particular, with irregular migration) driven by globalization and changing environments during the past decade, but the introduction of harsh penalties has not deterred irregular migrants from entering the country.
- Regional changes are causing a contraction of the local economy, eroding profit margins, and placing employers and entrepreneurs under pressure. As a result, wages have been driven below contractual agreements and employees' benefits have been reduced to the bare minimum. Irregular migrant workers, who are not entitled to any protection under the law, are the most exploited.
- However, exploitation or immigration irregularities are common only at the lower socio-economic strata. Foreign workers at the upper end, i.e., professionals, executives, administrators and technical experts, enjoy better terms of employment than local permanent residents and many citizens. Existing weaknesses and irregularities in the regulation of immigration and employment are a consequence of accelerating and expanding migration flows. Over time, the State and society, local citizens and migrants, employers and employees will find a new balance.
- The rights of migrant workers are protected under the Labour Act, 1954 (amended in 1984, revised in 2002) which defines the rights and responsibilities of employers and employees. Supplementary legislation, such as the Workmen's Compensation Act, 1957 (amended in 1984), places the responsibility for the safety of workers with the employers. The Trade Union Act, 1961 (amended in 1972) and the Trade Dispute Act, 1961 were enacted to resolve conflicts that arise between employer and employee. The Employment Information Act, 1974 (amended in 1978) was enacted to improve governance through better monitoring and data management. Other regulations provide for maternity benefits, protection of children against exploitation, safety of workplaces, rules on public holidays, protecting the rights of domestic helpers and the payment of wages.

## Social and economic context of migration

In 2006, the population comprises more males (53 per cent) than females. The rate of natural increase is 1.58 per cent but the population growth rate is considerably higher owing to net in-migration. The infant mortality rate is only 6 per 1,000 live births. Nearly 74 per cent of the population is concentrated in the Capital District (Brunei-Muara) (ESCAP, 2007).

Since the 1930s, the country's economy has been powered by the oil and gas industry. High oil prices in the mid-1970s accelerated modernization and development. In 2005, oil and gas accounted for 94 per cent of export revenue and 66.4 per cent of GDP. The industry, however, provided only about 4 per cent of jobs in the private sector (figure 1). As a small developing country with a healthy trade surplus, it is hardly surprising that the service, construction and wholesale/retail industries are the leading employers. The construction industry has been contracting since its boom days in the mid-1970s. Services (i.e., personal services, 9-11 per cent, hospitality, 7-9 per cent, finance and insurance, 6-7 per cent, and transport and storage, 5 per cent) have increased slightly in recent years. Agriculture, forestry and fisheries have remained small sectors, employing in total about the same proportion of the workforce as the dominant oil and gas industry.

**Figure 1. Distribution of employees in the private sector by industry, percentage, Brunei Darussalam, 2005**



Source: Labour Department, Ministry of Home Affairs, Brunei Darussalam, no date.

In 2006, the population of workforce age totalled 180,400, with a participation rate of 71.7 per cent. Males make up 62.6 per cent of the employed population while females, with a lower participation rate of 59 per cent, make up the remaining 37.4 per cent. In 2006, 3,200 males and 4,100 females were unemployed.

The small population is well-educated, with a literacy rate of 93.7 per cent recorded in the last census (2001), up from 89.2 per cent in the 1991 census (Department of Statistics, 2005). The proportion of females enrolled at the secondary, technical and institute levels as well as in higher education is consistently higher than that of males (nearly 2:1 for university enrolment), even though there are slightly more males in total enrolment (which includes primary education). However, the total number of graduates from academic and technical institutions is still far below the country's labour needs. Brunei Darussalam therefore continues to rely on foreign labour to sustain its economy and development.

## Out-migration

Out-migration occurs but on a very small scale. It has involved mainly the stateless ethnic Chinese who, in the late 1980s to early 1990s, decided to migrate to Canada, Australia and New Zealand (census data show a marked drop between 1981 and 1991 in the permanent resident population, from 20,185 to 18,857) (Department of Statistics, 2005).

In addition, a small number of Brunei Darussalam citizens have been posted by the Government or multinational corporations to overseas branch offices for periods ranging up to several years.

A large number of students are also sent (for two to four years) overseas, mostly to the United Kingdom. In 2006, the number was 585 students. This trend, which began 30 years ago, is showing a steady increase (Ministry of Education, no date).

A few individuals are working abroad on their own initiative. Their number is, however, relatively small and not recorded officially or otherwise.

## In-migration

The local population is a mix of several ethnic groups (with Malays as the dominant group), comprising seven ethnic sub-groups, which make up two-thirds of the population. The largest minority group is Chinese (11 per cent). Chinese migrants visited and traded with Brunei as far back as the seventh century but began settling in Brunei only in the latter half of the nineteenth century, when they were brought in by the British to work as labourers. Subsequently, they expanded their activities to almost all aspects of the economy. Indian migrants make up a small portion of the population and are engaged mainly in trade and commerce. The remainder of the population (nearly 15 per cent) are foreign nationals. The Government is the largest employer (37.5 per cent of the working population, 91 per cent of whom are citizens or permanent residents). In contrast, 68 per cent of those employed in the private sector are foreign nationals.

The Labour Department's survey in 2005 found that, of the 106,820 persons employed in all industries in the Private Sector, 69.3 per cent were foreign nationals. Local workers dominate only in the oil and gas industry (73.1 per cent) and financial, insurance and business services (65.4 per cent) (table 1).

**Table 1. Percentage of local and foreign workers in major industries by gender, Brunei Darussalam, 2005.**

Industry	Local (%)			Foreign (%)		
	Male	Female	Total	Male	Female	Total
Agriculture, forestry and fisheries	22.6	71.6	29.8	77.4	28.4	70.2
Oil and liquefied natural gas	68.2	96.6	73.1	31.8	3.4	26.9
Sawmilling and timber processing	10.1	63.2	14.6	89.9	36.8	85.4
Mining, quarrying and manufacturing	12.3	18.7	15.2	87.7	81.3	84.8
Construction	9.2	74.0	13.4	90.8	26.0	86.6
Wholesale and retail trade	29.7	55.1	40.0	70.3	44.9	60.0
Coffee shops, restaurants and hotels	26.6	35.0	30.8	73.4	65.0	69.2
Transport, storage and communications	40.1	81.4	50.1	59.9	18.6	49.9
Services: financial, insurance, business	51.9	84.8	65.4	48.1	15.2	34.6
Services: community, social, personal	24.6	53.6	35.8	75.4	46.4	64.2
All industries	22.9	48.6	30.7	77.1	51.4	69.3

Source: Labour Department, Ministry of Home Affairs, Brunei Darussalam, no date.

Locals tend to have the larger share of high-wage jobs and of low-wage clerical employment (table 2). Migrant workers are mainly employed as craftsmen, labourers, cleaners, machine operators and in sales and commercial services. Expatriate professionals and executives made up 11-22 per cent of those respective occupational groups.

**Table 2. Local and foreign workers in occupational groups by gender, Brunei Darussalam, 2005**

Major occupational group	Local (%)			Foreign (%)		
	Total	Male	Female	Total	Male	Female
Administration, executive	77.7	74.0	88.3	22.3	26.0	11.7
Professionals	70.7	65.7	78.6	29.3	34.3	21.4
Technical	82.5	77.9	87.5	17.5	22.1	12.5
Clerical	88.7	85.3	90.4	11.3	14.7	9.6
Sales and services	67.2	70.8	58.2	32.8	29.2	41.8
Skilled agriculture, fisheries	45.3	39.0	80.7	54.7	61.0	19.3
Crafts, trade	26.3	29.2	16.9	73.7	70.8	83.1
Factory and machine operators	44.7	44.6	47.0	55.3	55.4	53.0
Cleaners, labourers	23.9	31.6	18.2	76.1	68.4	81.8
Unclassified	85.9	85.6	86.5	14.1	14.4	13.5
All groups	53.7	54.7	52.3	46.3	45.3	47.7

Source: Department of Statistics, Brunei Darussalam, 2005.

Immigration has contributed significantly to Brunei Darussalam's population growth, particularly since the mid-1970s. Foreign-born residents increased by nearly 80 per cent between 1981 and 2001. In the second decade under examination, the female migrant rate of increase remained high (from 4.1 per cent per annum in the first decade to 3.8 per cent in the second decade), the males' rate declined sharply (from 3.1 per cent to 1.1 per cent). A significant proportion of the foreign-born population are Brunei Darussalam citizens and permanent residents (17.4 per cent in 1991 and 13.3 per cent, respectively, in 2001).

### Chinese migrants

The 2001 census recorded the ethnic Chinese population at 37,056 (11.1 per cent of the total population), 16,677 or 45 per cent of whom were foreign-born. By the end of the Second World War, the Chinese made up 20.4 per cent of the total population, and in the 1960s and 1970s – due to the economic boom in the post-war years and the subsequent dramatic in-migration of Chinese from neighbouring Malaysia; China; Singapore; Hong Kong, China, and Taiwan Province of China – the ethnic group made up about 25 per cent of the country's population (Franz, 1980).

A large proportion of Chinese in Brunei Darussalam were formerly "British subjects" from the period when Brunei was a British Protectorate. When Brunei Darussalam regained its independence in 1984, many of whom were ignorant of laws governing nationality were left without nationality and classified as "stateless" (they were, however, granted "permanent resident" status under the 1965 National Registration Regulations, which allows them to live and work in Brunei Darussalam without an "employment pass"). Today, more than half of the Chinese population are still stateless or hold citizenship under the 1961 Brunei Nationality Act (revised in 2002), which made provisions for foreign nationals to be naturalized provided they had resided in Brunei for at least 25 years and met a series of other conditions. Naturalization is also possible through

marriage with a legitimate Brunei Darussalam citizen. Children of foreign-husband and local-wife couples have the right to be registered as citizens.

### *Iban migrants*

The Iban migrated to Brunei Darussalam in the early 1930s to work in the oil industry. Franz (1980) estimated that the Iban population grew from 453 in 1931 to 6,850 by 1971, largely through irregular migration, but that a large number left the country a few years later. In the last census, the Iban were grouped under "others", together with all ethnic and racial groups other than the Malays and Chinese.

### *Migration patterns*

Apart from the Chinese, other nationals were drawn to Brunei Darussalam because of employment or business opportunities created by the country's oil wealth. Europeans, North Americans, Koreans, Japanese, Indians, Singaporeans and Malaysians came on two- or three-year contracts to take up professional, technical or executive positions to work in the oil and gas industry, health, education, and the development of the country during the post-war boom. The construction industry attracted Thais, Filipinos and, between 1998 and 2000 (i.e., following the 1997 Asian economic crisis), Indonesians who ranked second after Malaysians in the migrant population in the 2001 census (table 3).

More than half the migrant population who came from China; Hong Kong, China; Malaysia and Singapore arrived more than 10 years before the 2001 census. Nearly half of the migrant workers from South Asia, the Philippines and the United Kingdom also came to Brunei Darussalam during that period.

**Table 3. Foreign-born population by place of birth and percentage of duration of residence in years, Brunei Darussalam, 2001**

Place of birth	Total	< 3 yrs	4 to 6 yrs	7 to 9 yrs	> 10 yrs
Malaysia	32,534	12.1	11.8	13.4	62.7
Philippines	13,152	43.7	20.2	19.3	16.8
Thailand	5,343	63.3	19.8	10.1	6.8
Indonesia	26,300	80.4	12.8	4.3	2.5
Singapore	1,104	20.6	11.3	11.1	57.1
India, Pakistan, Sri Lanka and Bangladesh	10,936	48.4	20.6	17.4	13.6
Nepal	2,739	45.7	12.4	35.5	6.4
China and Hong Kong, China	692	6.2	3.6	2.9	87.3
United Kingdom	1,573	45.7	17.0	14.4	22.9
Others	1,923	35.0	30.5	14.9	19.6
Total	96,296	44.0	15.1	12.6	28.3

Source: Department of Statistics, Brunei Darussalam, 2005.

By February 2007, the Department of Immigration and National Registration had the issuance of 94,258 passes to migrant workers and their families (see table 4). Migrants from Indonesia (42.7 per cent of all migrants), Malaysia and the Philippines make up 78.4 per cent of the migrant population. Near half of the migrants from Indonesia and a third from the Philippines are domestic workers (of which, Indonesian and Filipino females comprise 87.5 per cent and 93.9 per cent, respectively). Nearly half (45.9 per cent) of dependent migrants, mostly females, are from Malaysia.

**Table 4. Number and passes issued by type to migrants from the six major countries of origin, Brunei Darussalam, 2006**

Types of passes issued					
	Total	Employment pass	Dependent	Amah	Government employee
Malaysia	17,358	13,695	3,026	331	306
Indonesia	40,215	20,038	255	19,893	29
Philippines	16,342	10,743	711	4,752	136
India	7,293	6,086	791	333	83
Bangladesh	2,196	2,112	35	38	11
Thailand	5,689	5,611	71	0	7

Source: *Department of Immigration and National Registration, Ministry of Home Affairs, Brunei Darussalam, no date.*

The largest migrant worker groups in the private sector are from Indonesia (32.8 per cent), Malaysia (22.4 per cent) and the Philippines (17.5 per cent). Among migrants from Indonesia and Malaysia working in the private sector, females account for only 18.8 per cent and 16.8 per cent, respectively. However, females make up nearly half (41.7 per cent) of the migrants from the Philippines. The number of foreign nationals working in the public sector is very small (1.3 per cent of the private sector population). In total, males outnumber females by nearly 2:1, except among Philippine nationals where females make up 52.9 per cent.

Among children born to migrant couples, Malaysian nationals account for more than half, with those from South Asia making up less than 10 per cent. The total number of children born to migrant families in Brunei Darussalam is, however, very small (about 750).

### ***Irregular immigration***

Brunei Darussalam, despite being an attractive destination for migrant workers (the national workforce is still too small to sustain the economy and to develop the country), does not have an immigration programme and never adopted an open door policy because of concern that immigrants would easily overwhelm the local population.

In 2000, there were 4,320,660 crossings through the 10 immigration posts in Brunei Darussalam. By 2006, the number had increased to 5,651,267. Land crossings accounted for 85 per cent of inward movement recorded in 2006, compared with 78 per cent in 2000 (Department of Immigration, Ministry of Home Affairs, no date). Budget air travel has further accelerated migration rates over the past three to five years. The opening up of borders through bilateral or multilateral agreements, which allow nationals to enter the respective countries without a visa, coupled with increasing human mobility has also opened up the opportunity for irregular migration.

Many foreign nationals, mainly from the Asia-Pacific region, enter the country as visitors but are actually seeking employment. They take advantage of the above said immigration agreements by exiting and returning, usually the same day, to extend their stay in the country without a visa. Once employed (illegally), visitors continue to extend their stay in this way. Some buy "employment passes" from local service providers in order to remain in the country. Such misuse of an employment pass is punishable by a jail term, a fine or whipping.

During the four-year period from 2002 to 2006, 665 operations against irregular stay/work were carried out. Indonesians lead the group of immigration offenders, followed by Malaysians, local offenders, Filipinos, Bangladeshis and Indians. Since its introduction, 268 persons have received whippings, with Indonesians (65), Bangladeshis (64), Indians (49) and Malaysians (42) constituting the largest share. Since 2002, the leading offence has been overstaying (3,822), which far outnumbers the next two largest groups of offenders – those working on a social visit pass (582) and those working illegally for an employer other than the one stated on the employment pass (386) (Department of Immigration, Ministry of Home Affairs, no date).

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# CAMBODIA

Development indicators	
Population, 2007 (in 1,000)	14,364
Population growth rate, 2007 (%)	2.0
Growth rate of population aged 15-39 years, 2005-2010 (%)	2.93
Total fertility rate, 2007	3.4
Percentage urban, 2007	21.0
Net migration rate, 2005 (per 1,000)	0.1
Per capita GDP, 2006 (at current prices in US Dollars)	327.67

## Key issues

- The 2003 MoU between Thailand and Cambodia outlines the framework for sending and receiving migrant workers between the two countries, but implementation has been slow. The legal process for a Cambodian national to secure work in Thailand remains time-consuming, complicated and expensive. The recruiting and placement of migrant workers is largely managed by commercial recruitment agencies registered with the Ministry of Labour and Vocational Training. These agencies make large profits at the expense of the workers (Lee, 2006).
- The current environment is not fully developed for an active and effective promotion of regular labor migration and the majority of workers continue to choose irregular channels, mainly because of the cost and time involved in regular migration. Irregular migration is most common between Cambodia and Thailand; however, it does take place between Cambodia and other countries in the region such as Malaysia.
- The ongoing existence of irregular channels makes it very difficult for both the Government of Cambodia and the governments of the receiving countries to give Cambodian migrant workers protection, access to health care and education, and leaves the migrants more vulnerable to various types of exploitation.
- Despite the large Vietnamese presence in Cambodia, little substantive action has been taken by the Government to manage migration flows from Viet Nam, and many Vietnamese migrants in Cambodia remain irregular (Asian Migrant Centre, 2002). The lack of coherent and consistent policy on migrants in Cambodia has contributed to the vulnerability of migrants and the difficulty in regularizing their status. It also prevents the Government of Cambodia from maximizing the benefits of migration to Cambodia. Accompanied and unaccompanied minors are of particular concern as they are among the most vulnerable migrants. Cambodia remains one of the poorest countries in the region; basic health care and education are not readily accessible and workers' rights are often not respected even in the case of Cambodian nationals.
- While the Royal Government of Cambodia and a number of NGOs are working towards stopping as well as limiting the harm caused by trafficking, there are still gaps that need to be filled. There are currently more than 5,000 people and 200 organizations involved in anti-trafficking projects in Cambodia which can lead to a lack of communication, coordination and inconsistent standards; however, their efficient collaboration could improve the identification of victims and the number of successful repatriations as well as preventive efforts (Huguet and Ramangkura, 2007).

## Social and economic context of migration

As of 2007, Cambodia's population totalled 14,364 million. The population growth rate was approximately 2 per cent (ESCAP, 2007). Cambodia shares borders with Thailand to its west and north-west, the Lao People's Democratic Republic to its north-east, and Viet Nam to its east and south-east. Southern Cambodia faces the Gulf of Thailand.

Cambodia is ethnically homogeneous, as more than 90 per cent of its population is Khmer. Other ethnic groups in the country are Chinese, Vietnamese, Cham, Khmer Loeu and Indian. The country has a high fertility rate, a growing workforce and few employment opportunities. The median age in Cambodia is 21.3 years, with approximately 60 per cent of the population aged younger than 25 years (DFID, 2007), presenting a challenge to create enough employment for its growing workforce. Because such a high proportion of the population is younger than 25 years, Cambodia is likely to experience a continuing high population growth and is unlikely to go through a demographic transition in the near future.

The Cambodian economy has suffered from the effects of decades of civil war and internal strife. Agriculture remains the core sector of Cambodia's economy, accounting for approximately 43 per cent of GDP and employing 55 per cent of the population in 2004 (National Institute of Statistics, 2004).

Between 2000 and 2005, the annual GDP per capita continued to grow, averaging 8.4 per cent in 2000 and 13.4 per cent in 2005 (United Nations Statistics Division, 2007), which was considerably higher than the growth rate of other countries in the GMS<sup>1</sup>. Growth was driven primarily by expansion in the garment sector and tourism. However, per capita income remains considerably lower than that of other countries in the East Asia region and it is consistently one of the lowest in the world. In 2006, Cambodia's per capita GDP was only US\$ 328 (IMF, 2007).

Cambodia is a signatory of the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families but it has not ratified it. Bilaterally, Cambodia is party to several bilateral labour migration agreements with the governments of Thailand, the Republic of Korea and Malaysia.

There is considerable internal migration from rural to urban areas and from internal rural areas to border areas in Cambodia, which are beyond the scope of this report. However, internal migration is driven by the lack of employment opportunities, increasing landlessness, and poverty in rural areas. The push factors driving internal migration are often linked to the incentives driving international migration. The primary destination country for international migrants is Thailand. As a host country, Cambodia hosts migrant workers primarily from Viet Nam and China.

## Out-migration

High unemployment rates and low incomes are the main push factors for out-migration. The primary destinations for Cambodian migrant workers are Thailand, the Republic of Korea and Malaysia. There is also anecdotal evidence of the presence of Cambodian migrant workers in the Middle East, primarily Saudi Arabia and Qatar, as well as other Asian countries including Hong Kong, China, Taiwan Province of China and Japan; however, no information is available on these migrants' profiles, the sectors in which they are employed or the numbers involved.

Cambodia has only recently opened its doors to regular labor migration and the Government of Cambodia is actively promoting labor migration policies and programmes to improve the labor migration management. Meanwhile many workers continue to choose irregular channels, mainly because of the cost and time associated with regular migration and due to a general distrust toward the bureaucratic procedures involved. Many Cambodians migrate through family and social networks that help facilitate employment or, more often, through brokers operating at the village or district level (*mekhal* in Khmer) who provide job-related services. The average cost is around US\$ 100. Most of the brokers work within Cambodia and they usually have a Thai counterpart who takes over the migrants once in Thailand.

<sup>1</sup> Cambodia, China, Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam.

Most of the labour migration from Cambodia is facilitated by private recruitment agencies who regularly charge the migrant workers excessive fees for their services (between US\$ 400 and US\$ 1,500, depending on the destination country) (UNIAP, 2007). The Ministry of Labour and Vocational Training has recently increased its efforts to enforce legislation regulating the activities of these recruitment agencies.

According to the Ministry of Labour and Vocational Training, 9,154 Cambodians were registered and employed in Malaysia (between 1998 and 2006), and the Republic of Korea (between 2003 and 2006). In Malaysia, most Cambodian migrants are female domestic workers. In the Republic of Korea, Cambodian migrants are mostly males employed in factories. The Cambodian Government also explored other labor markets such as Saudi Arabia to which 34 domestic female workers were deployed but following that experiment the government decided to discontinue, as working and living conditions in Saudi Arabia were harsh and the absence of the Cambodian Embassy made it impossible to provide adequate assistance to Cambodian nationals working there (See Maltoni, 2005; Lee, 2006).

Remittances to Cambodia are mainly sent through private informal channels. Most migrant workers give cash to agents who personally deliver the money to the migrants' family and the agents receive a service fee in return, usually a percentage of the amount they deliver (Lee, 2006; Maltoni, 2006). Therefore, reliable figures on the amounts remitted by Cambodian irregular migrants are not available though the government is working on systems that will help them better quantify remittances made by labour migrants.

Cambodia has signed a MoU on labour migration with Thailand and labour agreements with the Republic of Korea (Employment Permit System) and Malaysia (Recruitment Procedures for Cambodian Nationals for Employment in Malaysia). The MoU with Thailand aims to manage labour migration between the two countries. The two Governments agreed to establish a system that would enable Cambodian nationals to migrate legally to Thailand for work, and the Government of Thailand agreed to regularize the status of irregular Cambodian migrant workers already in Thailand.

Most of the migration from Cambodia is to Thailand, which has become a popular destination because of its proximity, comparatively high economic growth and large wage differential for similar jobs in the two countries (Sovannarith, 2001). While the majority of migrants to Thailand move voluntarily, trafficking from Cambodia to Thailand and to other countries is a problem.

As of 2005, there were 104,789 registered Cambodian labour migrants in Thailand, representing approximately 13 per cent of the total number of legal migrant workers in that country. However, this number had decreased to 24,791 by June 2007 (table 5). Documented labour migrants in Thailand have to renew their work permits every year. When they fail to renew permits and they overstay in Thailand, they continue to work without a work permit. The reason for the dramatic decrease in the number of legal workers can therefore be that:

- (1) Cambodian workers left Thailand after their work permits expired; or
- (2) they did not renew their work permits but continued to work in Thailand.

The most likely explanation is the latter. In fact, the number of Cambodian nationals working in Thailand is likely much higher than the estimated figure with most of them being in an irregular status.

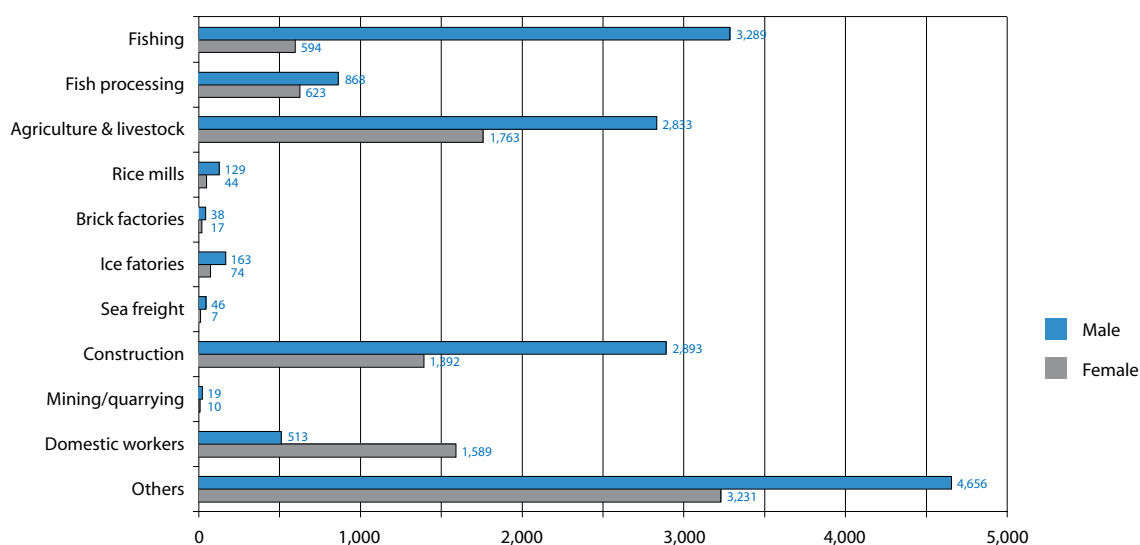
**Table 5. Work permits issued to all migrants and Cambodian migrants by employment sectors in Thailand, 2007**

Employment sectors	Work Permits issued to all migrants	Work permits issued to Cambodian migrants
Fishing	14,892	3,883
Fish processing	67,612	1,491
Agriculture & Livestock	101,457	4,596
Rice mills	4,752	173
Brick factories	3,173	55
Ice factories	3,743	237
Sea Freight	971	53
Construction	82,887	4,285
Mining/quarrying	1,014	29
Domestic workers	61,328	2,102
Others	193,903	7,887
<b>Total</b>	<b>535,732</b>	<b>24,791</b>

Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2007.

Since April 2007, more than 4,000 Cambodian migrant workers have entered Thailand under the legal framework established by the MoU between the two countries.

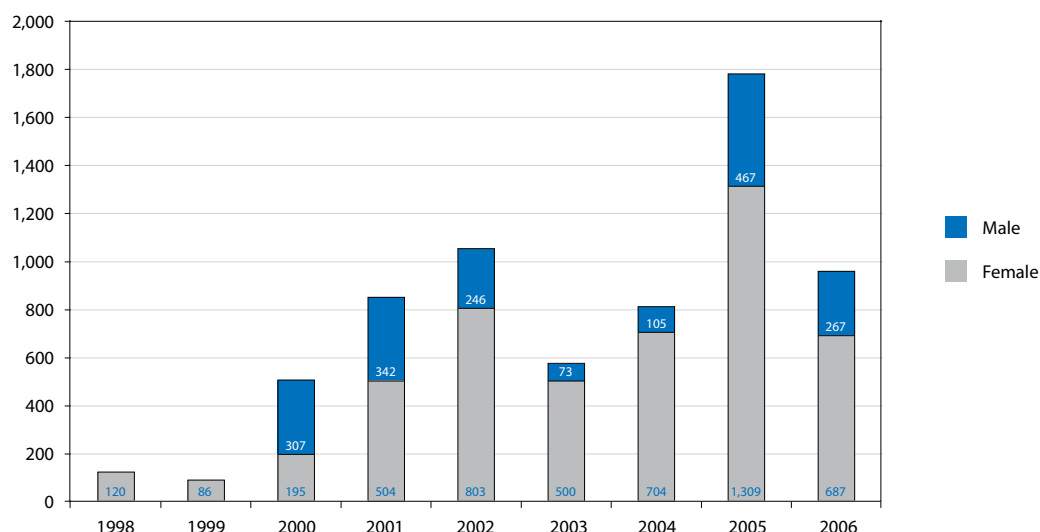
The majority of Cambodian workers in Thailand are men who work in the fishing industry, construction and agriculture (figure 2). Women are employed mostly as domestic workers.

**Figure 2. Total number of work permits issued to Cambodian migrants in Thailand by sector and by sex, 2007**

Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2007.

The agreement with Malaysia outlines the recruitment process of Cambodians planning to work in Malaysia. Cambodian recruitment agencies are authorized to recruit Cambodians and obtain Malaysian work permits on their behalf.

**Figure 3. Cambodian migrant workers deployed to Malaysia, 1998-2006**

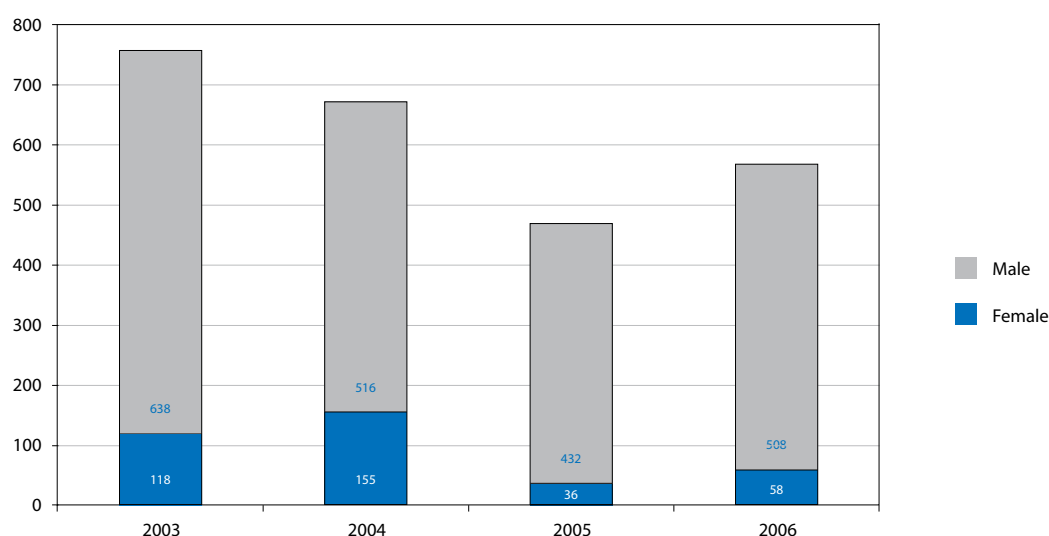


Source: Ministry of Labour and Vocational Training, Phnom Penh.

According to the research done by the Coordination of Action Research on AIDS and Mobility (CARAM-Asia, quoted in Asian Migrant Centre Resource Book, 2002) in Malaysia, there are approximately 10,000 regular and irregular Cambodian migrant workers in Malaysia. Most Cambodian workers in Malaysia are female domestic workers. Other sectors in which Cambodians are employed include construction, manufacturing and entertainment. According to the CARAM report, the majority of Cambodians enter Malaysia legally; however, many of them overstay their visas and thus alternate between regular and irregular status. This is particularly common if they change their original place of employment. The Immigration Act of Malaysia, 1959/63 gives employers the right to terminate migrants' employment and cancel their work permits but it does not permit migrant workers whose employment has been terminated or who have left their employer to stay in the country. This puts many migrant workers in a vulnerable position.

Since 2003, Cambodia has been sending an average of 615 migrant workers per year to the Republic of Korea through the skills development trainee system. The system allowed Cambodian nationals to work in the Republic of Korea for short periods to acquire transferable skills. From 2003 to 2006, 2,461 Cambodian migrant workers were employed in the Republic of Korea. All of them were documented migrants and the great majority was male. Since 2007, this trainee system to Korea has been replaced with the guest worker program called Employment Permit System (EPS).

**Figure 4. Cambodian migrant workers deployed to the Republic of Korea, 2003-2006**



Source: Ministry of Labour and Vocational Training, Phnom Penh.

## In-migration

Cambodia is a destination country for both labour and other types of migrants, some of whom have settled permanently, primarily from Viet Nam and China. Vietnamese migrants are by far the biggest migrant group in Cambodia. It is difficult to estimate the exact numbers of both Chinese and, in particular, Vietnamese migrants in Cambodia due to historical relocations, including Kampuchea Krom residents and Vietnamese nationals who migrated to Cambodia between 1980 and 1989.

This number of Vietnamese residing in Cambodia includes three distinct groups of migrants: (a) Kampuchea Krom migrants who migrated to Cambodia after that area was incorporated into Viet Nam; (b) Vietnamese who have been in Cambodia since the Vietnamese occupation at the end of the 1980s; and (c) recent migrants who are still Vietnamese nationals. While there are no reliable estimates as to the number in each group, Asian Migrant Centre (2002) estimated that there are more than 1 million Vietnamese migrants in Cambodia.

In 2002, the Government of Cambodia initiated a registration process for undocumented migrants in Cambodia. At that time, at least 70,000 undocumented Vietnamese registered (Asian Migrant Centre, 2002).

Vietnamese migrants are drawn to Cambodia both for historical reasons and as a result of the demand for skilled labour in the construction sector. In particular, Vietnamese migrants are employed as foremen, craftsmen and mechanics (Asian Migrant Centre, 2002). Although many of them enter Cambodia irregularly, Vietnamese migrants often earn higher wages than local Cambodians do because they are able to secure skilled work. This can cause resentment among Cambodian communities, who cannot compete with them for scarce, skilled work (Asian Migrant Centre, 2002).

The sex industry is an important sector of employment for Vietnamese female migrants. Many women are employed in the sex industry, including massage parlours and dance halls. They are among the most vulnerable migrant workers and are subject to exploitation and extortion, which is amplified by the combination of their profession and irregular status.

There is also a Chinese community in Cambodia; Chinese migrants usually arrive in Cambodia through regular channels and tend to secure employment with a Cambodian employer prior to their arrival (Mekong Institute, 2006). Chinese mainly migrate to Cambodia for economic reasons and often hold managerial jobs or highly-skilled positions. They receive higher wages than Cambodian nationals (Asian Migrant Centre, 2002).

## Human trafficking

Cambodia has ratified the United Nations Convention against Transnational Organized Crime and signed the two supplemental protocols on trafficking in persons and smuggling of migrants. In 1996, it adopted the 'Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings', which establishes penalties for a range of crimes associated with human trafficking (Huguët and Ramangkura, 2007).

An increase in human trafficking and irregular migration has compelled the Cambodian government to develop and implement national plans of action, and establish bilateral and regional cooperation through specific agreements and MoUs.

Despite efforts to strengthen the legal framework for fighting trafficking in human beings, trafficking of women and girls from Viet Nam as commercial sex workers to Cambodia still constitutes a serious problem and is the major pattern of trafficking to the country.

Trafficking from and within Cambodia is also of concern. In particular, women and children are trafficked internally and to neighbouring countries such as Thailand, China, Malaysia and Viet Nam to work as domestic workers, beggars and in the sex industry. Cambodian men are more likely to be trafficked for work in the construction and fishing industries (Derks and others, 2006).

Due to the clandestine nature of trafficking, accurate estimates of the number of victims involved are difficult to obtain. However, trafficking from Cambodia should be viewed in the wider context of labor oriented irregular migration from the country in which a proportion of the migrants can be expected to fall victims to trafficking networks (Huguët and Ramangkura, 2007). While a definition of trafficking is commonly accepted, the use of the term for statistical purposes varies; therefore, estimates of the population concerned differ considerably. Some studies consider only women and children while others include men. Generally, as noted by Derks and others (2006), statistical estimates for victims of trafficking are based on small-scale surveys or a few geographical locations. The presence of deception, coercion and fraud in recruitment and the level of exploitation at work are often used as indicators of trafficking.

With more than 5,000 people and 200 organisations involved in anti-trafficking projects in Cambodia, the 2007 creation of a new National Task Force marks the Royal Government of Cambodia's desire to bring a more inclusive, cooperative and coordinated approach to combating trafficking and consistent standards in the core areas of prevention, protection and prosecution. The chair of the NTF is the Ministry of Women's Affairs (MoWA).

Cambodia currently has a MoU on combating Trafficking in Women and Children with Thailand, (signed in 2003) and a further Bilateral Agreement to Combat Human Trafficking with Viet Nam (signed in 2005). Cambodia is also an active member of the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT) which is an Inter-Governmental process bringing together the six GMS countries. Regional integration of trafficking initiatives has been made easier by Cambodia's ratification of all ILO Conventions<sup>1</sup> and the United Nations Protocol to Prevent Suppress and Punish Trafficking on Persons. As a result, the 1996 Law on the Suppression of Kidnapping, Trafficking, and Exploitation of Human Persons has been comprehensively revised to achieve an international standard and a new anti-trafficking law was fully adopted in January 2008.

<sup>1</sup> Including: ILO Convention 192 on the Elimination of the Worst Forms of Child Labour, Optional protocol to the convention on the Rights of the Child on the Sale of Child Prostitution and Child Pornography, ILO Convention 29, Forced Labour, ILO Convention 105, Abolition of Forced Labour and Optional Protocol on the Rights of the Child in Armed Conflict.

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# CHINA

Development indicators	
Population, 2007 (in 1,000)	1,320,509
Population growth rate, 2007 (%)	0.63
Growth rate of population aged 15-39 years, 2005-2010 (%)	-0.95
Total fertility rate, 2007	1.71
Percentage urban, 2007	40.3
Net migration rate, 2005 (per 1,000)	-0.3
Per capita GDP, 2006 (at current prices in US Dollars)	1,553.87

## Key issues

- China is experiencing rapid ageing of its population. An associated shrinking labour force and rising dependency ratio will place increasing demand on the Government to make appropriate reforms of the social security system, health care, education, and social services. Furthermore, China is likely to lose its competitive strength in human resources within two to three decades, after which it will need to import labour (Skeldon, 2004).
- Hong Kong, China, Macao, China and Taiwan Province of China have confronted challenges to revitalizing their economies since the Asian economic crisis in 1997. The three areas also lack effective policies and initiative programmes for assimilating new immigrants. To meet the challenges of an ageing population, Hong Kong, China is considering waiving the compulsory retirement age of 65 years, and encouraging older people to work in part-time jobs.
- Changing demographics and socio-economic conditions, especially China's accession to the World Trade Organization in 2001 and further globalization and privatization of Chinese economy, have dramatically influenced the size, composition and patterns of out-migration and in-migration in China. A recent comprehensive analysis by Dumont and Lemaitre (2005) calculated emigration rates of all highly-qualified people (with a university education) for the OECD and non-OECD nations. The rate for China was 3.2 per cent. This figure suggests that the outflow of highly-skilled persons (1.7 million) is an important phenomenon that cannot be ignored by Chinese policy makers. Competing for "talent," as it was phrased by Chinese policy makers, has become even more important. The Government of China at various levels has to learn how to compete in a globalized market in terms of investment, human capital, resources, trading and all other dimensions of the economy. Regions and cities in China have to learn how to compete with each other. In recent years, 35 per cent of returnees have had difficulty in finding employment. In 2003, for example, 7,000 returnees in Shanghai alone were unable to find work (Sun and others, 2005). The issue of how to help returnees establish themselves successfully in a highly competitive labour market is imperative.

- While China has encouraged skilled migration and return, the Government has paid little attention to the export of low-skilled labour. Labour export from China is still at a very early stage of development. It is poorly developed and not very well regulated, despite the fact that most employment agencies are state-owned. Although China formulated an array of regulations during the 1990s, they were mainly framed in general terms; the policy framework for labour export as a whole is far from sophisticated. Many migrant labourers originate from Fujian and Zhejiang provinces (Liang and Morooka, 2004). If managed carefully, organized labour exports can become a substitute for irregular out-migration (Xiang, 2003).
- The development of effective policy interventions to reduce trafficking in China and to protect the migrants involved (especially women and children) is important. Improved, expanded and new legal labour migration channels can contribute to a reduction in trafficking. Combating the trafficking and exploitation of Chinese labourers requires the effective enforcement of criminal laws and migration policies in China, together with bilateral and multilateral initiatives in cooperation in the Asia-Pacific region as well as globally.
- The Chinese authorities view out-migration as a means of enhancing the integration of the country into the global economy and are determined to avoid conflicts with the international community over migration issues. China, which is currently going through one of the most dramatic phases of economic development in its history, is a major participant in the global migration system. Growing international migration will affect relations between China and the destination countries. A key issue facing policy makers is how this growing "migration relationship" between China and other parts of the world should be managed in order to maximize the benefits.

## Social and economic context of migration

An increase in both the scale and complexity of population movement at the international and domestic levels has been the cause as well as the consequence of the dramatic social, economic, and demographic transformations that have occurred in China since the 1980s. A reduction in the birth rate resulting from China's family planning policy, late marriage and longer life expectancy have had a profound impact on the structure of the population while at the same time creating new demographic challenges. The main challenges include an increased absolute size of the population, low fertility rates, low levels of educational attainment, ageing of the population and a skewed (towards males) sex ratio.

The growing size of China's population has placed tremendous pressure on labour dynamics, welfare provision and migration patterns. In 2006, the working age population (15-64 years) accounted for 72.3 per cent of the total population of 1.3 billion. The proportion of older people (aged 65 or over) and children (aged 0-14 years) accounted for 7.9 per cent and 19.8 per cent of the total, respectively (National Bureau of Statistics of China, 2007). The working age population is projected to peak at 1.01 billion by 2016. The dependency ratio (measured as the number of people aged below 15 years and above 64 years divided by the number of the working age population) is expected to rise from 40.1 per cent in 2005 to more than 50 per cent by 2030.<sup>1</sup>

China's employment situation is facing tremendous pressure by the sheer number of people who are of working age, significant numbers (approximately 10 million) of unemployed people in urban areas and some 200 million redundant farm labourers. The issue of employment (greater labour supply than demand) will continue in the long term to be a leading problem in China (National Population and Family Planning Commission, 2005).

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<sup>1</sup> *People's Daily*, 11 May 2006.

With more than 1.3 billion people, China is the world's most populous country; yet it has a lower fertility rate than the United States and many European countries. The country's total fertility rate (TFR) declined from 2.3 in 1990 to 1.8 in 2001, and has fallen further to 1.71 in 2007. According to the China News Centre,<sup>2</sup> the TFRs in China, Hong Kong, China, Macao, China (0.9 in 2005), and Taiwan Province of China (1.1 in 2005) are lower than the replacement fertility rate (2.1 births per woman). They are also lower than the rates in most developed countries (e.g., the United States [2.1] and France [1.9]). China's population is projected to reach 1.37 billion by 2010 and 1.46 billion by 2020, peaking at about 1.5 billion by approximately 2033 (State Council of China, 2006). The average life expectancy increased from 35 years prior to the foundation of the People's Republic of China in 1949 to 71.8 years by 2004.

China's population is ageing rapidly. According to an United Nations estimate, in the first half of the twenty-first century China will have the largest population of older people in the world (one fifth of the world's older people aged over 65 will be Chinese). Despite this projection, the necessary welfare and public services that are needed to manage the old population have yet to be firmly established in China. In this regard, rural areas have been particularly neglected. According to the China National Committee on Ageing (2006), by 2020 the number of people over 65 years of age was expected to be 164 million (16.1 per cent), with 22 million people aged 80 years or more, rising to 94.48 million by 2050. In contrast to developed countries, population ageing in China is more pronounced in rural areas (1.24 per cent in 2000) than in urban areas. Older females outnumber older males, increasing from a difference of 4.64 million more females in 2004 to 26.45 million (the peak) by 2049.

Since the 1980s, the imbalance in the sex ratio (the number of males to 100 females) at birth has continued to widen. The sex ratio at birth was 117:100 in the fifth census in 2000 and 119.25:100 in 2006 (National Bureau of Statistics of China, 2007). It is expected that by 2020, the number of males aged 20-45 years will outnumber females by 30 million. The exception is Hong Kong, China, where the sex ratio dropped from 103.7:100 in 1996 to 96.1:100 in 2006 (excluding foreign domestic workers).

By 2007, 40.3 per cent of China's total population was living in urban areas. The average annual growth rate of urbanization from 1980 to 2006 was 0.9 per cent. About 100 million rural residents moved to urban areas during that period. If the urbanization process maintains this pace of growth, it is estimated that about 300 million farmers will migrate from rural areas to urban areas between 2005 and 2020. Such large-scale internal migration is expected to place enormous pressure on employment, housing, health, education, transportation, and other infrastructure and public services in China's urban areas.

In 1981, China enacted its first population policy: "Restraining the size of population, and raising the quality of population". This was later modified to the current population policy of "stabilizing the low fertility rate, enhancing the quality of the population, improving structure of the population, re-distributing people through directing them to move rationally, and ensuring the security of the population". China's policy makers now seek to transform the nation from simply being populous to one that is rich in productive human capital. The current aim is to promote comprehensive and sustainable development of the population, economy, resources and environment.

China is the largest developing country and the one with the fastest rate of economic growth in the world. In 2006, per capita GDP reached US\$ 1,554. Per capita GDP was highest in Hong Kong, China (US\$ 25,711 in 2006), according to the IMF (2007). Since 2003, GDP in China has grown by an annual average rate of more than 10 per cent (United Nations Statistics Division, 2007).

Since the 1990s, China's economy has become more market-oriented and globalized. These changes have not only encouraged rapid economic growth, but have also led to increases in income and health inequality – between regions, between rural and urban areas and between groups of people. At China's present stage of modernization, raising the living standards of people from simply having enough food and clothing to a having a relatively comfortable life has become a guiding principle of socio-economic development (Jiang, 2002).

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<sup>2</sup> www.chinanews.com.cn.

Corresponding to the demographic, social and economic transformations occurring in China, considerable migration (international and internal) has taken place. The country has experienced all the major trends associated with international and internal migration – rapid growth, displacement, and increased diversity across regions and between urban and rural areas (Omelaniuk, 2005). While large-scale internal migration only began in the late 1980s, international migration from China resumed at the end of the 1970s and increased significantly after 1986 with the introduction of a law that relaxed entry and exit control. However, the two mainstreams of migration have developed along separate lines. In general, highly skilled people migrate across international borders while low skilled people (mainly farm labour) tend to move internally.

## Out-migration

In the early stage of Chinese emigration (1868-1939), some 6.3 million Chinese (of whom some 5 million were men) departed Hong Kong while large numbers also left Fujian and Guangdong provinces for other nations. The majority moved to South-East Asia. Others were motivated to seek their fortunes in the gold fields along the west coast of North America, and in Australia and New Zealand. Early Chinese migration was dominated by males, and characterized by exclusion and marginality (Skeldon, 2004). From the post-Second World War period to the late 1970s, Chinese emigration virtually stopped, except for some 2.5 million mainland Chinese who fled to Taiwan Province of China and Hong Kong, and a small number of students who were sent to the former Union of Soviet Socialist Republics and other socialist countries (Skeldon, 2004).

A change in the immigration policies of the United States and Canada from the mid-1960s, and Australia and New Zealand from the 1970s prompted the movement of families and educated Chinese people to those countries. Since 1979, emigration from China has occurred on an unprecedented scale, complexity and significance, due to diverse factors. The main factors are rapid economic transformation, globalization, increased levels of education, well-established familial and other networks in the countries of destination, the proliferation of international media, improved transport systems, and the internationalization of business and labour markets (Hugo, 2005; Laczko, 2003; Omelaniuk, 2005).

Ethnic Chinese living outside China, Taiwan Province of China, and Hong Kong totalled 12.7 million in the early 1960s, increasing to about 22 million in 1985 and about 33 million by the end of the twentieth century (Skeldon, 2004). The latest figure represents only 2.5 per cent of China's total population. Most emigrants come from the three coastal provinces of Guangdong, Fujian and Zhejiang. In 2001, among the approximate total of 37.7 million Chinese migrants (including those originated from Taiwan Province of China and Hong Kong, China), nearly half (47.1 per cent) lived in the United States, followed by Canada (23.8 per cent), Europe and Japan (19.2 per cent), Australia (7.9 per cent), and New Zealand (2 per cent) (Hugo, 2005). Since 1989, a sharp increase in migrant flows has occurred in the border provinces, such as Yunnan and Jilin, due mainly to the growth in border trade with neighbouring countries (e.g., Myanmar, the Russian Federation and the Democratic People's Republic of Korea). Around 202,000 Chinese migrants, traders, and temporary workers are estimated to be residing in the Russian Far East (Akaha, 2004) and are mainly engaged in construction, agriculture and consumer goods production. Large numbers of Chinese are also moving to Japan and in smaller numbers to other geographically diverse destinations, including the Pacific islands and Latin America (Skeldon, 2004).

Permanent settlement or long-term emigration has been increasing since 1979 when China commenced its "opening up" policy and other economic reforms. Since the late 1980s, an increasing number of scholars and students, particularly those who were sponsored by the State and their previous employers, have chosen to settle down permanently in their host countries upon the completion of their studies. At the same time, small but growing numbers of people have settled in other nations under independent or skilled immigration programmes. The China-born populations in the principal countries of destination have risen markedly over the past three decades. For example, those born in China and living in the United States increased from just 170,132 in 1970 to 286,120 in 1990 and to 1,518,652 in 2000. By 2000, the Chinese population (2.7 million) in the United States emerged as the country's largest Asian ethnic group and one that was increasing at a rate between four and five times faster than the growth rate of the total United States population (Skeldon, 2004). China was also the largest source country of permanent immigrants to Canada, contributing 40,296 settlers in 2001 (Laczko, 2003).

Europe has recently emerged as a significant destination for Chinese migrants. The number of Chinese nationals who legally reside in Europe is estimated to be 200,000 (Laczko, 2003). There has been a substantial growth in the number of skilled migrants (especially health workers) to the United Kingdom and Ireland due to shortages of skilled workers in those countries (Zhang, 2003). There has also been a growing number of Chinese migrants to southern Europe, particularly Italy (48,650 in 2000) and Spain (36,000 in 2001), in recent years. Since the 1990s, some central and eastern European countries have become significant transit zones for Chinese migrants destined for Western Europe. The Chinese migrants in eastern and southern Europe are mainly engaged in bilateral trade between China and Europe and in manufacturing (e.g., the leather and garment industries in Italy) (Laczko, 2003).

Studying abroad has become a main flow of temporary out-migration since the late 1970s. Three categories of students from China have studied overseas. The first category, between the late 1970s and the late 1980s, was sponsored by government scholarship schemes or international organization schemes. Most of the students in this category pursued postgraduate degrees in science and engineering disciplines, and others in social science fields or short-term training courses in the higher institutions in North America, major European countries and Japan. The second category, which emerged in the early 1990s, was principally financed by the students themselves or by international scholarships. Many were postgraduate students. The third category comprises those who have moved abroad since the late 1990s. This group is characterized by a high proportion of self-financed young students attending undergraduate programmes or language courses, or pursuing high-school education.

During 1998-2003, 470,598 students from China and 96,950 students from Hong Kong, China studied abroad, according to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics.<sup>3</sup> Those students made up 21.7 per cent of the total number of Asian students (some 2.6 million) studying overseas during that period. The major destinations were OECD nations. In 2004, for example, international students at the tertiary level totalled 343,126, of which 25.6 per cent studied in higher educational institutions in the United States, 22.2 per cent in Japan, 13.9 per cent in the United Kingdom and 8.3 per cent in Australia (UNESCO, 2006). Although the numbers have declined for some destinations such as the United States, Canada and New Zealand, partly due to strict control measures after the 11 September terrorist attacks in the United States, they are growing elsewhere, particularly in Australia, the United Kingdom and other European countries such as France. In the United Kingdom, approximately 18,000 Chinese students enrolled in higher educational institutions, making them the largest group of international students in 2001 (Laczko, 2003).

Most Chinese students studying in Europe are pursuing courses in science, technology and business studies. In Australia between 2002 and 2005, China was the largest source of growth in the international student population. The absolute numbers of Chinese students (from China) increased from 19,596 persons (13.2 per cent of Asian students) in 2002 to 46,271 persons (24.2 per cent of Asian students) in 2005. Students from Hong Kong, China (traditionally a large source of international students) decreased from 26,956 (18.2 per cent of Asian students) in 2002 to 24,930 (13 per cent of Asian students) in 2005 (Department of Education, Science and Training, 2006).

Student migration is a key flow out of Asia of human resources in science and technology. After the completion of studies overseas, the majority of Chinese students do not return home, but instead take up employment in the destination country, continue studying or move on to another country. In Australia, 40 per cent of its skilled migrants are now drawn from the overseas student pool. This is also the trend in Canada, the United States and Europe (Omelandiuk, 2005). Many Chinese also go to Japan and the Republic of Korea to obtain training. In Japan, from 1992 to 2003, 278,964 trainees were from China (Hugo, 2005).

Labour deployment is another important category of temporary out-migration. In 2004, 530,000 migrant workers were from China, increasing by 16.7 times compared with 31,600 in 1982 (Ma, 2005). The major destinations for these workers included East Asia, South-East Asia, North Africa, the Middle East and some European countries. Most of such migrants work in construction projects. Other major occupations include sewing, domestic and medical services and mechanics.

<sup>3</sup> See [www.uis.unesco.org](http://www.uis.unesco.org).

Mobility of people associated with tourism and business has increased exponentially since the mid-1980s. The number of Chinese travelling abroad for business and tourism increased from around 200,000 in 1984 to 2.2 million in 1997 and 14.8 million by 2003.<sup>4</sup>

Undocumented labour migration (voluntarily, through smuggling or forcibly, mainly through trafficking) is also a feature of Chinese migration. A large number of irregular migrants from China head to Thailand, which is a known hub of organized trafficking, especially of women and children. Chinese and Thai women and children are also sent from Thailand to Japan, Malaysia and Taiwan Province of China as well as further afield (Hugo, 2005). Recent evidence also suggests that the locus of smuggling is shifting from North America towards Europe and Japan (Skeldon, 2004).

## In-migration

Because of the over-populated situation in China, permanent settlement is opposed; where migration is allowed, it is only on a strictly non-permanent basis. Nevertheless, there has been an increasing movement of people into China. Less than 1 per cent of China's population are non-Chinese, but the proportions in Hong Kong, China and Macao, China are as high as 39.4 per cent and 66.1 per cent, respectively (Hugo, 2005). Hong Kong, China, Taiwan Province of China and Macao, China have become substantial immigration regions, while a number of people have also left from those areas. The higher presence of foreigners is closely associated with population ageing and labour shortages, leading to the importing of both legal and irregular foreign workers. In addition, the movement of people between China and Taiwan Province of China is increasing.<sup>5</sup> About 150 persons (mainly wives and children of permanent Hong Kong, China residents) per day are permitted to migrate to Hong Kong, China (Skeldon, 2004).

China and Taiwan Province of China have successfully initiated programmes to encourage skilled Chinese nationals to return to China, a so-called "reverse brain drain" (Chang, 1992; Engelsberg, 1995; Hugo, 1996; Luo and Wang, 2001; Xiang, 2003). The "reverse brain drain" is an important source of in-migration in contemporary China. This movement, by which Chinese nationals and former nationals who have spent a considerable period living and working abroad return to the home country, gathered momentum throughout the late 1980s and 1990s. This movement is partly associated with the burgeoning opportunities offered by China's booming economy. China has formulated policies to draw back overseas experts and students who have particular technical, professional and business skills (Hugo, 1996). Controlling out-flows of people and encouraging their return by offering preferential working and living conditions were the main themes of the policies before the mid-1990s. The policies governing Chinese students overseas were gradually shifted to encouraging scholars and students to make contributions in a wide range of ways, including providing business or professional networks for Chinese counterparts, establishing commercial linkages to China or by visiting universities or research institutes on a temporary basis (Ministry of Education, 2005; Rauch and Trindade, 2002).

Since the early 1990s, the Government of China, especially at the provincial and municipal levels, has successfully implemented a range of favourable policies and programmes to draw back "international talent", specifically among overseas Chinese professionals and students. A key initiative by the Government of China is to build "Returned Overseas Scholars Incubator Parks". Industrial, manufacturing or commercial enterprises set up in parks are offered excellent infrastructural support and a series of beneficial policies such as seed funding and tax exemption for a specified period. There are now more than 40 such parks in China.<sup>6</sup> In 1997, the then National Education Committee launched the "Spring-Light Plan" to encourage and support the return of scholars to China for short exchanges. The "Changjiang Plan", funded by the Hong Kong, China-based Changjiang Group, sponsors the return of leading Chinese scholars living overseas to China to work for one year in priority research areas.

<sup>4</sup> Far Eastern Economic Review, 24 June 2004, p.30.

<sup>5</sup> See, for example, "800,000 of Taiwan's 22 million people lived full-time or part-time on the mainland in 2002" Migration News, vol. 8, No. 9, September 2001.

<sup>6</sup> The United Morning Post, 2001.

A large number of overseas Chinese students have returned in recent years, especially after the start of the twenty-first century. Some 35,000 overseas students returned in 2005, almost triple the number of returned persons in 2001 (12,000) and sevenfold compared with 5,000 in 1994 (Wei, 2006; Zweig, 2006). However, the rate of return did not increase at the same pace, given increasing numbers of students going abroad since the relaxation of the policy on self-financed students studying overseas after the mid-1980s. Before the mid-1990s, the size of the returnee population and the rate of return were generally small. One study (Li, 2005) suggested that between 1978 and 1995 a total 130,000 Chinese students studied in the United States, of whom some 20,000 (15.4 per cent) returned. In the meantime, 20 per cent (4,000 out of about 20,000) Chinese students in Canada returned. The return rate among 40,000 Chinese students studying in Australia was even lower, at only 2,500 (6.3 per cent). Those self-funded students were much less likely to return than those who were sponsored by the State or by their employers. It is noted that before the 1989 Tiananmen incident, most of the students and scholars sponsored by the Government or their previous employers had to return to China after the completion of their studies overseas under the agreements that they had signed with the State or their employers.

There has been an increasing influx of skilled workers and business people from Europe, North America and Australia into China on a mostly temporary, but long-term, basis. They include: senior technicians, professionals, and managers for large construction projects and enterprises; foreign teachers and researchers; and students who work and study at Chinese universities and colleges. There were 90,000 foreign migrant workers in China in 2003 (Ma, 2005). A number of migrant workers from Japan, the Democratic People's Republic of Korea, Viet Nam, the Philippines, Malaysia and Indonesia have worked in all parts of China in recent years. The ageing of the populations in Hong Kong, China, Taiwan Province of China and Macao, China has led to the recruitment of migrants to replace retired native workers.

Low-skilled female workers from East and South-East Asian countries migrate as domestic workers to Hong Kong, China (mainly from Indonesia, the Philippines and Sri Lanka) and Taiwan Province of China (mainly from the Philippines and Indonesia). Other central occupations for low-skilled migrant women include factory work, entertainment and a range of informal sector activities. The estimates of undocumented migrants in Taiwan Province of China reached 16,365 persons in the early 2000s (Lee, 2005). These irregular migrants are mainly from the Philippines and Thailand. Also, some Filipinos irregularly reside in Hong Kong, China.

A total of 162,695 international students from 184 countries were enrolled in China's 519 universities or research institutions at the end of 2006 (Ministry of Education, 2007). A large proportion (73.6 per cent) of those students studied for six months or longer. About three quarters (74.3 per cent) came from Asian countries. The remainder were from countries in Europe (12.7 per cent), Americas (9.6 per cent), Africa (2.3 per cent) and the Pacific (1.1 per cent). Their main origin nations were the Republic of Korea (57,504), Japan (18,363), the United States (11,784), Viet Nam (7,310), and Indonesia (5,652). More than one third (33.7 per cent) enrolled in courses towards academic degrees. Many (70.6 per cent) studied in the fields of social sciences (especially Chinese and Arts) and 12.5 per cent in medicine (Western, Chinese).

There has been a significant increase in short-term movement from other countries or regions to China. For example, many expatriates enter China under tourist visas but subsequently engage in work. Some 124.9 million visitors landed to China in 2006. Note that the figure is likely to be overestimated, as such arrivals include multiple trips by some individuals. The number includes those 82.2 per cent from Taiwan Province of China, Hong Kong, China and Macao, China (National Bureau of Statistics of China, 2007).

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# DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Development indicators	
Population, 2007 (in 1,000)	23,790
Population growth rate, 2007 (%)	0.46
Growth rate of population aged 15-39 years, 2005-2010 (%)	-0.397
Total fertility rate, 2007	1.88
Percentage urban, 2007	61.6
Net migration rate, 2005 (per 1,000)	0.0
Per capita GDP, 2006 (at current prices in US Dollars)	..

## Key issues

- The number of migrants from the Democratic People's Republic of Korea in China is not known with any certainty. The reasons people migrate from the Democratic People's Republic of Korea to China are as controversial as their number.
- The achievement of more broad-based economic, social and political development in the Democratic People's Republic of Korea is the over-riding issue facing the nation. It is in the context of a lack of development in which international migration is occurring. The absence of official statistics makes any analyses on the situation of the country extremely difficult.
- Employers in China, most of whom are ethnic Koreans with Chinese nationality, find in the migrants a labour force who will work for food and little more and are willing to accept very poor living conditions.
- Migrants from Democratic People's Republic of Korea are very vulnerable, especially the women and children. Smith (2005) and Human Rights Watch (2002) report that women pay agents or brokers to arrange marriages with Chinese men to provide them some protection and that women have been trafficked into sexual servitude. Some adolescents become vagrants living in the streets. Children born to irregular migrants in China are stateless, with no documents to claim education or health care.
- In the absence of State interventions to alleviate the humanitarian aspects of migration from the Democratic People's Republic of Korea to China, networks of agents have provided a response. Without a more effective response from the respective Governments, it may be anticipated that the presence and activities of such illicit mechanisms will expand.

## Social and economic context of migration

The indicators shown above appear to reflect a relatively high level of social and economic development. The population growth rate and level of fertility are low, and 62 per cent of the population lives in urban areas. However, many of the statistics necessary to create a more complete picture of the development level of the Democratic People's Republic of Korea are not available. The country does not release key economic data, such as those on GDP, and the statistics on school enrolment and the labour force are not available to the United Nations.

In the absence of official statistics, impressions may be influenced by a political perspective or speculation. It is known that there was a food shortage from about 1994 to 1998 because food relief was then often an issue of international negotiations and because the United Nations World Food Programme (WFP) was responsible for delivering much of that aid. Human Rights Watch (2002) quoted a WFP estimate that the annual production of rice and maize in the Democratic People's Republic of Korea dropped from 8 million metric tons in the 1980s to 2.9 million in 2000. The WFP also estimated that 57 per cent of the population was malnourished, including 45 per cent of children less than 5 years of age. It has been estimated that between 600,000 and 1,000,000 people, or 3 to 5 per cent of the country's population died as a result of famine in the 1990s (US Census Bureau, cited by Tanaka, 2008).

## Out-migration

Migration in the context of the Democratic People's Republic of Korea can largely be divided into two types: humanitarian and economic.

Outflows of people from the Democratic People's Republic of Korea began with the economic downturn in the late 1970s and grew larger when floods, droughts and a famine struck the country in the 1990s. China, the Republic of Korea and the Russian Federation, which share borders with the Democratic People's Republic of Korea, are the main destinations of migrants from the Democratic People's Republic of Korea. Other destinations include Thailand, Mongolia, the United States, the European Union and Japan. Van Arsdol and others (2005) stated that an estimated 10,000 persons from the Democratic People's Republic of Korea were working in the Russian Far East in 2003, as a result of an agreement dating back to 1967. Tanaka (2008) also reported that the Democratic People's Republic of Korea has been sending its workers to countries in Eastern Europe and the Middle East.

The border between the Democratic People's Republic of Korea and China is 1,600 km long and stretches through an area that is mountainous, forested and sparsely populated. The border is heavily patrolled and highly militarized, making it extremely difficult for nationals of the Democratic People's Republic of Korea to cross the border on their own, which has led to the proliferation of smuggling networks (Tanaka, 2008).

The number of migrants from the Democratic People's Republic of Korea in China is not known with any certainty. It should be noted that there are about 2.2 million ethnic Koreans with Chinese nationality, of which 854,000 live in the Yanbian Korean Autonomous Prefecture in the far north-east of China and bordering the Democratic People's Republic of Korea. The total population of Yanji City, the capital of Yanbian, is 350,000, of whom 210,000 are ethnic Koreans. Estimates of the total number of migrants in China, most of whom are irregular, range from 10,000 to 300,000 (Smith, 2005). The United States State Department places the figure between 30,000 and 50,000, while other organizations have estimated anywhere between 100,000 and 300,000 (Tanaka, 2008).

Smith (2005) argues that Yanji has the largest population of ethnic Koreans of any city in China and, given its size, it is highly improbable that 100,000 or more irregular migrants are there or that such large numbers could be absorbed in any non-Korean-speaking city elsewhere. She notes that both the United States Committee for Refugees and the Johns Hopkins School of Public Health had estimated that there were about 50,000 migrants from the Democratic People's Republic of Korea in China. She cites an estimate by a Chinese Korean humanitarian agency in Yanbian that there were 10,000 to 20,000 Koreans irregularly residing in the area in 2002. The number had dropped from 50,000 in 2001 owing to greater surveillance by local police.

The reasons that migrants from the Democratic People's Republic of Korea have migrated to China are as controversial as their number. They have been termed refugees, asylum seekers, economic migrants and defectors. A "well-founded fear of persecution" is the main criterion in international law for defining a refugee, but it is up to recipient Governments to establish the procedures to determine who is a refugee and who is not. The view of the Government of China is that Koreans irregularly residing in China are economic migrants (Smith, 2005).

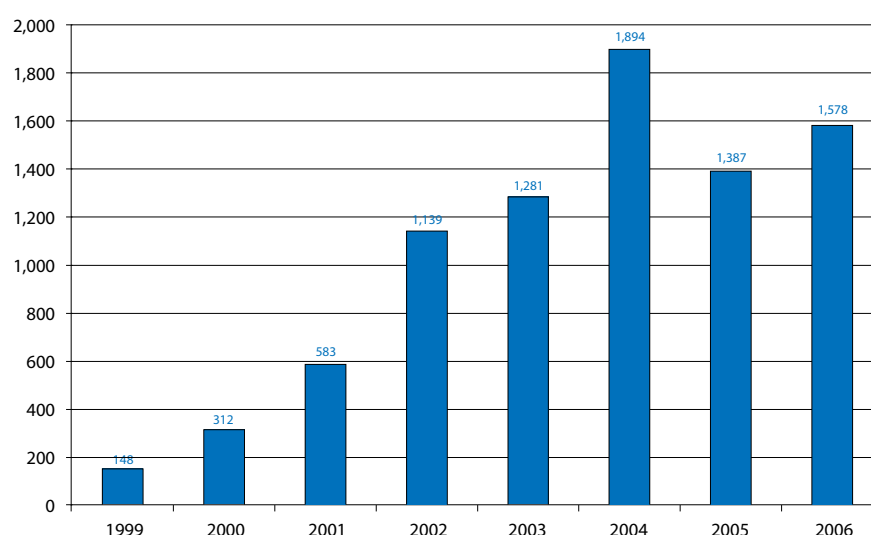
According to Smith (2005), most of the migrants are from North Hamgyong Province, the northernmost province in the country and one of the poorest, with per capita grain production well below the level

necessary for physical survival. Many of them migrate alone, leaving their family behind. There are ample employment opportunities in Yanbian, for instance. However, due to their lack of vocational and language skills, as well as their irregular status, the migrants tend to be vulnerable to exploitation and highly dependent upon their employers. Many of them work in agriculture or forestry.

Both Smith and Human Rights Watch describe the visible presence of migrant street children in Yanji City, who survive by begging or petty trade. In particular, since the beginning of the food crisis in the Democratic People's Republic of Korea, the number of children born in China with no legal status has been on the rise. These include children born to irregular migrants or to a Chinese national whose marriage to a migrant is not legally registered. Without legal status, they are not eligible for health, education or welfare support (Smith, 2005).

The Republic of Korea considers that the people of the Democratic People's Republic of Korea have a right to settle in the Republic of Korea. It is likely that migrants of the Democratic People's Republic of Korea use China as a point of transit, with the ultimate aim of arriving in the Republic of Korea (Tanaka, 2008). It is difficult to cross the borders directly due to the demilitarized zone, which separates the two countries.

**Figure 5. Total number of nationals of the Democratic People's Republic of Korea arriving in the Republic of Korea, 1999-2006**



Source: Tanaka, 2008.

According to the Ministry of Unification of the Republic of Korea, a total of 8,661 persons from the Democratic People's Republic of Korea arrived in the country between 1990 and 2006 (cited in Tanaka, 2008). The rise in numbers since the mid-1990s correlates with the occurrence of floods, droughts and food shortages, but may also be related to the increase in outflows of people through irregular channels.

A route that is increasingly taken by migrants from the Democratic People's Republic of Korea is via Thailand, from where they apply for resettlement in the Republic of Korea (Kheunkaew and Suksamran, 2007). With the assistance of agents, some travel from Jilin Province to Yunnan Province in China, then take Chinese cargo ships to the Lao People's Democratic Republic and finally speed boats to Chiang Rai Province in northern Thailand. Migrants may pay between US\$5,000 and \$10,000, or even more for the journey. The number of migrants from the Democratic People's Republic of Korea who entered Thailand irregularly was only 40 in 2003, but it had increased to 367 in 2006 and was expected to reach 1,000 in 2007.

The United States passed the North Korean Human Rights Act in 2004, making persons from the Democratic People's Republic of Korea eligible for obtaining refugee status in the United States, with no imposed quota on the number. However, since 2004, only 37 have settled in the United States as refugees (Tanaka, 2008). Several countries in Europe, including Germany, the United Kingdom, Denmark and Sweden have granted political asylum to persons from the Democratic People's Republic of Korea since the late 1990s.

People also leave the Democratic People's Republic of Korea to seek education abroad. A total of 2,294 students are reported to be enrolled at the tertiary level of education in 15 countries, including 1,149 in New Zealand (UNESCO, 2007).

Historically, the movements of people have been active between Japan and the Korean Peninsula. In particular, during the period of the annexation of Korea by Japan, people migrated in large numbers between the two areas. Hence, in the mid-1940s, there were some 2.3 million Koreans residing in Japan and over 700,000 Japanese residing in the Korean Peninsula (Tanaka, 2002).

The end of World War II led to the sudden repatriation of those people. It is estimated that about three quarters of the Koreans who had been in Japan returned their homeland in a few years following the end of the War (Tanaka, 2002), with some choosing to resettle in the Democratic People's Republic of Korea. Today, Korean nationals who chose to stay in Japan have the status of Special Permanent Residents.

## In-migration

The influx of people to the Democratic People's Republic of Korea primarily involves temporary visits by business managers, investors and tourists from the Republic of Korea. Most movement is a result of efforts by the Ministry of Unification of the Republic of Korea to bring the North and the South closer together (Tanaka, 2008).

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# INDONESIA

Development indicators	
Population, 2007 (in 1,000)	231,627
Population growth rate, 2007 (%)	1.2
Growth rate of population aged 15-39 years, 2005-2010 (%)	0.596
Total fertility rate, 2007	2.2
Percentage urban, 2007	50.0
Net migration rate, 2005 (per 1,000)	-0.9
Per capita GDP, 2006 (at current prices in US Dollars)	1,369.41

## Key issues

- Indonesia has a high proportion of women amongst the country's migrants. In recent years, women have comprised between 68 per cent and 88 per cent of workers officially deployed abroad, and more than 90 per cent in Saudi Arabia.
- A majority of the female migrants are employed as domestic workers or caregivers in homes and the ability of the Governments to offer protection for its migrants overseas is often limited. The receiving countries usually do not have legislation specifically to protect domestic workers.
- Internal and international trafficking of Indonesian nationals is a problem in Indonesia. The government is making a concerted effort to fight trafficking and to improve assistance to victims of trafficking through legislation and other initiatives. Progress, however, is stymied by the scale of the problem in the country and the region as a whole.
- The growing remittance flows represent a significant opportunity for poverty reduction and human development in Indonesia. The correlation between remittances and development is a discussion that has gained momentum in many developing countries, including Indonesia, drawing the increased attention of government authorities, civil society, the private sector, academic researchers and the international community in recent years.
- In the medium-term future, large numbers of workers from Indonesia could continue to migrate overseas, both regularly and irregularly. Thus, the country could emulate the Philippines in depending on foreign employment for a significant proportion of its workers. On the other hand, with an increase in the rate of economic growth and a relatively low population growth rate, the country could evolve into an eventual importer of labour, as Thailand has done. However, it is too early to discern which future path Indonesia is more likely to follow.

## Social and economic context of migration

The island nation of Indonesia is the fourth largest country in the world with a population of 231.6 million in 2007. The population growth is currently 1.2 per cent per year (ESCAP, 2007). The central island of Java has reached a population density of 1,000 persons per km<sup>2</sup> and is one of the world's mostly densely settled large areas.

Large-scale migration for labour or because of conflict is not a recent phenomenon in the country. In 1931, when Indonesia was the colony of Netherlands East Indies, there were 172,181 Javanese indentured workers in the outer islands. Another 153,758 persons from the East Indies moved to Malacca (in current-day Malaysia) for employment between 1900 and 1930. During the Second World War, 200,000 persons were mobilized for labour beyond Java. Subsequently, 6 million persons became internally displaced during the Indonesian Revolution (Vickers, 2006). The transmigration programme relocated hundreds of thousands of Javanese to the outer islands during both the colonial and post-colonial periods. However, spontaneous migration from the outer islands to Java offset much of the population redistribution.

The economy of Indonesia posted impressive rates of growth from 1965 until the Asian economic crisis began in 1997. It then contracted and recovered only after 2000. The per capita GDP shrank from US\$ 1,140 in 1995 to US\$ 785 in 2000 but then grew to reach US\$ 1,369 in 2006 (IMF, 2007). Foreign direct investment (FDI) in Indonesia became negative in 1998 (Manning, 2000) but realized FDI had grown to US\$ 8.9 billion by 2005 (Soeprbo, 2006).

Continuing population growth and a slowly recovering economy have put pressure on the workforce. From 1995 to 2005, the population of young workforce aged from 15 to 39 years increased by an annual average of 1.3 per cent, adding an average of 1.2 million persons per year (United Nations, 2005). It is estimated that the growth rate of the population aged 15-39 years is 0.6 per cent a year between 2005 and 2010 (United Nations, 2007). Because of the economic crisis and the resultant loss of FDI, the economy could not effectively absorb the increases in the working age population. The percentage of the labour force working in industry declined from 18.7 per cent in 1995 to 16.9 per cent in 2005 (ILO, 2006; Soeprbo, 2006). The official number of unemployed workers increased from 9.5 million in 2003 and 10.2 million in 2004 to 10.8 million in 2005 (Soeprbo, 2006).

## Out-migration

While Indonesia deploys high numbers of temporary workers overseas, relatively modest numbers of Indonesians are abroad as permanent migrants, students or trainees. There were 168,000 Indonesian-born persons in the Netherlands in 1999, in a community started when many Indonesians opted to settle there after their country gained independence in 1949. In 2001, there were 72,000 Indonesians living in the United States and 47,158 living in Australia (Hugo, 2002).

Formal deployment of overseas contract workers to the Middle East, especially to Saudi Arabia, expanded rapidly during the late 1970s and early 1980s, following the increase in petroleum prices. The demand was not only for male construction workers but also for female domestic workers. The Government began to promote labour migration and, by 1990, it had formally deployed 86,264 workers.

Deployments increased rapidly to a temporary peak of 502,977 in 1997, after which they became somewhat lower (table 6) until 2006, when statistics provided in the IOM/ESCAP questionnaire indicated that they had reached a new high of 712,160. The proportion of women among the total in 2006 was 75.3 per cent.

**Table 6. Total number and proportion of female Indonesian workers deployed abroad by destination and year, 2000, 2002, 2004 and 2005**

Destination	2000		2002		2004		2005	
	Total	% F <sup>a</sup>	Total	% F	Total	% F	Total	% F
<b>Asia and the Pacific</b>	<b>304,186</b>	<b>59.0</b>	<b>238,324</b>	<b>58.9</b>	<b>155,805</b>	<b>81.6</b>	<b>297,291</b>	<b>53.8</b>
Brunei Darussalam	4,370	74.6	8,502	63.7	6,503	61.3	4,978	51.5
Hong Kong, China	21,709	100.0	20,431	100.0	14,183	100.0	12,143	100.0
Japan	3,411	1.5	444	0.7	85	0.0	114	10.5
Malaysia	191,700	44.4	152,680	42.6	127,175	50.7	201,887	37.2
Singapore	25,707	89.4	16,071	99.5	3,966	100.0	25,087	100.0
Republic of Korea	6,689	82.6	4,273	16.2	2,924	5.4	4,506	10.8
Taiwan Province of China	50,508	89.3	35,922	91.2	969	16.4	48,576	91.7
Others	92	--	1	--	--	--	--	--
<b>America</b>	<b>1,509</b>	<b>0.1</b>	<b>40</b>	<b>17.5</b>	<b>17</b>	<b>0.0</b>	--	--
<b>Europe</b>	<b>359</b>	<b>21.7</b>	<b>68</b>	<b>48.5</b>	<b>4</b>	<b>0.0</b>	--	--
<b>Middle East and Africa</b>	<b>129,165</b>	<b>91.3</b>	<b>241,961</b>	<b>92.2</b>	<b>226,688</b>	<b>91.6</b>	<b>177,019</b>	<b>93.2</b>
<b>Total</b>	<b>435,219</b>	<b>68.3</b>	<b>480,393</b>	<b>76.5</b>	<b>382,514</b>	<b>87.5</b>	<b>474,310</b>	<b>68.5</b>

Source: Soeprambo, 2006.

<sup>a</sup> Female.

Deployments in the years not shown in table 6 were: 1996 – 220,162; 1997 – 502,977; 1998 – 367,526; 1999 – 427,619; 2001 – 338,992; and 2003 – 293,694.

The low number of deployments in 2003 resulted from fewer opportunities in Malaysia, stricter requirements for dispatching migrant workers, temporary freezes on sending workers to Saudi Arabia and Taiwan Province of China, the outbreak of war in the Middle East, and the spread of severe acute respiratory syndrome (SARS) in several destinations in East and South-East Asia (World Bank, 2006).

Because officially deployed workers usually stay overseas for more than a year and because many overseas workers do not go through official channels, the stock of Indonesian overseas contract workers at any one time is several times greater than the annual number of deployments. Hugo (2002) estimated that there were 2.2 million Indonesian workers overseas around the year 2000. In 2007, the World Bank (2007) estimated that Indonesia has about 4.3 million citizens working overseas. Migration is increasingly feminized and undocumented.

The deployment of about 3.9 million workers from 1996 to 2005 equalled more than one third of the growth of the population in the young workforce aged between 15 and 39 years during that period. This was a very important factor in the economic well-being of young adults and their families.

As is the case with Thailand and the Philippines, Indonesia has also increased the proportion of their workers being deployed to regions outside Asia, particularly to the Middle East. As indicated in table 6, the proportion of deployments within Asia and the Pacific dropped from 70 per cent in 2000 to 41 per cent in 2004.

The overall picture of labour deployment from Indonesia is largely determined by trends in assignments to Malaysia and Saudi Arabia, which together accounted for 86 per cent of all deployments in 2004. However, that was an exceptional year for placements in each of those countries. Deployments to Malaysia were held down because that country instituted a recruitment freeze while offering an amnesty to irregular migrants. Meanwhile, placements in Saudi Arabia recovered from 2003. Placements by region continued to fluctuate in 2005 and 2006, according to statistics provided in the IOM/ESCAP questionnaire. In 2005, 62.7 per cent of deployments were within Asia and the Pacific; however, in 2006 that proportion dropped to 46 per cent, with a majority again sent to the Middle East.

Taiwan Province of China banned the recruitment of women from Indonesia from 1 August 2002 because of the high fees being charged by local agents, the number of women fleeing from their employers and the number of cases of false documents among Indonesian migrants (Loveband, 2006). The ban was lifted on 17 December 2004 and 8,093 women were recruited from Indonesia in the first half of 2005 (Soeprono, 2006).

Together with the Philippines and Sri Lanka, Indonesia is one of the countries in Asia that deploys more female than male migrant workers. While the proportion of females among migrant workers shown in table 6 fluctuates, it is mainly influenced by the relative number of deployments to Malaysia and Saudi Arabia. Women generally constitute between 40 and 50 per cent of the workers deployed to Malaysia but more than 90 per cent of those sent to Saudi Arabia. The latest statistics indicate that 75.3 per cent of all workers deployed in 2006, and 85.3 per cent of those going to the Middle East, were women.

Most migrant workers from Indonesia have low levels of education and work in low-skilled or semi-skilled occupations. Men mostly work in agriculture, construction or manufacturing while the great majority of the women are domestic workers or caregivers. The Government of Indonesia has officially stipulated placement fees, ranging from the equivalent of US\$ 55 for Malaysia and the Middle East to more than US\$ 2,000 for Hong Kong, China and Taiwan Province of China. However, many migrant workers report being required to pay recruitment agency fees that are at least 50 per cent higher than the official fee. The migrants must borrow the money for Middle East assignments, but repay agency fees through deductions from their salaries when placed in Asian destinations. Domestic workers earn about US\$ 133 per month in the Middle East and Singapore, less than US\$ 100 in Malaysia, but more than US\$ 400 both in Hong Kong, China and in Taiwan Province of China (World Bank, 2006).

In order to enhance the protection of its migrant workers, the Government of Indonesia has taken steps to enact national legislation aimed at reforming the system of workers living abroad and protecting the rights of migrant workers, as well as to engage in bilateral agreements with labour-receiving neighboring countries. In 2004, Indonesia has enacted Law No. 39/2004 on Placement and Protection of Indonesian Overseas Workers. It is aimed at: (a) Bringing about better management of migration flows, including improvement in the qualifications of workers and reduction in the number of irregular and undocumented workers; (b) Establishing institutional mechanisms for the placement and protection of migrant workers; and (c) Conducting advocacy on their behalf.

Law No. 39/2004 enhances the protection of migrant workers through the application of administrative and penal sanctions for breach of its provisions. The Government is also working to enhance support services in destination countries, develop a more accessible mechanism for support services, improve data collection and improve cooperation among Government agencies.

In an effort to promote concerted action between relevant sectors and ministries, Indonesia's overseas labour contract programme was restructured in 2006, with the establishment of a National Agency for the Placement and Protection of Indonesian Migrant Workers. The Agency is mandated to provide direct services, coordinate, and oversee: documentation, pre-deployment information and orientation, deployment and return, information dissemination, welfare and protection.

In May 2006, Indonesia and Malaysia signed a MoU on migrant domestic workers.

Soeprbo (2006), citing unpublished data from the Ministry of Manpower and Transmigration, showed that remittances from Indonesian workers abroad had steadily increased from US\$ 1.26 billion in 1997 to US\$ 1.31 billion in 2000, US\$ 1.97 billion in 2001, US\$ 2.18 billion in 2002 and US\$ 2.76 billion in 2003. The World Bank (2007a) indicates US\$ 1.88 billion remittances in 2006. While remittances in other source countries such as the Philippines tend to be invested in social welfare improvements or productive activities, Indonesian migrants use remittances to pay debts, for day-to-day living and consumption expenses of family left behind, for housing and consumption of luxury goods. As a result, families become dependant on remittances and with few sustainable livelihood improvement, migrants get trapped in a cycle of migration (World Bank, 2007b).

The number of Indonesian undocumented migrant workers is substantially higher than the number of documented migrants: Indonesia has porous borders and experiences weaknesses in its border management system. Also, informal channels tend to be cheaper and faster than legal ones. In particular, Hugo (2002) suggested that the flow of undocumented migration between Indonesia and Malaysia might be the second largest such stream in the world, surpassed only by that between Mexico and the United States. Most of the flow is from Java and Sumatra to the southern part of Peninsular Malaysia, but with some undocumented movement also occurring from the eastern islands of Indonesia to the State of Sabah in East Malaysia. It is difficult to estimate the number of Indonesians in Malaysia on an irregular status because they are undocumented. Malaysia has carried out a number of amnesty campaigns for irregular migrants who register, combined with deportation of those who do not.

In 1993, half a million Indonesians in Peninsular Malaysia applied for amnesty and in 1996 another 300,000 did so (Hugo, 2002). Manning (2000) cited an estimate of 355,000 irregular migrants from Indonesia in Peninsular Malaysia in 1998. Malaysia repatriated 188,000 irregular migrants that year. Malaysia requested all irregular migrants to return home and register with their governments before returning in the period from November 2004 to February 2005. It is believed that about 400,000 returned home but that up to 800,000 remained in Malaysia.

Within the phenomenon of irregular migration, Indonesia experiences extremely high rates of smuggling and trafficking in persons. There is also extensive internal trafficking within Indonesia from rural to urban areas, particularly for sexual exploitation and involuntary domestic servitude. Evidence shows that most Indonesian migrant workers are less educated than those from other main source countries (such as the Philippines) and have little knowledge of migration procedures and their rights, causing them to be more vulnerable to trafficking. In particular, there continues to be little awareness about the issue of trafficking throughout Indonesia, especially at the local level where the trafficking process begins; migrants are easy prey for traffickers making false promises about job offers.

As mentioned above, the Government is aware of the magnitude of the problem and has shown increased commitment to prevent and combat trafficking as well as to provide assistance to victims. In 2007, Indonesia passed a comprehensive anti-trafficking legislation, which was welcomed by the U.S. Department of State Trafficking in Persons Report (2007). Indonesia was upgraded from Tier II Watch List to Tier II, for "the Government of Indonesia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so." The Anti Trafficking Law contains comprehensive provisions on victim assistance and protection. Progress, however, is stymied by the scale of the problem in the country and the region as a whole.

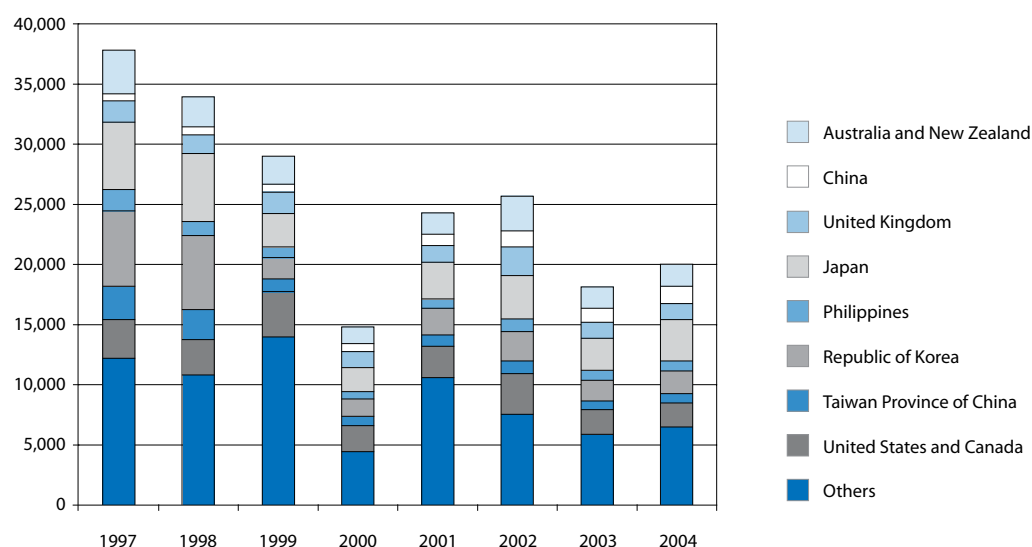
Some Indonesians leave the country for reasons other than labour. From 1992 to 2003, some 60,336 Indonesians entered Japan as industrial trainees (Hugo, 2005). In the mid-1990s, there were 22,100 students from Indonesia in other countries. This number is modest, considering that Malaysia, with about one ninth the total population, had 49,400 students overseas and Thailand, with one third the population, had nearly as many overseas students – 17,100 (Lucas, 2001). By 2004, the number of Indonesian students abroad exceeded 25,000, with about 10,000 of those in Australia and nearly 9,000 in the United States (UNESCO, 2007).

Indonesia also serves as a country of transit, in particular for some asylum seekers from Afghanistan and Iraq who are attempting to reach Australia (Hugo, 2002).

## In-migration

In recent years, about 20,000 foreigners per year have obtained work permits in Indonesia (figure 6). In principle, work permits may be issued to foreigners who have skills or abilities not easily available in the Indonesian labour market. The Ministry of Manpower and Transmigration estimates, however, that about 50,000 foreigners are employed while misusing their tourist or temporary resident visas (Soeprono, 2006).

**Figure 6. Total number of foreign workers in Indonesia by place of origin, 1997-2004**



Source: Soeprono, 2006.

The reductions in the number of foreigners registered to work in Indonesia in 1998, 1999 and 2000 apparently resulted from the decline in FDI during the 1997 economic crisis, as many of the foreign workers were posted there by their companies. The numbers from Japan, the Republic of Korea and North America dropped by about two-thirds from their previous highest levels. In 2003, 25 per cent of the work permits issued to foreigners were for managers and 72 per cent were for professionals (Soeprono, 2006).

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# JAPAN

Development indicators	
Population, 2007 (in 1,000)	128,191
Population growth rate, 2007 (%)	0.1
Growth rate of population aged 15-39 years, 2005-2010 (%)	-1.34
Total fertility rate, 2007	1.3
Percentage urban, 2007	79.0
Net migration rate, 2005 (per 1,000)	0.4
Per capita GDP, 2006 (at current prices in US Dollars)	38,326.09

## Key issues

- Japan has encountered labour shortages as it underwent an industrial expansion and declining working age population.
- Japan faces a challenging structural issue of a declining and ageing population, which will focus increased attention on its international migration policies, and issues related to international migration will largely be debated and resolved in that context. However, it is highly unlikely that Japan will resolve its population challenge mainly through these levels of permanent international migration.
- Japan now accommodates foreign labour through a number of channels such as permitting *Nikkeijin* (descendants of Japanese emigrants) to migrate to Japan, and establishing industrial training schemes in Japan to provide the Asian foreign workers with opportunities to acquire technical skills that could contribute to the economic development of their countries.
- As Japanese law does not permit the foreign low-skilled labour, some of the demand has been met by irregular status migrants. The number of international migrants in Japan, both regular and irregular, is estimated to be 1.6 million by 2003.
- While the level of international migration will certainly continue to increase, it is likely that the labour demand will be met by carefully controlled temporary migration and some expansion of long-term permanent immigration. Raising the retirement age, reducing pension benefits and admitting more migrant workers are all difficult political decisions, so future policies are unlikely to rely on any one of them but will, no doubt, rely on a careful mix of these and other approaches.

## Social and economic context of migration

Japan is the most socially and economically developed country in Asia by most measures. Its per capita GDP, at US\$ 38,326 in 2006 is considerably higher than those for Hong Kong, China (US\$ 25,711) and Singapore (US\$ 28,034) (IMF, 2007), which is all the more impressive when considering the fact that 21 per cent of the population of Japan is classified as rural (ESCAP, 2007). Per capita GDP grew by an annual average of 8.9 per cent during the 1960s and by more modest rates thereafter. An economic “bubble”, based largely on inflated property values, burst in 1991 and Japan has struggled to average 1 per cent gains in per capita GDP since then (United Nations Statistics Division, 2007).

Japan faces a challenging structural issue of a declining and ageing population, which will focus increased attention on its international migration policies. The total fertility rate is only 1.3 children per woman, far below the 2.1 children needed to sustain at least a stable population. The total population has essentially reached a peak at 128 million and will soon begin to decline to only 112 million by 2050. The population in the main working ages of 15-64 years had already declined from 87.2 million in 1995 to 84.9 million in 2005. Population in the younger working ages of 15-39 years decreased by nearly 300,000 persons per year between 2000 and 2005. Currently, there are 3.36 persons aged 15-64 years per person above the age of 65 (referred to as the potential support ratio), but that ratio will fall to only 2.01 by 2025 (United Nations, 2005). These shifts in the population age structure will threaten the country's economic productivity, pension system and health care, and are intensifying the debate over the need for migrant workers.

## Out-migration

From the Meiji restoration in 1868 until the beginning of the Second World War, Japan was a country of emigration, with workers and families moving to Hawaii, the west coast of the United States, several countries in South America and to other areas in Asia. It was only in the 1930s that migration reversed in order to meet developing labour shortages (Weiner, 1998). The Japan-born population in Brazil amounted to 154,000 in 1970 but had declined to 71,000 by 2001 while in the United States it expanded rapidly from 208,000 in 1990 to 348,000 in 2000 (ECLAC, 2006).

According to the Government of Japan, 911,062 Japanese nationals were residing abroad in 2003 (see table 7). This figure has increased rapidly in the recent past from 620,174 in 1990 to 728,268 in 1995 and 811,712 in 2000 (Iguchi, 2005). More than 40 per cent of those currently abroad are in North America, the only region with large numbers of both long-term and permanent resident Japanese nationals. About one third of those staying abroad are considered to be permanently away, including 90 per cent of those in Latin America. While nearly one third of Japanese nationals staying abroad are living in Asia, only 3.7 per cent are considered to be permanently away.

Of those Japanese nationals living abroad, only 218,000 (24 per cent) are working (Iguchi, 2005). The others are dependents, students and retirees. Japanese FDI generates employment opportunities in other countries and results in many Japanese being assigned overseas. In 2003, Japanese-affiliated companies in East and South-East Asia employed 2.4 million workers, 25,395 of whom were dispatched from Japan (Iguchi, 2005).

The Ministry of Education estimated that there were at least 76,000 Japanese studying in 32 foreign countries in 2000. This figure is based on statistics from other countries and is considered incomplete. In that year, there were 46,497 Japanese students in the United States and 13,806 in China (Sato, 2004).

Sato (2004) noted that 16.5 million Japanese, or 13 per cent of the population, travelled abroad in 2002, clearly promoting an increased understanding of foreign countries and cultures. (These figures would be overestimates if they include multiple trips by some individuals.) 22 per cent of the trips abroad were to the United States and 18 per cent were to China.

## In-migration

Japan underwent an industrial expansion beginning in the 1960s, which increased the demand for labour. Labour shortages developed for three main reasons. First, with more education and better employment opportunities, Japanese workers became reluctant to take 3K jobs – *kitsui*, *kitanai* and *kiken* (demanding, dirty, and dangerous). Second, while the labour shortage could be partially met by expanding production overseas, this was not possible for a number of sectors of the economy, including construction, low-productivity services and small-scale industry (Koshiro, 1998; Weiner, 1998). Third, by the 1990s the population of working age began to decline because of persistent low fertility, as noted above.

The main strategies pursued to address the labour shortage have included moving industrial production abroad, promoting greater automation in production, encouraging more women and the elderly to join the labour force and raising the age of retirement. Permitting *Nikkeijin* (descendants of Japanese emigrants) to migrate to Japan and establishing industrial training schemes in Japan for employees of

Japanese companies overseas are also considered to have contributed to the reduction of labour shortage. As Japanese law does not permit the foreign low-skilled labour, some of the demand has been met by irregular status migrants.

**Table 7. Foreign residents in Japan, 2004, and Japanese nationals staying abroad, by region, 2003**

Region	Foreign residents in Japan			Japanese nationals staying abroad		
	Total	Non-permanent	Permanent	Total	Non-permanent	Permanent
Total	1,973,747	1,185,747	788,000	911,062	619,269	291,793
Asia	1,464,360	777,463	686,897	206,520	199,122	7,399
Oceania	11,704	13,723	2,849	63,018	35,152	27,866
North America	64,471	52,909	11,562	369,639	240,033	129,606
South America	358,211	280,349	77,862	101,894	10,547	91,347
Europe	58,429	50,450	7,979	158,548	124,553	33,955
Middle East and Africa	..	..	..	11,398	9,818	1,580
Other	16,572	13,723	2,847	44	44	0

Sources: Japan National Institute of Population and Social Security Research, *Latest Demographic Statistics 2006*, Tokyo, 4 January 2006; and Iguchi, 2005.

By 2004, there were 1.97 million foreigners living in Japan (see table 7), although not all of them were migrants. About 1.19 million were considered non-permanent residents and 788,000 were permanent residents. 74 per cent of the foreign residents were from Asia and 18 per cent were from South America. Most of the foreign residents from South America are *Nikkeijin*. A 1990 amendment to the Immigration Control and Refugee Recognition Act permits the entry and the full mobility of *Nikkeijin* in the labour market. By 2006, the number of foreign residents in Japan had risen to 2,084,919 (Ministry of Justice, 2007).

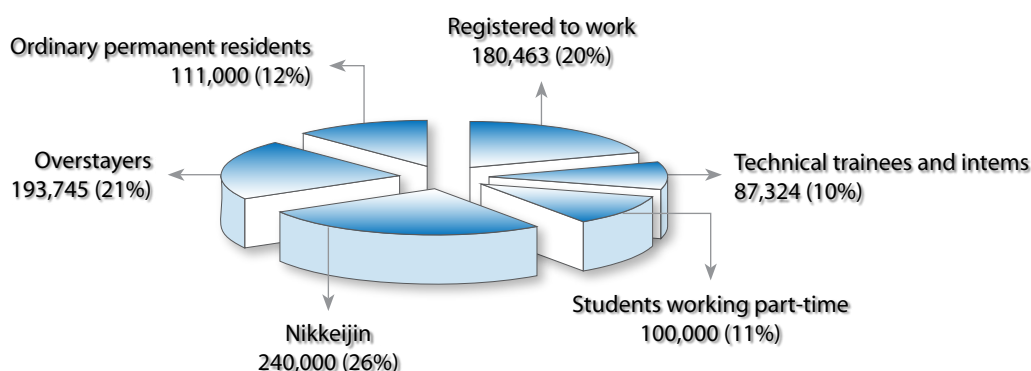
The 742,963 permanent residents in Japan in 2003 were classified as ordinary (newcomers) or special (oldcomers). The special permanent residents numbered 475,952 (64 per cent of the total) and comprised those who came from other areas in Asia before and during the Second World War as well as their descendants. In accordance with the San Francisco Peace Treaty of 1952 between Japan and the allied nations, those persons were allowed to remain in Japan but lost their Japanese nationality. Most are Koreans but some are from Taiwan Province of China and former Manchuria. Their numbers are slowly declining owing to mortality and naturalization as Japanese citizens. As most are the descendants of former migrants, they are not international migrants themselves.

Ordinary permanent residents are foreigners who have lived in Japan for at least 10 years, or five years for the spouses of Japanese. In 2003, there were 267,011 such permanent residents. The number in this category is expanding rapidly, having increased by 84 per cent from 145,336 in 2000. The largest group (83,321) is from China but there are also 42,000 permanent residents from the Philippines and 40,000 each from Brazil and the Korean Peninsula. The number of permanent residents from each of those countries is growing at a high rate.

A category of migrant not included in the above table is those who have overstayed their entry visas. It is assumed that nearly all of those in this category are working irregularly. Their number tripled from 100,000 in 1990 to 300,000 in 1993 but then declined slowly but steadily to 207,000 in January 2005 (Kashiwazaki and Akaha, 2006). The decline is attributable to a number of government actions, including the implementation of stricter immigration examination, strengthened detection of foreign nationals violating the Immigration Control and Refugee Recognition Act, public awareness activities to prevent illegal work, and the implementation of a five-year plan to reduce the number of overstayers.

The number of international migrants staying in Japan in 2003 has been estimated at approximately 1,658,000, i.e., 1,915,000 authorized foreigners minus 476,000 special permanent residents (foreigners who are residents, not migrants) plus 219,000 visa overstayers. Iguchi (2007) estimated that more than 50 per cent of these were working in Japan (figure 7).

**Figure 7. Estimated total number and percentage of foreigners in the workforce in Japan, 2007**



Source: Iguchi, 2007.

In line with the Basic Employment Measures Plan approved by the Cabinet in 1999, Japan encourages the employment of foreign workers in specialized or technical fields (e.g., information technology). Many such specialized workers are those who attended university in Japan and found employment after graduation.

Japanese companies with FDI in other Asian countries have been bringing industrial trainees from those countries to Japan since the 1960s in order to provide them with opportunities to acquire technical skills that could contribute to the economic development of their countries. Since 1990, small and medium-sized enterprises without an overseas presence have also been permitted to bring in foreign trainees. Trainees who pass certain skills tests supervised by the Japan International Training Cooperation Organization (JITCO) can become technical intern trainees and thus be entitled to the same minimum wage and labour standard laws as their Japanese colleagues (OECD, 2001).

In 2002, there were 95,550 foreign students in higher educational institutions in Japan. Of that total, 61 per cent were from China and 17 per cent from the Republic of Korea. The number of foreign students has increased rapidly in the recent past but still comprises only 2.6 per cent of all tertiary school students (Sato, 2004).

Another category of migrant that is increasing at a high rate is foreign spouses. In 2002, there were 35,879 marriages registered between a Japanese national and a foreigner (4.7 per cent of all marriages). Of these, 27,957 involved a foreign bride and 7,922 involved a foreign groom. About one fourth of these marriages are between a Japanese national and a permanent resident Korean national, but this proportion has been declining. In 2002, Japanese men married more Chinese and Filipina brides than did Koreans (Sato, 2004).

One type of international migrant that Japan has been cautious about receiving is refugees. In the 10-year period from 1990 to 1999, only 165 persons out of 1,099 applicants were granted refugee status and permitted to stay. In 2001, 26 persons were recognized as refugees and 67 granted special permission for residence in Japan. In 2002, the numbers were 14 and 40 respectively. However, a 2004 amendment to the Immigration Control and Refugee Recognition Act broadened the scope for receiving refugees and the number accepted has increased in the following years.

The overarching issue that Japan will face for the next few decades is its declining and ageing population, and issues related to international migration will largely be debated and resolved in that context. A United Nations (2001) publication on replacement migration stirred that debate by demonstrating that Japan would need to accept 665,000 migrants annually for 50 years in order to maintain a constant working-age population of 15-64 years. It could maintain a constant total population of 127 million by taking in approximately half of the 665,000 as permanent migrants per year. In both cases, however, the potential support ratio (number of persons aged 15-64 years per person aged 65 years and over) would decline from 4.0 in 2000 to about 2.1 in 2050. These hypothetical projections were generally misunderstood, particularly in political circles, to be policy recommendations. In fact, a more valid interpretation would be that it is highly unlikely that Japan will resolve its population challenge mainly through these levels of permanent international migration.

While the level of international migration will certainly continue to increase, it is not likely to approach those hypothetical levels. Much of the labour demand will be met by carefully controlled temporary migration and some expansion of long-term permanent immigration. Japan will continue to produce overseas, and to automate production and services at home. In order to sustain national and private pensions, the country has already been raising the effective age of retirement and reducing pension benefits. In fact, the United Nations report demonstrated that raising the retirement age from 65 years to 75 years would have a much greater impact on the potential support ratio than admitting 665,000 migrants per year. More spending has been shifted to health care. Raising the retirement age, reducing pension benefits and admitting more migrant workers are all difficult political decisions, so future policies are unlikely to rely on any one of them but will, no doubt, be a careful mix of these and other approaches.

An indication of the approach that the country may well take is the recent Japan-Philippines Economic Partnership Agreement to accept up to 400 Filipino nurses and 600 caregivers per year for two years once the agreement enters into force.<sup>1</sup> Sato (2004) suggested that Japan could maintain its ban on low-skilled foreign workers and still admit more migrants by reclassifying certain occupations. For example, construction workers are now classified as low-skilled, but a category of construction workers with certified skills could be introduced. A series of such pragmatic decisions may be as likely as a major redirection of Japan's migration policies in the near future.

While the business community in Japan advocates for better labour migration management, the public debate concerning migration in Japan is more likely to focus on social and cultural issues. There is a perception in Japan that it has a unified mono-culture which makes it extremely difficult for migrants to assimilate. The desire to preserve the country's culture has led to offering preferred conditions to *Nikkeijin* who wish to work and settle in Japan. Even this approach has encountered obstacles, however, and the integration of *Nikkeijin* has sometimes been more difficult than anticipated, owing to the challenge of finding full employment and the education of their children, among other factors.<sup>2</sup> Sato (2004) pointed out, however, that Japan was quickly becoming more international in terms of the number of Japanese travelling, studying and working abroad as well as the numbers of foreign residents, workers, students and spouses in the country. This greater international awareness, combined with realistic assessments of the need for foreign workers may be expected to lead to increased levels of international migration, continuing recent trends, although such migration will be carefully planned and monitored.

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<sup>1</sup> See Asian Migration News, 31 January 2007.

<sup>2</sup> See Kajita, 1998, for a detailed discussion of the challenge of incorporating foreigners in Japan.

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# LAO PEOPLE'S DEMOCRATIC REPUBLIC

Development indicators	
Population, 2007 (in 1,000)	5,859
Population growth rate, 2007 (%)	1.7
Growth rate of population aged 15-39 years, 2005-2010 (%)	2.97
Total fertility rate, 2007	3.3
Percentage urban, 2007	21.0
Net migration rate, 2005 (per 1,000)	-3.4
Per capita GDP, 2006 (at current prices in US Dollars)	481.52

## Key issues

- Most of the international migration from the Lao People's Democratic Republic can be characterized as labour migration. Limited economic opportunities and low wages in the Lao People's Democratic Republic are the primary push factors. The primary destination country is Thailand due to the very low unemployment rates, higher wages and a demand for low-skilled workers. Migration to Thailand is further facilitated by cultural similarities between the two countries, including language.
- Although opportunities to migrate legally to Thailand have increased recently through the implementation of the MoU on Employment Cooperation, signed by the Governments of Thailand and the Lao People's Democratic Republic in 2002, the process remains time consuming and expensive. Therefore, many Lao workers continue to choose irregular migration channels over the legal channels.
- Laotian migrant often migrate with limited or inaccurate information about their destination, and the terms and conditions of their employment. All these factors increase their vulnerability to exploitation and abuse as well as their health-related vulnerabilities.
- One important issue is that the domestic sector has not been acknowledged as a work sector eligible for employment under the MoU; consequently, domestic workers who represent the majority of Lao workers in Thailand are not fully protected. However, Lao nationals who were already working in Thailand as domestic workers in 2004 were able to go through the registration process.
- Under the Thai and Lao labour laws, domestic work is not fully protected as a form of labour. Thus, unlike other sectors, there is no established practice of signing comprehensive contracts between domestic workers and the employers. If the rights of domestic workers are not covered by Thai legislation, Lao women will continue to migrate and work with irregular status. This will increase their vulnerability to exploitation, abuse and trafficking.

## Social and economic context of migration

As of 2007, the Lao People's Democratic Republic had an estimated population of 5.859 million and a growth rate of approximately 1.7 per cent per year (ESCAP, 2007). In 2006, it was estimated that the Lao People's Democratic Republic had a workforce of 2.1 million (78.5 per cent in agriculture and 21.5 in industry and services) (United States Department of State, 2007). The country is ethnically diverse: approximately half of the population is ethnic Lao, the principal lowland inhabitants and the politically and culturally dominant group. The other half is made up of several ethnic minority groups, with the five largest ethnic minorities – the Hmong, Katang, Khmu, Leu and Phutai – totalling 1.5 million (UNESCO, 2007). The Lao People's Democratic Republic is the only landlocked country in South-East Asia, bordered by Myanmar and China to the north-west, Viet Nam to the east, Cambodia to the south and Thailand to the west. The Mekong River creates a natural border between the Lao People's Democratic Republic and Thailand, whereas the mountains of the Annamite Chain form most of the eastern border with Viet Nam. The capital and largest city in the Lao People's Democratic Republic is Vientiane. Other major cities include Luang Prabang, Suvannakhet and Pakse, all of which are located next to the Mekong River.

Private enterprise has increased since the mid-1980s and received a further boost in 1997 when the Lao People's Democratic Republic joined ASEAN. Although the country has experienced growth rates averaging 4.2 per cent since 1990, it remains one of the least developed countries in Asia (UNDP, 2006). Subsistence agriculture accounts for almost half of GDP and 80 per cent of employment. Transportation infrastructure is not well developed and many areas are still isolated. In many areas, electricity and telecommunications are either not available or offered only during scheduled periods.

Large infrastructural projects, however, are underway throughout the country. It is expected that several major highways will eventually transect the Lao People's Democratic Republic, which will have a serious impact on migration flows from and through the country. It is expected that the establishment of "economic corridors" along these highways will have major, long-term impacts on GMS, especially the Lao People's Democratic Republic because of its geographic location and the fact that it is landlocked.

The economy of the Lao People's Democratic Republic is heavily dependent on investment and trade with Thailand, and the fastest-growing economic sector is now tourism.

## Out-migration

Based on the report, "Labour Migration Survey in Khammouane, Savannakhet and Champasack provinces", prepared by the Ministry of Labour and Social Welfare and ILO, approximately 7 per cent of the population was migratory in 2006. According to the Gender Resource Information and Development Centre (2006), 74 per cent of migrants are aged between 18 and 35 years.

A recent World Bank study (Schiff and Ozden, 2005) noted that economic development in the Lao People's Democratic Republic was also being hampered by the out-migration of skilled workers. In fact, with 37 per cent of educated Laotians living abroad, the country has the fifth highest level "brain drain" worldwide.

Most of the international migration from the Lao People's Democratic Republic can be characterized as labour migration. Limited economic opportunities and low wages in the Lao People's Democratic Republic are the primary push factors. The per capita gross national product (GNP) of neighbouring Thailand is six times that of the Lao People's Democratic Republic (Huguet and Punpuing, 2005). The latter country also has a high rate of unemployment; only 6 per cent of the Lao workforce are engaged in paid employment, the majority of which are self-employed (Phetsiriseng, 2007). It has been estimated that an average of 25,000 youths (aged 15-18 years) enter the labour market each year; this figure includes young people who have not finished primary education or have had little or no formal education (Phetsiriseng, 2007). The literacy rate in the Lao People's Democratic Republic is approximately 65 per cent (Prevention of HIV/AIDS among Migrant Workers in Thailand, 2007).

Furthermore, the Lao People's Democratic Republic appears unlikely to go through a demographic transition until the middle of the twenty-first century. Consequently, the proportion of the population in the workforce and the number of new entrants to the labour market will remain high (United States Census Bureau, no date). With limited employment opportunities available in the country, especially in the rural areas, many Lao workers migrate internally to urban areas or to neighbouring countries to seek work. The primary destination country is Thailand due to the very low unemployment rates, higher wages and a demand for low-skilled workers. Migration to Thailand is further facilitated by cultural similarities between the two countries, including language.

The majority of Lao workers enter Thailand voluntarily but irregularly, either independently or with the assistance of brokers (Phetsiriseng, 2007). Existing networks of Lao nationals in Thailand also facilitate the migration process and possibly persuade others to migrate to Thailand.<sup>1</sup> Although opportunities to migrate legally to Thailand have increased recently through the implementation of the MoU on Employment Cooperation, signed by the Governments of Thailand and the Lao People's Democratic Republic in 2002, the process remains time consuming and expensive. Therefore, many Lao workers continue to choose irregular migration channels over the legal channels.

With regard to the migration of Lao nationals to other countries, very little information is available. Most likely, the number of Lao nationals who migrate to countries other than Thailand is very low. According to the United Nations Office on Drugs and Crime (2003), international trafficking from the Lao People's Democratic Republic is still in its infancy, although there have been a few instances of Lao nationals trafficked for commercial sexual exploitation to the south of China and Cambodia for commercial sexual exploitation.

The MoU established a framework for the sending and receiving of migrant labour between Thailand and the Lao People's Democratic Republic. The MoU was expected to facilitate regular labour migration between the two countries, improve the protection and welfare of Lao workers in Thailand, reduce trafficking in persons and reduce the unemployment rate in the Lao People's Democratic Republic.

According to the MoU, Lao nationals currently working in Thailand with valid work permits can obtain temporary passports through their embassy in Bangkok without having to return home. This procedure has been called "nationality verification". The Lao People's Democratic Republic has sent officials to Thailand to verify workers' nationalities and issue temporary passports for Lao workers. After they receive a temporary passport, Lao workers can obtain a permanent passport when they return to their country. Those who do not have passports can receive a temporary document. By June 2007, 28,316 Lao workers in Thailand have had their nationality verified and issued with temporary passports valid for two years (IOM, 2007).

In 2004, the Government of Thailand attempted to grant permissions to stay to irregular migrants from Lao People's Democratic Republic, Cambodia and Myanmar by opening a registration process with the Thai Ministry of Interior and issuing a "registration card". During the registration process, 179,887 Lao nationals registered; subsequently, 105,259 of that number were granted work permits by the Ministry of Labour.<sup>2</sup> Approximately 55 per cent of the recipients were female and the number of work permits granted to Lao nationals represented 12.4 per cent of the total number of work permits issued to migrants from all three countries (Phetsiriseng, 2007).

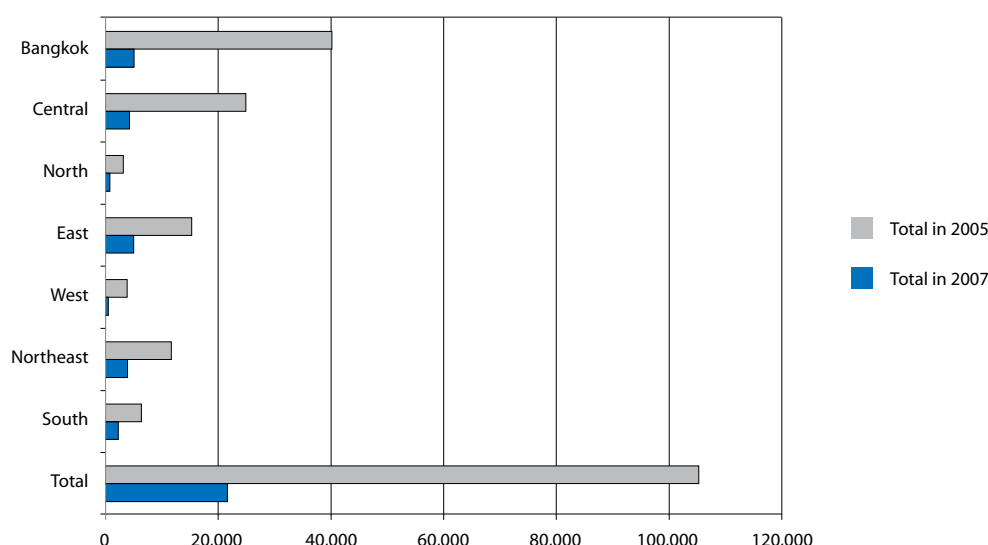
Since 2004, few new work permits have been issued under the MoU. However, the Government of Thailand has repeatedly allowed the extension of existing permits and, in 2006, a second round of new registrations took place when 22,848 Laotians registered and 21,653 obtained work permits. The vast majority of current work permits are renewals and the number of registered Lao migrants thus declined steeply from 2005 to 2007 (figure 8). A reliable estimate for the size, age, and occupational or gender distribution of the remaining irregular population in Thailand does not exist.

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<sup>1</sup> See Cross Border Migration between Thailand and Lao PDR: A Qualitative Assessment of Lao Migration and its Contribution to HIV Vulnerability, March 2004, Asian Research Center for Migration, Institute of Asian Studies, Chulalongkorn University; Bangkok; Family Health International, North Carolina, United States; and National Committee for the Control of AIDS, Lao People's Democratic Republic.

<sup>2</sup> Minutes of the meeting of the Committee on Illegal Migrant Workers, Bangkok, 6 May 2005.

**Figure 8. Registered Lao migrant workers in Thailand by region, 2005 and 2007**



Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand June 2005 and June 2007.

Approximately one third of the registered Lao workers in Thailand are categorized as domestic workers. The remaining two-thirds work in construction and agriculture, and a small proportion in the fishing industries (Phetsiriseng, 2007). The majority are working in Bangkok and the surrounding areas of central Thailand. In Thailand, male workers predominantly work in agriculture and construction while female workers are engaged as domestic helpers.

55 per cent of registered Lao migrant workers in Thailand are female, 90 per cent of whom are domestic workers (Huguet and Punpuing, 2005). Although the Government of Thailand acknowledges domestic work as a sector where migrants can register and receive a work permit, domestic workers are more vulnerable to abuse and exploitation than workers in other sectors. Because the working premises are private households, it is very difficult for government labour inspectors to carry out checks. Most domestic workers do not know the living and working conditions until they arrive at the household where they are to be employed.

The main reasons that Lao migrant workers return to the Lao People's Democratic Republic are that they (a) receive lower wages than they expected, (b) are not paid on time or (c) find the living conditions in Thailand difficult.<sup>3</sup> Of those that are in Thailand with irregular status, some are apprehended and returned (mostly informally) to the Lao People's Democratic Republic. During this process, they may be fined in either country or their money confiscated. The sectors they are employed in Thailand are primarily domestic work, construction, agriculture and food selling.<sup>4</sup> Those who have saved enough money may try to start a small business in Thailand, usually illegally.<sup>5</sup>

<sup>3</sup> See Cross Border Migration between Thailand and Lao PDR: A Qualitative Assessment of Lao Migration and its Contribution to HIV Vulnerability, March 2004, Asian Research Center for Migration, Institute of Asian Studies, Chulalongkorn University; Bangkok; Family Health International, North Carolina, United States; and National Committee for the Control of AIDS, Lao People's Democratic Republic.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

## Refugees from the Lao People's Democratic Republic

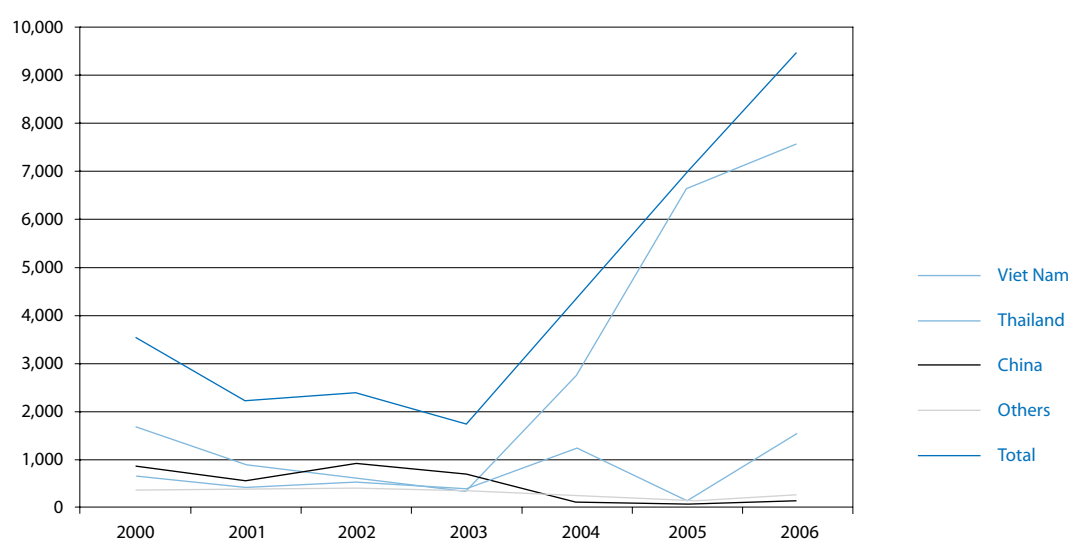
Since 1975, more than 200,000 Hmong have left the Lao People's Democratic Republic for Thailand, claiming that they were facing persecution. The Hmong are one of several ethnic minorities that have traditionally lived in the highland areas of the country. Approximately 315,000 are still in the Lao People's Democratic Republic.<sup>6</sup> Several million Hmong also live in China, Viet Nam, Thailand and Myanmar (Yau, 2005).

Since 2004, nearly 15,000 Hmong refugees from the Lao People's Democratic Republic were resettled in the United States. Thailand has been the staging area for the resettlement and/or repatriation of most Hmong refugees.

## In-migration

The Lao People's Democratic Republic also hosts migrant workers from other countries (figure 9), mostly for construction work, particularly, related to large infrastructure projects throughout the country. Information from various government agencies about foreign workers employed in the country differs widely in terms of their numbers. A survey conducted by the National Economic Research Institute of the Lao People's Democratic Republic in early 2000 found that there were 6,889 foreign workers registered in all provinces in 1999. However, for the same year, the Ministry of Labour and Social Welfare reported that 2,328 foreign workers had been registered while the Lao-Viet Nam Cooperation Agency reported that about 15,000 Vietnamese, including irregular migrants, were employed in the Lao People's Democratic Republic.

**Figure 9. Registered migrant workers in the Lao People's Democratic Republic, 2000-2006**



Source: Ministry of Labour and Social Welfare, the Lao People's Democratic Republic.

<sup>6</sup> Ibid.

In reality, there were probably many more than the reported figures because a large number of foreign workers, mostly Chinese, Vietnamese and some Thais, did not register (National Statistical Centre and National Economic Research Institute, 2000). There is no available information on irregular migrant workers in the Lao People's Democratic Republic.

The Migration Office of the Ministry of Internal Affairs and its Local Migration Offices at the district and village levels are responsible for registering and monitoring foreign workers in the Lao People's Democratic Republic. The Migration Office also has inspectors who work closely with the related authorities. Unregistered foreign employees are fined US\$ 200. An unauthorized relocation of foreign workers or the deployment of foreign workers in any position other than the position described on their application form is forbidden by law (National Statistical Centre and National Economic Research Institute, 2000).

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# MALAYSIA

Development indicators	
Population, 2007 (in 1,000)	27,124
Population growth rate, 2007 (%)	1.8
Growth rate of population aged 15-39 years, 2005-2010 (%)	1.62
Total fertility rate, 2007	2.6
Percentage urban, 2007	69.0
Net migration rate, 2005 (per 1,000)	1.0
Per capita GDP, 2006 (at current prices in US Dollars)	5,239.04

## Key issues

- Although the growth rate of the population of Malaysia remains relatively high, the country's robust economy and urbanization have generated a demand for foreign workers that is met by large numbers of both regular and irregular migrants.
- Government policy repeated the cycle of offering an amnesty to regularize irregular migrant workers, followed by a ban on new entries, usually combined with an effort to deport those who are not registered. The overarching issue in the area of international migration that Malaysia faces is how to plan for a long-term reliance on labour migration without continuing the policy cycle of amnesty, freeze and crackdown.
- Finding a way to control irregular migration and employment is central to developing effective migration policies. The task is complicated by the involvement of a large private sector recruitment industry, well-established informal networks and the relative ease of clandestine migration to the country owing to long coastlines with neighbouring countries.
- Irregular migration and the presence of many refugees have resulted in large populations of stateless persons. Children born in Malaysia to irregular migrants and refugees are themselves classified as undocumented. The 2006 population census in Sabah indicated that there were more than 100,000 stateless Filipinos living there (Kanapathy, 2007).

## Social and economic context of migration

Although the growth rate of the population of Malaysia remains relatively high, the country's robust economy and urbanization have generated a demand for foreign workers that is met by large numbers of both regular and irregular migrants. The per capita GDP more than doubled from US\$ 1,990 in 1985 to US\$ 5,239 in 2006 (IMF, 2007). Malaysia was affected by the Asian financial crisis and the economy contracted by 7.5 per cent in 1998 (Kanapathy, 2001), though, the impact of the crisis was cushioned by petroleum and natural gas revenues.

Exports of agricultural products remain important to the economy of Malaysia but economic growth has been driven by manufacturing and an expansion of services. Between 1995 and 2004, the proportion of the workforce in agriculture declined from 20 per cent to 14.8 per cent, while that in manufacturing contracted slightly from 32.3 per cent to 30.1 per cent and that in services increased from 47.7 per cent to 55.1 per cent (ILO, 2006). This economic transition is reflected in rapid urbanization. The proportion of the population living in urban areas increased from 49.8 per cent in 1990 to 61.8 per cent in 2000, 67.6 per cent in 2005 (United Nations, 2004) and 69 per cent in 2007 (ESCAP, 2007).

Economic growth has been accompanied by social development. In 2007, life expectancy is estimated to be 72 years for males and 77 years for females. The infant mortality rate is only 9 per 1,000 live births (ESCAP, 2007). Enrolment rates of females exceed those of males. In 2001, the net enrolment rate at the secondary level of education equalled 73 per cent for females and 66 per cent for males. Gross enrolment rates at the tertiary level in 2000 were 28 per cent for females and 26 per cent for males (ADB, UNDP and ESCAP, 2006).

## Out-migration

Malaysia experienced a period of labour exports in the 1980s and 1990s but the number of workers deployed remained small. The number of Malaysian workers in Japan increased gradually during that period but equalled only 8,386 in 2000, based on the registration of foreigners in Japan. The annual number of Malaysian workers deployed to Taiwan Province of China from 1991 to 1998 varied between a low of 5,857 in 1997 and a peak of 9,783 in 1993 (Hayase, 2002).

The number of Malaysians working in Singapore, including those residing there and those commuting on a daily basis, equals tens of thousands but the figure has not been made available.

Significant numbers of Malaysians reside outside the country. In 2000 or 2001, there were 46,414 Malaysians in European countries and Japan combined, 78,858 in Australia, 39,000 in the United States, 21,485 in Canada and 11,460 in New Zealand (Hugo, 2005). These figures total 197,217, or 0.8 per cent of the population in Malaysia in 2001. According to the IOM/ESCAP questionnaire for this report, the Malaysian Deputy Minister of Human Resources announced at a parliamentary session in 2006 that there were about 300,000 Malaysians living abroad, or about 1.1 per cent of the population.

Many Malaysians go overseas for education. More than 40,000 Malaysians were studying in other countries in 2004, including 16,094 in Australia, 11,806 in the United Kingdom and 6,483 in the United States (UNESCO, 2007).

## In-migration

The population and society of Malaysia have been formed by migration. Although the contribution of migration to social change in Malaysia currently follows a process different from the past, it is still important. By 1881, significant numbers of Chinese were coming to Malaya, mostly as labourers. The annual number of immigrants from China exceeded 100,000 every year from 1882 to 1914. Return migration often equalled one-third to one-half of the number of immigrants. Nonetheless, net migration from China to Malaya equalled 1.55 million persons between 1916 and 1939, despite large-scale returns during the depression years of 1931-1933. The net number of migrants from India amounted to 524,000 from 1910 to 1939. Although smaller in number, many ethnic Malays also migrated from parts of present-day Indonesia, mainly Java and Sumatra (Saw, 1988).

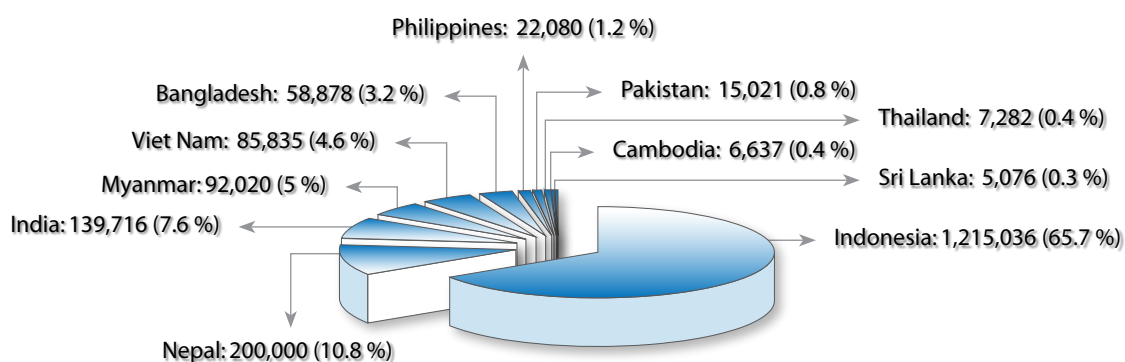
All of these trends ended during the Second World War, after which new patterns of migration emerged. Migration to Malaysia began to increase in the 1970s when Malaysian workers increasingly found employment in the manufacturing and service sectors in and near urban areas, and in Singapore. These movements resulted in a loss of labour in the rural plantation sector, which was met with foreign workers (Kanapathy, 2001; Skeldon, 1993). Most of the migration during this period was irregular and the Ministry of Labour estimated that there were 500,000 irregular migrants in the country in 1984, including both Peninsular and East Malaysia (Kanapathy, 2001). Because most of the migrants worked on plantations, they were not particularly visible to the general population and migration at that time was not a public or significant policy issue.

A second wave of labour migration to Malaysia began in the second half of the 1980s, when the manufacturing and service sectors also attracted large numbers of low-skilled and semi-skilled workers. During that period, the number of both regular and irregular migrant workers grew rapidly. The number of documented foreign workers increased from 290,000 in 1990 to 650,000 in 1995. By the latter date, it was estimated that there were about 1 million irregular migrants. This period of expansion came to a sudden but temporary halt during the Asian economic crisis. By the end of 1997, there were perhaps 1.2 million migrant workers in Malaysia. By 1998, this total had dropped to 780,000, including 606,000 who had work permits. The total fell further to about 700,000 in 1999, including 409,660 with work permits (Kanapathy, 2001).

The 2000 population census in Malaysia recorded 1,563,300 persons who had been born outside of Malaysia. As only 332,000 of them had migrated to Malaysia in the previous five years, however, 1.2 million must be considered long-term residents or settlers and a significant proportion would not be in the labour force (Department of Statistics, 2006). It is likely that many temporary migrant workers, especially those having irregular status, were not recorded during the census. Thus, the foreign-born population given in the census does not provide a reliable measure of the number of migrant workers in the country.

The period after 2000 may be considered a third phase in post-war labour migration to Malaysia. The number of foreign workers again increased as the economy recovered from the 1997 crisis. As a result of an amnesty at the end of 2004, stricter enforcement of regulations and increased penalties for employing unregistered migrants, the number of migrants with work permits had expanded to more than 1.8 million by 2006 (see figure 10). That total includes only 35,480 "expatriates" or professional and skilled workers. A wide range of estimates exists of the number of irregular migrants in the country but the statistical basis for all of the estimates is weak.

**Figure 10. Total number and percentage of registered migrant workers in Malaysia by country of origin, March 2006**



Source: Department of Statistics, 2006.

Government policy regarding migrant workers is marked by changes in direction. Until the early 1980s, the Government of Malaysia largely ignored migrants in the plantation sector, although they were mostly holding irregular status, because their labour was needed and they were not visible to most of the population. A second phase of policy began when the demand for migrant labour spread to other sectors and the number of irregular migrants surpassed 500,000. The Government then introduced policies not only to regularize labour migration but also to regulate and control it. The 1991 Comprehensive Policy on the Recruitment of Migrant Workers set out terms and conditions for the employment of migrant labour, and introduced workers' levies in an attempt to discourage over-reliance on foreign workers (Kanapathy, 2007).

Government policy repeated the cycle of offering an amnesty to regularize undocumented migrant workers, followed by a ban on new entries, usually combined with an effort to deport those who are not registered. Major regularization programmes were carried out in 1992 and 1996. A freeze on hiring new migrant workers was announced in April 1993 but was lifted for hiring skilled and semi-skilled workers in June of that year.

During the economic crisis in 1997, a ban on the renewal of work permits was instituted in August 1997. Those affected could be re-deployed to the agricultural sector or return home. The ban was lifted for domestic workers in September 1997 and for other sectors in October 1998 (Kanapathy, 2001).

Migration policy entered a third phase after 1997. Migration has since been viewed in a social and security context in addition to the economic context, and policies have become stricter. The Immigration Act was revised in 1998 and 2002 to increase the fines and penalties for irregular migration. Employers and owners of buildings or projects face heavy fines if irregular migrants are found on their premises (Kanapathy, 2007). The Government has repeatedly conducted mass expulsion campaigns in conjunction with offering an amnesty to those irregular migrants who register. In 2002, some 300,000 migrants left Malaysia during a crackdown (Amnesty International, 2004). An amnesty programme was in effect from 1 November 2004 to 28 February 2005 but irregular migrants were required to return home in order to be issued work permits. Some 400,000 migrants left the country during that period. Following that amnesty programme, the Government has mobilized 500,000 citizen volunteer corps members to assist police in identifying irregular migrants (Kanapathy, 2007).

Although most attention is focused on Peninsular Malaysia, the East Malaysia States of Sabah and Sarawak also have large numbers of migrants of irregular status, mostly from the Philippines and Indonesia. Much of this is family migration and many of those arriving from the Philippines have fled conflict in Mindanao. A worker registration programme in Sabah in 1997 enrolled 413,832 migrants, including 284,704 from Indonesia and 119,128 from the Philippines; however, perhaps 150,000 irregular migrants remained in the State (Battistella, 2002).

Kanapathy (2007) argued that higher levies for skilled workers were inconsistent with government policy to encourage skill-intensive, high-productivity industries, for example. The IOM/ESCAP questionnaire also states that the use of "cheap and subservient" foreign workers has led to the marginalization of local workers in some economic sectors. Amnesty International (2004) was critical of the standards of food, water and living conditions in departure ports and detention centres during periods of mass deportation. The use of the citizen volunteer corps to assist police in identifying irregular migrants has led to reports of cases of violence, extortion and illegal detention of foreigners (Kanapathy, 2007).

Irregular migration and the presence of many refugees have resulted in large populations of stateless persons. There are an estimated 50,000 refugees in Peninsular Malaysia, of whom 40,000 are registered with the United Nations High Commissioner for Refugees. The latter include about 20,000 from Aceh Province of Indonesia, 10,000 Muslim Rohingyas from Myanmar and 10,000 from other ethnic minority groups in Myanmar (Kanapathy, 2007). Children born in Malaysia to irregular migrants and refugees are themselves classified as undocumented. The 2006 population census in Sabah indicated that there were more than 100,000 stateless Filipinos living there (Kanapathy, 2007).

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# MONGOLIA

Development indicators	
Population, 2007 (in 1,000)	2,629
Population growth rate, 2007 (%)	1.0
Growth rate of population aged 15-39 years, 2005-2010 (%)	1.07
Total fertility rate, 2007	1.9
Percentage urban, 2007	57.0
Net migration rate, 2005 (per 1,000)	-3.2
Per capita GDP, 2006 (at current prices in US Dollars)	584.03

## Key issues

- Since Mongolia changed from a centrally-planned economy to a market-driven economy, the numbers of Mongolians going abroad and foreigners coming to Mongolia have been on increase.
- The Government of Mongolia has taken measures to create a legal environment for nationals living or working abroad by joining various international Conventions, and by enacting laws and regulations. The problems related to irregular in- and out-migration are of concern to the Government of Mongolia.
- Protection of the rights of Mongolian workers deployed abroad is a major challenge to the Government of Mongolia. The Government's efforts to establish bilateral agreements with the main destination countries in order to improve living and working conditions for its out-migrants need to be intensified.
- Because of the country's geographic location, Mongolia has also become a transit point for irregular migrants. A mechanism needs to be established for managing the issues related to irregular migration.
- Trafficking of women from Mongolia to other countries is a serious problem, and the country has also become a transit route for the trafficking of women from neighbouring countries. With internal and cross-border human trafficking occurring, there is a need to improve activities against this crime.
- The number of expatriates arriving in Mongolia in connection with the mining industry and related businesses has increased steadily, a trend that is expected to continue in the foreseeable future.

## Social and economic context of migration

Mongolia is a landlocked developing country with a population of 2.6 million in 2007. The annual population growth rate was 1 per cent in 2007 according to United Nations estimates. The average life expectancy in Mongolia is 64 years for men and 70 years for women. The infant mortality rate is 40 deaths per 1,000 live births. About 57 per cent of the population lives in urban areas while the remainder is spread across remote grasslands and desert where people live a traditional nomadic lifestyle with their livestock (ESCAP, 2007).

Mongolia's per capita GDP was US\$ 584 in 2006 but rising (IMF, 2007). The national poverty rate (population living below the national poverty line) is 35.6 per cent (ESCAP, 2007).

In 1990, the country changed from a centrally-planned economy to a market-driven economy. During the socialist years (1924-1990), travel to and from Mongolia was restricted, especially for persons from western countries. Many Mongolians attended universities in the former Union of Soviet Socialist Republics and countries in Eastern Europe. After the transition to democracy, Mongolians were free to travel and study in all foreign countries. Approximately 30,000 Mongolian citizens travelled abroad in 1990, a huge increase from the pre-1990 level (Batbayar, 2005).

Today, increasing numbers of Mongolians are also leaving for the United States, Europe (mainly Germany, Czech Republic and the United Kingdom) and Asian countries (Republic of Korea and Japan) for better education, well-paid jobs, marriage to foreigners and higher standards of living. Recent statistics show that little more than 800,000 Mongolians travelled abroad for various reasons in 2006 (Mongolian National Statistics Office, 2007).

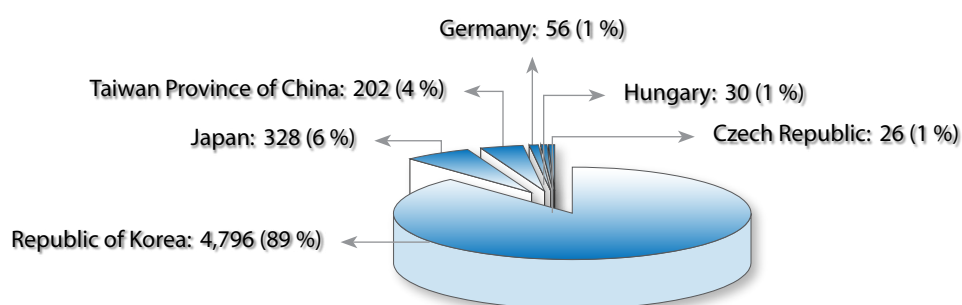
According to the World Bank (2007), a total of US\$ 177 million in remittances was sent to Mongolia by migrant workers in 2006, amounting to 6.6 per cent of GDP. The Government of Mongolia is planning to establish free trade agreements with its key trading partners including the United States, European Union, Japan, Republic of Korea, China and the Russian Federation, which will further increase the movement of people. Because the population of Mongolia is small compared with neighbouring China and the Russian Federation, the preservation of Mongolian national identity is important to many of its people.

## Out-migration

The data in figure 11, which were provided by the Mongolian Immigration, Naturalization and Foreign Citizens Office of the Ministry of Social Welfare and Labour, show the number of out-migrant workers formally deployed by destination. Figure 12 shows the occupations of these deployed workers. The data in figure 13 show unofficial estimates of residents living abroad by the Ministry of Social Welfare and Labour as reported in the IOM/ESCAP questionnaire in 2007.

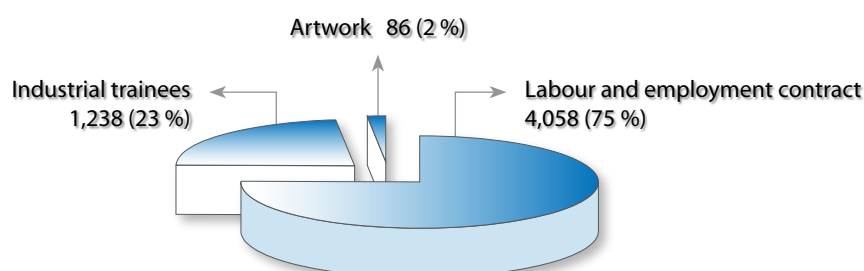
However, the data in figures 11 and 12 on out-migration do not include those workers deployed abroad through private companies and mediators. For example, in 2006 more than 30,000 were working in the Republic of Korea, both legally and illegally (Sumiyabazar, 2007). In 2004, Mongolia and the Republic of Korea signed a MoU on labour and employment exchanges that was revised in 2006 to recruit 15,000 Mongolian workers in 2007. The Mongolian Ministry of Social Welfare and Labour banned private companies from supplying Mongolian workers to employers in the Republic of Korea and formed a state-owned enterprise, the State Overseas Workforce Dispatch Centre, to oversee the deployment of Mongolian workers to other countries. Recently, 15,000 Mongolians registered to take a Korean language test that is now necessary when applying to work in the Republic of Korea (Sumiyabazar, 2007). Those workers will be employed mainly in agriculture, fishing, cold storage and construction (Oyundelger, 2007).

**Figure 11. Total number and percentage of Mongolian workers deployed to other countries through the government channel, 2005**



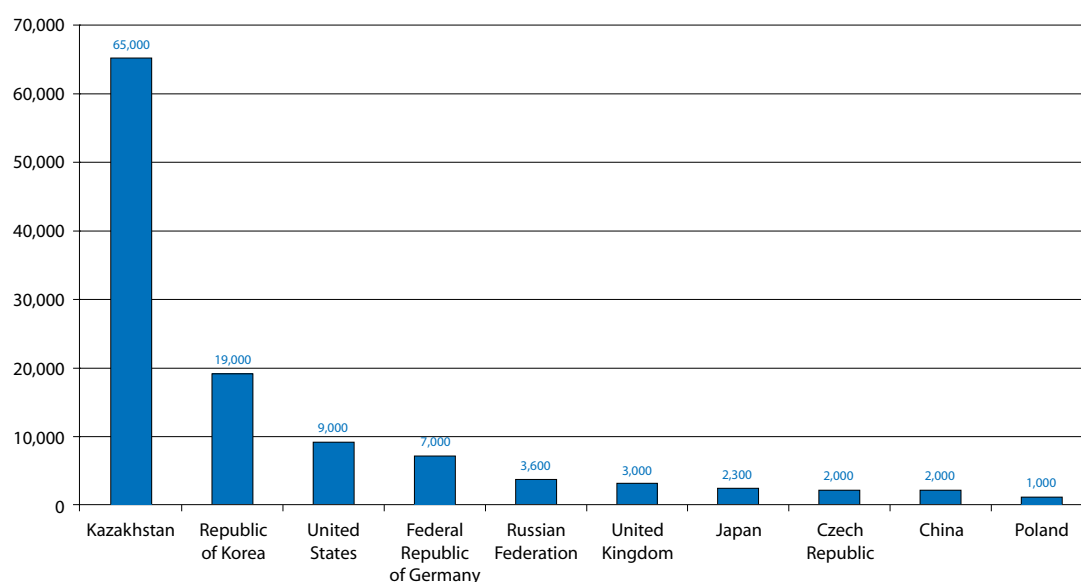
Source: IOM/ESCAP questionnaire, 2007.

**Figure 12. Total numbers and percentage of Mongolian workers deployed abroad through the government channel by occupations**



Source: IOM/ESCAP questionnaire, 2007.

**Figure 13. Estimated total number of Mongolians residing abroad, 2006\***



Source: IOM/ESCAP questionnaire, 2007.

\* Unofficial data.

Since 1992, when Mongolia opened up to foreign businesses and investment under a new Constitution, the volume of both outbound and inbound foreign travel greatly increased. After large increases in migration in the early 1990s, the Government of Mongolia took measures to create a legal environment for nationals living or working abroad by joining various international Conventions, and by enacting laws and regulations. The Law on Travel and Immigration of Mongolian Citizens for Private Business was passed on 24 December 1993 to regulate the mass outflow and inflow of migrants (Batbayar, 2005). This law gives Mongolian citizens the right to travel abroad and the right to emigrate (i.e., to reside permanently in a foreign country for private purposes). The law also regulates procedures concerning the approval and issuance of national passports as well as the rights and obligations of citizens travelling abroad. In 2001, the Law on Sending and Receiving Labour Force and Skilled Professional-Experts was adopted. These laws, together with Mongolian Civil Law and the Government's policy on population development (dated 23 April 2004) are the key legal instruments that regulate in- and out-migration.

**Table 8. Memoranda of understanding and bilateral/multilateral agreements on migration signed by Mongolia with other countries, 1998-2006**

MoU/bilateral and multilateral agreement	Counterparts	Objective	Date signed
MoU (tripartite)	<ul style="list-style-type: none"> <li>Ministry of Health of Mongolia</li> <li>Ministry of Social Welfare and Labour of Mongolia</li> <li>Japanese International Training Cooperation Organization</li> </ul>	Exchange of industrial trainees	September 1998
Agreement on Migration	<ul style="list-style-type: none"> <li>Mongolian private entities</li> <li>Czech Republic</li> </ul>	Exchange of industrial trainees	1999
MoU	<ul style="list-style-type: none"> <li>Ministry of Social Welfare and Labour, Mongolia</li> <li>Taiwanese Labour Committee</li> </ul>		2001
MoU	<ul style="list-style-type: none"> <li>Ministry of Social Welfare and Labour, Mongolia</li> <li>Ministry of Labour, Republic of Korea</li> </ul>	Labour and employment exchange	May 2004 June 2006

Source: IOM/ESCAP questionnaire, 2007.

## In-migration

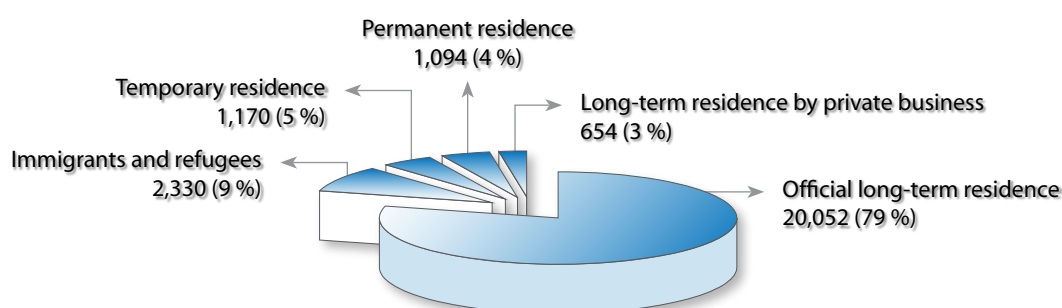
As of 31 August 2003, there were 8,090 foreign contract workers from 72 countries registered with the Ministry of Social Welfare and Labour in Mongolia. Of that total, Chinese workers accounted for 2,890 (35.7 per cent), followed by Russians at 1,744 (21.6 per cent) and Ukrainians at 1,741 (21.5 per cent). They were employed mostly in mining (33 per cent), construction (27.9 per cent), and the wholesale and retail trade (17.7 per cent) (Batbayar, 2005). Under Mongolian migration laws, the number of foreign residents and immigrants in Mongolia cannot exceed 1 per cent of the total population at any given time, and the number of foreigners from one particular country may not exceed 33 per cent of the total foreign residents in the country. The registration of foreigners was amended in 2000 to exclude travellers planning to remain in the country for less than 30 days from this registration requirement.

The latest data from a study conducted by the Ministry of Social Welfare and Labour shows that 12,684 foreign workers were employed in Mongolia, including 7,848 from China, 1,457 from the Russian Federation, and smaller numbers from Canada, the United States and Europe. A large majority of these foreign workers have low levels of education. About 50 per cent of the workers in companies operating with foreign investment are foreign specialists (Zuunii, 2006).

In 2006, 408,490 inbound foreign passengers crossed the borders of Mongolia for various reasons. The number of expatriates arriving in Mongolia in connection with the mining industry and related businesses has increased steadily, a trend that is expected to continue in the foreseeable future.

The Mongolian Office of Immigration, Naturalization and Foreign Citizens reported that 25,300 residence visas were issued to foreigners in 2006. These varied by type of visa (figure 14).

**Figure 14. Total number and percentages of visas issued by type, Mongolia, 2006**



Source: IOM/ESCAP questionnaire, 2007.

### ***Irregular in-migration***

The problems related to irregular in- and out-migration are important for the Government of Mongolia. As stated in the IOM/ESCAP questionnaire in 2007, the number of reported irregular migrants increased from 1,185 in 2002 to 3,281 in 2006. However, no data are available regarding the exact number of irregular migrants in the country. Therefore, a mechanism needs to be established for managing the issues related to irregular migration. One possible mechanism is to initiate incentives for voluntary registration or documentation. Generally, private construction companies and foreign joint ventures with workers from China or the Republic of Korea are the main violators of the laws and regulations on hiring foreign labour (Zuunii, 2006). In 2007, 80 irregular construction workers from China were reported to have been deported (The UB Post, 2007).

The Mongolian Law on the Legal Status of Foreign Citizens 1993 (Article 6 on Political Asylum) states: "Foreign citizens who are the subject of political persecution in another country for holding ideas that are appreciated in Mongolia may be granted the right to residence and State protection". Because of its geographic location, Mongolia has become a transit point for irregular migrants, particularly for persons from the Democratic People's Republic of Korea travelling to the Republic of Korea as well as Chinese travelling to other countries (NHRCM and CHRD, 2002).

An important issue that needs to be addressed by the Government of Mongolia is the human rights of Mongolian workers deployed abroad. Protection of their rights, health care and their children's education are issues that need attention. As stated in the IOM/ESCAP questionnaire (of 2007, it is common for tourist and education visas to be issued through the mediation service of private companies or individuals at a high cost (US\$ 2,000-US\$ 5,000 service fees) for citizens wishing to work and study abroad. Some agents have disappeared after collecting millions of United States dollars from ordinary citizens. In response, in 2007 the Government banned private companies and mediators from acting as agents for out-migrants to the Republic of Korea. Migrants travelling through unauthorized agencies frequently lack knowledge of the living and working conditions in their destination countries and little in terms of security, legal guarantees or health insurance is provided by the agents. Also, weak language skills, invalid documents and limited financial means make out-migrants vulnerable to risky jobs, human trafficking and infection by HIV/AIDS and other diseases.

### *Human trafficking*

Currently, trafficking of women from Mongolia to other countries is a serious problem, and the country has become a transit route for the trafficking of women from China and the Russian Federation. In addition, increasing numbers of young girls and women are marrying foreigners due to unemployment, poverty and other social problems in Mongolia. With internal and cross-border human trafficking still occurring, there is a need to improve activities against this crime (NHRCM and CHRD, 2002).

Mongolia has joined the International Criminal Court as well as many other international agreements and Conventions, including: the International Covenant on Civil and Political Rights; the International Convention on Economic Social and Cultural Rights; the Convention against Torture, the Convention on the Elimination of all Forms of Discrimination against Women; and the Convention on the Rights of the Child. In 2000, the Government of Mongolia passed a law that provides for prison sentences of five to eight years for persons convicted of engaging in the selling or buying of the human body for use of organ transplants or prostitution (NHRCM and CHRD, 2002). However, Mongolia has not ratified the two supplemental protocols of the United Nations Convention against Transnational Organized Crime, i.e., the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air.

Currently, trafficking of women from Mongolia to other countries is a serious problem, and the country has become a transit route for the trafficking of women from China and the Russian Federation. In addition, increasing numbers of young girls and women are marrying foreigners due to unemployment, poverty and other social problems in Mongolia. With internal and cross-border human trafficking still occurring, there is a need to improve activities against this crime (NHRCM and CHRD, 2002).

Another reason for the increase in trafficking women is the failure of the private mediation services to provide information about the destination countries. Even though a legal framework for convicting those involved in trafficking has been established in Mongolia, social and economic conditions indicate that the trafficking of women and children is likely to increase. Therefore, the Government of Mongolia needs to ratify the necessary Conventions on protection of human rights in order to establish a legal environment for solving the issues related to human trafficking.

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# MYANMAR

Development indicators	
Population, 2007 (in 1,000)	48,798
Population growth rate, 2007 (%)	0.9
Growth rate of population aged 15-39 years, 2005-2010 (%)	0.596
Total fertility rate, 2007	2.1
Percentage urban, 2007	32.0
Net migration rate, 2005 (per 1,000)	-0.2
Per capita GDP, 2006 (at current prices in US Dollars)	153.76

## Key issues

- Estimates suggest that up to 10 per cent of Myanmar's population migrates internationally; however, accurate figures and information about these migration flows are difficult to obtain because the migration is mainly irregular (Mekong Migration Network and Asian Migrant Centre, 2005). The two most recent censuses, held in 1973 and 1983, did not include questions concerning migration. Therefore, the extent and magnitude of international and internal migration are unknown.
- The slow progress on the implementation of the Thailand-Myanmar MoU contributes to Myanmar nationals having no alternative but to migrate irregularly, which makes it very difficult for the Governments of Myanmar and Thailand to manage the migration flows, and provide migrants with education and basic social and health services. The irregular status of the migrants also marginalizes them from the rest of society and makes them more vulnerable to exploitation and abuse. In the case of migrant children, either they do not have access to education and health services, or the access is limited and often inadequate.
- The responses to many existing issues on international migration in Myanmar have been limited. Most of the assistance provided by the Government of Myanmar and non-governmental organizations has focused on counter-trafficking. Many existing responses only involve awareness-raising activities on the negative impacts of migration to discourage people from migrating abroad (Asian Migrant Centre, 2004). There is no pre-departure orientation on migrants' rights and obligations, redress mechanisms etc., even though they are greatly needed as workers continue to migrate to find better economic opportunities.
- Trafficking remains an issue of concern in Myanmar. The predominant pattern of trafficking involving Myanmar nationals is from that country to Thailand, but also to China. However, flows of women trafficked from China through Myanmar to Thailand and Malaysia should not be underestimated.
- The Government of Myanmar has made significant progress in managing the return of victims of trafficking, especially from Thailand. However, the cooperation occurs in the absence of formal guidelines and agreements internally, and at the bilateral and regional levels. Moreover, there is still no initiative to facilitate the return of victims from China, the second main destination country.

## Social and economic context of migration

With a population of approximately 49 million (ESCAP, 2007) and a geographic area of 677,000 km<sup>2</sup>, Myanmar is the second largest country in South-East Asia after Indonesia. The population figure is an estimate, as the most recent national population census was conducted in 1983. Myanmar is bordered by China (north), the Lao People's Democratic Republic (east), Thailand (south-east), Bangladesh (west) and India (north-west). The south and south-western coastline is along the Andaman Sea and the Bay of Bengal. The population of the country is currently growing by 0.9 per cent annually (ESCAP, 2007).

In 2005, the annual GDP growth of Myanmar was 5 per cent, which is the lowest rate among GMS countries (World Bank, 2007) and second only to Timor-Leste in South-East Asia (World Bank, 2007). The country's current lack of adequate infrastructure and its low skilled workforce are a hindrance to further economic development. Limited employment prospects in Myanmar encourage many to look for opportunities in other countries.

The Overseas Employment Service was established in 1990 as a branch of the Employment and Training Section in the Ministry of Labour. This service facilitates the regular deployment abroad of Myanmar nationals as labour migrants based on contracts for a limited period (Ministry of Labour, 2007). However, due to the long process and high costs involved, a high number migrate with irregular status.

Accurate information on international migration flows to and from Myanmar is very scarce and no comprehensive overview of the area exists. Some of the best sources of information about migration from Myanmar are available from the receiving countries. Therefore, this chapter relies heavily on information about Myanmar labour migrants, the vast majority of whom are in Thailand.

## Out-migration

Millions of people from Myanmar have migrated to neighbouring countries in the past decades for economic, social and political reasons. It has been estimated that at least 3 million people have migrated from Myanmar (Asian Migrant Centre, 2004). This figure includes approximately 140,000 refugees from Myanmar currently living in camps in Thailand (Huguet and Punpuing, 2005) as well as an estimated 10,000 Rohingya and thousands of Chin refugees living in Malaysia (Asian Migrant Centre, 2004).

Those that can afford expensive recruitment fees or have the necessary contacts, migrate regularly through the legal channels made available by receiving countries. These opportunities, however, are very limited. A further obstacle to regular migration for many Myanmar nationals is limited access to government-issued travel documents. A lack of passports or other travel documents often force prospective migrants to choose irregular channels.

In 2003, Myanmar recruitment agencies facilitated the regular migration of 4,107 workers to Japan, Malaysia, the Republic of Korea and Singapore (Asian Migrant Centre, 2004). The official figures for regular labour migrants indicate that as of 2003, there were 16,000 in Malaysia, 3,000 in Japan and 529 in the Republic of Korea, (Asian Migrant Centre, 2004). An estimated 2 million migrants from Myanmar are in Thailand, the majority with irregular status. Many of this group, which represents one of the largest migrant populations in the region, are highly vulnerable due to their irregular status (Caouette and Pack, 2002). However, the policies of the Government of Thailand have allowed some Myanmar nationals to regularize their status.

There are also significant numbers of Myanmar migrants in Bangladesh (estimated at 290,000), India (estimated at 70,000) and Malaysia (estimated at 25,000) (Mekong Migration Network and Asian Migrant Centre, 2005).

Thailand is the main destination for Myanmar migrants, whose number has been steadily increasing during the past two decades. The economic disparities between the two countries and their geographical proximity have been the most influential pull factors for Myanmar migrants to enter Thailand. The per capita GNP of Thailand is six times that of Myanmar and the two countries share a long, porous border that is difficult for both Governments to control (Huguët and Punpuing, 2005). There are only four official crossing points along the Thai-Myanmar border, but hundreds of unofficial ones exist that can be crossed on foot. Myanmar migrants are particularly concentrated in industries located along border areas such as Tak and Ranong provinces of Thailand.

Another prominent pull factor on the Thai side is the steady demand for low skilled labour in the fishing, agriculture, construction and domestic sectors. All four sectors rely on migrant workers to perform jobs that are difficult to be filled by the Thai workforce (Mekong Migration Network and Asian Migrant Centre, 2005).

Of the estimated 2 million Myanmar nationals in Thailand, 485,925 have work permits as of 30 June 2007. More than half of the registered migrants work in sectors such as fishery processing, agribusiness, construction and in private household. According to 2004 data from the Office of Foreign Workers Administration, 6,267 registered professionals from Myanmar are working legally in Thailand (Huguët and Punpuing, 2005).

The Government of Myanmar is using the Myanmar Immigration (Emergency Provisions) Act of 1947 to detain migrant workers who leave the country without valid documentation and there is a holding centre in Myawaddy, Myanmar, near the Thai border where irregular migrants returning to Myanmar can be detained by the authorities.<sup>1</sup>

In Thailand, migrants from Myanmar who are apprehended for irregular entry are generally not prosecuted by the Thai authorities and are usually released from the Thai Immigration Centre if they volunteer to be deported (Huguët and Punpuing, 2005). These returns are informal and not government-to-government; the deportees are taken to unofficial border crossings and permitted to walk across the border back to Myanmar.

In 2003, Myanmar and Thailand signed a MoU that sets out the legal channels for Myanmar nationals to work in Thailand. Progress on implementing the MoU has been slow. However, the two countries agreed in June 2006 to work more closely on the verification of the nationality of those Myanmar workers registered in Thailand who do not have identification cards and passports issued by Myanmar. To date, approximately 10,000 forms have been sent by the Government of Thailand to the Government of Myanmar, and 9,000 people have been recognized as Myanmar nationals entitled to Myanmar passports. The MoU also sets out the legal framework for procedures between the two countries for labour recruitment and employment.

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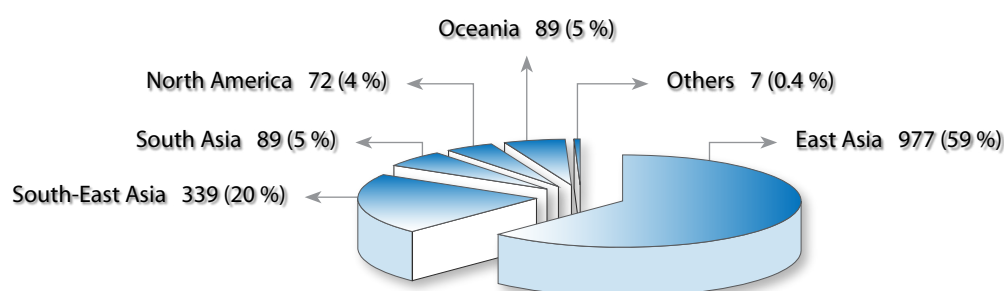
<sup>1</sup> Article 3.2 states: "No citizen of the Union of Myanmar shall enter the Union of Myanmar without a valid Union of Myanmar passport or a certificate in lieu thereof, issued by a competent authority." Article 13.1 states: "Whoever enters or attempts to enter the Union of Myanmar ....[is] in contravention of any of this Act or the rules made hereunder shall be punished with six months' to five years' imprisonment or with a fine of a minimum of Kyats 1,000 or both."

## In-migration

Myanmar has opened more than 10 border checkpoints to allow passage and permit border trading with its neighbouring countries. Both exit and entry are subject to fees. For example, at the Myanmar-India border checkpoint, an Indian must pay the equivalent of US\$ 18 to enter Myanmar for one week while a Myanmar national has to pay approximately US\$ 8 to enter India for one week. In the case of the Myanmar-Bangladesh border, a Myanmar national has to pay approximately US\$ 2 to enter Bangladesh for 7 days whereas a Bangladeshi national has to pay approximately US\$ 0.15 to enter Myanmar for two days. The Department of Labour has also started registering foreign workers in Myanmar in accordance with a directive of the Myanmar Foreign Investment Commission. To date, 780 foreign workers have been registered (Ministry of Labour, 2007).

Most of the foreign residents living in Myanmar either work as expatriates for foreign companies, non-governmental and international organizations, or own businesses. As of February 2001, there were approximately 1,670 expatriate professionals in Myanmar. Almost two thirds of that total were East Asian (figure 15), with more than half having come from China, Taiwan Province of China and Thailand, according to Immigration Department figures. Most of the expatriates hold business visas, which are initially issued for 10 weeks and may be extended for up to one year. In addition, according to the Immigration Department, more than 15,500 people had permanent residence status and lived in Yangon Division. Since 2001, there has been a decrease in the number of American and Japanese expatriates and an increase in the number of Chinese, Singaporean and Thai professionals.

**Figure 15. Total number and percentage of Expatriates Living in Myanmar, February 2001**



Source: Myanmar Immigration Department, 2001.

## Human Trafficking

Myanmar has ratified the United Nations Convention against Transnational Organized Crime, and has signed the two supplemental protocols on trafficking in persons and smuggling of migrants in 2004. In 2005, an Anti-Trafficking in Persons Law was adopted to provide for the rescue, receipt, safeguarding, rehabilitation and reintegration of trafficked persons. The Government of Myanmar is also reviewing its National Plan of Action to Fight Trafficking in Women and Children, which was developed in 1997. However, trafficking of Myanmar nationals remains an issue of concern. The predominant pattern of trafficking involving Myanmar is from that country to Thailand, considering the large-scale migration between those two countries. A recent study on Myanmar migrants in Thailand estimates that about 157,000 migrants currently in Thailand had been trafficked. Myanmar is also concerned by other patterns, as some women are trafficked from China through Myanmar into Thailand and Malaysia, and persons from Myanmar are trafficked to China. The Government of Myanmar has made significant progress in managing the return of victims of trafficking, especially from Thailand. However, the cooperation occurs in the absence of formal guidelines and agreements internally and at bilateral and regional levels. Moreover, there is still no initiative to facilitate the return of victims from China, which represents the second main destination country.

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# PHILIPPINES

Development indicators	
Population, 2007 (in 1,000)	88,462
Population growth rate, 2007 (%)	2.0
Growth rate of population aged 15-39 years, 2005-2010 (%)	1.94
Total fertility rate, 2007	3.2
Percentage urban, 2007	64.0
Net migration rate, 2005 (per 1,000)	-2.1
Per capita GDP, 2006 (at current prices in US Dollars)	1,123.4

## Key issues

- The Philippines has become a quintessential out-migration country. Low rates of domestic economic growth and foreign investment have prompted the Government of the Philippines to rely on overseas employment to reduce unemployment in the country and for remittances.
- With one fifth of the labour force employed overseas, and with women constituting half the number of overseas workers, the Government of the Philippines is constantly confronted by many policy issues related to international migration. Protecting women workers from abuse and exploitation while overseas is an important issue that the government is trying to address. As a large proportion of women migrants comprise domestic workers or entertainers, they are in particularly vulnerable situations.
- The Government has reacted by providing mandatory training and certification for performing artists but this can only partially address the exploitation they may encounter while overseas (Villalba, no date). Prohibiting the deployment of domestic workers to certain destinations has not been effective. Recruitment and placement networks are well established and bans on official deployments tend to result in large numbers of irregular status migrants.
- A contentious issue surrounding migration from the Philippines is the impact that it has on development within the country. An international outlook may be seen as a positive attribute; however, the question remains as to whether such a view impedes development when so few citizens anticipate achieving success within the country. A more critical issue is the extent to which the Government relies on international migration to reduce unemployment and promote earning. Given the low rate of economic growth and high unemployment rates, it is also not apparent that the millions of migrant workers who have returned to the country with overseas experience and savings have had an impact on development. Migrant labour has become a very successful industry for the Philippines but has yet to demonstrate a major impact on overall economic development.

## Social and economic context of migration

A relatively high population growth rate and a modest rate of economic growth in the Philippines have stimulated migration both within the country and increasingly to destinations overseas. Per capita GDP had reached US\$ 1,123 in 2006 (IMF, 2007). The growth rate of per capita GDP from 2000 to 2005 was only 2.4 per cent annually, well below that for Indonesia (3.3 per cent) or Thailand (4 per cent).

The population of the Philippines reached 88.5 million in 2007 and is increasing by 2 per cent a year (ESCAP, 2007). The young workforce aged 15-39 years is expected to increase by 1.94 per cent a year between 2005 and 2010 (United Nations, 2007). Sixty-four per cent of the population lives in urban areas, although this figure is based on a somewhat inclusive definition of urban (ESCAP, 2007).

Industrial expansion has not been sufficient to absorb increases in the size of the workforce. In fact, the proportion of the workforce in industry increased only from 15 per cent in 1990 to 16 per cent in 2000, a level that is less than in Indonesia and Thailand (ILO, 2006). During that period, the proportion of the workforce in agriculture declined from 45.2 per cent to 37.4 per cent while the in the service sector it increased from 39.7 per cent to 46.5 per cent.

School enrolment rates are respectable, with net secondary school enrolment rates of 62 per cent for females and 51 per cent for males. Gross enrolment rates at the tertiary level equalled 35 per cent for females and 27 per cent for males in 2001 (ADB, UNDP and ESCAP, 2006).

## Out-migration

The Philippines has become a quintessential out-migration country. The United Nations (2007) estimated that net migration from the Philippines equalled 2.1 per 1,000 population in 2005, a negative net migration rate exceeded in East and South-East Asia only by the Lao People's Democratic Republic (-3.4) and Mongolia (-3.2). The Government of the Philippines has estimates that in December 2004 there were 8.1 million Filipinos living overseas, nearly 10 per cent of the population of 83.6 million at that time. Those overseas Filipinos include 3.2 million permanent migrants (a majority of whom are in the United States), about 3.6 million temporary labour migrants and about 1.3 million migrants in an irregular situation, mostly in the United States and Malaysia (Asis, 2006). Roughly one in five Filipino workers is employed outside of the country.

Significant out-migration began early in the twentieth century, when about 150,000 persons migrated to the United States, mainly Hawaii. The early migrants were nearly all males and worked mostly in agriculture, particularly on pineapple and sugarcane plantations. Migration to the United States was at very low levels between 1934 and 1965 because of then-restrictive legislation in that country. In 1965, the United States enacted the Immigration and Nationality Act, which opened up migration from all regions of the world by allotting equal quotas for most countries. After that, Australia, Canada and New Zealand also amended their pro-European immigration policies, and migration from the Philippines resumed.

Low rates of domestic economic growth and foreign investment have prompted the Government of the Philippines to rely on overseas employment to reduce unemployment in the country and for remittances. The Government set up the Philippine Overseas Employment Administration (POEA) to recruit, register and verify the qualifications of prospective migrants. Placement of workers is done primarily by more than 1,000 licensed recruitment and manning agencies. Recruitment agencies find land-based employment and are permitted to charge fixed placement fees for their services. Manning agencies find employment for seafarers; although they are not allowed to collect placement fees, which must be paid by employers, violations exist. Another government agency, the Overseas Workers Welfare Administration (OWWA) is responsible for workers' welfare while they are overseas. Both POEA and OWWA are agencies within the Department of Labour and Employment.

More than 100,000 migrant workers were first deployed from the Philippines in 1979. The number climbed steadily, reaching 446,095 in 1990, 653,574 in 1995, 841,628 in 2000 and 933,588 in 2004 (Asis, 2006). Since 1995, roughly one fourth of the workers deployed each year have been sea-based. In 2005, POEA deployed 733,970 land-based and 247,707 sea-based workers. In recent years, half of the land-based deployments have been to the Middle East and more than one third to other countries in Asia (table 9). Within Asia, the number deployed to Hong Kong, China in 2005 totalled 94,553 while 42,586 were deployed to Japan, 27,599 to Singapore and 46,714 to Taiwan Province of China (POEA, 2007). There are currently 1 million Filipino workers in Saudi Arabia alone (DeParle, 2007).

**Table 9. Number of land-based Filipino workers deployed, by region, 2004 and 2005**

Region	2004		2005	
	Total number	Per cent	Total number	Per cent
Asia	266,609	37.8	253,276	34.5
Middle East	352,314	50.0	393,654	53.6
Europe	55,116	7.8	51,970	7.1
Americas	11,692	1.7	11,258	1.5
Africa	8,485	1.2	9,098	1.2
Trust Territories	7,177	1.0	7,595	1.0
Oceania	3,023	0.4	2,859	0.4
Unspecified	170	0.0	4,260	0.6
<b>Total</b>	<b>704,586</b>	<b>100.0</b>	<b>733,970</b>	<b>100.0</b>

Sources: POEA, 2007.

Since 1992, more than half of the “new hires” (as distinct from those renewing their contracts) land-based workers deployed by POEA have been women. The proportion of females increased from 50 per cent in 1992 to 61 per cent in 1998 and peaked at 72 per cent in 2001 (POEA, 2007).

Although the majority going overseas each year consists of low- or semi-skilled workers, the Philippines officially deploys large numbers of professional and technical workers (table 10).

**Table 10. Number of Filipino workers deployed, by occupation and by sex, 2006**

	Males		Females		Not specified		Total	
	Number	%	Number	%	Number	%	Number	%
Administrative and managerial related workers	528	0	289	0	0	0	817	0
Agricultural, Forestry and fishery related workers	716	1	91	0	0	0	807	0
Clerical and related workers	3,271	3	4,640	3	1	3	7,912	3
Production and related workers	80,240	65	23,338	13	6	16	103,584	34
Professional and technical	17,212	14	24,042	13	4	11	41,258	13
Sales Workers	2,405	2	3,111	2	1	3	5,517	2
Service Workers	16,135	13	128,160	69	26	68	144,321	47
Others	3,161	3	745	0	0	0	3,906	1
<b>Total</b>	<b>123,668</b>	<b>100</b>	<b>184,416</b>	<b>100</b>	<b>38</b>	<b>100</b>	<b>308,122</b>	<b>100</b>

Source: POEA, 2007.

In order to promote better conditions for domestic workers, POEA announced on 15 December 2006 that from 1 March 2007 all domestic workers deployed overseas would need to be at least 25 years old and would be required to undergo language and skills training. A minimum wage of US\$ 400 per month was established and recruitment agencies were banned from charging placement fees from migrant workers. Current and potential migrants have protested, with the result that the minimum age has been lowered to 23 years and only new hires are required to undergo training and competency assessment. Nevertheless, on 15 February 2007, Asian Migration News reported that placements of domestic workers had fallen by 50 per cent since the new rules were announced, largely because of the specified minimum wage. The new policy is likely to continue to be the subject of intense debate in the near future. It is a stark example of the tradeoffs that governments face between protecting their overseas workers and efforts to promote such employment.

However, not all overseas workers from the Philippines are officially deployed by the Government, and some are not authorized to work at their destination. Many overstay their visas in Japan, the Republic of Korea and the United States. A large Filipino community lives with irregular status in East Malaysia. Initially, workers were brought from Mindanao during British colonial rule in former Malaya, but conflict in Mindanao also prompted many to relocate. In 1997, when East Malaysia attempted to regularize unauthorized migrants, 119,128 Filipinos registered; however, this number is assumed to be far from complete. As of 2001, Battistella (2002) estimated that there were about 587,000 Filipinos in Sabah, East Malaysia, of whom 380,000 held regular work permits.

The large number of Filipino workers overseas forms an important source of foreign exchange for the country. Remittances sent through formal channels totalled US\$ 8.5 billion in 2004 and US\$ 10 billion in 2005, or approximately 10 per cent of GDP (Asis, 2006). DeParle (2007) cited an estimate that remittances in 2006 totalled US\$ 15 billion, or 14 per cent of GDP. Hugo (2005) estimated that the US\$ 7.6 billion remitted in 2003 equalled roughly one fifth each of the country's imports and exports.

In 2000, according to Hugo (2005), some 17,000 students from the Philippines were studying abroad. However, Lucas (2001) noted that there were 840,000 college-educated Filipinos in the United States during that year.

A contentious issue surrounding migration from the Philippines is the impact that it has on development within the country. Space does not permit a full consideration of the issues involved, but the migration of highly skilled workers has frequently been cited. OECD (2003) stated that "... the loss of large numbers of nurses from the Philippines has almost certainly led to the deterioration of health services in that country." It noted that 70 per cent of the 7,000 nurses who graduated each year were leaving the country. Asis (2006) noted, however, that the international demand for nurses had led to the establishment of many nursing schools and increased enrolments, so the issue should not be treated as a zero-sum equation.

Experience of international migration has fostered a migration culture in the Philippines. A survey in 2003 found that 47 per cent of children aged 10-12 years, and 60 per cent of the children of migrants, said that they wished to work abroad someday (Asis, 2006). An international outlook may be seen as a positive attribute; however, the question remains as to whether such a view impedes development when so few citizens anticipate achieving success within the country.

A more critical issue is the extent to which the Government relies on international migration to reduce unemployment and promote earning, a policy that it has acknowledged by setting the goal of deploying 1 million migrants a year. While POEA has made remarkable achievements, Asis (2006) argued that because of the country's success in deploying labour, the Government had failed to develop and strengthen other development processes and had little to show for three decades of overseas employment. The US\$ 10 billion per year currently being received in remittances is important to the economy but its impact beyond the family level is not clearly apparent. The issue of remittances is mentioned with caution because any attempt by the Government to use remittances to promote national development is likely to be counterproductive.

Given the low rate of economic growth and high unemployment rates, it is also not apparent that the millions of migrant workers who have returned to the country with overseas experience and savings have had an impact on development. Government efforts towards this aim have been feeble. The Expanded Livelihood Development Programme provides business loans to returnees and others, but the maximum amount that can be borrowed is 100,000 Peso (about US\$ 2,100) (Villalba, no date). In summary, migrant labour has become a very successful industry for the Philippines but has yet to demonstrate a major impact on overall economic development.

## **In-migration**

Very few foreigners reside in the Philippines. Asis (2006) reported that 36,150 foreign nationals were residing in the country in 2005, including some long-time migrants from China and India, and retirees from the United States. In 2003, there were only 9,168 foreigners with work permits in the Philippines, presumably mostly professionals.

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# REPUBLIC OF KOREA

Development indicators	
Population, 2007 (in 1,000)	48,456
Population growth rate, 2007 (%)	0.5
Growth rate of population aged 15-39 years, 2005-2010 (%)	-0.8
Total fertility rate, 2007	1.2
Percentage urban, 2007	81.0
Net migration rate, 2005 (per 1,000)	-0.2
Per capita GDP, 2006 (at current prices in US Dollars)	15,962.4

## Key issues

- The Republic of Korea faces similar population and migration challenges as Japan. An extremely low fertility rate will lead to a declining total population and workforce. While these issues may imply the need for more immigrants to sustain the economy, the country has traditionally been closed to migration and has a relatively homogeneous culture, so official policy and public opinion have been reluctant to admit migrants other than small numbers of temporary workers.
- The total population of the country is not projected to begin to decline until after 2025 but the population in the young workforce age group of 15-39 years have already started declining and is estimated to decline by 0.8 % between 2005 and 2010. In an approach similar to that taken by Japan, there exists the category which permits the entry and employment of descendants of former emigrants, in this case primarily ethnic Koreans who are Chinese nationals. Unlike Japan, however, it does not require that all migrant workers be skilled.
- While there have been charges of abusive treatment and failure to pay wages to trainees and migrants in irregular status, official steps have been taken to correct these problems. The industrial trainee system is being phased out and all foreign workers brought under the employment permit system, which grants them full rights as workers. A new Labour Relations Act took effect on 1 July 2007 that, inter alia, establishment of a Commission for Discrimination Correction to handle cases of discrimination (Scalabrini Migration Center, 2007).
- The country aims to prevent the permanent settlement of most migrant workers by fixing a maximum age of 40 years for applying for a work permit. International experience shows, however, that having large numbers of temporary foreign workers inevitably leads to some degree of settlement. In addition, even if the individual workers change, the system has already led to a permanent presence of several hundred thousand foreign workers, whose number must be assumed to increase. The issue of how to accommodate this growing presence of foreign workers, spouses and others can be expected to be a matter for public debate for some time. If the rapid pace of social and economic change in the Republic of Korea over the past few decades is any indication, however, it is possible that the country could adopt a much more international culture in a surprisingly short time.

## Social and economic context of migration

The Republic of Korea achieved the most spectacular transformation of any country in Asia during the second half of the twentieth century. Its infrastructure and economy were devastated by the Korean War between 1950 and 1953. Initial recovery was slow, with per capita GNP equalling only US\$ 142 as late as 1967, when the population was two-thirds rural (Park, 2004). Normally, urbanization proceeds at a gradual pace. In the Republic of Korea, economic growth was based initially on light industry and workers flowed into the cities for employment. The proportion of the population living in urban areas increased from 41 per cent in 1970 to 48 per cent in 1975 and 57 per cent in 1980. It continued to surge from 65 per cent in 1985 to 78 per cent in 1995 and currently stands at 81 per cent, the highest in Asia, excluding the much smaller city-States that are 100 per cent urban (United Nations, 2004).

The country has progressed beyond its strong reliance on industry to attain an economy in which services and technology are important. Between 1990 and 2003, the proportion of the workforce in agriculture was halved from 17.9 per cent to 8.8 per cent. The proportion in industry also declined from 35.4 per cent to 27.6 per cent. Some 63.5 per cent of the workforce is now in the services sector (ILO, 2006). As required for an economy in which high technology is a key factor, educational enrolment rates are high. Net enrolment rates at the secondary level were 89 per cent of females and 88 per cent of males in 2001. Gross enrolment at the tertiary level in 2001 was 61 per cent for females and 102 per cent<sup>1</sup> for males (ADB, UNDP and ESCAP, 2006).

Per capita GDP has risen rapidly together with economic development, reaching US\$ 10,891 in 2000, despite falling by more than 5 per cent in 1998 as a result of the Asian economic crisis. In 2006, per capita GDP was US\$ 15,962, which was ten times that of China, the main source for migrant workers in the Republic of Korea.

Slow growth of the domestic workforce during the period of rapid economic growth has also created a demand for migrant workers. The total fertility rate in the Republic of Korea was only 1.2 in 2007, slightly lower than that in Japan, and the population increased by only 0.5 per cent, furthermore, the young workforce age group of 15-39 years is expected to decline by 0.8 % between 2005 and 2010 (United Nations, 2007).

The economic and demographic trends described above have caused abrupt turnarounds in international migration in the country. In 1982, about 225,000 emigrants and temporary contract workers left the country. After that, however, the number of contract workers going abroad plummeted and, by 1992, the number of foreign workers in the country exceeded the number of Koreans leaving it (Lucas, 2001). These opposing trends have continued since then.

## Out-migration

The Ministry of Foreign Affairs and Trade estimates that there are more than 6.7 million Koreans living overseas (see table 11). The Law on Immigration and Legal Status of Overseas Korean defines overseas Koreans very broadly as Korean nationals including those with permanent residents of the host country; and former Korean nationals who have citizenship of the host country, including those who left Korean peninsula before the establishment of the Republic of Korea in 1945 and their descendants up to the third generation. There are 3,763,335 Korean nationals with the right of permanent residence. Among them, many of the 523,119 permanent residents in Japan are the descendants of Koreans who migrated to Japan during the Second World War and have never lived in the Republic of Korea.

<sup>1</sup> The gross enrolment rate is the number of all students at an educational level divided by the population in the appropriate age group. If outstanding number of students other than the students in the age group is enrolled, the ratio can be more than 100%.

**Table 11. Estimated number and location of overseas Koreans, 2008**

Region	Total number	Percentage	Percentage increase from 2006
<b>Asia</b>	<b>3,761,362</b>	<b>55.4%</b>	<b>2.9%</b>
Japan	629,236	9.3%	-30.2%
China	2,761,954	40.7%	13.2%
Philippines	91,477	1.3%	98.9%
Viet Nam	53,800	0.8%	224.6%
Mongolia	2,500	0.0%	67.0%
Others	222,395	3.3%	-10.9%
<b>Americas</b>	<b>2,349,853</b>	<b>34.6%</b>	<b>-1.8%</b>
United States of America	2,023,653	29.8%	-3.1%
Canada	218,716	3.2%	10.4%
Central and South America	107,484	1.6%	0.3%
<b>Europe</b>	<b>655,934</b>	<b>9.7%</b>	<b>2.4%</b>
Commonwealth of Independent States	543,456	8.0%	2.4%
European Union	108,867	1.6%	4.4%
Others	3,611	0.1%	-33.9%
<b>Middle East</b>	<b>9,340</b>	<b>0.1%</b>	<b>34.9%</b>
<b>Africa</b>	<b>8,399</b>	<b>0.1%</b>	<b>6%</b>
<b>Total</b>	<b>6,784,888</b>	<b>100.0%</b>	<b>2.2%</b>

Source: *Adopted from the Current Status of Overseas Koreans, Ministry of Foreign Affairs and Trade, Republic of Korea, 2008.*

The number of overseas Koreans expanded significantly in the Philippines, Mongolia and Viet Nam, reflecting increasing migration for less expensive education and business.

Like many developments in the Republic of Korea, trends in the deployment of overseas contract workers were rapid and sharp. Most workers went to the oil-producing countries of the Middle East, many with Korean construction firms. In 1975, only 21,000 migrants were deployed but that number increased to its peak of 197,000 in 1982. The numbers then fell equally rapidly to 95,000 in 1986 and continued to decline (Skeldon, 1993). In 2005, only 13,199 persons from the country reported that they were travelling overseas for contract employment (Korean Immigration Bureau, 2005).

While the number of Koreans deployed as contract workers dropped quickly, the numbers travelling overseas in all other categories expanded very rapidly. In 2001, nearly 6.1 million nationals of the Republic of Korea travelled abroad. While 2.6 million trips were for tourism, 1.56 million were for commercial business and 626,000 were for study or training (Lee, 2005).

Enrolment in tertiary education within the country is high, but significant numbers also go abroad for study. Around 2000, there were 214,000 students overseas, more than the number from Japan (191,000) (Hugo, 2005). Some 45,700 of those students were in the United States (OECD, 2003). The United States is a favoured destination for Korean students and other migrants; in 2000, 440,000 college graduates from the Republic of Korea were residing in the United States (Lucas, 2001). Concern has been expressed about the loss of highly-skilled persons from the Republic of Korea, but its rapid rates of economic growth apparently indicates that having hundreds of thousands of students overseas at any one time was not a severe barrier. A highly-skilled diaspora can benefit economic development by creating networks and exchanging of information, investment and technology that promote trade and other business (Lucas, 2001).

## In-migration

Rapid economic growth, combined with a slowing of the growth rate of the working age population, created labour shortages in the Republic of Korea by the early 1990s. The industrial trainee system was introduced in 1993 to allow small and medium-sized companies in the country to employ foreign trainees. By 2005, there were 77,448 foreign trainees working in the country, and between mid-2004 and mid-2006 the number was between 30,000 and 40,000 (Park, 2007). Because the trainees did not have the legal status of workers, there were reports of abuse and other complaints (Amnesty International, 2006). The trainee system resulted not only in a rapid increase in the number of trainees working in the country but also in the number of persons overstaying their visas and presumably continuing to work. The number of overstayers peaked at 289,239 in 2002 but remained at more than 180,000 between 2004 and 2006 (Park, 2007).

In 2007, phasing out of the industrial trainee system began, with those already in permitted to remain but with no new trainees entering. All foreign workers are now registered with the employment permit system, which entered into force in August 2004. Companies with fewer than 300 employees may bring in foreigners aged below 40 if they are not able to recruit Korean nationals. The Government has signed MoUs with 14 countries for them to provide migrant workers, including Cambodia, China, Indonesia, Mongolia, the Philippines, Thailand and Viet Nam. The migrants may work in the country for a maximum of three years but then must leave for at least one month if the worker is re-employed by the same employer or six months if the worker changes employers. This system is aimed at providing migrant workers with legal status and at ending human rights violations against them, but complaints about its uneven implementation persist (Amnesty International, 2006). In 2007, the Ministry of Labour announced that the system would accept 109,600 migrant workers, up from 105,000 in 2006. The quota included 60,000 ethnic Koreans with foreign citizenship and 49,600 others, according to the Asian Migration News (Scalabrini Migration Center, 2007).

In 2005, 747,467 foreigners were resident in the Republic of Korea, including visa overstayers. Of that total, 282,030 were from China, including 167,589 Korean-Chinese. Those from the United States totalled 103,029 while there were between 30,000 and 40,000 each from Japan, the Philippines, Thailand and Viet Nam (Korean Immigration Bureau, 2005). At the end of 2005, there were 345,579 foreigners working in the country, including 126,497 (37 per cent) with work permits, 38,290 (11 per cent) trainees and 180,792 (52 per cent) visa overstayers. By mid-2006, the number of foreign workers in the country had increased to 394,511, including 166,599 (42 per cent) with work permits, 38,692 (10 per cent) trainees and 189,220 (48 per cent) persons who had overstayed their visas. Foreigners comprise about 2 per cent of the workforce (Park, 2007).

In 2006, there were 25,563 professional and highly-skilled foreigners in the Republic of Korea, more than half of whom were language teachers (Park, 2007). This figure is relatively low (compared with 90,000 in Singapore and 154,000 in Thailand in the same year), perhaps because of the high educational levels in the country and because of the large pool of nationals with overseas tertiary education. The Republic of Korea also has only a small number of foreign students – 4,392 in 2002, with 89 per cent of them from Asia (Hugo, 2005).

A category of immigrant that is expanding at a rapid rate is spouses, especially brides. In 2005, 13.5 per cent of all marriages in the country involved a foreign national; in rural areas, the proportion was 40 per cent. Marriages between a Korean man and a foreign woman totalled 31,180, or 9.9 per cent of all marriages. As of April 2006, 55,408 females in the country had entered for marriage. Among them were ethnic Koreans from China (42.5 per cent), Chinese (20.7 per cent), South-East Asian nationals (20.3 per cent), Japanese (8.5 per cent) and nationals of other countries (7.9 per cent) (Kim, 2006).

Until 2001, the Republic of Korea had not admitted any refugees under the United Nations Convention related to the Status of Refugees, 1951. By 2005, it had received applications from 809 asylum seekers and had granted refugee status or “person of concern” status to 69 of those applicants (Korean Immigration Bureau, 2005).

People fleeing from the Democratic People’s Republic of Korea are not considered refugees but as Koreans with the right to reside in the Republic of Korea. Before 1998, the annual number of such persons was less than 100, but subsequently it began to rise quickly. According to the Ministry of Unification of the Republic of Korea, a total of 8,661 persons from the Democratic People’s Republic of Korea arrived in the country between 1990 and 2006 (cited in Tanaka, 2008).

Initially, most were male officials or military personnel, but recently it has consisted mostly of families leaving primarily for economic reasons. The proportion of females has increased with this change and totalled 59 per cent in 2003. Most people cross first into China, then either seek asylum in a foreign embassy there or travel on to third countries such as Thailand (Lee, 2005).

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# SINGAPORE

Development indicators	
Population, 2007 (in 1,000)	4,543
Population growth rate, 2007 (%)	1.3
Growth rate of population aged 15-39 years, 2005-2010 (%)	0.29
Total fertility rate, 2007	1.3
Percentage urban, 2007	100.0
Net migration rate, 2005 (per 1,000)	9.3
Per capita GDP, 2006 (at current prices in US Dollars)	28,033.54

## Key issues

- Migration policy makers in Singapore does not only attempt to admit an optimal number of migrants but also balance those numbers by skill level and country of origin in order to sustain the country's remarkable economic and social achievements while also maintaining social harmony.
- Singapore could not have attained its high rate of economic growth without large numbers of foreign workers (Rahman, 2006). With fertility currently far below the replacement level, migration will be necessary to prevent population decline and a rapid shift in the age structure toward older age groups.
- Migration currently accounts for about 75 per cent of Singapore's population growth, but the United Nations (2005a) projects that by 2025-2030 the number of deaths will surpass the number of births and migration will thus account for all population growth.
- In deciding on the number of foreign workers to admit, however, the Government determines the appropriate skills mix in order to promote economic development based on professional services and high technology. In 2006, skilled workers and professionals constituted 13.4 per cent of the non-resident working population (Yeoh, 2007).<sup>1</sup> The objective of achieving a knowledge-based economy explains why highly-skilled foreigners can be accompanied by their dependants and are able to apply for permanent residence, whereas low-skilled workers may do neither. Over-reliance on low-skilled workers is also discouraged by the dependency ceiling, the foreign worker levy and the requirement to post a 5,000 Singapore Dollars (S\$) security bond.
- Another objective of migration policy is to maintain the ethnic composition of the resident population, which, in 2000, comprised 77 per cent Chinese, 14 per cent Malays, 8 per cent Indians and somewhat more than 1 per cent of other ethnic groups (Yeoh, 2007).

<sup>1</sup> Permanent residents are not included in the definition of non-resident as defined by Department of Statistics of Singapore.

## Social and economic context of migration

Singapore, a fully urban island state, has managed its economic and social development extremely effectively since the period prior to its full independence in 1965, and its migration policies have been an integral part of its development planning.

When British Malaya gained independence in September 1963, Singapore was a state within the Federation of Malaysia but it separated from the Federation in 1965. At that time, its prospects were bleak. The country had little industry. Its economy was heavily dependent on British military expenditure, which accounted for 20 per cent of GDP, 30,000 jobs in direct employment and another 40,000 jobs in support services, but British bases were closed between 1968 and 1971 (Lee, 2000). Its population growth rate was 2 per cent a year.

Due to these economic circumstances, migration was limited between 1965 and 1975. After independence, Singapore developed its economy by focusing on manufacturing for export, partially financed by direct foreign investment. As the economy grew, a demand for manufacturing, construction and domestic services workers developed and the Government of Singapore signed bilateral agreements with Bangladesh, India, the Philippines and Sri Lanka to provide them. Consequently, the number of foreigners holding an employment pass or work permit (considered as non-residents) doubled between 1970 and 1980 (see table 12). In the 1980s, the Government began to orient the country's development towards the service and financial sectors, then towards technology-related areas (Yeoh, 2007). While the economy was undergoing this transition, the number of non-residents again doubled in both the 1980s and 1990s. The proportion of the workforce employed in the industrial sector reached 34.2 per cent in 2000 but subsequently declined rapidly to 24.1 per cent by 2003 (ILO, 2006).

Per capita GDP grew by 66 per cent in the first five years of independence to reach US\$ 4,470 in 1970. Economic growth has remained impressive since then, with per capita GDP reaching US\$ 4,904 in 1980, US\$ 12,281 in 1990 and US\$ 23,042 in 2000 (IMF, 2007). Economic growth has been accompanied by strong social development. In 2007, life expectancy was 82 years for females and 78 years for males. The recorded infant mortality rate is only 3 per 1,000 live births (ESCAP, 2007).

**Table 12. Population of Singapore by residence status, 1970-2005**

Year	Residence status			
	Total	Citizens	Permanent residents	Non-residents
<b>1970</b>				
Number	2,074,507	1,874,778	138,785	60,944
Percentage	100.0	90.4	6.7	2.9
<b>1980</b>				
Number	2,413,945	2,194,280	87,845	131,820
Percentage	100.0	90.9	3.6	5.5
<b>1990</b>				
Number	3,016,379	2,595,243	109,872	311,264
Percentage	100.0	86.0	3.6	10.3
<b>2000</b>				
Number	4,017,733	2,973,091	290,118	754,524
Percentage	100.0	73.9	7.2	18.8
<b>2005</b>				
Number	4,351,400	3,553,500	Citizens and permanent residents	797,900
Percentage	100.0	81.7		18.3

Source: Yeoh, 2006 and 2007.

Like other highly developed countries in East and South-East Asia, however, Singapore will soon confront a major shift in its age structure towards an older population as a result of very low fertility and increasing life expectancy. Persons aged 65 years and older constituted 8.5 per cent of the population in 2005, a proportion that is projected by the United Nations (2005a) to increase to 22.3 per cent in 2025 and 30.0 per cent in 2035. Currently, the ratio is 8.5 persons aged 15-64 years to each person aged 65 years and older, but by 2025 that ratio will drop to only 2.9:1. These changes will take place although the United Nations assumes that annual net migration to Singapore will equal about 6 persons per 1,000 between 2005 and 2025. The population in the young workforce aged 15-39 years, the group in which most migrants are concentrated, is projected to remain essentially constant at 1.5 million over the next 20 years even though the total population will grow by 19 per cent (United Nations, 2005b).

## Out-migration

In a country that has a high proportion of immigrants and which is solidly integrated into the global economy, significant out-migration would also be expected. Hugo (2005) calculated that 107,446 Singaporeans (about 2.5 per cent of the population) were resident in the main countries of immigration around the year 2000, of whom 37,414 were in Europe and Japan combined, 33,485 in Australia and 23,000 in the United States.

In the nine-year period from 1994/95 to 2003/04, some 22,300 Singaporeans migrated to Australia as settlers and 73,200 entered as long-term visitors (Hugo, 2005).

Because of the competitive labour market in Singapore, its students value an overseas education. In about 2000, 78,468 Singaporeans were studying abroad (Hugo, 2005).

## In-migration

Singapore has become a country of immigration, with foreigners constituting more than a quarter of the population and 30 per cent of the workforce. Among the countries in East and South-East Asia, Singapore is the most careful in calibrating in-migration in accordance with national origin, occupation, educational level and current state of the economy. Policy direction is established at the highest level, with the Prime Minister declaring in his 2006 National Day speech that immigration of the skilled and talented was a necessary strategy crucial to Singapore's long-term growth and prosperity (Yeoh, 2007).

As a result of those policies, the number of permanent residents in Singapore increased by 164 per cent between 1990 and 2000, while the non-resident population grew by 142 per cent (see table 12).

Skilled and professional foreign workers in Singapore may apply to become permanent residents. To apply for citizenship, foreigners must have been a permanent resident for two to six years immediately prior to applying, be of good character, intend to reside permanently in Singapore and be able to support themselves and their dependants. In 2005, nearly 13,000 people became citizens (Yeoh, 2007).

Increases in the number of foreign workers in Singapore have paralleled increases in the number of non-residents, as more than 80 per cent of non-residents are in the workforce. The number of foreign workers increased from 248,000 in 1990, when they comprised 16.1 per cent of the workforce, to 612,200 in 2000, when they made up 29.2 per cent of the workforce. By 2006, their number had increased to 670,000. Among the foreign workers, 580,000 (87 per cent) are in the low-skilled category and 90,000 are skilled or professional workers (Yeoh, 2007).

Yeoh (2006) described the system of incorporation of foreign workers in Singapore as bifurcated between low-skilled and highly-skilled; however, the system is actually more complex, as regulations within those two main categories vary by skill level, income and occupation. Skilled and professional workers hold employment passes. If they earn at least S\$ 2,500 per month, they may bring immediate family members with them. (US\$ 1 equals approximately S\$ 1.5). If they earn at least S\$ 3,500 per month, they hold a different category of pass and may bring other relatives on long-term social visits.

Low-skilled foreign workers hold work permits that restrict their employment to a specified employer and occupation, and thus do not gain general access to the labour market. If their employment is terminated, they must leave Singapore within seven days. Unlike skilled workers, low-skilled migrants may not marry a Singaporean. If a female low-skilled worker becomes pregnant, she is repatriated without exception.

Low-skilled Malaysians and East Asians are permitted to work in most sectors. Those who are not from Malaysia or East Asia are generally allowed to work only in construction, shipbuilding or shipyard industries. In the case of females, however, East Asians are not permitted to work in the domestic service sector (Rahman, 2006). In 2006, domestic workers numbered about 160,000, or one for every seven households, and came mainly from Indonesia, the Philippines and Sri Lanka (Yeoh, 2007).

The number of low-skilled workers is also regulated by the dependency ceiling and the foreign worker levy. The dependency ceiling sets the maximum percentage of foreign workers that an employer may hire. For example, effective from 1 July 2005, the dependency ceiling in manufacturing is 60 per cent and that in the services sector is 40 per cent. The ceiling is adjusted from time to time, taking into account economic conditions (Rahman, 2006).

In an effort to prevent low-skilled foreign workers from depressing the general wage level in Singapore and to encourage high-productivity employment, a monthly levy is imposed on employers for each low-skilled foreign worker. The levy ranges from S\$ 50 to S\$ 470, according to the economic sector and worker skills level. In addition, employers of work-permit holders must post a S\$ 5,000 security bond for each non-Malaysian worker and carry personal accident insurance coverage of at least S\$ 10,000 for each domestic worker (Yeoh, 2007).

As part of the effort to develop Singapore as a knowledge-based global services centre, since 1997 the Government has promoted the country as an international hub for education from the primary to the university level. In 2006, there were 66,000 foreign students in Singapore but a government economic review panel recommended that a target of 150,000 foreign students by 2012 be established (Yeoh, 2007).

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# THAILAND

Development indicators	
Population, 2007 (in 1,000)	62,829
Population growth rate, 2007 (%)	0.5
Growth rate of population aged 15-39 years, 2005-2010 (%)	-0.61
Total fertility rate, 2007	1.6
Percentage urban, 2007	36.0
Net migration rate, 2005 (per 1,000)	0.6
Per capita GDP, 2006 (at current prices in US Dollars)	2,930.56

## Key issues

- The Government of Thailand faces many important policy issues because of the magnitude of migration to the country. More than 875,000 foreign workers in Thailand hold work permits, either for highly-skilled or low-skilled jobs. In addition, there are at least 500,000 (and probably many more) migrant workers with irregular status who have either overstayed their entry visas or entered the country irregularly. The Government has instituted measures to register undocumented migrant workers from Cambodia, the Lao People's Democratic Republic and Myanmar, and issued work permits to more than 700,000 of them annually in 2004, 2005 and 2006.
- Thailand has attempted to make labour migration to the country a completely transparent and legal process. Towards that end, it has signed an MoU on labour migration with each of its three neighbouring countries. However it took a few years to implement the recruitment of migrant workers under the MoU process and it accounted for only 7 per cent of the low-skilled work permits issued by Thailand in 2006.
- More than 90 per cent of the low-skilled work permits granted in 2006 were issued to migrants who were already in Thailand. Although nearly 670,000 such work permits were issued, it is likely that large numbers of migrants did not obtain one because of the high cost, the complexity of the registration system, the limited period allowed for registration and the lack of clear information about the process. In order to expand the coverage of the migrant worker registration system, the Government of Thailand is addressing each of these barriers.
- Although the Labour Protection Act of 1998 does not exclude migrant workers, many employers do not consider that migrants have the same labour rights as Thai workers (Pearson and others, 2006). It is particularly difficult to enforce labour rights and standards in an agricultural setting or on fishing boats. Household workers are also at a disadvantage because their employment is not covered by labour legislation. Exploitation of migrant workers is not uncommon in more formal work places such as factories that produce garments and textiles (Arnold and Hewison, 2006). As migrant workers are becoming a permanent and expanding segment of the workforce in Thailand, it is important that national labour standards be applied in their places of work. Enforcing such rights and standards would benefit not only foreign migrants but also Thai workers.

- The current registration of migrant workers applies only to persons at least 15 years old, the minimum age for employment in Thailand. Many migrants bring their children with them or have children born to them in Thailand, however. The free migrant registration carried out by the Ministry of Interior in July 2004 recorded 93,000 persons aged below 15 years. Although a Cabinet decision of July 2005 provided for the education of all children in Thailand, only a low percentage of the children of migrants are enrolled in Thai schools. Many of the others may be working but, because their employment is not legal, they are vulnerable to exploitation (Vungsiriphal and others, 1998). Some of the children born to migrants in Thailand remain stateless because the parents encounter difficulty in obtaining birth certificates.
- A proportion of migrant workers in Thailand, perhaps as high as 12 per cent (World Vision Foundation of Thailand, no date), could be defined as having been trafficked, largely because of the exploitative situations in which they are employed. A more systematic process for identifying victims of trafficking should be established. Labour inspectors with Provincial Labour Offices should be more proactive in monitoring work places and officers of Provincial Immigration Bureaus should put in place procedures for screening migrants detained for irregular entry to determine if they are victims of trafficking.

## Social and economic context of migration

Among the countries considered in this report, Thailand best exemplifies the myriad linkages between social and economic development and international migration. The country has provided sanctuary to more than 1.2 million asylum seekers and displaced persons over the past 32 years. It has formally deployed large numbers of workers, initially to the Middle East and more recently within East and South-East Asia. It currently provides employment for upwards of 1 million foreign workers with both regular and irregular status. The country is a point of transit for international travel and migration between other countries. Many of its nationals study overseas but Thailand attracts increasing numbers of secondary and tertiary students. Many of the factors that cause large-scale migration to and from Thailand have also led to trafficking in persons.

The diversified economy of Thailand benefits from the export of agricultural and manufactured products, gems and jewellery; currently, however, the largest earner of foreign exchange is the tourism sector. Thailand's exports considerably exceed those of, for example, India, Indonesia or the Philippines (Hugo, 2005). Immigration statistics indicate that 13.8 million foreigners entered the country in 2005. Economic growth has generally been robust since the 1960s although GDP fell during the Asian economic crisis of 1997-1998. Thailand's active participation in the global economy has caused a steady shift in the workforce structure. The proportion of the workforce in agriculture fell from 63 per cent in 1990 to 45 per cent in 2003. During the same period, the proportion in industry and services increased from 14 per cent to 20 per cent and from 23 per cent to 35 per cent, respectively (ILO, 2006).

Social indicators have improved in parallel with the economy. Fertility is well below the replacement level and infant mortality is only 16 per 1,000 live births (ESCAP, 2007). School enrolment has improved in recent years and, in 2000, gross enrolment rates in secondary school were 85 per cent for males and 81 per cent for females. Gross enrolment rates at the tertiary level were 35 per cent for males and 38 per cent for females in 2001 (ADB, UNDP and ESCAP, 2006).

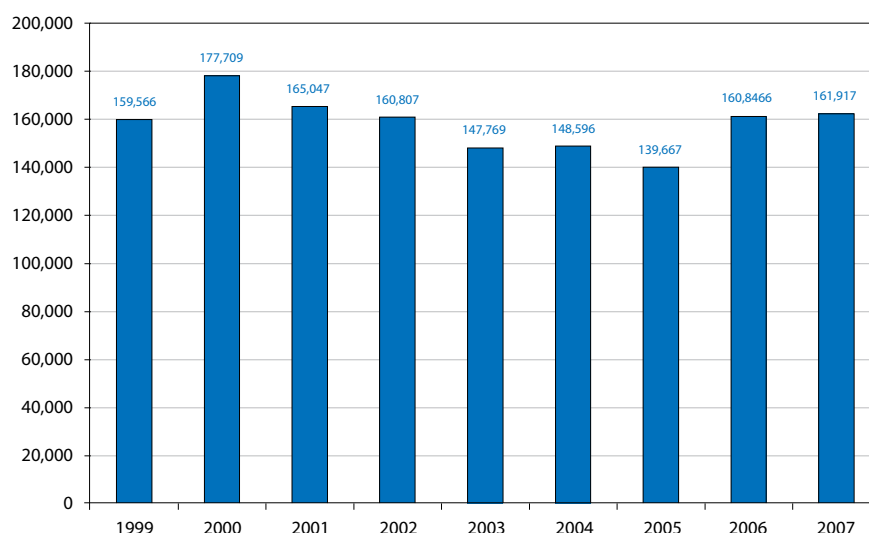
## Out-migration

The number of long-term emigrants from Thailand is modest. Hugo (2005) calculated that 261,626 Thai nationals were living in the main immigration countries around 2001, including 142,000 in the United States, and 82,100 in 1999 in Europe and Japan combined.

Thailand has officially deployed workers to foreign countries since the 1970s. The first year in which more than 100,000 workers were deployed was 1982 (108,519). In that year, 97 per cent of the workers went to the Middle East, including 35 per cent who were employed in Saudi Arabia. Since then, the numbers deployed have fluctuated. Fewer than 100,000 workers were deployed in 1983, 1984 and 1985, but more than 100,000 went abroad from 1986 to 1988 (Chalamwong, 1992). The number deployed increased rapidly during the early 1990s, from 63,200 in 1990 to a peak of 202,300 in 1995. Subsequently, the number generally

declined to 177,709 in 2000, slightly below 150,000 in 2003 and 2004 (Huguet and Punpuing, 2005), and 139,667 in 2005. However, the numbers have been back on increase in 2006 and 2007, with 160,846 and 161,917 workers deployed respectively (figure 16).

**Figure 16. Total number of Thai workers deployed to work overseas, 1999-2007**



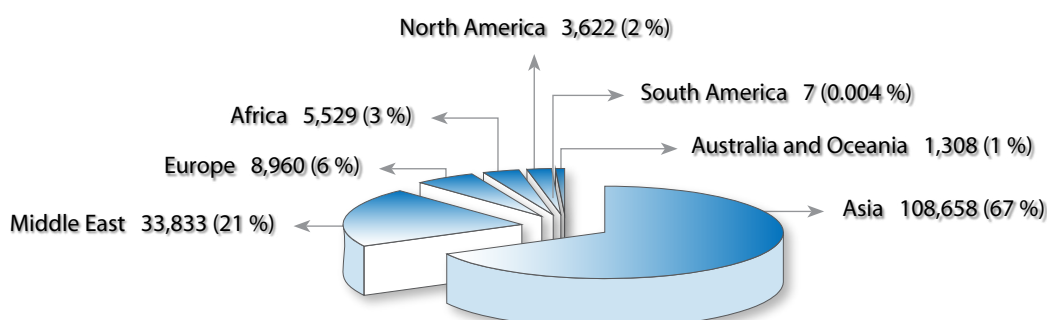
Source: Thailand Overseas Employment Administration (TOEA), 2008.

Unlike the situation of other countries that send large numbers of workers overseas, a large number of Thai nationals deployed are males. In 2007, males comprised 85 per cent of the 161,917 workers deployed. Those migrating for employment had relatively low levels of education. In 2007, 49 per cent of those deployed had only primary school education. The women workers had higher levels of educational attainment, however 63.5 per cent of the female migrants in 2007 had completed some level of education higher than primary school, compared with only 48.5 per cent of the males.

In 2007, 20 per cent of the 161,917 workers deployed from Thailand went to the Middle East and 67 per cent remained in Asia (figure 17). 32 per cent of those going to the Middle East were employed in Israel. 48 per cent of all Thai deployed workers in Asia went to Taiwan Province of China.

Hugo (2005) estimated that 66,243 Thai students were studying overseas around 2000.

**Figure 17. Total number and percentage of Thai workers deployed to work overseas by region, 2007**



Source: TOEA, 2008.

## In-migration

Thailand has historically provided sanctuary to groups fleeing from adverse political circumstances in South-East Asia and southern China. Sometimes, such refuge was openly offered and sometimes it was accorded grudgingly. Thailand provided asylum to more than 1 million refugees from Indochina beginning in 1975. Following the end of the United States-Viet Nam war in April 1975, about 158,000 Vietnamese made their way to Thailand either over land or by sea. Most were resettled in third countries but a small number were later repatriated.

During the same period, 320,155 asylum seekers entered Thailand from the Lao People's Democratic Republic (Huguet and Punpuing, 2005). More than 600,000 refugees from Cambodia entered Thailand during and after the period of the Khmer Rouge regime from April 1975 to January 1979. Between 1975 and 1992, more than 235,000 Cambodian refugees in Thailand were resettled in third countries, including 150,000 in the United States (Robinson, 1996). When stability returned, more than 370,000 refugees were repatriated to Cambodia in late 1992 and early 1993. Approximately 140,000 displaced persons from Myanmar are currently being given shelter in nine camps along the Thailand-Myanmar border. They are considered by the Government of Thailand to be fleeing fighting in their country and can therefore be offered temporary shelter. Countries such as the United States, Canada and Australia as well as European countries are also accepting them for resettlement.

In the past 10 years, however, the number of foreign migrant workers in Thailand has exceeded the number of asylum seekers. There are three main categories of foreign workers in Thailand:

- (a) Those entering on a valid passport and obtaining a work permit from the Ministry of Labour;
- (b) The approximately 500,000 persons who have overstayed their entry visas and must be assumed to be working; and
- (c) Registered and unregistered low-skilled migrants from Cambodia, the Lao People's Democratic Republic and Myanmar.

The number in the first group has increased steadily in parallel with Thailand's economic growth. Totalling 106,988 in 2004, the number increased to 135,984 in 2005 and 154,220 in 2006. The largest category of these mainly professional workers includes managers and accounted for 44 per cent of the work permits issued in 2006. The category that includes teachers accounted for 15 per cent of the work permits. The number of Japanese nationals with work permits is at least twice as many as that of any other country, reflecting the level of Japanese direct investment in Thailand. In 2006, 22,976 Japanese were issued work permits, compared with 11,268 Chinese and 9,296 Indians.

The Government of Thailand began cautiously admitting foreign low-skilled workers in the 1990s. A Cabinet decision in 1992 allowed employers in 10 provinces along the Thailand-Myanmar border to register workers. Another decision in 1993 permitted the fishing industry in 22 coastal provinces to hire foreigners.

**Table 13. Number of work permits issued for low-skilled employment in Thailand, 1996-2007**

Year	Number	Notes
1996	303,988	Two-year work permits in 39 provinces, 7 industries; finally 43 provinces, 11 industries.
1997	None	
1998	90,911	Provinces - 54, types of jobs - 47, extensions of 1996 permits.
1999	99,974	Provinces - 37; 18 sectors in 5 industries.
2000	106,684	Provinces - 37; 18 sectors.
2001	568,245	New government. All industries and jobs. Baht 3,250 for six-month permits and Baht 1,200 for six-month renewals.
2002	430,074	Renewals only.
2003	288,780	Renewals only.
2004	849,552	A total of 1,284,920 irregular migrants completed free registration with the Ministry of Interior as a first step.
2005	705,293	Renewals only.
2006	668,576	Renewals - 460,014; New issuance -208,562.
2007	532,305	Renewals only.

*Sources: Huguet and Punpuing, 2005; Maltoni, 2006; Martin, 2004; Office of Foreign Workers Administration, 2007.*

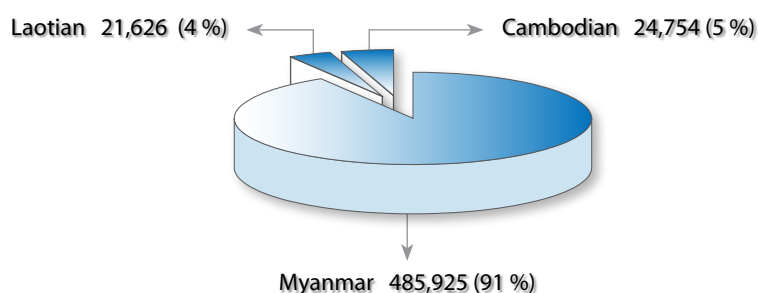
The scope of the work permit system was greatly expanded in 1996, eventually covering 43 provinces, with 303,988 work permits being issued (see table 13). The Cabinet decisions pertaining to the issuance of work permits to foreigners for low-skilled work applied only to nationals of Cambodia, the Lao People's Democratic Republic and Myanmar. No additional registration was carried out in 1997 because the 1996 work permits were for two years. Mainly because of the impact of the Asian economic crisis, which was triggered when Thailand floated the baht in early July 1997, the number of work permits authorized was reduced and only about 100,000 were issued annually in 1998, 1999 and 2000.

Businessman Thaksin Shinawatra became Prime Minister in 2001 and, under his administration, the work permit system for persons from the three neighbouring countries was greatly expanded. In 2001, the system was extended to all provinces and types of low-skilled work, and 568,245 work permits were issued in that year. It should be noted that work permits were issued to migrants from neighbouring countries who were already in Thailand with irregular status. Thus, the system was an attempt to give permission to stay to those who were irregular migrants. The Government envisaged establishing a system of work permits through bilateral exchanges with the Governments of the countries of origin, in which permits would be issued prior to the worker migrating to Thailand. Toward that end, Thailand signed MoUs on labour migration with the Lao People's Democratic Republic in October 2002, Cambodia in May 2003 and Myanmar in June 2003.

Implementation of each bilateral MoU was initially slow because rather elaborate mechanisms needed to be put in place. In the meantime, work permits continued to be issued to migrants with irregular status. The number declined in 2002 and 2003 because only renewals were issued. In July 2004, all migrants from the three neighbouring countries were permitted to register without a fee with the Ministry of Interior and allowed to stay in Thailand for up to one year in order to find employment. Some 1.28 million migrants, including dependants of workers, registered at that time and 849,552 people received work permits from the Ministry of Labour. In 2005 the number of work permit issuance declined to 705,293 because registration was confined to renewals. In 2006, in addition to 460,014 work permit renewals, there were 208,562 new work permit issuance. The total of 532,305 migrants renewed their work permits in 2007.

Of 532,305 migrants who renewed their work permits, 485,925 (or 91%) were from Myanmar, 21,626 (or 4%) were Laotians and 24,754 (or 5%) were Cambodians (figure 18). Agriculture, private domestic employment, fishing and fishery related industries and construction were the major industries employing these migrants (Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2007).

**Figure 18. Total number and percentage of work permit renewals by nationality, Thailand, 2007**



*Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2007.*

Their desire to migrate to Thailand because of the greater employment and higher wage opportunities makes many persons from neighbouring countries vulnerable to trafficking. The Bureau of Anti-Trafficking in Women and Children reported that in 2006 Thailand returned 105 trafficking victims to Cambodia, 1 to China, 278 to the Lao People's Democratic Republic, 90 to Myanmar and 5 to Viet Nam (Huguet and Ramangkura, 2007). The Government of Thailand has passed the Anti-Trafficking in Persons Act in 2008, in which both men and women victims of trafficking are protected.

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# TIMOR-LESTE

Development indicators	
Population, 2007 (in 1,000)	1,155
Population growth rate, 2007 (%)	3.7
Growth rate of population aged 15-39 years, 2005-2010 (%)	3.74
Total fertility rate, 2007	6.6
Percentage urban, 2007	28.0
Net migration rate, 2005 (per 1,000)	11.5
Per capita GDP, 2006 (at current prices in US Dollars)	364.64

## Key issues

- Timor-Leste is facing a number of issues concerning the absorption of former exiles and refugees. The national Parliament passed an Immigration and Asylum Law in September 2003 that, among other provisions, requires immigrants to give up any other national passport. Many of those holding Australian, Indonesian and Portuguese passports, for example, are reluctant to do so; they are then required to pay a tax on foreigners of US\$1 a day.
- Society is trying to come to terms with how to treat those persons who fled to Europe or Australia during the period of Indonesian rule, compared to those who remained in the country. Many of the refugees who have returned from West Timor are persons who were opposed to independence for Timor-Leste, and their reintegration in local communities is a challenge.
- These issues have been exacerbated by political instability and the lack of economic opportunity. About half of the workforce is unemployed or underemployed because of the destruction of infrastructure, lack of human resources and the very young age structure of the population. In these circumstances, it might be expected that Timorese would attempt to migrate to other countries for employment. Out-migration is limited, however, because most of the population cannot afford the associated costs and lack the necessary skills.

## Social and economic context of migration

Having achieved full independence in 2002, Timor-Leste is the newest nation in Asia but also one of the smallest and poorest. Migration issues are integral in its early stages of development as it seeks ways to absorb and resettle large numbers of internally displaced persons, former exiles and refugees.

The exceptionally high population growth rate results from a combination of extremely high rates of fertility and return migration. After a period of war and displacement, it is common for a population to experience high fertility rates as people resume marriage and childbearing that had been postponed during times of turbulence. The high fertility rates result in a high proportion of young persons in the population. In 2005, about 41 per cent of the population in Timor-Leste was less than 15 years of age; this proportion is projected to increase to nearly 46 per cent by 2020 (United Nations, 2005).

Timor-Leste currently has low literacy rates, food insecurity, and high maternal and child mortality. About 60 per cent of the population earns less than US\$ 2 per day (Hamilton, 2004). For the period 2005 to 2010, the ESCAP (2007) estimates life expectancy to be 60 years for males and 61.7 years for females. The infant mortality rate is 66.7 per 1,000 live births. About 92 of 1,000 live births will die before reaching 5 years of age.

The total population is currently increasing by 3.7 per cent a year, while the workforce aged 15-39 is estimated to grow at the slightly higher rate of 3.74 per cent per year between 2005 and 2010 (ESCAP, 2007). This growth was the result of the high rate of fertility in the past and a concentration of returning migrants in this age group. The rapid rate of expansion of this young population is creating unemployment and could lead to instability as the unemployed join informal "security groups" or militias.

The area of Timor-Leste was under the colonial rule of the Netherlands and Portugal for 400 years until it declared itself independent from Portugal in late 1975. Nine days later, Indonesia annexed the territory but it faced continued resistance from the Frente Revolucionária do Timor-Leste Independente (*Fretilin*). Thousands of Timorese went into exile during that period. In 1999, Indonesia permitted East Timor to vote for either independence or local autonomy within Indonesia. 80 per cent of the voters chose independence (Hamilton, 2004).

The Indonesian army and militia withdrew but the territory descended into a period of mass violence and destruction due to fighting between local militias, including those loyal to Indonesia. The United Nations estimated that 70 per cent of the utilities, hospitals, schools, communications capacity and private buildings were destroyed or damaged. About two thirds of the population was displaced, including approximately 260,000 persons who fled to West Timor, Indonesia (Hamilton, 2004). Some of those who left before and after the referendum were Indonesians who occupied key posts in the civil service, including social services.

In October 1999, the United Nations General Assembly voted to establish the United Nations Transitional Authority in East Timor. Peace was restored and a national constitution was drafted. In 2002, full control was passed to the country. The United Nations retains a mission in the country, called the United Nations Mission of Support in East Timor (UNMISET), which includes a small security force and civilian advisors.

## Out-migration

Net out-migration from Timor-Leste during 1975-1980, when it was first annexed by Indonesia, totalled 27,000 persons (United Nations, 2005). Many moved to Portugal, and were followed by a smaller group in the mid-1980s. Some have moved again from Portugal to Australia. In 2004, about 9,000 persons from Timor-Leste were residing in Australia. Some 1,600 had applied for refugee status but no cases have been approved. Prior to 2002, the Government of Australia argued that the former colonial power, Portugal, should provide settlement; after 2002, it said that the Timorese as a group no longer faced persecution because of the independence of their country, although individuals could appeal the rulings (Hamilton, 2004).

Immediately prior to the referendum on independence held on 30 August 1999, and in its violent aftermath, between 250,000 and 260,000 persons fled to West Timor in Indonesia. These included both Indonesians and Timorese.

## In-migration

During the period of incorporation in Indonesia, many state officials and other settlers migrated to Timor-Leste. The non-Timorese, mainly Chinese, Portuguese and Indonesians, constituted about 1.6 per cent of the population in 1970; however, by 1990, the proportion had increased to 8.5 per cent (Hamilton, 2004). Between 1980 and 1995, net migration to Timor-Leste totalled 39,000 persons and accounted for about 15 per cent of the population growth during that period, although the rate of natural increase was about 2.1 per cent (calculated from United Nations, 2005).

In the relative calm established by the United Nations peacekeeping mission, about 222,000 refugees had returned from West Timor by early 2004. Some 28,000 did not return although their status as refugees was terminated on 21 December 2002. It is likely that most of them will not return to Timor-Leste, as about 60 per cent of them have served in the Indonesian military or civil service (Hamilton, 2004).

As a result of the United Nations peacekeeping mission and shortages of skilled workers created by the withdrawal of Indonesian civil servants, the international community has established a significant presence in Timor-Leste. In early 2004, 2,145 civilian advisors and soldiers were in the country serving with UNMISET. In addition, numerous non-governmental organizations, contractors rebuilding the infrastructure and small businesses were employing foreigners. The United States dollar is the official currency of the country and the dollar-based economy has attracted an unknown number of unauthorized migrants, including Indonesians and Filipinos (Hamilton, 2004).

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# VIET NAM

Development indicators	
Population, 2007 (in 1,000)	85,590
Population growth rate, 2007 (%)	1.4
Growth rate of population aged 15-39 years, 2005-2010 (%)	1.42
Total fertility rate, 2007	2.1
Percentage urban, 2007	26.0
Net migration rate, 2005 (per 1,000)	-0.5
Per capita GDP, 2006 (at current prices in US Dollars)	597.98

## Key issues

- The Government of Viet Nam faces the usual trade-offs between promoting overseas employment and protecting the rights of its workers. Most placement agencies are state-owned but a few private sector agencies have been licensed. Dang and others (2003) noted that some recruitment agencies charged higher fees than permitted, provided inadequate information to migrant workers and did little to assist them once they were overseas.
- Thousands of Vietnamese women have been trafficked for sexual exploitation in China as well as in and through Cambodia. Such trafficking is difficult to control because it most often occurs in the context of family and community networks, and the migrants usually choose to move, albeit in a context of "constrained choice". Nevertheless, many courses of action could be taken by the Government, in cooperation with neighbouring countries, to prevent trafficking, prosecute traffickers, and protect and reintegrate victims of trafficking (Marshall, 2006).
- The business of arranging marriages between Vietnamese women and foreign men, particularly from China, the Republic of Korea and Taiwan Province of China, has grown rapidly in the past few years, with very little control by the Government of Viet Nam. With few regulations concerning such marriages in place, in either Viet Nam or the destination countries, the women can become vulnerable to exploitation. All the governments concerned have become more aware of the issue and are exploring policy responses. Regional consultations among the governments concerned regarding commercially arranged marriages would be a valuable step in addressing the issue.
- The Government of Viet Nam is currently concerned about unemployment in the domestic labour market and with deploying migrant workers overseas. The population in the younger workforce age group is still increasing by 1.4 per cent a year. However, this scenario is likely to change relatively quickly. Because of the rapid decline in fertility after 1980, to close to the current replacement level, the workforce growth will soon slow. From 2015 to 2020, the population aged 15-39 years will increase by only 0.1 per cent a year.
- If the economy continues to post high rates of growth, labour shortages for some difficult low-skilled jobs are likely to develop. At the same time as deploying workers overseas, Viet Nam is likely to begin attracting workers from less developed areas in China as well as from Cambodia and the Lao People's Democratic Republic. Therefore, the Government will soon need to develop policies on labour migration to Viet Nam.

## Social and economic context of migration

After more than 10 years of war, Viet Nam was reunified in April 1975. The Sixth Congress of the Communist Party of Viet Nam, meeting in December 1986, proclaimed a policy of economic reform, titled *doi moi* (renewal). The purpose of *doi moi* is to change from a centralized planned economy to one operating under a market mechanism with state management. Although still low, the per capita GDP grew at an annual average rate of 5.7 per cent between 1990 and 2005 (IMF, 2007).

While the total population growth rate has declined to a modest level, the rate of growth in the young workforce age group of 15-39 years remains high due to high fertility prior to 1990 and especially before 1980 (United Nations, 2005).

Viet Nam is attracting significant FDI. One indication of this fact is the proportion of the workforce in industry, which grew from 12.4 per cent in 2000 to 16.4 per cent in 2003 while the proportion in agriculture fell from 65.3 per cent to 59.7 per cent in the same period (ILO, 2006). Due to increased industrialization and a relaxation of the household registration system, the share of the population living in urban areas increased from 20.3 per cent in 1990 to 24.3 per cent in 2000 (United Nations, 2004).

Social indicators are good for the level of economic development. The total fertility rate is approaching the replacement level. Gross school enrolment rates at the secondary level were 72 per cent for boys and 67 per cent for girls in 2001. At the tertiary level, however, gross enrolment remained low in 2001 at 11 per cent for males and 9 per cent for females, which are only about one third of those in the other South-East Asian countries of Malaysia, the Philippines and Thailand (ADB, UNDP and ESCAP, 2006).

## Out-migration

Viet Nam has developed an overseas diaspora of approximately 3 million persons in more than 100 countries because of its colonial past and wars for independence and reunification (Dang and others, 2003). Many Vietnamese migrated to France during and following the colonial period. When colonial rule was re-established after the Second World War, 46,500 Vietnamese fled to Thailand, where many of their descendants continue to live (Robinson, 1996). However, much larger outward flows began after reunification in April 1975. These were caused not only by the change of government in then South Vietnam but also by the invasion of Cambodia in December 1978 to free it from the Khmer Rouge regime as well as a brief border war with China in early 1979.

Robinson (1996) estimated that more than 700,000 people had left Viet Nam by mid-1979. That figure included 130,000 who had been evacuated directly to the United States in April 1975, 265,000 (mostly ethnic Chinese) who had fled to China, 277,000 who had left by boat to countries of asylum in South-East Asia and 21,000 who had gone overland to Thailand. Another 30,000 left the country between July and September 1979. Those who left immediately after the end of the war for reunification and those who fled to China were considered as refugees. The composition of those leaving, particularly by boat, gradually changed to include high proportions of economic migrants. Under the terms of the internationally agreed Comprehensive Plan of Action for Indochinese Refugees, March 1989, UNHCR assisted countries of asylum to screen asylum seekers; those who did not qualify as refugees were repatriated to Viet Nam.

Merli (1997) applied indirect estimation techniques based on the population figures, by sex and age, enumerated in the 1 October 1979 and 1 April 1989 population censuses of Viet Nam. He concluded that about 550,000 people had left the country between the two censuses, including between 200,000 and 300,000 who moved to Cambodia after the fall of the Khmer Rouge (long-time residents of Cambodia who had fled earlier and new settlers). The foreign-born Vietnamese population in the United States increased from 543,000 in 1990 to 988,000 in 2000 (Grieco, 2004). By comparing the numbers of Vietnamese in Australia and Canada in 1989 (Merli, 1997) with those in 2001 (Hugo, 2005), it may be seen that about 148,000 Vietnamese migrated to those countries during the 1990s. Hugo cited census data indicating that there were 180,100 persons from Viet Nam in Europe and Japan combined, 154,833 in Australia, 150,135 in Canada and 3,948 in New Zealand in 2000 or 2001.

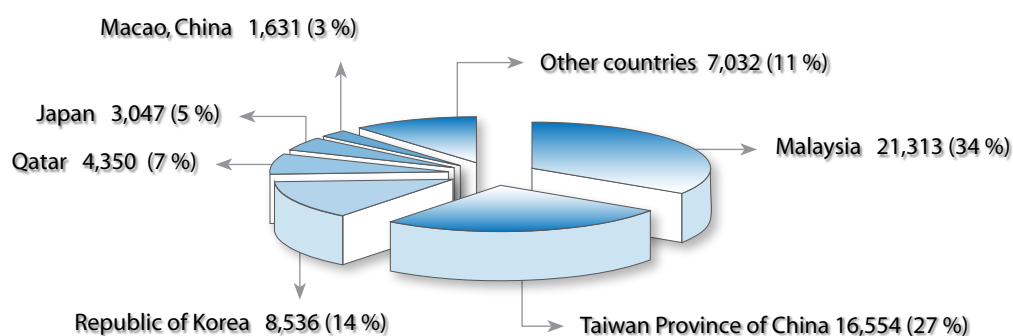
The estimates above indicate that at least 1.9 million persons left Viet Nam between 1975 and 2001. If migration to countries other than Australia, Canada and the United States between 1989 and 2000 is taken into account, the total outflow was some 2 million persons. The estimate by Dang (2007) of 3 million Vietnamese overseas would include those who left before 1975 and perhaps some ethnic Vietnamese children of migrants, but who were not migrants themselves.

Currently, the most significant type of out-migration from Viet Nam is not for permanent settlement but for temporary employment. Initially, workers were deployed mostly to the former Union of Soviet Socialist Republics and Czechoslovakia, beginning in the early 1980s. In the late 1980s, labour migration was expanded primarily to socialist countries in Eastern Europe. That flow peaked in 1989 when 167,503 workers, 45 per cent of whom were females, were deployed to Eastern Europe. Between 1981 and 1990, 217,183 workers were sent to Eastern Europe, 42 per cent of them female. Political and economic changes in the former socialist countries led to amendment of bilateral labour agreements and, by 1991, most of the Vietnamese workers had returned home, some before their contracts had expired (Dang and others, 2003).

As the Eastern Europe labour market contracted for Vietnamese workers, during the 1990s the Government of Viet Nam signed contracts to provide workers to countries in the Middle East as well as to Japan, Malaysia, the Republic of Korea, Singapore and Taiwan Province of China. By July 2000, 118,756 labour migrants from Viet Nam were working in more than 40 countries/areas. The annual number of deployments increased steadily from 22,000 in 1999 to more than 46,000 in 2002, about 50,000 in 2003 and 79,000 in 2006. The proportion of women among this later wave of migrants was much lower at only about 20 per cent, because of government restrictions concerning contracts for women to work as domestic workers, caregivers and entertainers (Dang and others, 2003; Dang, 2007).

The Ministry of Labour, War Invalids and Social Affairs (2006) estimates that there were about 400,000 Vietnamese workers in more than 40 countries/areas in mid-2006. The breakdown of official labour migrants is lower than the overall estimates; Malaysia is Viet Nam's biggest labour import market and current has 21,313 guest-workers, followed by Taiwan Province of China (16,554), the Republic of Korea (8,536), Qatar (4,350), Japan (3,047), Macao, China (1,631) and other countries (7,032) (figure 19).

**Figure 19. Total number and percentage of official Vietnamese labour migrants by destination, 2006**



Source: The Ministry of Labour, War Invalids and Social Affairs, Viet Nam, 2006.

All these estimates refer to workers who were officially deployed, but many Vietnamese have also moved to Cambodia, border areas in China and the Lao People's Democratic Republic for employment without going through official channels. Because such movement is unofficial and often irregular, its magnitude cannot be known; however, estimates of the number of Vietnamese migrants in Cambodia, excluding long-time residents, are in the hundreds of thousands (Merli, 1997).

The Department of Overseas Labour, Ministry of Labour, War Invalids and Social Affairs set a deployment target of 80,000 migrant workers in 2007. It conducts training programmes for improving workers' qualifications and focuses on countries that pay higher wages, including Australia, Canada and the United States (Scalabrini Migration Center, 2007).

Dang and others (2003) noted that many Vietnamese stayed overseas on an irregular migration or employment status. Some travel on tourist or student visas but find employment overseas. Others have valid work contracts but break them for other employment. In 2002, it was estimated that 5,500 (29 per cent of the total) Vietnamese in the Republic of Korea and 1,500 (23 per cent of the total) in Japan had broken their original work contracts.

Hugo (2005) cited an estimate that around 2000 there were about 31,610 Vietnamese studying in other countries.

Migration for marriage is increasing rapidly, with Vietnamese women marrying men from China, the Republic of Korea and Taiwan Province of China. By 2001, some 60,000 women had married men from Taiwan Province of China (Dang and others, 2003). International marriages are usually arranged quickly after only one or two meetings by intermediaries. As the brides then move to countries where they usually do not know the language and are not familiar with the culture, they may be vulnerable to exploitation. Such marriage migration contains many elements of trafficking in persons.

One form of out-migration that can more clearly be defined as trafficking occurs in migration to China for labour and sexual exploitation, to Cambodia for the sex industry, and through Cambodia to third countries for sexual exploitation. A study of the commercial sex industry in Cambodia by Steinfatt (2003) and cited by Sandy (2006) found that nearly 19,000 women were sex workers in 2002-2003. Steinfatt concluded that 20 per cent of the sex workers had been trafficked and that the overwhelming majority of those trafficked were from Viet Nam. These figures imply that up to 4,000 commercial sex workers from Viet Nam could be considered as having been trafficked to Cambodia.

With so many Vietnamese living overseas as permanent settlers, contract workers and irregular migrants, remittances to Viet Nam are significant. According to the World Bank (2007), a total of US\$ 4.8 billion in remittances was sent to Viet Nam by migrant workers in 2006, amounting to 8 per cent of GDP. The official volume of remittances quadrupled from US\$ 1.2 billion in 1998 to US\$ 4.8 billion in 2007. According to Hugo (2005) about 70 per cent of the remittances are sent to the southern part of the country.

## **In-migration**

During the period of civil war in Cambodia, from 1970 to 1975, and during the subsequent regime of the Khmer Rouge up to the end of 1978, an estimated 320,000-420,000 persons fled from Cambodia to Viet Nam. These included approximately 131,000 ethnic Khmers, 25,000 ethnic Chinese and between 170,000 and 268,000 ethnic Vietnamese who were long-time residents of Cambodia (Robinson, 1996). After the Vietnamese Army displaced the Khmer Rouge at the end of 1978, most of the earlier migrants returned to Cambodia (Merli, 1997). An unknown number of new settlers and workers from Viet Nam also began migrating to Cambodia; thus, overall, net migration has been in favour of Cambodia.

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## **Part II**

# **Thematic Chapters**



# REGIONAL OVERVIEW

## Introduction

Migration has long shaped the very nature of societies in East and South-East Asia. The latter region, in particular, has attracted migrants because of the opportunities it offers and because it provides a safe haven during periods of dynastic and political change in other regions. The descendants of indentured labourers now constitute integral components of the population of several countries in the region. Migrants from China have been a particularly important element in forming the economic, social and political landscape of South-East Asia.

This report focuses on international migration in East and South-East Asia, but it should be noted that migration within China is transforming that country. The National Bureau of Statistics has estimated that there were 132 million rural-to-urban migrants in China in 2006 (Wang, 2007). Large-scale population transfers took place between the northern and southern areas of the Korean peninsula and of Viet Nam in the 1950s. Whether these transfers are defined as internal or international migration is essentially arbitrary.

State involvement in emigration or the planning the immigration of workers is more than a century old in the region. Colonial governments and independent States approved the immigration of labourers and others from specific places of origin. The transmigration programme of the Netherlands East Indies resettled hundreds of thousands of Javanese on other islands, and independent Indonesia continued to implement the programme.

While international and large-scale internal population movements have been significant components of economic and social development in the region for a long period, recent international migration is characterized by a number of aspects. These include the degree of precision with which policy makers attempted to guide that migration, the gradual evolution of migration as an issue for bilateral and regional discussion, the enhanced interest in the situation and rights of the migrants themselves, and the greater public debate involved in formulating and implementing migration policies.

Some countries have established large and effective agencies to facilitate the temporary out-migration of their nationals for employment. Modern States attempt to guide carefully the number and types of migrants that enter by allocating quotas, and issuing visas and work permits. Governmental mechanisms and the numbers of migrants admitted vary according to the skill levels of the migrants, the industry or occupation in which they will be working, and their national or ethnic origin.

Policies on international migration are increasingly formulated within the context of international or bilateral agreements, such as the United Nations International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families. The Convention was adopted by the United Nations General Assembly in 1990 and entered into force as an instrument of international law on 1 July 2003. Although the Philippines is the only country in East and South-East Asia that has ratified the Convention, Cambodia and Indonesia have signed it and Timor-Leste has acceded to it. The ASEAN adopted a Declaration on the Protection and Promotion of the Rights of Migrant Workers on 13 January 2007. ASEAN also adopted a Declaration against Trafficking in Persons, Particularly Women and Children in 2004. In the same year, the six GMS countries signed a MoU on Cooperation against Trafficking in Persons in the Greater Mekong Subregion.

These international/regional agreements and bilateral MoU have signified the interests of governments in protecting the rights of migrant workers, and women and children who have been trafficked (for an overview on trafficking in East and South-East Asia see box 1). International organizations, university institutes and NGOs have been at the forefront in conducting research on the situation of migrants in the region and in advocating greater protection of their rights.

### Box 1. Trafficking in East and South-East Asia

Trafficking in Human beings in one way or another affects most countries in East and South-East Asia. Though there are no definitive statistics on the scale and number of trafficking in persons, owing in part to the clandestine nature of the crime and inconsistent data collection methodologies, estimates of the numbers trafficked within and across borders in the region range into the hundreds of thousands. As a whole, the region can be cited as a source, transit and destination region with officials in some countries acknowledging their countries as being simultaneously source, transit and destination countries.

The increased focus placed on the issue leading up to the Palermo Convention in the late 90's and the subsequent ratification of the Transnational Organized Crime Convention and its supplemental trafficking Protocol<sup>1</sup> heightened public awareness and elevated the profile of the crime on the political agenda region-wide in stride with the increased global attention placed on the issue.

Attention was directed toward identifying and addressing illicit supply/demand chains and "hotspots". Within Asia, South-East Asia emerged as one such "hotspot" for human trafficking. South-East Asia's socio-economic and developmental disparities, the region's long contiguous borders, historical intraregional migration patterns, and relatively few legal migration alternatives are all key factors that facilitate trafficking networks and criminal exploiters. However, whereas the focus on trafficking in the region in the 90's predominated toward the trafficking of South-East Asian nationals abroad for forced prostitution, economic and developmental progress among nations within the region have re-shaped the trafficking paradigm; and, more recently intraregional and cross-border trafficking has become the primary focus of attention.

Further, a growing understanding of the range and breadth of the crime has contributed to more concerted efforts to address human trafficking more broadly, to include crimes of domestic or internal trafficking, trafficking for labour and trafficking for other forms of exploitation, as well as the trafficking of men for labour, particularly in the fishing industries.

Despite the enormous challenges facing East and South-East Asia, considerable progress has been made over the past decade, aimed at enhancing national and inter-governmental efforts to address trafficking – both in terms of combating the crime and assisting its victims.

The majority of countries in the region have enacted specific trafficking policies and legislation, which have led to the drafting of National Plans of Actions to Combat Human Trafficking. Cambodia, China, Indonesia, Japan, Myanmar, the Philippines, Thailand and Vietnam all have established National Plans of Action, which provide a framework for multi-ministerial coordination in addressing key aspects of the human trafficking response – policy development, prevention, prosecution and protection. Additionally, Lao People's Democratic Republic is in process of finalizing its National Plan of Action and, on 10 May 2007, the Malaysian government passed a long awaited anti-trafficking bill that brings the country closer to fulfilling its international obligations and could lay the ground work for the eventual development of a comprehensive national plan of action. Mongolia prohibits all forms of trafficking in human beings through its penal code and are carrying out public information campaigns to raise awareness amongst potential vulnerable groups, Mongolian women are known to have been trafficked for marriage as well as for sexual servitude. Mongolian men have been trafficked for forced labour.

Cutting edge initiatives that aim to enhance bilateral and multi-lateral cooperation on trafficking have also emerged in the region. In May 2003, the governments of Thailand and Cambodia signed a MoU on "Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking". The MoU, which was considered at the time to be the first of its kind in the world, is reinforced by an action plan that calls for cooperation on a range of law enforcement, prosecution and protection issues.

<sup>1</sup> UN Convention against Transnational Crime; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Similar MoUs have been signed between Thailand and Lao PDR, Cambodia and Vietnam, and Thailand and Vietnam. Discussions are also underway between Thailand and Myanmar, Myanmar and China, Vietnam and China, and Indonesia and Malaysia to advance bilateral cooperation on the issue. Bilateral cooperation initiatives also exist between Japan, as a primary destination country, and Indonesia, the Philippines, and Thailand as origin countries.

At the sub-regional level, the 6 GMS countries signed a MoU in October 2004 (COMMIT), that sets out a comprehensive framework of cooperation on addressing trafficking among the countries. The MoU contains 34 operative paragraphs in key areas: (1) policy and cooperation; (2) legal frameworks, law enforcement and justice; (3) protection, recovery and reintegration; (4) preventive measures and (5) mechanisms for implementation, monitoring and evaluation of the MoU. An associated sub-region action plan has also been developed that outlines national, bilateral and sub-regional level areas of action, including the holding of annual senior officials meetings, to advance and guide implementation of the MoU.

These initiatives are reinforced by broader ASEAN instruments, most notably the ASEAN Declaration against Trafficking in Persons, Particularly Women and Children (29 November 2004) and ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (13 January 2007). The Declarations call for member states to cooperate on preventing trafficking in persons, identify and protect victims of trafficking and to promote and protect the rights of migrant workers and prevent abuses.

All countries of East and South-East Asia are also active participants in the Regional Ministerial Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) initiated by the governments of Australia and Indonesia in 2002, which serve as co-chairs to the process. The Bali Process draws together 40 countries across the Asia-Pacific region to address the transnational crimes of people smuggling and trafficking through convening targeted participatory workshops that contribute to strengthening regional capacities to combat the crimes and fostering improved intra-regional and interdepartmental cooperation.

The scale of international migration in the region, the expanding body of research on the issue, international and national conferences, and coverage by the news media have all stimulated considerable public discussion on the topic. This discussion has touched on such issues as the economic need for migrant workers, the impact of migration on national workers and local communities, and the rights of migrants, especially those in an irregular situation.

This chapter attempts to place migration in the region in a historical as well as in a developmental context.

## Historical context

The formal deployment or registration of contract workers for employment overseas began to expand rapidly following the increases in the price of oil from 1973 onwards. Oil-rich States in the Middle East used much of their export earnings to build infrastructure in their countries. Because of the wealth and small size of their national populations, foreign workers were required for such construction, most of these workers came from Asia. In 1985, the Philippines formally deployed 253,867 workers to the Middle East, accounting for 79 per cent of its total deployments. The Republic of Korea deployed 120,245 workers, mostly to the Middle East (IOM, 2000). Thailand sent 61,659 workers (89 per cent of its deployments) to the Middle East (Chalamwong, 1992).

The first Gulf War in 1991, the completion of some major infrastructure projects in the Middle East, and rising demand for labour in the “tiger economies” of East and South-East Asia resulted in a shift in the destination of labour migration toward economies in Asia. By 1997, the pattern of labour migration from East and South-East Asia had changed markedly. Of the 500,000 workers deployed by Indonesia in 1997, 75 per cent were deployed within Asia and the Pacific while the remaining 25 per cent went to the Middle East (Soeprbo, 2006). In 1997, the Philippines deployed 559,227 migrant workers, of which 43 per cent moved within Asia and the Pacific, and 40 per cent went to the Middle East (IOM, 2000). By 1996, some 87 per cent of the 185,436 workers deployed by Thailand went to other economies in Asia while only 12 per cent went to the Middle East, a pattern that has not changed appreciably since that year (Chalamwong, 1992). The Republic of Korea no longer deployed significant numbers of workers due to its low rate of population growth and high rates of economic growth.

Yet, easy generalizations concerning migration in East and South-East Asia are rarely possible. Since the beginning of the twenty-first century, authorized migration from Indonesia and the Philippines to other economies in Asia and the Pacific has continued to increase. However, labour migration to the Middle East has increased more rapidly, as a result, in 2004 Indonesia and the Philippines combined deployed about 146,000 more workers to the Middle East than to Asia and the Pacific. In 2006, Indonesia formally deployed 712,160 migrant workers, with 46 per cent moving within Asia and the Pacific and 54 per cent going to the Middle East.<sup>2</sup> Of the 733,970 land-based workers deployed by the Philippines in 2005, only 34.5 per cent migrated within Asia and the Pacific while 53.6 per cent went to the Middle East (POEA, 2007).

Overall, however, a majority of migrant workers from South-East Asia still move within Asia. That is because the much smaller numbers of workers formally deployed by Thailand, Viet Nam and, more recently, Cambodia, largely move to other Asian economies. More significant, however, is the fact that the large but unknown numbers of irregular migrants, especially from Cambodia, Indonesia, the Lao People’s Democratic Republic and Myanmar, mostly move to nearby countries in South-East Asia.

Asis (2004) took a geographical approach in attempting to discern migration patterns in Asia. She noted that all of the economies in East Asia, except China and the Democratic People’s Republic of Korea, were primarily destination areas for international migration and that they had all placed relatively strict controls on the entry of low-skilled workers. In South-East Asia, there are three nodes of international migration. The first comprises Malaysia and Singapore, which attract migrants from South Asia and from Indonesia, the Philippines, and, to a lesser degree, other countries in South-East Asia. The second node comprises Brunei Darussalam and the East Malaysian States of Sabah and Sarawak, which draw migrants from Indonesia, the Philippines and other countries in South-East Asia. The third node is Thailand, which receives large numbers of both regular and irregular migrant workers from Cambodia, the Lao People’s Democratic Republic and Myanmar.

## Developmental context

### *Migration theories and frameworks*

In examining the international migration situation in East and South-East Asia, it is useful to be able to place it in some sort of framework rather than by simply looking at 16 country studies. Scholars have proposed a number of theories of international migration that greatly assist in understanding the phenomenon. The most complete review of such theories was carried out by Massey and others in 1993. They described how macro-economic, micro-economic, dual labour market, world systems, network and institutional theories explained international migration. Initially, migration is stimulated by differences in wage levels between countries of origin and destination. Once a significant migration flow has been established, networks and institutions tend to perpetuate it. These trends are enacted in a globalized context described by world systems theory or the emerging migration systems approach. Although Massey and some of his co-authors are demographers, little is said in their review about such demographic influences on migration as a population’s age structure or the growth rate of the population or labour force.

<sup>2</sup> IOM/ESCAP Questionnaire.

The review by Massey and others focused on economic and sociological theories and completely ignored explicit geographical theories proposed by Zelinsky (1971) and Skeldon (1992), for example. Zelinsky termed his concept of a mobility transition a hypothesis rather than a theory. He proposed five stages that were related, but not causally linked, to stages of the demographic transition from high levels of fertility and mortality to low and stable levels. Zelinsky's hypothesis takes into account all forms of mobility, including movement to rural frontier areas, internal migration and circulation associated with high levels of development. Zelinsky correctly anticipated major outflows of migrants at early stages of development, which would slow or cease at higher levels of development. He also foresaw that advanced societies would experience significant net migration of unskilled and semi-skilled workers from comparatively less developed countries. The flow of highly-skilled and professional migrants would be significant in advanced societies but the direction and volume would depend on specific conditions.

Zelinsky appears to have underestimated the continuing demand for workers, especially low-skilled workers, by "super-advanced" societies (current-day Japan and Singapore are perhaps examples), partly because he anticipated that the demographic transition would result in an essentially stable population with a growth rate close to zero. In addition, he overlooked the influence of an older age structure resulting from low fertility on labour demand. In fact, fertility in several East Asian economies has fallen far below the replacement level, with the result that the population in the young labour force age groups is currently declining and total populations will soon decline in the absence of immigration.

Skeldon (1992) proposed modifications to Zelinsky's hypothesis of the mobility transition. However, he primarily concerns rural-to-urban, urban-to-urban and intra-city migration, and do not alter Zelinsky's expectations concerning international migration. In addition, Skeldon suggested that migration was affected by the diffusion of economic and social activities from core to peripheral areas. This diffusion framework may be more valuable in explaining urbanization but is also consistent with trends in international migration observed in East and South-East Asia.

Without proposing a formal transition theory of international migration, it may be valuable to examine how such migration has been related to level of economic development and demographic change in the recent experience of countries in East and South-East Asia. The following table suggests three phases of economic development, growth of working-age population and dominant direction of international migration.

**Table 14. Descriptive framework for international migration and development in East and South-East Asia**

Phase	1. Level of economic development 2. Rate of growth of working-age population (RWP) 3. Dominant direction of migration	Countries currently at this stage	
Phase 1	1. Low (per capita GDP less than US\$ 2,000 in constant 2000 United States dollars) 2. High RWP 3. Out-migration	Cambodia China DPRK Indonesia Lao PDR	Mongolia Myanmar Philippines Timor-Leste Viet Nam
Phase 2	1. Intermediate (per capita GDP US\$ 2,000-US\$ 4,000) 2. Moderate RWP 3. Both out-migration and in-migration	Thailand	
Phase 3	1. High (per capita GDP greater than US\$ 4,000) 2. Low or negative RWP 3. In-migration	Brunei Darussalam Japan Malaysia	Rep. of Korea Singapore

It should be noted that the basic framework presented in table 14 specifies only the dominant direction of international migration but does not indicate the volume, which is mainly determined by policy choices. Most countries in the region clearly fit one of the phases on all three criteria of per capita GDP, growth rate of the working-age population and dominant direction of migration. Thailand moved into phase 2 in about 1995 in terms of level of economic development and direction of migration. The Republic of Korea made the transition from phase 2 to phase 3 during the 1980s. Although Malaysia experienced significant in- and out-migration during the 1990s, it reached the US\$ 4,000 level of per capita GDP only in 2001 and the growth rate of its working-age population remains high.

Although the rate of growth of the population of working age, particularly the younger portion of the labour force, is low in China and the Democratic People's Republic of Korea, those countries are still able to meet the demand for labour with rural workers and have not begun to draw in foreign labourers.

The current direction of migration contradicts the framework in the table above only for Timor-Leste, which can be considered an exceptional case. During the period that it was incorporated in Indonesia several tens of thousands of persons emigrated, although many Indonesians also moved in. About 260,000 persons fled the violence associated with the August 1999 referendum on independence. The United Nations (2005) predicted that as these exiles and refugees returned to Timor-Leste, net migration during 2010-2015 would equal about 20,000 persons, after which net migration was assumed to be zero. Given the very low level of economic development in Timor-Leste (per capita GDP equalled US\$ 365 in 2006) and the high growth rate of the population aged 15-39 years which averaged 7.9 per cent during 2000-2005 and is estimated to average 3.7% between 2005 and 2010 (UN, 2005), it would not be surprising if net migration became negligible or negative earlier than 2015, as projected by the United Nations.

### **Migration turning points**

The dynamics of economic development and migration implied by the framework in the above table mean that the migration transition can be expected to pass certain crucial turning points. Pang (1994) identified three key turning points. The first is when the rate of net out-migration equals the rate of growth of the domestic labour force. After that point, the rate of net out-migration can be expected to decline as the domestic labour force absorbs more workers.

The second, and most important, turning point occurs when the annual number of out-migrants equals the number of in-migrants, with the result that net migration is zero. Pang (1994) observed that Malaysia and Singapore (which has always had positive net migration) began to receive significant numbers of migrants even before they achieved full employment because their nationals were reluctant to take difficult or unrewarding jobs, such as plantation work in Malaysia, and construction and low-skilled jobs in Singapore. In contrast, Japan, the Republic of Korea and Taiwan Province of China achieved full employment during the 1970s, many years before they became net recipients of migrants. That is because they implemented policies to restrict the use of low-skilled foreign workers and addressed labour shortages with a number of other policies, such as using higher technology to upgrade jobs, moving production jobs overseas through direct investment, and tolerating inefficiencies in certain sectors such as agriculture.

According to Pang, the third crucial turning point occurs when the proportion of foreign workers in the labour force reaches its peak. At that point, the net annual inflow of migrant workers equals the growth of the domestic workforce. The share of foreign workers in the workforce at the time of the third turning point will vary among countries. The relatively small countries of Brunei Darussalam and Singapore may be approaching the third turning point. Foreign workers currently constitute about 30 per cent of the workforce in Singapore. It may be noted, however, that Pang (1994) thought that Singapore was approaching the third turning point when foreign workers constituted 14 per cent of the labour force. No other country in East and South-East Asia is near the point at which the number of foreign workers will level off. After the third turning point is reached, the proportion of foreign workers in the workforce could level off or decline. As no country in the region has reached that point, it is difficult to anticipate which future path is more likely.

### *Evolution of migration policies*

Just as migration flows from and to a country may be seen to follow a generalized path closely related to economic development, the evolution of migration policies could be posited to follow a common pattern. Singapore probably has the most pro-active migration policies in the region, in that it projects the type of economy it wishes to achieve in the future and, from that projection, determines the number of foreign workers it will require by skill category. It then implements programmes to attract those migrants and limit the number of unneeded migrants. Relative to Singapore, it may be argued that migration policy in most other countries reacts to the situation of migration rather than guiding it.

Nearly all countries in the region have policies in place that permit the in-migration of highly-skilled workers, in particular teachers, managers and intra-company transfers. Policies concerning the admission of low-skilled workers vary widely, however. For example, Japan does not formally accept low-skilled workers, whereas in 2004 Thailand issued more than 800,000 work permits to such workers from neighbouring countries.

Because countries do not initially anticipate the strength of the demand for migrant workers that results from economic expansion, slowing population growth and rising domestic wages, the in-migration of low-skilled workers often begins by skirting immigration and employment regulations – overstaying visitors' visas and working without permission, for example. At the beginning stage of such migration, it is not uncommon for governments to deny that a significant number of irregular workers are in the country. When it becomes clear that irregular migration is common, governments often announce that they intend to crack down on the migrants and sometimes their employers. When such migration persists, policy is likely to evolve to regularize a limited number of migrants in specific sectors while still aiming to curtail the use of foreign workers in other sectors. Over time, migration policies tend to be aligned with economic circumstances, and to become more pro-active in determining the desired number and types of in-migrants. In order to manage both in-migration and out-migration in a more orderly manner, most countries in the region have signed an MoU or other bilateral agreements with other governments in the region. The chapters in this report on policy development, the management of labour migration, and regional cooperation examine each of these issues in more depth.

### *Institutionalization of international migration*

Once large-scale migration flows are established, it can be difficult for governments to alter them, due both to their commercial institutionalization and to informal networks. In countries where significant migration occurs, large numbers of recruitment and placement agencies normally begin to operate. Labour-sending countries may have several hundred agencies licensed to recruit migrant workers. Even when regulations are put in place to control those agencies, governments often lack the capacity to effectively monitor or inspect their practices.

The recruitment and placement of migrant workers is a sizeable business sector. Ananta and Arifin (2007) estimated that in 2003 prospective Indonesian migrant workers paid a total of US\$ 193.5 million to agencies involved in the business of recruiting, certifying and placing them overseas. Using conservative assumptions about the number of migrants in Thailand and the amount that they paid to cross the border and find employment, Hugué and Punpuing (2005) estimated that 1.4 million migrants had paid a total of US\$ 200 million in fees to agents. Less conservative assumptions lead to considerably higher estimates of aggregate costs.

Established migration streams create informal networks of relatives, friends or acquaintances in both origin and destination countries. These networks can often recruit and find overseas employment for migrants without going through formal channels. Thus, fees and other costs are eliminated or greatly reduced. Because such movements are not recorded as labour migration, they are particularly difficult for governments to regulate.

### *Development of a regional labour market*

The large-scale migration for employment between countries in East and South-East Asia, facilitated by government programmes, private sector agencies and informal networks, implies, at least to a partial extent, that a regional labour market has developed, especially in certain occupations such as construction workers and domestic workers. Labour supply and demand cross national borders. Information about employment opportunities in countries in the region circulates to prospective workers via recruitment agencies and the Internet.

In a fully-functioning labour market, convergence in wage levels in the same occupation would occur. It is not clear that this has taken place, but competition exists among labour sending countries to deploy their workers and among labour-receiving countries to attract migrant workers, based on their qualifications or wage levels. When the Philippines announced in early 2007 that domestic workers from that country must earn at least US\$ 400 a month, and that recruitment agency fees must be paid by the employer and not the migrant, the placement of domestic workers in Taiwan Province of China declined by 30 per cent. This was the result of agencies in the destination economy turning to domestic service workers from Indonesia and Viet Nam (Scalabrini Migration Center, 2007). In deciding where to go, prospective migrant workers take into account the fees charged as well as the difficulty and waiting time involved in obtaining a visa (Yea, 2006). Information on a wide range of employment opportunities in the region is available to a professional or technical worker from numerous Internet sites.

A truly integrated labour market would be one in which laws, regulations and labour-related institutions are unified; however, the region is very far from achieving such a situation. The MoU signed by six GMS governments on trafficking in persons and the ASEAN Declarations on trafficking and on the Protection and Promotion of the Rights of Migrant Workers may be first steps towards such coordinated policy formulation.

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# MIGRATION POLICIES AND REGIONAL COOPERATION\*

## Introduction

During the past two decades, the world has seen rapid improvements in transportation and communication infrastructure as well as further integration and liberalization of financial markets, and the easier movement of capital and goods. While these developments have increased global wealth, they have also contributed to growing global disparity as the wealth is not necessarily being redistributed more equally. These disparities create incentives for people to migrate for better living and working conditions within their own countries or abroad.

Other factors and events have also affected migration flows including the improved stability in parts of South-East Asia following the end of the Indochina war which resulted in sustained social development and economic growth in the region. The Asian economic crisis in 1997-1998 curbed the volume of migrants, if only temporarily, while global security concerns triggered by the terrorist attacks on 11 September 2001 forced more governments to pay attention to the security implications of migration, and particularly irregular migration.

Labour migration in East and South-East Asia can be seen as a response to the existing demographic and economic differences between the countries in the region. These differences have increased in the past two decades, with some countries experiencing declining birth rates, ageing populations, a static or shrinking workforce, but high economic growth. Other countries still have large youth populations under the age of 30 years and have only recently experienced significant economic growth. Migration is simultaneously a result of structural factors as well as the outcome of government policy, existing migration networks, and the agency of migrants and their families.

While international migration to the United States, Australia, Canada, Europe and the Middle East still constitute an important aspect of migration in East and South-East Asia, the developments outlined above have given rise to new and continuously evolving regional migration patterns and increased intraregional migration. The main features of these trends are a rapid growth in demand for skilled and less skilled migrants within the region, the development of more closely integrated subregional labour markets, a high proportion of women entering the migrant workforce compared with other parts of the world and the "commercialization of the recruitment industry" (Abella, 2003)

Although more people are moving, Castles and Miller (2003) pointed out that, "the overwhelming dominant policy model for dealing with migration in Asia is to not allow permanent settlement and greatly restrict non-permanent migration, especially that of unskilled workers".

Migration and its management are currently high on the agenda of many governments in the region; in their policy formulation, they must balance business and economic priorities with social and cultural aspects. This presents a challenge because migration flows tend to respond quickly to labour market demand and supply rather than to government policies, which take time to formulate and implement. The policies are often not comprehensive or coherent, and may only partially meet the needs and/or development objectives of the country in question. Moreover, the countries that could benefit the most from migration often do not have the necessary information or capacity to formulate effective policies.

The tendency towards restrictive policies has led to an increase in irregular migration (Hugo, 2005). Irregular migration is of concern, both from the perspective of the receiving country and from the individual migrant. Irregular migration can be considered detrimental to state sovereignty, national security as well as public health. For irregular migrants, concerns are related to their vulnerabilities in the forms of trafficking, labour exploitation and limited access to basic health and social services. In the context of the growing number of irregular migrants, the trafficking of human beings and labour exploitation, especially children, is a key issue in East and South-East Asia.

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## Migration and the development cycle

To understand the migration policy issues facing countries in the region it is helpful to analyse the countries' development levels and describe them in one of three development stages, with each representing a different stage (table 15) in the migration and development cycle (as they were already categorized in the regional overview). While it can be useful for the purposes of policy-making to cluster countries in this way, it is important to recognize that, to varying degrees, all countries are simultaneously sending, transit and receiving destinations.

**Table 15. Demographic and economic indicators and migration policy issues by development stage among countries in East and South-East Asia**

	Stage 1	Stage 2	Stage 3
<b>Countries</b>	Cambodia, China, DPRK, Indonesia, Lao PDR, Mongolia, Myanmar, Philippines, Timor-Leste, Viet Nam	Thailand	Japan, Republic of Korea, Brunei Darussalam, Singapore, (Taiwan Province of China and Hong Kong, China), Malaysia
<b>Demographic and economic indicators</b>	<ul style="list-style-type: none"> <li>• High population growth rates</li> <li>• Low proportion of aged population (60 years +)</li> <li>• Low rates of urbanization</li> <li>• Low per capita GNP</li> <li>• Fertility rates higher than other countries in the region.</li> </ul>	<ul style="list-style-type: none"> <li>• Lower population growth rates</li> <li>• Growing proportion of aged population (60 years +)</li> <li>• Increasing rates of urbanization</li> <li>• Increasing per capita GDP</li> <li>• Lower fertility rates than Stage 1 countries</li> </ul>	<ul style="list-style-type: none"> <li>• Very low or negative population growth</li> <li>• High proportion of aged population (60 years +)</li> <li>• High rates of urbanization</li> <li>• High per capita GDP</li> <li>• Fertility rates below replacement rates.</li> </ul>
<b>Policy issues</b>	<ol style="list-style-type: none"> <li>1. Out-migration</li> <li>2. Protection of nationals abroad</li> <li>3. Remittances</li> </ol>	<ol style="list-style-type: none"> <li>1. In-migration and out-migration</li> <li>2. Most commonly high-skilled out-migration and low-skilled in-migration, some lower skilled out-migration.</li> <li>3. Irregular migration</li> </ol>	<ol style="list-style-type: none"> <li>1. Managing in-migration</li> <li>2. High-skilled out-migration and in-migration</li> <li>3. Integration and social cohesion</li> <li>4. Irregular in-migration</li> </ol>

*Note: Not all countries within a category may fulfill all the criteria. Each country has been placed in the category that most closely corresponds to its characteristics.*

Countries at Stage 1 of the migration and development cycle are predominantly experiencing outflows of migrants. The out-migration from such countries is currently and predominantly directed towards neighbouring countries that have employment opportunities for migrant workers. Most of the migrants from Stage 1 countries generally have some capital that enables them to leave, but often do not have the skills, experience or resources necessary for further travel abroad. Further international travel is also unnecessary as demand for their labour often exists in neighbouring countries. In-migration is usually limited to skilled professionals and intra-company transfers.

At Stage 2 of the migration and development cycle are countries that historically have experienced out-migration but which are currently experiencing varying degrees of in-migration. The in-migration may include permanent settlement as well as the return migration of nationals from abroad.

Stage 2 countries are also often characterized by unequal distribution of wealth, both geographically and among individuals; this encourages internal and international migration by those country's nationals. The spatial concentration of wealth in mainly urbanized areas also encourages rural-urban migration as is the case in Thailand. Stage 2 countries also tend to have a high percentage of women in the workforce (IOM, 2005). The need for labour increases when the populations are no longer able to meet demands or are likely to avoid certain types of job.

At Stage 3 of the migration and development cycle are countries that predominantly receive migrants but also experience outflows of high-skilled nationals. Brunei Darussalam, Japan, the Republic of Korea, Malaysia, Singapore, Taiwan Province of China and Hong Kong, China fall within this category. They are also the countries/areas most likely to consider or implement policies to attract high-skilled workers and, in some cases, to retain them.

Stage 3 countries are currently experiencing a high demand for both skilled and low-skilled labour. The outflows (high-skilled people or students) from such countries tend to be of a temporary nature and not necessarily intraregional, but rather are directed towards Australia, Canada, the United States and certain countries in Europe. In general, Stage 3 countries, or those that are predominantly net receiving countries in the region, tend to adopt restrictive immigration policies with some exceptions for high-skilled workers.

It should be noted that this categorization is not static, and changes with the social and economic developments in each country and in the region.

## **I. National policies**

Migration policies in the region can be described, to some extent, by the stage that a country has reached as well as whether it is predominantly a country of origin or destination. The national migration policy objectives vary from country to country in the region as do the capacities to develop and implement policies that will meet those objectives. Creating coherent and comprehensive migration policies requires inter-ministerial coordination and can also benefit from cooperation with civil society. In addition to the challenge of coordination, migration policies also tend to be highly politicized and subject to a number of competing interests. While the majority of countries in East and South-East Asia are concerned with migration and migration policy, and while progress has been made in a number of areas, most countries have yet to achieve coherent and comprehensive migration policies.

For most of the countries at Stage 1, international migration was a topic of secondary concern until the mid-1970s; however, as the positive links between migration and development have become better understood, the number of governments adopting migration-related policies has increased.

While it is clear that migration can contribute to development, maximizing the benefits of migration through sound policies remains a difficult challenge for governments worldwide, not least because the topic of foreign employment opportunities and policies are generally not integrated into economic development planning. The notable exception to this is the Philippines, which relies heavily on migration and remittances in its development policies and which has developed a unique set of policies and institutions to manage outflows, including labour offices abroad. The country also attempted to establish a minimum wage for domestic workers abroad but the initiative was met with opposition from countries of destination as well as from domestic workers in the Philippines.

Recent policy developments in the region include the establishment of labour offices and consular services abroad. Many countries of origin, such as the Philippines and Indonesia, have established overseas labour offices in destination countries to supervise the welfare of their workers and protect their rights abroad. Many migrant workers also rely on their embassies and consular offices in destination countries to intervene in cases of labour abuse.

Some Stage 1 countries have attempted to restrict workers' movements through bans on travel. This measure, however, has generally been counterproductive and movement bans have resulted in migration being driven underground. Moreover, these restrictions have led to corruption in several countries. Other countries have provided pre-departure training for prospective migrants.

Remittances are an important aspect of labour migration and migration policies for Stage 1 countries. For more information on remittances in the region, see the chapter on remittances.

The countries at Stages 2 and 3 are primarily receiving workers from within East and South-East Asia and have developed migration policies in response to their migration challenges. These policies show:

- (a) The countries' desire to try to control and regulate migration;
- (b) The need to find a balance between the issue of sovereignty and the countries' authority to control their borders and the need to liberalize immigration policy to meet labour market demand.

Most Stage 2 and 3 countries have established a legal framework governing the admission of migrant workers. However, large flows of irregular migrants also exist in response to the persistent demand for workers that cannot be met by the local workforce.

Levels of admission through formal channels are rarely predetermined through quotas and almost always try to meet the needs of the employers. Immigration policy in this case is used as a tool to increase short-term labour market flexibility and to reduce labour costs for domestic enterprises. This, however, makes cheap foreign labour a structural part of the economy and increases the long-term dependency on such labour (as has been the case in the Middle East).

There is also an emerging trend in the region towards policies that take the protection and rights of migrant workers into consideration. This is occurring in a number of ways. Unilaterally, in receiving countries such as Singapore, which has introduced a process of accreditation of the recruitment agencies as well as an "Employment Act" that sets out working conditions, occupational safety and health arrangements for all employees except domestic workers (Kaur, 2007). Regionally, in 2007, the ASEAN signed the Declaration on the Protection of Migrant Workers, which is discussed below.

Underpinning almost all of the above-mentioned policies is the effort to avoid or limit permanent settlement of labour migrants by making migration time-limited, temporary and usually only for the labour migrant, not his/her dependants. No country in the region considers itself open to the permanent settlement of migrant workers, except in the case of highly-qualified migrants or family members of citizens.

This points to another common aspect of the policies of Stage 2 and Stage 3 countries, i.e., their selectiveness. In general, the following features can be observed: (a) the entry of skilled or semi-skilled workers is encouraged and facilitated; (b) the acquisition of a permanent residence permit or even citizenship are, in some cases, facilitated for skilled workers; and (c) lower-skilled workers are subject to more restrictions during the migration process and more controls once they are in the destination country.

Countries in the region also face a common challenge in curbing irregular migration. Attempts to discourage irregular migration are made periodically through the introduction and enforcement of harsh penalties including deportation measures and, in some cases, corporal punishment. In Malaysia, for example, the Government periodically removes/deports tens of thousands irregular migrant workers. In Thailand, large numbers of irregular migrant workers are allowed to stay also because they are making important contributions to Thai industry.

Given the social and economic factors underlying migration, it is unlikely that restrictive migration policies adopted by governments in the region will have the desired effect. The challenge for policy makers in developed countries is daunting. Ageing and shrinking workforces, a shortage of people to fill both skilled and low-skilled jobs, and increasingly flexible economies all suggest increased global mobility. Structural and individual factors encouraging migration exist in countries of origin and destination alike, and while

migration is often characterized as a “problem” caused by the lack of development and opportunities in countries of origin and destination contribute to, and benefit from migration as well. These are all factors that are likely to make migration a desirable and ongoing process in the region.

Restrictive migration policies will not help in dealing with these social and economic challenges. Experience suggests that tight border controls have a limited impact unless other factors driving migration are addressed simultaneously. Irregular migration is not desirable for a wide range of reasons, including the increased likelihood of exploitation and abuse of migrants, concern for their welfare in the country of destination, and in receiving countries the cost implications associated with the delivery of basic health and social services to irregular migrants.

Many stage 2 and 3 countries have attempted to develop longer-term policies in collaboration with other countries; however, due to operational challenges and high fees associated with formal recruitment, it is assumed that irregular migration will persist in the region. The issue of facilitating regular migration through legal channels, especially by making such channels more attractive than the irregular ones, will be one of the main challenges for the countries concerned.

In addition to unilateral and national policies, several multilateral regional frameworks have recently started to enhance policy formulation and strategies at the national level. Due to the transnational characteristic of migration, “the orderly management of migration, and addressing of irregular migration and trafficking will require the concerted efforts of countries concerned, whether bilaterally, regionally or otherwise, based on sound principles of equality, mutual understanding and respect” (Bangkok Declaration on Irregular Migration, 23 April 1999). Thus, international dialogue at a policy level and collaboration at an operational level are strongly needed. In this regard, the regional and multilateral frameworks discussed below have a crucial role to play.

## **II. International cooperation**

Because of its inherently international characteristics, effective migration management requires dialogue and cooperation among countries – whether for improving security, dealing with social issues or benefiting from labour migration. This cooperation takes place bilaterally and multilaterally. In general, basic principles, norms and standards are agreed on by multilateral agreements and/or conventions while bilateral agreements specify the operational details of implementation. Subregional, multilateral agreements may contain both basic principles and guidelines for implementation.

Global consensus on the rights of migrants is defined by international conventions, covenants and protocols. There are two types of international legal norms and instruments related to international migration: (a) general human rights instruments that include references to migrants; and (b) those instruments developed specifically for the situation of international migrants. The first category includes the Universal Declaration of Human Rights, 1948; the International Covenant on Civil and Political Rights, adopted in 1966; and the Convention on the Rights of the Child, adopted in 1989 (United Nations, 2004b).

The major instruments that specifically deal with international migration are listed in table 16, which also indicates whether countries in East and South-East Asia have signed, ratified or acceded to those instruments. It should be noted that half of the 16 countries considered in this report have signed, ratified or acceded to the two protocols dealing with trafficking and smuggling. The Philippines is the only country in the region to have ratified both the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and ILO Convention 143 on migrant workers.

**Table 16. Main International Instruments on Migration signed, ratified and acceded to by countries in East and South-East Asia**

Country	International Instrument						
	Migrant workers		Migrant workers and families	Smuggling and trafficking		Refugees	
	ILO Convention concerning Employment (rev 1949) (No.97)  [Entry into force: 22 January 1952]	ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Supplementary Provisions) (No.143)  [Entry into force: 9 December 1978]	International Convention on the Protection of the Rights of All Migrant Workers and members of their Families  [Entry into force: 1 July 2003]	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children  [Entry into force: 25 December 2003]	Protocol Against the Smuggling of Migrants by Land, Air and Sea  [Entry into force: 28 January 2004]	1951 Convention relating to the Status of Refugees  (Entry into force: 22 April 1954)	1967 Protocol relating to the Status of Refugees  [Entry into force: 4 October 1967]
Brunei Darussalam	-	-	-	-	-	-	-
Cambodia	-	-	signed 2004	ratified 2007	ratified 2005	acceded 1992	acceded 1992
China	-	-	-	-	-	acceded 1982	acceded 1982
D.P.R. Korea	-	-	-	-	-	-	-
Indonesia	-	-	signed 2004	signed 2000	signed 2000	-	-
Japan	-	-	-	signed 2002	signed 2002	acceded 1981	acceded 1982
Lao P.D.R.	-	-	-	acceded 2003	acceded 2003	-	-
Malaysia	ratified 1964 (re: Sabah, Malaysia)	-	-	-	-	-	-
Mongolia	-	-	-	-	-	-	-
Myanmar	-	-	-	acceded 2004	acceded 2004	-	-
Philippines	-	ratified 2006	ratified 1995	ratified 2002	ratified 2002	acceded 1981	acceded 1981
Republic of Korea	-	-	-	signed 2000	signed 2000	acceded 1992	acceded 1992
Singapore	-	-	-	-	-	-	-
Thailand	-	-	-	signed 2001	signed 2001	-	-
Timor-Leste	-	-	acceded 2004	-	-	acceded 2003	acceded 2003
Viet Nam	-	-	-	-	-	-	-

Sources: International Labour Organization, ILOLEX database, <<http://www.ilo.org/ilolex/english/index.htm>>, accessed 25 February 2008. United Nations, United Nations Treaty Collection, <<http://untreaty.un.org>>, accessed 25 February 2008

## International dialogue forums

Several multilateral forums have emerged in the past decade to address the issue of international migration and its interlinkages with development:

### (a) International Conference on Population and Development

The most significant event in this regard was the International Conference on Population and Development (ICPD), held in Cairo in 1994. The Programme of Action adopted by ICPD contains a chapter on international migration and proposes actions to be taken for documented migrants, undocumented migrants, and refugees, asylum-seekers and displaced persons. The Programme of Action encourages cooperation between countries of origin and countries of destination to maximize the benefits of migration for development.

### (b) Global Commission on International Migration

Acting on the encouragement of then United Nations Secretary-General Kofi Annan, in 2003 a core group of States established the Global Commission on International Migration (GCIM). The Commission held regional hearings, convened thematic workshops with stakeholder groups, conducted a policy analysis and research programme, and issued its final report in 2005.

The GCIM Regional Hearing for Asia and the Pacific was held in Manila in 2004. It was attended by senior and middle-level officials from 16 countries in the region and representatives of non-regional countries, intergovernmental organizations and civil society organizations. The Regional Hearing focused on six topics: (a) migrants in the labour market; (b) migration, economic growth, development and poverty reduction; (c) irregular migration; (d) migration and human rights; (e) migrants in society; and (f) national, regional and international governance.

The summary report of the Regional Hearing noted that participants emphasized the need for migration policies to evolve in parallel with policy developments in such fields as trade, development and human rights, and that coherent governance between these fields was essential for effective migration policy. The report further noted that migration was not an important part of the mandates of regional bodies and that there was no consensus among participants on the idea of a global migration framework (GCIM, 2004).

The final report of the Commission (GCIM, 2005b) summarized the situation of international migration, closely following the six thematic areas discussed at the Regional Hearing, and offered principles for action in each area. Concerning migration and development, GCIM recommended that "international migration should become an integral part of national, regional and global strategies for economic growth, in both the developing and developed world." It also stated that "in stemming irregular migration, States should actively cooperate with one another, ensuring that their efforts do not jeopardize human rights, including the right of refugees to seek asylum."

GCIM suggested that "the governance of international migration should be enhanced by improved coherence and strengthened capacity at the national level; greater consultation and cooperation between States at the regional level, and more effective dialogue and cooperation among governments and between international organizations at the global level. Such efforts must be based on a better appreciation of the close linkages that exist between international migration and development and other key policy issues, including trade, aid, state security, human security and human rights" (GCIM, 2005b).

### (c) International Labour Conference

Another global forum for addressing migration issues is the annual International Labour Conference organized by the International Labour Office. In 2004, the Conference addressed in detail the issue of migrant labour. Report VI of the Conference, titled "Toward a Fair Deal for Migrant Workers in the Global Economy", reviewed current knowledge concerning the economic and social impact of international migration on countries of origin and destination. It also covered conditions of work and treatment of migrant workers, and international instruments to regulate migrant workers and migration. A particularly useful section of the report deals with managing

migration and addresses such issues as policy coherence, the value of social dialogue, a comprehensive approach to irregular migration and the advantages of intercountry cooperation.

The report noted that, unlike such other aspects of globalization as increased trade and investment, international migration provoked significant social and political adjustments that were often stressful. Therefore, policies on migration should be based on open debate and social dialogue among the key stakeholders, and should be consistent with policies in other areas, particularly economic development. Policy coherence implies, at a minimum, that migration policies are designed to meet foreseeable long-term requirements, that they will remain in place in spite of changes in government, and that migration policies and those in other sectors reinforce each other rather than work in opposite directions.

Tightening control over border points, combating networks that smuggle migrants, deporting some irregular migrants and sanctioning employers are necessary steps toward controlling irregular migration; however, these actions are not usually sufficient. Therefore, countries with an economic demand for migrant workers may also choose to expand channels for legal labour migration and to regularize some of the migrants who have irregular status. Regularization may be based on the principle of “earned adjustment,” i.e., permitting those migrants who meet certain criteria to remain and work in the country of destination. As combating irregular migration and expanding mechanisms for regular labour migration are difficult to effect unilaterally, most countries cooperate with their counterparts at the bilateral, regional and global levels (ILO, 2004).

#### **(d) High-Level Dialogue on International Migration and Development**

The General Assembly of the United Nations convened a High-level Dialogue on International Migration and Development, in New York, in 2006. It was attended by representatives from more than 160 countries. The discussion focused on the nexus between international migration and economic development but also covered related social issues. “Participants noted that migrants contributed to development in both developing and developed countries.... There was widespread support for incorporating international migration issues in national development plans, including poverty reduction strategies” (United Nations, 2006b).

Participants emphasized that international migration, development and human rights were interconnected. It was also stressed that, in order to achieve the full benefits of migration, it was essential to respect the fundamental rights and freedoms of all migrants, and many participants observed that such vulnerable groups as migrant women and children required special protection. The High-Level Dialogue observed that remittances appeared to be the most tangible benefit of international migration for countries of origin. While remittances had increased rapidly in recent years and benefited millions of families of migrants, participants believed that the development potential of remittances could be enhanced by a number of policy measures. Participants stressed, however, that remittances were private flows and should be treated as such (United Nations, 2006b).

Many participants in the High-Level Dialogue addressed the issue of irregular migration. They noted that the number of migrants in an irregular situation was increasing and that such migrants were vulnerable to abuse and exploitation. Although aware that nations must apply security and control mechanisms to irregular migration, participants also recognized that such migration resulted from unmet labour demand in the country of destination, and called for expanding programmes to permit legal migration and regularize migrants in an irregular situation.

Most member states that participated in the High-level Dialogue expressed an interest in continuing such a dialogue and in establishing a Global Forum on Migration and Development for that purpose. The Government of Belgium offered to host the first meeting of the Global Forum as a State-led process and the meeting was held in Brussels in July 2007, with the following session held in the Philippines in October 2008.

## Cooperation at regional level

In the absence of formal mechanism to discuss regularly the issue of international migration at the regional level, several regional consultative process have emerged in the Asian region. Regional consultative processes for international migration are informal meetings of government officials, representatives of international organizations and, in some cases, NGOs. They tend to focus on specific aspects of international migration rather than on taking a comprehensive approach. They are regional or subregional in scope. They provide platform for an exchange of information and ideas, but their outcomes are non-binding and not generally available to the public. They are not established as formal organizations and do not have a fixed secretariat – rather, the secretariat is “virtual” (a network of individuals linked electronically). There are four main regional consultative processes involving countries in East and South-East Asia, as indicated in table 17.

Although the expressed focus of the Inter-Governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC) is comprehensive, APC has concentrated more on issues related to refugees and displaced persons. Perhaps it was for that reason the other regional consultative processes were initiated. Because both the Manila Process and the Bali Process focus on irregular migration as well as the smuggling and trafficking of migrants, merging them has been considered. The Colombo Process, on the other hand, focuses on the management of overseas employment and contractual labour for countries of origin in Asia and it evolves around three thematic area: protection of and provision of services to migrant workers; optimizing benefits of organized labour migration; capacity building, data collection and inter-state cooperation.

Because regional consultative processes are informal and do not adopt negotiated outcome documents, discussions may be more frank. Meetings focus on specific relevant topics and are essentially non-political. They benefit from their limited membership and commonality of interest. Discussions begun in an informal setting may lead to bilateral agreements or changes to national legislation. They permit a “pathfinder” approach in which some governments may reach a consensus even if others are not yet ready to join it (GCIM, 2005a). Critics claim that because regional consultative processes are non-binding they cannot be expected to take significant action. Klekowski von Koppenfels (2001) pointed out, however, that their non-binding nature could be an advantage. Countries that have not ratified international conventions on migration are willing to cooperate with their regional partners on many aspects of migration policies, according to their capacity and priorities. Countries that participate in regional consultative processes endorse them and believe that improved dialogue and mutual understanding have led to practical measures to address migration issues (United Nations, 2006b).

Potential disadvantages of regional consultative processes go beyond their non-binding approach. They require a dedicated secretariat because they are not formal organizations but are usually seated in the agency of the chair of the process. Because the processes are not established as organizations, they do not have a regular and secure source of funding or of expertise (GCIM, 2005a).

## Cooperation at subregional level

The existing subregional cooperation frameworks have the advantage of gathering member States in the different stages of the migration process, thereby encouraging dialogue among them.

### (a) Association of Southeast Asian Nations (ASEAN)

In the ASEAN framework, Malaysia, Singapore and Brunei Darussalam are the main destination countries receiving workers predominantly from Indonesia and the Philippines. These three countries have developed specific overseas labour deployment policies as part of their strategies for addressing poverty, easing domestic unemployment pressures, generating foreign exchange and fostering growth. They have set targets – which have increased over time – on the number of workers the concerned governments hope to send abroad in their economic development plans. The Philippines has developed a highly-organized overseas contract workers management system through the POEA providing oversight over recruitment and deployment of labour. The monitoring of the working conditions of migrants falls within its competencies, which – in the

light of what is discussed above – is a development to be welcomed and encouraged. These policies, together with the cultural and religious affinities with the destination countries, have played a key role in forging the ASEAN migration “system”.

ASEAN has adopted Declarations both on migrant workers and on trafficking in persons. The twelfth ASEAN Summit adopted the Declaration on the Protection and Promotion of the Rights of Migrant Workers on 13 January 2007. The main principle of that Declaration is set out in the first operational paragraph: “Both the receiving States and sending States shall strengthen the political, economic and social pillars of the ASEAN Community by promoting the full potential and dignity of migrant workers in a climate of freedom, equity and stability in accordance with the laws, regulations and policies of respective ASEAN member countries”. Receiving States have the obligation to “promote fair and appropriate employment protection, payment of wages, and adequate access to decent working and living conditions for migrant workers” (paragraph 8). They should also “provide migrant workers, who may be victims of discrimination, abuse, exploitation, violence, with adequate access to the legal and judicial system of the receiving state” (paragraph 9).

In terms of cooperation among its member countries, ASEAN is committed to “facilitate data sharing on matters related to migrant workers, for the purpose of enhancing policies and programmes concerning migrant workers in both sending and receiving States” (paragraph 18). The member countries also agree to assist migrant workers from other ASEAN countries who are caught in conflict or crisis situations outside the ASEAN region, based on bilateral consultations and arrangements (paragraph 20).

The Declaration marked a milestone for ASEAN on the issue of labour migration within its region. The document is rather general, however, and certain omissions from the Declaration are also significant with regard to understanding the position of governments in the subregion. The Declaration recalls only international instruments that all ASEAN member countries have acceded to, and thus does not mention the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Declaration takes a strong position regarding migrants in an irregular situation. Paragraph 4 states: “Nothing in the present Declaration shall be interpreted as implying the regularization of the situation of migrant workers who are undocumented”. Paragraph 7 states that receiving countries should: “Facilitate access to resources and remedies through information, training and education, access to justice, and social welfare services as appropriate and in accordance with the legislation of the receiving State, provided that they fulfill the requirements under applicable laws, regulations and policies of the said State, bilateral agreements and multilateral treaties”. Paragraph 7 thus denies access to remedies and to justice by irregular migrants. The rights of migrant workers to free association or to organize are also omitted from the Declaration.

The Declaration tasks the relevant ASEAN bodies with following up on the Declaration as well as with developing an ASEAN instrument on the protection and promotion of the rights of migrant workers (paragraph 22). When the appropriate ASEAN bodies begin to implement programmes to make the Declaration an operational document, they could address the issues of minimum labour standards for particular occupations, especially domestic work, manufacturing work, fishing etc. ASEAN could contribute to the efficient management of labour migration within its region by promoting standard contracts for specific occupations and by facilitating regionwide skills certification. It could also cooperate with the private sector in developing savings schemes and pension systems designed especially for migrant workers.

The Heads of State or Government of the ASEAN member countries adopted a Declaration against Trafficking in Persons, Particularly Women and Children, on 29 November 2004.

#### **(b) Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)**

Representatives of the six Governments in the Greater Mekong Subregion – Cambodia, China, the Lao People’s Democratic Republic, Myanmar, Thailand and Viet Nam – have established COMMIT. They signed a MoU on Cooperation against Trafficking in Persons in the Greater Mekong Subregion on 29 October 2004 in Yangon. The United Nations Inter-Agency Project against Trafficking in the Greater Mekong Subregion (UNIAP) serves as the secretariat for COMMIT, which adopted a plan of action against trafficking for 2005-2007.

The MoU signed by the six Governments contains 34 operative paragraphs in the key areas of (a) policy and cooperation, (b) legal frameworks, law enforcement and justice, (c) protection, recovery and reintegration, (d) preventive measures and (e) mechanisms for implementation, monitoring and evaluation of the MoU. The MoU commits the six Governments to develop national plans of action against trafficking in persons, and to work towards establishing and strengthening national multisectoral committees to address trafficking (paragraphs 2 and 3). The MoU also calls for “investigating, arresting, prosecuting and punishing perpetrators of trafficking in accordance with national law” (paragraph 9). The six Governments are committed to “providing all victims of trafficking with shelter, and appropriate physical, psycho-social, legal, educational and health-care assistance” (paragraph 17). It requires the “application of national labour laws to protect the rights of all workers based on the principles of non-discrimination and equality” (paragraph 25).

The Governments participating in the COMMIT process have undertaken an ambitious plan of action in order to strengthen their capacity to implement the MoU. Their activities have included national and subregional training workshops, and the drafting of model procedures and guidelines. However, concern exists that focusing on individual components of the MoU separately has led to a fragmented approach with inadequate attention to the linkages between the components and a lack of collaboration among partners. UNIAP has initiated a collaborative, intergovernmental and interagency process to develop subregional guidelines and standards that all governments would adopt through the COMMIT process, such as at Senior Officials’ Meetings. In this approach, all activities would be consolidated into work in the four key areas of policy development, prevention, protection and prosecution.

In a review of mechanisms for the return and repatriation of victims of trafficking that Huguet and Ramangkura (2007) carried out for IOM, they suggested numerous actions to make the process more efficient and effective. Although much progress has been made recently, especially after the MoU on COMMIT was signed in 2004, most countries need to take a more systematic approach to the identification of victims of trafficking, with greater monitoring of certain types of workplaces and an understanding that trafficking is not confined to women and children. Better statistics on trafficking as well as return and reintegration processes are needed in order to assess current programmes.

Huguet and Ramangkura (2007) also argued that repatriation processes should be less shelter-based and more flexible. They also concluded that the processes should be more returnee-centred. Such an approach would be aimed at expediting returns, providing training that returnees believe they need and offering better opportunities for productive employment following repatriation.

## Bilateral cooperation

International processes at the global, regional and subregional levels permit countries to agree on principles and establish norms for international migration, but the details of country-to-country arrangements are set out in bilateral agreements. These may take the form of MoUs or working-level agreements. Many countries in East and South-East Asia have signed bilateral MoUs on labour migration and trafficking. These agreements can, to a limited extent, compensate for the gaps in the national legislation.

### (a) Bilateral agreements

Countries of origin for labour migration may sign MoUs with countries of destination in order to:

- (a) Ensure opportunities for their workers;
- (b) Commit themselves to compliance with requirements of the receiving country;
- (c) Offer greater protection to their workers; and
- (d) Discourage irregular migration.

Indonesia, for example, recently signed MoUs on the recruitment and placement of its workers with Jordan, the Republic of Korea, Malaysia and Taiwan Province of China.

The main motivation for countries of destination to establish bilateral MoUs with source countries of labour migration is often to reduce irregular migration by establishing formal channels that are clear and regulated. For example, when labour shortages began developing in the Republic of Korea in the 1990s, that country first introduced an industrial training system. Because the trainees received wages lower than those of regular migrant workers, they were not protected as legal workers and were able to stay for only one or two years; as a result, many left the system and found other jobs in the country, thus becoming irregular migrants.

In order to reduce irregular migration for employment, the Government of the Republic of Korea introduced the employment permit system and it will phase out the industrial trainee system by 2010. Under the employment permit system, all foreign workers enter through government-to-government agreements. Fourteen such agreements have currently been established. The workers may stay for a maximum of three years, after which they must leave the country for at least one year before entering for another three-year period. The foreign workers are not permitted to bring family members with them, in order to dissuade them from staying longer. Workers entering under the employment permit system have legal status as workers, entitling them to equal treatment with Korean workers (Park, 2007).

Thailand is also attempting to restrict irregular migration by establishing formal employment channels for workers from Cambodia, the Lao People's Democratic Republic and Myanmar. It signed bilateral MoUs with each of those countries in 2002 and 2003 for that purpose. Under the terms of the MoUs, the receiving country informs the sending country of jobs that need to be filled and the country of origin identifies workers qualified for the jobs. The three countries then ensure that the accepted migrant workers are issued travel documents, a work permit, health insurance and a contract. Workers may remain in Thailand for two consecutive two-year contracts, after which they must leave for at least three years before being eligible to apply again for work in the country. In order to encourage workers to return home at the end of their contracts, the MoUs provide for a savings plan under which employers would contribute 15 per cent of the workers wages to the plan. At the end of the contract, the worker would be entitled to that sum plus interest but she/he would be able to collect the money only after returning home. In fact, that aspect of the MoUs has not been implemented.

Implementation of the MoUs in Thailand has begun slowly. The reasons, which should be further investigated, are both practical and political. On the practical side, although the MoUs outline the framework for the sending and receiving of migrant workers between the two countries, the process for a national from Cambodia, the Lao People's Democratic Republic or Myanmar to secure work in Thailand remains complicated and expensive. The costs and the complexity of the recruitment procedure are significant obstacles.

#### **(b) Counter-trafficking agreements**

Concerning trafficking in persons in the GMS, MoUs have been signed by the GMS Governments involved in the main victim return processes. Cambodia has signed MoUs with both Thailand and Viet Nam, while the Lao People's Democratic Republic has agreed to one with Thailand. China and Viet Nam have each signed an MoU on Cooperation in Combating Crimes, which covers trafficking in women and children. Working-level agreements or agreed procedures are in place for all other significant return channels in the GMS. Those procedures could be strengthened by greater cooperation and communication between responsible agencies in one country with their counterparts in other countries in order to improve data collection and transmission, case management and reintegration (Huguët and Ramangkura, 2007).

### **III. Conclusion**

International migration is an area in which governments can greatly benefit from international cooperation in formulating comprehensive and effective migration management policies that achieve desired results. However, the achievement of such results remains hampered, in many cases, by the lack of policy coherence at the national level.

At the national level, migration has traditionally been considered a spontaneous phenomenon with little or no need for State regulation. However, in the past three decades, following the regionwide increase of the migrations flows in South-East Asia, practically all the countries of the region have acknowledged a strong need for State intervention on migration-related issues involving different aspects of core functions of the State, from justice, security and law enforcement, to social and labour legislative frameworks, and external relations, and from social security to health-related regulations. Given the multidisciplinary nature of migration, which in most countries falls under the jurisdiction of several ministries (the most commonly involved being the ministries of interior or home affairs, health, labour, foreign affairs and education), State intervention is necessarily a broad and a multidisciplinary one.

However, what is often experienced in some countries is that individual ministries that normally deal exclusively with national issues and the delivery of services to their own nationals, lack the capacity to deal with migration issues and migrant populations. Thus, there is a broadly recognized need for capacity-building initiatives to be referred to all national bodies that are, at different stages and levels, in charge of the management of national migration policies.

Furthermore, even if individual ministries have the capacity, each of them sees migration from its own, specialized perspective; they may, based on their responsibilities and interests, have different or even competing objectives. Therefore, it can be challenging to formulate unified policies that take into account a very wide range of security, social and economic interests. In this regard, it is rare for countries to have functioning coordination mechanisms and this jeopardizes the effectiveness of the policies internally adopted as well as the credibility of the State in multilateral forums where migration issues are discussed.

These challenges at the national level are to: (a) gain a sound understanding of national migration issues; (b) develop policies and programmes that address the issues; and (c) establish national coordination mechanisms for ensuring consistency toward migrants across several ministries, the lack of which is currently hampering national migration policy development, and inevitably limit the effectiveness of regional and international migration management.

In an international cooperation perspective, another factor hampering global and effective regional management of migration issues refers to the problem that national migration policies, where they exist and are being implemented, differ significantly from country to country, resulting in great diversity in the region as a whole. They vary not only – and logically – between countries of origin and destination but also within these two “categories”.

From the point of view of the countries of destination migration policies, the main failure lies in the fact that “development assistance and immigration are represented by different ministers and different government departments and agencies... (which) presents a barrier to building development assistance considerations into migration policies” (Hugo, 2005b). Moreover, at the international level, the adoption of specific measures intended to benefit the economic and social development in the migrants’ countries of origin are often hampered by the fear that such development policies could have a negative impact on the economy of the receiving State (e.g., “reducing the competitive position vis-à-vis other receiving nations who do not adopt [them]” – Hugo, 2005b). This is a further indication of the possible gains that countries of origin could obtain from coordination with the initiatives of the countries of destination in the field of migration as well as from better harmonization of their development policies, given the tight interrelation between the two issues.

In the case of the countries of origin, they are generally confronted with the dilemma between “promotion” and “protection”. One example that illustrates such a dilemma is some countries of origin attempting to unilaterally set minimum wage standards for their nationals abroad have found themselves priced out of the market, due the non-existence of similar provisions in other countries of origin. Other examples can be found in the different ways of handling the labour recruitment process (leaving it to market forces or regulation through bilateral agreements), or the acceptance of recruitment agencies and their submission to legislative rules.

In order to properly address these concerns, the limits of the control systems experienced until now – at the national as well as international level – and the advantages of a policy promoting employment abroad, when and where requested by the driving economic forces underlying the migration flows, should be recognized. From the perspective of national interests, it would appear somewhat beneficial to put in place policies that ensure migrants can move and work in safe conditions as well as make the best use of their earnings.

Countries of destination should therefore recognize the weakness of their ad hoc migration policies, which are an “after-the-fact” reaction to the arrival of large numbers of migrants, and begin planning strategies (based on realistic data) and adjusting them in a flexible way to both existing and future needs.

The concept of “migration governance” should be the leading concept underpinning the decision-making process on migration. If migration is a key element of development, it should be given more consideration in the development strategies of the countries concerned in order to make the best use of its potentials.

Migration policies should include provisions for a migration process that is as cheap, fast and simple as possible, in order to render regular migration more attractive than irregular migration. This, in turn, would lessen the need for “ex post” (and, in the long term, mainly ineffective) policies such as regularization campaigns in the receiving countries. What often happens is that “migration programmes are being bypassed by potential migrants because of them being more costly and slower than moving on an undocumented basis” (Hugo, 2005a). Putting into place such activities would reduce the vulnerability of migrant communities and help to maximize the benefits of migration, thus providing an opportunity for national (and therefore regional) economic and social growth both in the countries of origin and destination.

**Table 17. Regional consultative processes on migration**

Process	Date established	Geographical scope	Focus
Intergovernmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC)	1996	Thirty-two States in Asia and the Pacific plus Hong Kong, China	Return and reintegration; refugees; trafficking; entry/border control; asylum; irregular migration; labour migration; remittances; rights of migrants and internally displaced persons; role of the country of origin; impact of economic crisis; public awareness campaigns; information sharing; burden sharing; and capacity-building
IOM Regional Seminar on Irregular Migration and Migrant Trafficking in East and South-East Asia (Manila Process)	1996	Sixteen States in East and South-East Asia plus Hong Kong, China	Irregular migration and trafficking; root causes of regular and irregular migration; return and reintegration; entry/border control; remittances; migrants' rights; capacity-building; and information sharing
Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Conference/ Process)	2002	Forty States in Asia and the Pacific	Trafficking and smuggling; irregular migration; information and intelligence sharing; fraudulent document detection; border management; visa systems; return and readmission; public awareness campaigns; harmonization of legislation, asylum practices and management; victim protection and assistance; development aid; and law enforcement
Labour Migration Ministerial Consultations for Countries of Origin in Asia (Colombo Process)	2003	Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Viet Nam	Labour migration and related programmes (protection of vulnerable migrants and provision of support services to them; optimizing benefits of organized labour migration; capacity-building, data collection and inter-State cooperation)

Sources: International Labour Organization, *ILOLEX database*, <<http://www.ilo.org/ilolex/english/index.htm>>, accessed 28 June 2007; and United Nations Treaty Collection, <<http://untreaty.un.org>>, accessed 28 June 2007.

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# LABOUR MIGRATION: TRENDS, ISSUES AND PROSPECTS\*

## Introduction

One of the more remarkable dimensions of economic and social transformations that have engulfed the East and South-East Asia during the past three decades has been the growth of cross-border movements of workers. The unbalanced growth of the economies of the region widened the gaps in relative incomes and standards of living, which in turn magnified the “pull” and “push” factors that shape migration movements. Migration has increased in some instances with the support of state policies, but despite them in others.

Triggered initially in the late 1970s by the sudden boom in demand for construction labour in the oil-rich countries of the Middle East, and later by shortages of labour in the rapidly industrializing economies in East Asia, the migratory movements of Asian labour have continued until the present. Such movements have acquired a character and importance that few had imagined possible at the beginning. This chapter reviews the main patterns of these movements, their impacts and consequences, and the policy issues they have posed for development authorities in the countries of origin and countries of employment.

## Recent trends and patterns

The past few decades have seen the emergence of a labour migration system in East and South-East Asia. In 2005, the United Nations estimated the population of migrants in the region at 5.6 million, of whom probably more than 4 million are economically active. For example, 90 per cent of Myanmar’s estimated total workforce abroad of 1.6 million was in another ASEAN country, particularly neighbouring Thailand, which has more than eight times Myanmar’s per capita income (UNDP, 2007). A large plurality of the migrant workforce from the Lao People’s Democratic Republic and Cambodia are also in Thailand. Of Indonesia’s 2.3 million workforce abroad, 59 per cent was in another ASEAN country, mainly Malaysia with which it has strong ethnic and cultural affinity but which has three times Indonesia’s per capita income. There is a long history of migration between Malaysia and Singapore, which were previously one unified State. 73 per cent of the estimated 1.5 million Malaysian workers abroad are employed in Singapore while about 40 per cent of Singapore’s 230,000 emigrants are in Malaysia, filling high-skilled jobs.

However, these intraregional movements must be seen in the context of wider and earlier flows of labour from and within the region. Viewed at an aggregate level, the more significant trends and patterns of recent migration include:

- (a) The circulation of Asian contract workers to the Middle East, which began in the mid-1970s, and which has continued and expanded beyond the initial movements that were tied to massive investments in infrastructure construction. Today, the demand for foreign workers in the Middle East is also growing in other sectors, notably agriculture, trade and tourism, services, transport and utilities, and health. Migrant workers typically rotated in tandem with construction projects. However, during the past two decades, the average period of stay has lengthened as a result of absorption in a much larger number of economic sectors of employment, including those where jobs are not time-limited;
- (b) The number of women migrant workers, especially those bound for employment in the domestic sector, has grown rapidly, and in some instances has dominated the overall flows to the Middle East as well as to other destinations. This migration comprises a troublesome subsystem because households are virtually excluded from labour supervision. Workers employed for domestic service are usually not covered by labour laws;

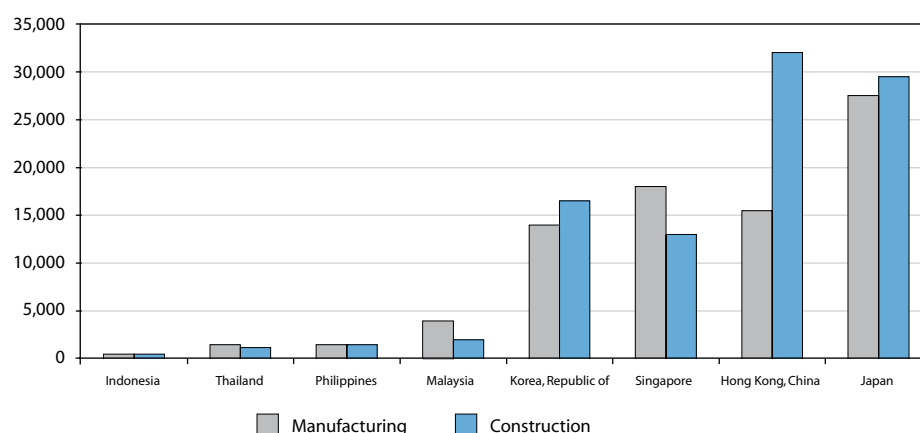
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\* Manolo Abella, Chief Technical Adviser, Asian Regional Programme on Governance of Labour Migration, International Labour Organization.

- (c) The circulation of migrant labour in East and South-East Asia, which has also gained momentum during the past two decades except for a brief interruption in the aftermath of the Asian economic crisis. The growing share of foreign workers in total employment in Singapore, Malaysia, the Republic of Korea, Thailand, Taiwan Province of China and Hong Kong, China indicates that these movements are no longer a cyclical phenomenon but are fast becoming a structural feature of the economies of those countries;
- (d) The share of professionals and the more highly-skilled workers in intraregional flows is still relatively small compared with movements to North America. However, more and more countries are opening the immigration doors wider for such workers;
- (e) Although statistics on returnees are poor, there is much evidence that such movements are temporary. A large majority of migrant workers leaves the countries of employment at the end of their contracts and return to their home countries, if only to seek another contract abroad. The same cannot be said of those who have entered countries of employment clandestinely. They have tended to stay longer until forced by unemployment or risk of imprisonment to return;
- (f) Many destination countries in East and South-East Asia have established temporary “guest worker” programmes in response to the demand of industries for more labour. Those that were late in doing so have since found it more difficult to make such programmes work. The large proportion of the undocumented or irregular migrant workers in new destination countries such as Malaysia and Thailand reflects that difficulty;
- (g) The infrastructure for labour migration in East and South-East Asia has largely been built by the private sector. The governments of origin countries have established laws and institutions to regulate labour migration movements, but they have left the recruitment and placement of workers largely to commercial or profit-motivated intermediaries;
- (h) In recent years, an increasing number of countries of employment have entered into bilateral labour agreements with origin countries in order to avoid many of the problems, especially those related to recruitment, that have plagued earlier movements. However, these agreements have focused largely on formalizing migration processes rather than on guaranteeing minimum wages and other terms of employment.

## Driving forces behind migration

The “usual suspects” driving migration – productivity and income differences, rapidly growing cohorts of young workers in populations, ageing populations in others, declining costs of transport and communication – are present in East and South-East Asia and have undoubtedly contributed to the recent trends. Although the explanatory power of these variables still awaits validation by empirical studies, it may be safe to assume that they are all behind the historical upward trends. Average earnings in construction and manufacturing in Japan, the Republic of Korea and Hong Kong, China for example, are notably higher than in Indonesia, the Philippines and Thailand (figure 20). Short-term fluctuations in the movements, however, are due more to the rise and fall in the demand for labour. Upswings have been associated with major public infrastructure investments (i.e., subway construction in Singapore or airport construction in Hong Kong, China) and real estate booms. Downswings have followed periodic crackdowns on irregular migration and subsequent, albeit temporary, restrictions on new immigration.

**Figure 20. Comparison of average earnings in construction and manufacturing in East and South-East Asian countries**

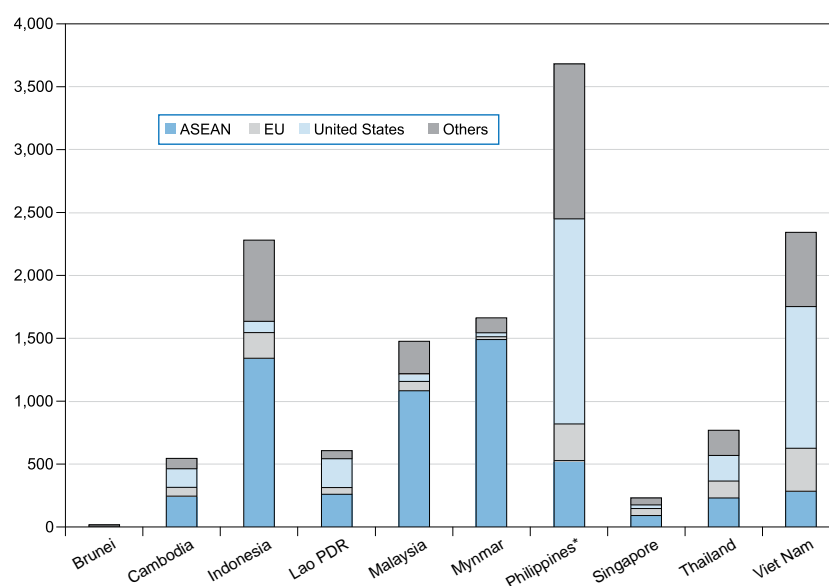
Source: ILO's key labour market indicators.

Levels of unemployment in countries of destination have, at best, been weak determinants of immigration admissions. What is unmistakable is the impact of rising per capita incomes and increasing levels of education, and the changes these bring to attitudes towards work, especially the so-called "3-D jobs" among native workers. There have been continuous increases in the absorption of foreign workers in agriculture, fisheries and construction, which native workers desert as soon as better prospects emerge in expanding modern sectors.

The same is true of small industries, which find it hard to attract native workers. In the Republic of Korea, the Federation of Small Business successfully lobbied for admitting low-skilled workers as "industrial trainees" despite a long-standing government policy to admit only professionals and skilled workers. The industrial trainee programme lasted for many years, but the Government was eventually forced to abandon it in favour of a regular "guest worker" programme because of criticism that it allowed rampant violations of workers' rights to equal treatment.

There are increasing signs that dependence on foreign labour has become a structural feature of some of East and South-East Asia's more wealthy economies. In Singapore, migrant workers already account for about 30 per cent of the labour force and slightly less (about 1 in 5 workers) in Malaysia. What is more important to note, however, is that the dependence on foreign workers appears impervious to the oscillations of economic fortunes. In Malaysia, the number of registered foreign workers more than doubled in five years, from 532,000 in 1993 to 1.1 million in 1998. The large repatriations in the wake of the economic crisis greatly reduced their numbers; however, many Indonesians who were sent home have apparently found their way back to Malaysia, as evidenced by the numbers reported to be without regular status when Malaysia declared another amnesty programme in October 2004.

Dependence on migration is mirrored on the other side of the migration link where migrants' remittances make up a substantial part of national income. The growth of labour outflows reported by some countries of origin has been remarkable. In Indonesia, annual labour outflows in the early 1980s were estimated at a mere 36,000 annually. By the late 1990s, this had risen to almost 400,000 a year. Migrating for employment as a traditional "rite of passage" for young men from some islands of Indonesia has become a much larger phenomenon, with young women outnumbering male migrants. However, the Philippines remained the largest supplier of labour with an annual outflow to all destinations in 2000, representing about 1 per cent of that country's 30.9 million workforce.

**Figure 21. Migrant workers from ASEAN countries, by region of employment, 2005**

Source: ILO, 2007.

The participation of women in migration is by no means a recent phenomenon in the region, but what has distinguished recent trends from the past is the scale of their movements. The past two decades have seen ever-growing numbers of women from Indonesia, Myanmar, Lao People's Democratic Republic, and the Philippines moving across borders to work as domestic helpers in neighbouring countries. Women from Indonesia, the Philippines and possibly Myanmar now outnumber men in migration flows. This trend is expected to gain further momentum with the rapid ageing of populations in some parts of the region as well as with increasing proportions of their national income being spent on caring for the elderly.

Although the so-called "mail order brides" phenomenon is seldom treated as an issue in labour migration the link with labour shortage especially in rural areas in countries such as Japan and the Republic of Korea is unmistakable. Growing numbers of young Chinese, Vietnamese, Thai and Filipino women are today migrating to those countries in order to marry the few young men who must be motivated to stay in the rural areas where young native women no longer wish to stay. In 2005, immigration authorities in the Republic of Korea reported that some 88,000 foreigners had been admitted to the country based on marriage to Korean citizens.

The movement of technical workers has so far represented a small proportion of total flows but their share is expected to expand as the region's economies shift to more sophisticated services and manufactures. In the past, language, in addition to qualifying test requirements in certain professions, served as a formidable barrier for professionals seeking employment across borders. This is the reason why Singapore and Hong Kong, China – where English is widely used – have been more successful in attracting foreign managers and other professionals and talent. However, the past 10 years have seen rapid increases in the number of foreign student admissions into Japan, the Republic of Korea and even China. Foreign students have since formed a large pool of young professional entrants to the workforce, as their employment is being encouraged through more liberal policies on changing immigration status.

Finally, the demand is rising for foreign workers as replacements for ageing workers and caregivers for rapidly expanding populations of the elderly. Japan's workforce has already started declining, and the Republic of Korea and Taiwan Province of China are following suit. China, Singapore and Thailand will face the same situation in another decade. While planning for the ageing population problem has already started through a range of measures, including those aimed at raising productivity, changing labour laws

to accommodate different ways of organizing work, designing new production technologies for older workers and strengthening social security systems, liberalizing immigration is undoubtedly now on the agenda for devising solutions. Japan has started to open avenues for admission of foreign-trained nurses and caregivers and is including the subject in trade partnership agreements.

During the decade of 2005-2015, Japan will be the only large country in Asia to experience a declining workforce. However, the phenomenon of declining workforces is more widespread if comparison is made with populations at the ages when most enter the labour force, i.e., 15-24 years. Numbers at these ages declined during the 1990s in China, Japan, the Republic of Korea and Thailand. This decline will continue during 2000-2010 in all those countries, plus Indonesia.

## National approaches to managing labour migration

While there are important differences between countries, the management of labour migration in the region may be said to have certain common characteristics. In the case of labour-receiving countries, these include:

- Unilateral management of labour in-migration;
- Employer-driven admission policies;
- Temporary admission of migrant workers only as “guest workers” or under “trainee” schemes;
- Exclusion of migrant workers from long-term benefits;
- Recourse to periodic amnesties to address irregular migration.

## Unilateral approach to managing migration

Unlike Europe, there are very few examples in East and South-East Asia of bilateral agreements on labour migration between origin and destination countries. Despite pressure from origin countries, most countries of employment have avoided entering into specific commitments on levels of admissions and treatment of migrant workers. This has limited the role that origin States play in the processes of recruitment and placement of their workers abroad, except in China and Viet Nam where licences to recruit go to many state enterprises. The situation has led to the widespread commercialization of migration processes with all its advantages as well as risks. The former usually refers to the efficiency of private recruitment, which explains the system’s rapid growth. The latter refers to the high incidence of fraud, trafficking and high cost of recruitment intermediation, which could be minimized by cooperation between source and destination countries.

There have been some promising developments in recent years. One is a system introduced jointly by the authorities of Taiwan Province of China and the Philippines whereby “direct hiring” of workers by employers is allowed. The employers draw from a list of qualified applicants provided by pre-selected private recruitment agents in the Philippines.<sup>1</sup> The Government of Malaysia has concluded MoUs with Bangladesh, China, Indonesia, Pakistan, Sri Lanka, Thailand and Viet Nam to regulate recruitment processes and procedures. In order to bring more order to the movements of workers from its neighbouring countries, Thailand signed MoUs with the Lao People’s Democratic Republic (October 2002), Cambodia (May 2003) and Myanmar (June 2003) that required the active participation by the governments of both sides. The employment of workers requires:

- (a) Prior permission of the authorized agencies of the respective countries;
- (b) The submission by one country of a list of available jobs and by the other of a list of selected applicants for these jobs; and
- (c) Supervision by both sides to insure that appropriate visas and work permits are issued, that workers comply with requirements for health insurance, contributions are made to a savings’ fund, taxes are paid and an employment contract issued.

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<sup>1</sup> Although the Taiwanese authorities allow direct hiring, this has apparently benefited only a few so far because Taiwanese job brokers continue to make it attractive for employers to hire through them by arranging for deductions from the wages of the migrant workers.

The system unfortunately appears to have broken down as the cost of passing through the jointly established procedures greatly exceeds that of the informal system the authorities sought to replace. Recent studies indicate for instance, that passing through legal channels would cost a Laotian worker some US\$ 600 to find a job and get employed in Thailand, whereas it used to cost only US\$ 79 through informal channels.

## Measures taken by countries of employment

### *Employer-driven admission policies*

In the East and South-East Asian countries, the levels of admission of foreign workers are rarely pre-determined by law or policy through quotas, and almost always by employers. The exception is Japan, where immigration law effectively bars the admission of low-skilled foreign labour, even if migration is still employer-driven with regard to the more skilled occupations or where the workers being sought are second- or third-generation ethnic Japanese (*Nisseis* and *Sanseis*). Employer-driven policies mean a diminished role for countries in managing migration, and easily lead to prolonging or even deepening dependence on foreign workers. Reforming policies then becomes more difficult once economic interests are built around preserving the status quo.

### *Temporary admission schemes*

Most of the countries/areas admitting foreign workers, such as the Republic of Korea, Singapore, Brunei Darussalam, Malaysia and Taiwan Province of China, have adopted one form of "guest worker" programme or another, premised on the idea of rotation, without giving low-skilled foreign workers any possibility of gaining a right to stay permanently. The employment of low-skilled foreign workers is usually based on one-year, renewable work permits. Migration is treated only as a means of meeting temporary shortages in the labour market, which can be turned on or off depending on economic conditions. Viewed from this perspective, it appears to be working well in addressing needs of employers during upswings in sectors such as construction or agriculture. However, the approach has run into problems where jobs are not inherently "time-limited" as in regular factory work or regular services. Such a policy conflicts with the interests of both employers and migrant workers in prolonging the relationship. Recognizing this problem, countries had to come up with various strategies to prevent settlement of unskilled foreign workers. These strategies have included requiring employers to put up bonds tied to the return home by their workers, exclusion of temporary worker migrants from membership in social security, tying workers to specific employers through their work visas, restricting their mobility to certain locations and not allowing family reunification.

Temporary employment makes it difficult for most migrant workers to qualify for retirement pension benefits. Laws in most countries also exclude them from such benefits even if they have the required number of years needed to qualify. This has put those migrant workers who spend a considerable part of their working lives in foreign countries at a distinct disadvantage, unless their own governments set up special schemes in their social security systems to cater to nationals employed abroad. As demonstrated in other regions, such disadvantages are avoidable since arrangements can be made that would allow short-term migrants to accumulate the right to retirement benefits. Through bilateral or multilateral agreements countries where the migrant has been employed and made contributions can agree on a formula for sharing the burden of paying his or her pension.<sup>2</sup> There will however be a need to amend laws on social security in some countries to permit coverage of workers other than nationals and permanent residents (see table 18).

<sup>2</sup> One hopeful sign is the fact that at the last Asian Regional Conference there was a call from some ASEAN countries to establish such arrangements among its member States. In response to an earlier request, in 1989 the International Labour Organization drafted a multilateral treaty for the ASEAN countries on social security protection for migrant workers. Unfortunately, despite considerable progress and three technical meetings held among the countries, reservations by one member State prevented the conclusion of such a treaty.

**Table 18. Branches of social security benefits, by country and key provisions of programmes, 2006**

	Brunei Darussalam		Indonesia	Lao PDR	Malaysia		Philippines	Singapore	Thailand	Viet Nam
Type of programme:										
Social insurance				*		*	*		*	*
Provident fund	*		*		*			*		
Universal		*								
Branches covered:										
Old age	* *		*	*	*		*	*	*	*
Invalidity	* *		*	*	* *		*	*	*	*
Survivor	*		*	*	*	*	*	*	*	*
Coverage limited to nationals and/or permanent residents	yes	yes					no			
Export of benefits allowed	yes	no	yes		yes		yes	yes		
Minimum qualifying period for eligibility	no	yes	no	yes	no	yes	yes	no	yes	yes

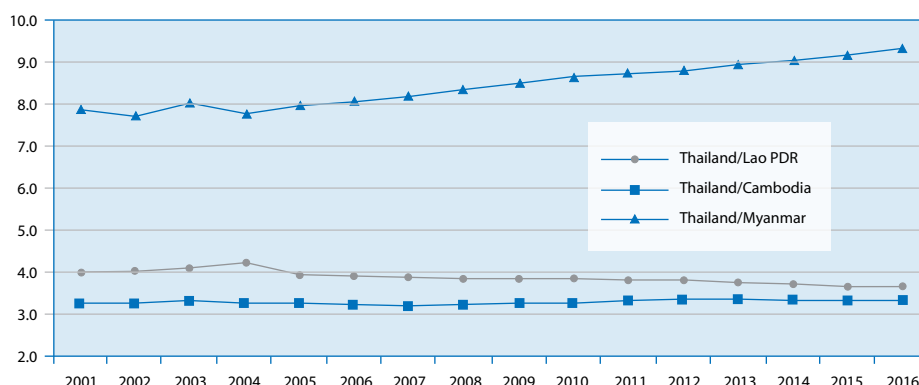
Source: Tamagno, 2007.

Unfortunately, exclusion from social security and other entitlements is often considered a necessary component of strategies to insure rotation among migrants and to discourage settlement, even if there is no evidence that such exclusion actually makes any difference to the length of stay. Positive measures such as end-of-service bonuses, which increase with migrants' contributions to social security, are likely to have more of an impact on motivating return and on making it a real and durable option for migrants.

### **Periodic amnesties to address problems of irregular migration**

The biggest challenge to policy makers has been the growth of irregular migration, trafficking and the consequent large populations of irregular migrants. Widening income differentials between origin and destination countries, especially where they are joined by porous common borders, easily lead to large irregular movements. (See, for example, figure 22 on the widening income differential between Thailand and its neighbours.) A common approach to the problem has been to declare amnesties with a view to encouraging registration and conversion to temporary migrants. However, it is now recognized that the problem needs to be addressed on a broad front, since it has many dimensions, such as:

- The need to provide protection to asylum seekers;
- The displacement of low-skilled native workers;
- The impact on labour costs in construction and labour-intensive exports;
- Concern over national security;
- Relations with friendly neighbouring States;
- Human rights of victims; and
- The education of migrant children.

**Figure 22. Income disparity: Thailand and labour source countries, 2001-2016**

Sources: WDI 2005; HDR 2006; EIU forecasts; and authors' extrapolation.

Note: Income disparity is defined as (per capita GDP of Thailand/per capita GDP of sending country), where GDP figures are in PPP United States dollars.

Countries such as Thailand and Malaysia have long faced the issue of having many hundreds of thousands of foreigners without legal status within their borders. They have experimented with various measures to address the problem such as heightened border controls, amnesties and registrations, deportations, allowing temporary admissions under industry quotas, imposing mobility restrictions on certain areas and, recently, through joint management with source country governments. It is clear that migration controls alone are not adequate for dealing with these problems. The reform of labour market policies, the development of strong labour institutions, the involvement of employers' and workers' organizations, and cooperation with source countries are also important elements of an effective approach to the complex issues that arise with migration.

Some policies, such as the use of "trainee schemes" to bring in foreign labour, have produced irregular migration as an unintended consequence. In the case of the Republic of Korea, the high rate of dropout from the scheme in order to work for wages, rather than for allowances, has been widely blamed for the growth of the irregular migrant worker population. The "training scheme" has, in effect, become another gateway for labour migration, and has always been seen as such in the origin countries. In efforts to mitigate the problem, the scheme was later modified to encourage workers to stay in the programme by guaranteeing at least one year of regular employment after the worker has gone through the prescribed training period. The training scheme was subsequently replaced by a regular temporary foreign worker programme, the Employment Permit System (EPS), in 2005.

## Measures taken by origin countries

Governments of source countries in Asia have developed approaches to managing migration that reflect, on the one hand, their desire to meet the aspirations of their people for better employment opportunities and raise incomes through transfers of migrants' earnings from abroad, and on the other hand, to defend the rights and interests of their nationals abroad. These approaches have involved a variety of measures, the most common of which include:

- Measures to tap employment opportunities;
- Regulation of recruitment and setting minimum standards for work contracts;
- Insurance of migrant workers against various contingencies; and
- Assistance to workers abroad (especially through labour attaché services).

Currently, a number of Asian countries each have a few million of their nationals working in foreign countries. Migration for employment is now seen by nearly all national authorities as a growing phenomenon, a feature of globalization processes, and a largely positive development contributing not only to raising returns to investments in education but also to bringing in expertise, information and trade opportunities.

More and more governments, from tiny Timor-Leste to continental India and China, see labour migration (or labour service exports) as a part of their employment strategies, and are introducing corresponding measures for taking advantage of the opportunities. In most countries, this has taken the form of commercializing recruitment by licensing private companies and labour contractors that, in the absence of government-to-government agreements, have been effective in finding foreign job offers.

### ***Defending migrant workers' rights***

The circumstances under which migration has taken place have shaped the Asian approaches to protection. Since most workers have been going to countries where gaps were expected in the protection of migrant workers, either in law or in practice, governments have placed emphasis on employment contracts as the legal basis for asserting and defending the rights and obligations of their nationals. For this reason, fraud in recruitment, misinformation and contract substitution have acquired a significance not found elsewhere, and governments have concentrated on policies and measures to stop and censure violations. The commercialization of migration processes, especially recruitment, is the other major challenge for source countries. Checking on the bona fide character of foreign employers as well as the validity and adequacy of employment offers, regulating fees charged the workers, registering contracts, penalizing malpractices and prosecuting unlicensed recruiters, and resolving disputes between workers and intermediaries all present formidable tasks for administrative bodies, some of which are not supported by appropriate legal mandates and adequate budgetary resources.

### ***Providing for contingencies***

Origin countries have also had to come up with measures to provide for contingencies such as failure of recruitment and the forced return of workers, the legal defence of nationals involved in costly court litigations in countries of employment, medical care for injured workers abandoned by their employers and conciliating disputes with employers. Some countries such as Pakistan and the Philippines pioneered the establishment of contributory funds and a specialized agency to use the funds for providing services to migrant workers and their families. Similar institutions have since been established in Thailand and Sri Lanka.

## **Challenges for cooperation**

### ***Common stake in managing migration***

While there have been significant problems associated with the emergence of the Asian migration system, most governments of the region today recognize that they have an important stake in the system's continuance and growth. The adoption by the ASEAN Summit in Cebu in January 2007 of a Declaration on the Protection and Promotion of the Rights of Migrant Workers (box 2) was a signal event because, for the first time, it shows consensus among its member States that protecting the migrant workers and ensuring their fair treatment are essential to the integrity of this migration system. While affirming the sovereignty of States in determining their own migration policy, the Declaration stresses their obligations to curb irregular migration and trafficking, regulate recruitment, provide migrants access to the legal and juridical system, and to develop an ASEAN instrument on the protection of the rights of migrant workers.

## **Box 2. ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers: summary of main provisions**

### **Recognition**

- Migrant workers contribute to the society and economy of both the receiving and sending States of ASEAN;
- The sovereignty of States in determining their own migration policy related to migrant workers;

### **Agreement**

- To cooperate in resolving cases of migrant workers who involuntarily became undocumented;

### **Obligation of receiving state**

- To provide migrant workers with adequate access to the legal and judicial system;
- To facilitate the exercise of consular function by consular or diplomatic authorities of countries of origin when a migrant worker is arrested or committed to prison or custody, or detained in any manner;

### **Obligation of sending state**

- To set up policies and procedures for facilitating recruitment, preparation for deployment overseas and protection of migrant workers as well as repatriation and reintegration to the countries of origin, and other aspects of worker migration;
- To establish and promote legal practices for regulating recruitment of migrant workers, and to adopt mechanisms for eliminating recruitment malpractices;

### **Commitment by ASEAN**

- To establish and implement human resource development and reintegration programmes for migrant workers in their countries of origin;
- To take concrete measures for preventing or curbing human smuggling and trafficking by, among others, introducing stiffer penalties for those involved;
- To facilitate data-sharing on matters related to migrant workers, for the purpose of enhancing migrant worker policies and programmes in both sending and receiving countries;
- To promote capacity-building by sharing information on best practices as well as opportunities and challenges encountered in relation to the protection and promotion of migrant workers' rights and welfare;
- To extend assistance to migrant workers of ASEAN member countries that are caught in conflict or crisis situations outside ASEAN, in the event of need and based on capacity and bilateral consultations and arrangements;
- To task relevant ASEAN bodies with developing an ASEAN instrument on the protection and promotion of the rights of migrant workers, consistent with ASEAN's vision of a caring and sharing community.

## **Growing problems with irregular migration and trafficking in women and children**

Large numbers of migrant workers are in an irregular situation in a number of Asian countries (box 3). For the region as a whole, as many as one out of every four migrant workers may be in an irregular status, but the ratio is much larger in some countries than others. In Thailand, for example, the situation reached a critical point when authorities estimated that in 2000 there were nearly 5.5 undocumented workers for each registered foreign worker, prompting the authorities to engage in a large-scale regularization programme. The problems have grown for a number of reasons – because borders are difficult to secure, because there is strong demand for labour (especially in the informal economy), or because of problems with enforcement of impractical regulations that easily turn regular migrants into irregular migrants. These factors all signal the immense dimensions of the problem of managing migration as well as the gravity of the problem of protection, since migrants in an irregular status are highly vulnerable to exploitation and abuse.

### Box 3. Irregular migration in Thailand and Malaysia

Thailand and Malaysia both have large populations of migrant workers in an irregular situation, which have remained as a major challenge and of increasing concern to the authorities of the two countries. In 2005, Thailand had an estimated 1.1 million irregular migrant workers, mainly from the neighbouring countries of Cambodia, the Lao People's Democratic Republic and Myanmar. In 2006, Malaysia had an estimated 700,000 irregular migrants, 70 per cent of whom were Indonesians, while most of the remainder comprised Chinese and Indian nationals who had overstayed after entering the country legally as tourists.

Periodic amnesties and registrations were undertaken by both Thailand and Malaysia, but they have so far proved ineffective in resolving the issues. Malaysia offered amnesty to irregular migrants during a four-month period bridging late 2004 and early 2005. Yet, only about 380,000 of the estimated 800,000 to 1,200,000 irregular migrants availed themselves of the opportunity. Thailand undertook a registration campaign and offered amnesty to irregular migrants from July to August 2004, when some 1.3 million irregular migrants registered. Nevertheless, subsequent re-registrations attracted far fewer applicants and, by June 2005, the number had fallen to 344,000.

To stem further irregular migration, both countries have negotiated bilateral arrangements with labour-sending countries. The mechanisms of this approach to solving irregular migration are still being fine-tuned and its effectiveness is not yet evident. Malaysia has also decreed that workers can only be imported from 12 designated countries – Cambodia, India, Indonesia, Kazakhstan, the Lao People's Democratic Republic, Myanmar, Nepal, the Philippines, Thailand, Turkmenistan, Uzbekistan and Viet Nam – with the country of source dependent on the sector of employment. Thailand has signed MoUs with its three major source countries, Cambodia, the Lao People's Democratic Republic and Myanmar. As a result, nationals of those countries are allowed to work legally in Thailand if they go through regular and established procedures for recruitment in their countries of origin, and if they register with the Thai authorities and are issued with a special identity card.

*Sources: Ministry of Labour, Thailand; S. Kanapathy, 2006 and P. Martin, 2007.*

### Migration remains a risky and costly undertaking for workers

The absence of state bodies in organizing movements has led to a degree of commercialization of migration processes not found in other regions. The role of private intermediaries may be credited for the rapid expansion of the system and its relative efficiency. However, there have been serious problems with fraud and abuse, making migration a high-cost and risky undertaking for many migrant workers. Many governments of origin countries have had to take strong measures to address problems of fraudulent job offers or organized schemes for smuggling workers clandestinely through borders, and to put limits on fees charged from workers, but seldom with any significant effect. These have only proven successful where action by authorities of destination countries gives more teeth to measures taken by their counterparts in countries of origin.

Protection is complicated by the fact that labour agreements covering the supply of migrant labour and providing for their protection have been the exception rather than the rule. This has limited the effectiveness of attempts by sending countries to impose more control over migration processes. Countries of origin that have taken steps unilaterally, for example, to set minimum wage standards for their nationals have found their nationals priced out of the market.

### *Protecting basic rights*

The basic labour rights of workers to organize, bargain collectively, and to be protected against forced labour and discrimination are supposed to apply to all migrant workers. However, this right is not always enjoyed in practice, especially where labour institutions are weak or where governments allow private employment contracts to contain contrary provisions. There are instances where the right to join trade unions is explicitly denied under bilateral agreements. In the case of migrants with irregular status, their precarious immigration situation effectively excludes them from enjoying these rights. Most migrant workers are denied the possibility of better employment because there are restrictions on changing employers, even after many years of continuous legal employment. Migrant workers in some countries find themselves in a situation of virtual slavery because the practice of confiscating passports and travel documents by employers upon the worker's arrival is widely tolerated, despite policies to the contrary. Worse still are regulations that make continued stay and employment of a woman migrant worker contingent on not becoming pregnant.

### *Conditions of employment*

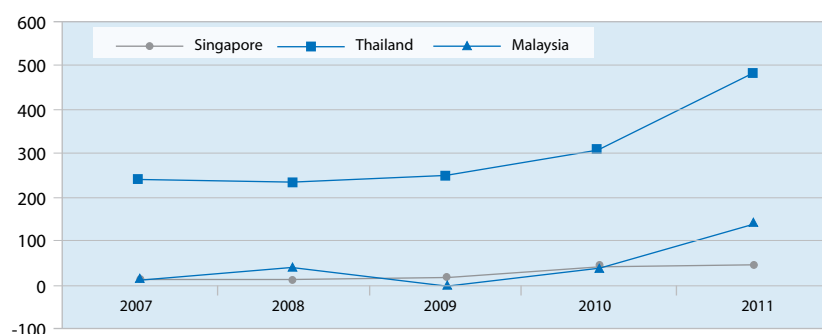
Legal or regular status is not always a guarantee of better protection against discrimination, exploitation, or hazards to health and safety. Studies in different countries have repeatedly revealed that migrant workers are paid much less than native workers (often only half of the latter's wages) for doing the same job, and that they are excluded from social security protection and other workers' benefits and entitlements. As women migrant workers are often concentrated in the less regulated sectors of the economy, they tend to suffer in particular from excessive hours of work without overtime pay, denial of weekly rest days and, not infrequently, physical abuse. While governments are not ignoring these problems, few have systems in place (e.g., labour inspections) for monitoring problems affecting migrant workers and for providing solutions. At the same time, the availability of migrant labour at very low wages has had the unintended outcome of distorting the market, creating incentives for investments in labour-intensive industries, and building interests and stakes in expanding the admission of foreign workers.

### *Future prospects of labour migration in the region*

The growth prospects in East and South-East Asia are almost certainly going to affect future intraregional migration levels. The region as a whole is expected to grow relatively rapidly from 2007 to 2011 (Economist Intelligence Unit, 2007). With the exception of Myanmar, economic growth is expected to be somewhat faster in countries of origin than in the more developed countries of destination. Yet, uneven demographic trends, closer economic integration, and wide and persistent income differentials between receiving and sending countries are likely to generate an increasing flow of migrants within the South-East Asia. As a result, Malaysia, Singapore and Thailand are expected to absorb large numbers foreign workers in the coming five years.

"Push factors" are expected to remain particularly strong in Myanmar, where slower growth is expected to widen further the income disparity with Thailand. On the one hand, per capita GDP is expected to increase faster in the Lao People's Democratic Republic and Cambodia than in Thailand, reducing relative income disparity.<sup>3</sup> In the case of Indonesia, its relative income level with Malaysia is expected to remain stable up to 2011. As to Thailand as a sending country, a combination of solid economic growth with an increasingly ageing population will likely lead to a declining trend in out-migration flows from the country.

<sup>3</sup> This raises the interesting question of whether out-migration in Cambodia and the Lao People's Democratic Republic, through remittances or other avenues, has contributed to the recent and expected future rapid growth in the two countries – leading to a form of growth convergence with the destination countries, particularly Thailand. However, data are not readily available to test this hypothesis. For example, it is unlikely that remittance figures for Cambodia and the Lao People's Democratic Republic, made mainly through informal channels, are adequately captured. But it is worth noting that in the case of Cambodia, a major driver of growth is private consumption, which, based on studies from other countries such as the Philippines, is often spurred by remittances.

**Figure 23. Projected additional foreign labour demand in selected labour-receiving countries, 2007-2011**

Sources: For Malaysia and Thailand, International Labour Organization labour force projection and Economist Intelligence Unit forecasts of labour force growth necessary to support an average annual growth of 4.5 per cent and 5.5 per cent for Malaysia for the forecast period. For Singapore, computed from W-T Hui and A.R. Hashmi 2004, "Foreign labour and economic growth policy options for Singapore".

The estimated demand for additional foreign labour in the region is expected to remain strong in the medium term. In Thailand, where the labour force is expected to grow at only about 1 per cent a year, GDP growth of about 4.5 per cent a year is projected to create excess demand for labour of about 243,000 for 2007 and 474,000 by 2011. In Malaysia, the workforce is growing more rapidly at 2.3 per cent annually, but additional demand for foreign labour is, nonetheless, expected because of a higher GDP growth of 5.5 per cent. Excess demand is projected to grow from 10,000 in 2007 to 147,000 in 2011. In Singapore, additional demand for foreign labour is projected to grow from 17,000 in 2007 to 41,000 in 2011 (Hui and Hashmi, 2004).

## Annex

**Table 19. Bilateral estimates of migrant stocks in ASEAN, 2006**

(Unit: '000)

Source country	Destination									
	Brunei Darussalam	Cambodia	Indonesia	Lao PDR	Myaysia	Myanmar	Philippine	Singapore	Thailand	Viet Nam
Brunei Darussalam	0	0	0	0	0	0	1	0	0	0
Cambodia	0	0	0	2	7	0	0	0	232	0
Indonesia	6	0	0	0	1,215	0	0	96	1	0
Lao PDR	0	1	0	0	0	0	0	0	257	0
Malaysia	68	1	0	0	0	0	0	994	3	0
Myanmar	0	0	0	0	92	0	0	0	1382	0
Philippines	23	1	0	0	353	0	0	136	3	0
Singapore	3	1	0	0	87	0	0	0	2	0
Thailand	11	129	0	3	86	0	0	0	0	0
Viet Nam	0	157	0	15	86	0	1	0	20	0
ASEAN	111	290	0	20	1,925	0	8	1,226	1,900	0

Sources: University of Sussex, United Kingdom; World Bank; Department of Statistics, Malaysia; Ministry of Labour, Thailand; and the POEA. Quoted from ILO, 2007.

**Table 20. Trends in total fertility rates (TFRs) in selected countries in the ESCAP region, 1950-1955, 1970-1975 and 1995-2000**

Country, territory or area	High fertility (TFR = 5.0 or higher)			Percentage change	
	1950-1955	1970-1975	1995-2000	1950-1955 to 1970-1975	1970-1975 to 1995-2000
Cambodia	6.3	5.5	5.3	-12.7	-3.6
Lao PDR	6.2	6.2	5.3	0.0	-14.5
Bhutan	5.9	5.9	5.5	0.0	-6.8
Pakistan	6.3	6.3	5.5	0.0	-12.7
Maldives	7.0	7.0	5.8	0.0	-17.1
Afghanistan	7.7	7.4	6.9	-3.9	-6.8
	Intermediate fertility (TFR = 2.11-4.99)			Percentage change	
	1950-1955	1970-1975	1995-2000	1950-1955 to 1970-1975	1970-1975 to 1995-2000
Viet Nam	5.7	6.7	2.5	17.5	-62.7
Islamic Rep. of Iran	7.0	6.4	2.5	-8.6	-60.5
Indonesia	5.5	5.2	2.6	-5.5	-50.0
Mongolia	6.0	7.3	2.7	21.7	-63.0
Brunei Darussalam	7.0	5.4	2.7	-22.9	-50.0
Malaysia	6.8	5.2	3.3	-23.5	-36.5
Myanmar	6.0	5.8	3.3	-3.3	-43.1
India	6.0	5.4	3.5	-10.0	-32.1
Philippines	7.3	6.0	3.6	-17.8	-40.0
Bangladesh	6.7	6.4	4.0	-4.5	-38.3
Nepal	5.8	5.8	4.7	0.0	-19.8
	Low fertility (TFR = 2.10 or lower)			Percentage change	
	1950-1955	1970-1975	1995-2000	1950-1955 to 1970-1975	1970-1975 to 1995-2000
Hong Kong, China	4.4	2.9	1.1	-34.1	-62.1
Macao, China	5.0	3.2	1.2	-36.0	-62.5
Japan	2.7	2.1	1.4	-22.2	-33.3
Republic of Korea	5.4	4.3	1.5	-20.4	-65.1
Singapore	6.4	2.6	1.6	-59.4	-38.5
China	6.2	4.9	1.8	-21.0	-63.3
Thailand	6.4	5.0	1.95	-21.9	-61.0
Democratic People's Republic of Korea	5.4	4.3	2.1	-20.4	-51.2
Sri Lanka	5.9	4.1	2.1	-30.5	-48.8

Source: United Nations, 2001.

**Table 21. Index of growth in numbers in working ages, 1990-2030 (1990=100)**

**(a) Aged 15-24 years**

	1990	2000	2010	2020	2030
Japan	100	86	67	64	60
Republic of Korea	100	87	76	62	50
Singapore	100	89	117	99	76
Hong Kong, China	100	105	95	85	87
Malaysia	100	127	148	160	156
Thailand	100	93	90	84	81
Indonesia	100	112	110	110	107
Philippines	100	124	146	153	152
Lao PDR	100	131	175	204	230

**(b) Aged 15-64 years**

Japan	100	101	95	87	82
Republic of Korea	100	113	119	119	106
Singapore	100	130	155	158	142
Hong Kong, China	100	120	138	142	135
Malaysia	100	134	169	199	220
Thailand	100	120	133	139	139
Indonesia	100	124	145	163	173
Philippines	100	131	167	201	227
Lao PDR	100	131	175	226	279

Source: United Nations, 2001.

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# REMITTANCES: IMPLICATIONS FOR DEVELOPMENT\*

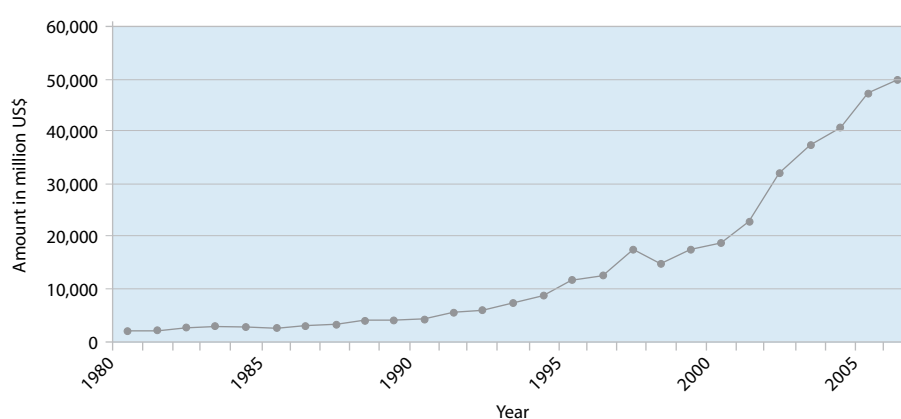
## Introduction

Remittances are one of the most visible outcomes of international migration. Recognition has been growing that migrant remittances have profound impacts on development, affecting the livelihood of people, both at the macro- and the micro-levels. Hence, recent policy discourse on international migration has often centred on facilitating low-cost remittances and maximizing their use in the migrants' countries of origin in order to enhance the positive role that remittances can play. This chapter summarizes the level of migrant remittances flowing into countries of East and South-East Asia, that has recorded notable increases. It also discusses the implications on development and policy considerations.

## Migrant remittances: levels and trends

The East and South-East Asian regions have witnessed a dramatic growth of remittance flows in recent years. Figure 24 shows the total amount of remittances<sup>1</sup> officially received by countries in East and South-East Asia from 1980 to 2006. The volume of remittances received in the region as a whole has grown during the past 25 years. In particular, the increase since 1990 has been robust, rising from US\$ 4.2 billion in 1990 to US\$ 50 billion in 2006 – almost twelve-fold. The drop in the 1998 level, possibly due to the Asian economic crisis of 1997, was only temporary. The notable growth of remittances made by migrants could be a reflection of the increases in population mobility; in addition, other factors such as the liberalization of foreign exchange, growths of investment opportunity, improvements in the collection of data on remittances or increased scrutiny since the terrorist attacks of September 2001, could have also contributed to this substantial increase over the past years. The flow of remittances could be also positively correlated to economic growth in the host countries, hence the increase in wages of migrants (United Nations, 2004).

**Figure 24. Total remittances received by countries in East and South-East Asia, 1980-2006**



Source: World Bank, 2007.

\* Keiko Osaki-Tomita, Chief, Population and Social Integration Section, Social Development Division, The Economic and Social Commission for Asia and the Pacific.

<sup>1</sup> The remittances in this analysis are defined as monetary transfers, constituting "workers' remittances" and "compensation of employees".

The amount referred to above represents only officially recorded transfers. It is known that such data usually underestimate the actual volume of remittances, because an unknown level of remittances are made through informal channels and not through financial institutions recognized by the relevant authorities in both the remittance-sending and remittance-receiving countries. While money transfer agencies such as Western Union and Money Gram are quickly developing extensive networks in the region (World Bank, 2006), it is still common for transfers of money to be handled by the migrants themselves, or by their relatives and friends. Informal money transfer systems connected to currency exchanges or trading businesses, leaving very little or no documentation on transaction, are also prevalent in the region.

#### Box 4. How to measure remittances

In order to examine the actual flows of remittances and their developmental impacts, it is imperative to understand how the data on remittances are collected and classified. The most common source of the information is the annual balance of payments records of countries, which are compiled in the Balance of Payment Statistics Yearbook, published by the International Monetary Fund (IMF). The data are in current U.S. dollars and available on line at <http://www.imf.org/external/data.htm>.

Among the components of the balance of payments, there are three international economic transactions that may involve international migrants: "workers remittances", "compensation of employees", and "migrants' transfers" (Bilsborrow and others, 1997). Workers remittances refer to monetary transfers made by migrants who are employed or intended to remain employed for more than a year in another economy in which they are considered residents. Compensation of employees comprises wages, salaries and other remuneration in cash or in kind, earned by individuals in an economy other than the one in which they are resident for work performed and paid by a resident of that economy. Migrants' transfers are the capital transfers linked to the acquisition or disposal of a fixed asset, or involve forgiveness of a liability by a creditor. While most studies on international remittances use the data of one or a combination of those categories, some scholars go further by including transfers of "social remittances".

It should be noted that the data on remittances heavily rely on the reporting conventions of the central banks of countries, in the absence of rules for enforcing the way that countries report migrant remittances in their balance of payment (Adams, 2007). Thus, the bulk of remittances received in the Philippines has been categorized as "compensation of employees", whereas that received in Indonesia has been classified as "workers remittances".

In East and South-East Asia, China and the Philippines stand out as the largest remittances recipient countries (see table 22). In 2006 alone, officially reported remittances totalled nearly US\$ 22.5 billion in China,<sup>2</sup> and US\$ 14.9 billion in the Philippines. The size of remittances flowing into those two countries increased significantly during the past decade, with China topping the list for the region since 2000 (figure 25). In those countries, remittances received grew in tandem with the surge in outflows of people seeking employment opportunities abroad. For example, within the five years between 2002 and 2006, the annual labour outflows from China grew from 488,000 to 675,000 people.

As depicted in the figure, the remittance flows to the Philippines were more volatile in the 1990s than in the 1980s. The relaxation of exchange controls was reported to have caused a surge in formal remittances for the Philippines in 1995 (Government of the Philippines, 2007). In the early 2000s, international remittances increased noticeably in nominal dollar terms. However, during the same period, the country also experienced the appreciation of the national currency (Peso) and domestic inflation, thus depressing the purchasing power of remittances.

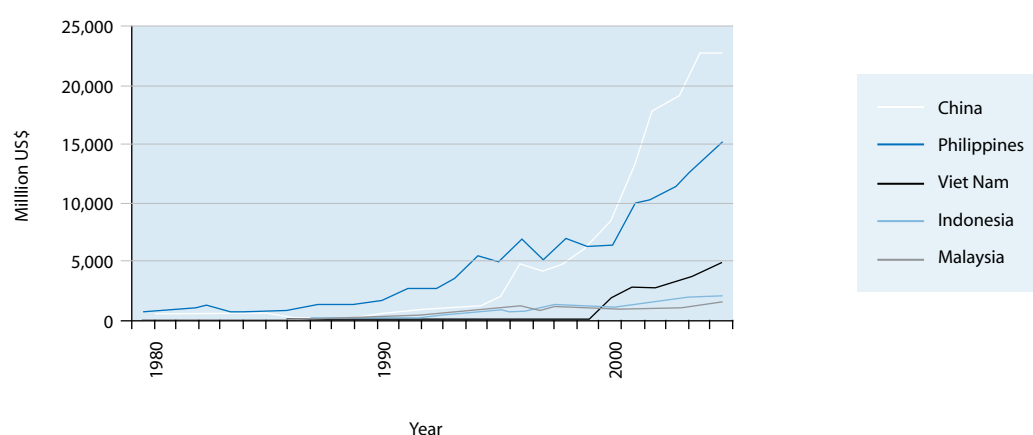
<sup>2</sup> In 2006, China ranked the third among remittance-recipient countries in the world. India, which received US\$ 25,420 million, topped the list, followed by Mexico.

**Table 22. Remittances received and the proportion of GDP, 2006**

Country	Total (US\$ million)	% of GDP
China	22,492	0.8
Philippines	14,923	12.8
Viet Nam	4,800	7.9
Indonesia	1,883	0.5
Malaysia	1,492	1.0
Japan	1,380	< 0.1
Thailand	1,333	0.7
Korea, Republic of	918	0.1
Cambodia	200	2.8
Mongolia	177	6.6
Myanmar	117	..
Lao PDR	1	<0.1

Source: World Bank, 2007.

**Figure 25. Flows of remittances to key recipient developing countries in East and South-East Asia, 1980-2006**



Source: World Bank, 2007.

The volume of remittances received has also grown significantly in Viet Nam since 2000, when the country started reporting remittance data on a regular basis. In an effort to facilitate the flow of remittances, the Government issued Prime Minister's Decision No. 78 in 2002 and expanded the types of institutions that could receive and deliver foreign currency remitted by overseas Vietnamese to their relatives in the country (Dang, 2005). A remarkable amount of remittances (US\$ 4.8 billion) was recorded in 2006, greatly exceeding official development assistance (US\$ 3.7 billion) that the country received in that year.

It should be also noted that, the increasing volume of remittances can be also related to rapidly growing investment opportunities in those countries. Given the strong performance of the national economy, an increasing number of overseas Chinese have found the investment opportunities in China, even generating some return migration of Chinese nationals.<sup>3</sup> The Philippines has engaged in proactive strategies to attract remittances and foster the use of formal channels. Incentives and privileges are granted to remitters, such as investment options, purchases of land and tax breaks. In Viet Nam, following the Domestic Investment Promotion Law which came into force in 1996, the number of enterprises established by overseas Vietnamese has been increasing (Dang, 2005). Many of them are small-scale and are found in sectors such as trade, tourism and other services. The Government of Viet Nam is welcoming investment in agriculture as a means of modernizing rural society and production system in the country.

## Migrant remittances and development

Although the nexus between migrant remittances and development is complex and probably has not yet been fully explored, the importance of remittances for development or well-being of people is undeniably evident in many developing countries that receive them.

At the macro level, remittances transferred often represent one of the most important sources of external funding. Remittances alleviate balance of payments pressures and boost sovereign creditworthiness, which helps to attract subsequent investment. In some developing countries, they exceed the level of official development assistance or of foreign direct investment flows.

The importance of remittances to a national economy can be measured as its proportion of GDP (see table 22). In East and South-East Asia, countries that are characterized by a high share of remittances in GDP include the Philippines (12.8 per cent in 2006), Viet Nam (7.9 per cent) and Mongolia (6.6 per cent). The percentage of remittances in the Philippines' GDP has steadily risen from 3.3 per cent in 1990 to 8.2 per cent in 2000, then to 12.8 per cent by 2006. In the Philippines, remittances sent home by migrants have acted as a relatively stable source of foreign exchange earnings for many years, compared to foreign direct investment and other private capital flows (Hugo, 2007).

Migrant remittances bring important benefits also at the household level. Remittances directly augment the income as well as enhance the well-being and economic security of recipient households by providing resources for food, housing and health care. In developing countries where the local economy is not fully developed, remittances are most often used for satisfying consumption or basic needs. The evidence from Viet Nam revealed that remittances were used primarily for the daily consumption needs of close family members, including children, spouses and siblings (Pfau and Long, 2006).

Although probably less common, migrant remittances can also be channelled into savings, investments or education of children. Yang and Choi (2005) found that in the Philippines a rise in remittances would increase the proportion of children aged 17 to 21 years attending school. Also in the Philippines, the panel data from before and after the 1997 economic crisis revealed that the favourable exchange rate shocks led to a significant rise in remittance-household expenditures on education, a reduction in total hours worked by male children, as well as increased investment in entrepreneurial activities (Yang, cited in Adams, 2007). It was understood that that households receiving more remittances are not "wasting" such income on consumption. Rather, they were able to invest more in relatively capital-intensive enterprises because they no longer faced the credit constraints that had previously hindered such investment.

When remittances are invested in local projects or in small enterprises that require labour, they also benefit a broader range of people than just those who receive them. Such uses of remittances might have stimulating "multiplier" effects on local and national economies. For instance, an influx of remittances into a local economy may result in a surge in expenditures in housing, which might, in turn, create new income and employment opportunities for non-migrant households. However, empirical measurement of multiplier effects is extremely difficult.

<sup>3</sup> Under the "Overseas Brain Plan" of China, returning nationals with skills will be granted multi-entry visas valid for five years. Close to 60,000 scholars have returned to Beijing and set up businesses in 23 special industrial parks for 1997-2007 (Scalabrini Migration Center, 2007).

Similarly, the evidence of the impact of remittances on income distribution remains still scanty for countries of East and South-East Asia. Migration literatures suggest that, over the long term, remittances are likely to improve income distribution and to reduce poverty (United Nations, 2004). The initial waves of out-migration are likely to be led by workers who are young and relatively educated. However, as migration by poorer persons become easier through the information and assistance provided by migrant networks, the fund transferred to poor family members can function as a social safety net and contribute to alleviating poverty. There are indications that in several low-income countries, including Guatemala and Mexico, remittances might have reduced the share of poor people in the population by a significant margin (Adams, 2007).

## Policy considerations

Given the positive contributions that migrant remittances can potentially make to development, interest is growing among development practitioners in how to channel remittances in order to maximize their impacts. The initiatives and strategies that have been favoured can be grouped broadly into the following three categories.

First, there is a growing consensus on the need to improve and strengthen the remittance infrastructure. It is argued that the official transaction of remittances can be enhanced by lowering the cost of remitting money. Reducing remittance fees for formal channels would help encourage their use by migrants, and might eventually increase the volume of remittances sent home country.

In most countries of East and South-East Asia, however, transaction costs remain high by international standards. For example, remitting US\$ 200 from Thailand to the GMS countries costs approximately US\$ 11 when using formal money transfer methods, and about US\$ 7 when using the banking network (World Bank, 2006). In general, high transaction costs mainly result from the lack of competition, regulation and/or low levels of financial sector performance, which are typically seen in developing countries that receive remittances.

In order to enhance competition, attempts have been made to encourage partnerships between government, financial institutions and money transfer operators (MTOs). For instance, Wells Fargo, a MTO, has made inroads to China and Viet Nam, by partnering with the Agricultural Bank of China and the Industrial and Commercial Bank of Viet Nam, respectively. In the Philippines, the Philippines National Bank has teamed up with Seven-Eleven and Citibank in Hong Kong, China to provide remittance services (Government of the Philippines, 2007).

New remittance technologies such as mobile banking and partnerships with mobile phone companies have improved access to formal channels of transaction and have increased competition. In the Philippines, mobile phone-based remittance system is employed by Smart, Inc. and recently by Globe Telecoms who both allow remitters to transmit money by using their beneficiaries' mobile phones. In the Philippines, OWWA partnered with Microsoft for an electronic remittance system called "One Follow Me" that uses wireless and desktop-based internet platforms (Government of the Philippines, 2007).

Furthermore, some Governments also entered into bilateral negotiations to help reduce transfer costs by improving access to financial institutions in the migrant-receiving countries. For example, the Philippines' Department of Finance has signed a MoU with the U.S. Treasury Department, with the intent of reducing remittance costs by enhancing access to the formal transfer systems and at the same time ensuring compliance with regulations concerning financial flows (Government of the Philippines, 2007). Bilateral agreements between the Philippines and Japan as well as Malaysia are also already in effect which aim to facilitate remittances from the two countries and to improve access to financial institutions. Against such developments, however, regulation related to anti-money laundering and countering the financing of terrorism appear to have become a constraint to reducing remittance costs, especially for smaller remittance service providers (Ratha and others, 2006).

Second, the low level of financial literacy and experiences with banking of migrants and their families is considered as a major impediment to directing remittances to formal channels. Thus, recipients of remittances can be assisted in making effective use of the funds through the provision of financial literacy training and access to micro-credit programmes. In the Philippines, workers going overseas are provided orientation seminars that include topics on remittance, including the opening of a bank account pre-departure for the purpose of remittance later (Government of the Philippines, 2007). Financial literacy programs are also staged in coordination with OWWA to make migrant workers aware of the various bank instruments and other investment opportunities available to them.

Third, the volume of remittances can also be enhanced by a more conducive environment. It is important to recognize that the developmental impact of migrant remittances largely depends on the quality of governance in countries of origin and the macroeconomic policies pursued by those states (GCIM, 2005). Measures for encouraging remittance transfers include the provision of information on investment opportunities and attractive exchange rates. For example, the Government of China has offered investment packages to overseas Chinese. The Government of the Philippines also issues bonds aimed at nationals residing abroad, which can open opportunities for investment and facilitate the return of money from abroad.

The establishment of credit unions and community-based micro-finance institutions could be another way of facilitating the transaction of money through formal channels. The Government of the Philippines established a programme called "Lingkod sa Kapwa Philipino (LINKAPIL)" that makes it possible for Philippines migrants abroad to support development projects at home in such areas as infrastructure, education and health care (United Nations, 2004). The contribution from Philippine migrants to LINKAPIL are reported to have amounted to more than \$1 billion,

Home Town Associations (HTAs) and diaspora organizations can play an important role in collecting and transferring collective remittances to the migrants' place of origin, which can then be used for infrastructural and other projects that bring benefits to whole communities (GCIM, 2005). Perhaps the most successful and best-known example of migrant involvement in a range of development activities is that of Mexican HTAs<sup>4</sup> in the United States. The emergence of such schemes for countries in East and South-East Asia has yet to take root.

Finally, there is obviously a need to mobilize international efforts for collective action. Although the critical linkages between international migration and remittances in the context of development are increasingly acknowledged, efforts to create a viable international and regional architecture for better management of remittances are still at an early stage. Because migrant remittances have global and regional externalities, their proper management requires substantially increased intergovernmental cooperation. At the global level, international organizations such as the World Bank and the Inter-American Development Bank have already undertaken work to identify policy frameworks for financial sector reform and the productive investment of migrant remittances. At the sub-regional level, in East and South-East Asia such a mechanism is still lacking.

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<sup>4</sup> More than 600 Mexican Home Town Associations are active in the United States. They support public works in their localities of origin, including funding the construction of public infrastructure, donating equipment and promoting education (GCIM, 2005).

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# GENDER, MIGRATION AND DEVELOPMENT: TRENDS AND ISSUES\*

## Introduction

Academic studies and reports from international organizations on contemporary flows of migration have increasingly acknowledged and highlighted a number of issues related to one of the key features of international migration today: its feminization (United Nations, 2004; GCIM, 2005; UNFPA, 2006; Piper, 2005a). The notion of “feminization” is linked to the issue of gender and the differences between male and female migrants’ experiences. An expanding literature on the subject of gendered migration has demonstrated that most, if not all, aspects of migration affect men and women differently, thus establishing gender as a crucial factor in the understanding of the causes and consequences of international migration (Piper 2006; Gabbacia and others, 2006).

The phenomenon of “feminization of migration”, however, is defined and understood in various ways by different people. It requires a comprehensive analysis in the context of the complexity of contemporary patterns of international migration. Recent studies have pointed to the increasing diversification (that is, differences within a specific nationality group as well as across nationality groups) and polarization (that is, skilled versus lesser skilled) of the various migration streams, rendering “migration” a highly stratified phenomenon. “Stratification” emphasizes the combined effects of gender, ethnicity, legal status, skill level and mode of entry or exit, with the result of women’s migration(s) emerging as highly “stratified” (Piper, 2007b).

This is to some extent also played out geographically; migrants with high socio-economic status tend to go to higher income and more developed countries outside Asia as the fees charged and the skills demanded tend to be higher. At the same time, migration scholarship has shown the significance of pre-existing networks in determining the direction of migration flows. Asian women migrating within Asia as domestic workers tend to be less qualified and belong to no higher than lower-middle class, hence many of them migrate to closer destinations within the region, as demonstrated by Oishi (2005) with specific reference to Indonesians and Sri Lankans. Religion, and social norms associated with it, also plays a certain role in coupling specific origin and destination countries. For example, some Muslim countries give preference to, and are preferred by migrants of the same faith (e.g., Indonesian domestic workers going in larger numbers to the Middle East).

The gendered and stratified nature of migration has implications for labour market experience, entitlements and rights. A gender analysis, in fact, raises awareness about broader social factors that influence women’s and men’s roles as well as their access to resources, facilities and services. This has implications for the issue of development and the current revived debate on the “migration-development nexus”, which tends to be dominated by macroeconomic concerns based on narrow empirical evidence mostly derived from South-to-North migration. As a result, the social dimensions of the migration-development nexus, including its potential for higher levels of equality with regard to human relationships based on class, ethnicity and gender, are glossed over. Yet, when a gender dimension is incorporated into the analysis, it brings to the fore the social dimensions of the issues under debate.

In the case of international migration, this is also a reminder of the daily reality of migration (as a journey and process) and the actual situation of (potential and actual) migrants who are in need of employment, health care, housing, security and education in the origin as well as destination countries. Access to entitlements is determined by formal and informal sets of rules and regulations defined by law, social norms and conventions. An analysis of differentiated access to systems of rights or entitlements and the issue of how access, in turn, has an impact on the welfare and well-being of individual migrants could shed light on social inequality based on gender (cf. Truong, 1996).

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Despite being global in scope, significant flows of migration occur within rather than across regions, generally from low-income to mid-income or high income countries (United Nations, 2004 and 2006). This can also be observed with regard to international migratory movements in East and South-East Asia. This chapter focuses on gendered labour migration and the way in which it is linked to development in the subregion.

The chapter begins with a brief summary of current trends and patterns of gendered migration from an intraregional (i.e., migratory moves of Asians within Asia) perspective by specifically highlighting the nature of temporary migration schemes. A discussion follows on the current debate on the "migration and development nexus" with two objectives in mind: (a) assessment of the debate's relevance to the Asian context; and (b) a critique of the debate by employing a gender lens to re-direct attention to the social dimension of the impact of migration on development. In doing so, the focus is on the individual and the family/household in discussing the impact of migration on personal development as well as on relational changes.

## Trends and patterns of gendered migration within East and South-East Asia

According to a report by the United Nations Population Fund (UNFPA) (2006) on women and international migration, Asia as a whole was one of the two regions in the world<sup>1</sup> where there were still slightly more male than female migrants in 2005. The number of women migrating from some countries in Asia, however, has clearly surpassed that of men (UNFPA, 2006). A report by the Secretary-General of the United Nations (2006) stated that "female migrants are particularly underrepresented in Asia". Men, by contrast, are noted as migrating from almost all developing countries in Asia without exception, whereas there are only three countries from which the bulk of female migrants originate: the Philippines, Sri Lanka and Indonesia. These observations appear to contradict the fact that a "feminization of migration" has occurred. It is argued here, however, that these observations need to be qualified with regard to a number of dimensions.

### *Visibility and invisibility of migrant women*

First, there is the geographic dimension. United Nations reports typically make reference to Asia by including West Asia or the Middle Eastern countries. It is also often not clear whether statements such as those above relate to out- or in-migration. The numbers of women migrating from the Middle Eastern countries in search of work are negligible while the number of women migrating to Middle Eastern countries is slightly less than that of men because of the huge demand for foreign workers in both the female and male dominated sectors. Likewise, with the exception of Sri Lanka, migration from South Asia is dominated by men (which is linked to the specific labour market demands by the destination countries as well as social norms limiting women's physical mobility). However, when shifting the focus to South-East Asia, two countries are found that clearly represent the sources of the most feminized migration streams – Indonesia and the Philippines.

The second dimension is overall visibility of women in official statistics. Conventionally, women have long been perceived as "accompanying spouses" and not as independent labour migrants. Furthermore, statistics often capture only formalized jobs under temporary contract or any other legal schemes. Women are mainly represented in these temporary contract schemes as domestic workers although they also migrate in other, albeit often informal, streams that are not captured by official statistics. Hence, it often appears statistically as if fewer women have migrated from certain countries or to certain countries, although in reality this is not really the case. Recent studies that include irregular migration have, however, shown that women are well-represented in such streams (see Phetsiriseng, 2007, on migrants from Myanmar to Thailand which is almost 50 per cent for males and females).

Third, there is the labour market dimension, which explains the increasing participation of women in migration due to growing demand for jobs in highly feminized sectors (health care, domestic work, entertainment and manufacturing/textile sectors) in many destination countries (particularly Hong Kong, China as well as Singapore and Malaysia). This is juxtaposed with the increasing inability of men to find full-time employment in the countries of origin as well as destination, pushing their wives or daughters into

<sup>1</sup> The other region is Africa.

the role of main income providers (Piper, 2007a). This shows that the “feminization of migration” can refer to a number of different issues, such as the absolute number of female migrants as outgoing or incoming migrants, the increasing participation rate of women (whereby the absolute number of male migrants might still be higher or the balance between the two sexes almost equal, such as in Cambodia and Viet Nam), their dominance in certain sectors or specific migration streams, etc.

Hence, changing labour market structures that result in shortages or oversupply of specific types of workers in countries of origin and destination, together with specific social norms allowing higher or lesser degrees of women’s physical mobility, determine the gendered differences in migration. A rigid gendered division of labour determines that men are overrepresented in the construction sector and security services, rubber plantations or the shipyard sector in South-East Asia as well as in the construction and manufacturing sectors of small to medium-sized companies in East Asia. Conversely, women dominate in jobs connected to social reproduction (e.g., care and domestic work) or work that requires “nimble fingers” (e.g. textile manufacturing).

Last but not least, there is the policy dimension that is, to some extent, linked to social norms and understanding of men’s and women’s appropriate roles. Out-migration of Vietnamese women as labour migrants, for example, is numerically quite low because of the ban by the Government of Viet Nam on women migrating to work as domestic and care workers. This partially explains the greater use of another channel – international marriage – for migration (see below).

The feminization of migration in Asia is most visible in, and thus usually associated with, out-going flows from Indonesia, the Philippines and Sri Lanka, where women make up between 62 per cent and 75 per cent of workers who are deployed legally on an annual basis (Asis, 2005).<sup>2</sup> If, however, irregular migrants were factored in, the feminization of migration would involve more countries, such as the Lao People’s Democratic Republic and Myanmar. This is backed up by figures for regularized migrants in Thailand; in the 2007 registration by Thailand’s Ministry of Labour, the proportion of females among migrants was 46 per cent in the case of Myanmar and 53 per cent for the Lao People’s Democratic Republic (Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2007). Yet, there are important gender variations even with regard to irregular migration; in the case of Indonesia, most irregular migrants appear to be men going to neighbouring Malaysia to work on plantations and in the construction sector. As far as existing research is concerned, most Indonesian domestic workers enter under legal contracts. In the Philippines, by contrast, men and women are more or less equally represented in irregular migration streams (Asis, 2005).

In addition, and of increasing significance, are the rising numbers of international marriages between Asians with the typical scenario being a woman from a lower income country such as Viet Nam or the Philippines marrying a man from a higher income country/area in East Asia (especially Japan, the Republic of Korea and Taiwan Province of China) as well as Singapore. If international marriages were included in official statistics, the gendered landscape of migration within Asia would take on a different dimension. It might appear odd to include foreign wives in the discussion of economic migration, but as argued by Piper (2003) and Piper and Roces (2003), the two streams are interrelated:

- (a) Many women are originally economic migrants, and partly because of the temporary, contract basis of their visa and work permits, they seek marriage to a local man as a strategy to enable them to remain in the destination country in a legally secure manner (“worker-turns-wife” scenario); or
- (b) They migrate as foreign spouses and subsequently seek to enter the labour market (often because they wish to remit money to their families back home) (“wife-turns-worker” scenario).

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<sup>2</sup> South Asia is mainly a labour exporting subregion where women’s (official) mobility is subject to serious restrictions. Hence, countries such as Bangladesh predominantly deploy male migrants. It must be noted, however, that mobility is not limited per se, but is shaped by sector and skill level. In India and Bangladesh, for example, while migration by skilled women is not limited, there are limits on domestic workers. In all these countries, women internal migrants outnumber men because of marriage migration. In view of this situation, it is the specific nature of the mobility that is restricted. This is done through official controls (sex and domestic work) and unofficial (discursive limits on single female mobility because of social construction of femininity, gendered social order that increases women’s workload that is then not easily redistributed outside of the family because of patrilocality etc.). These insights were provided by Dr. Parvati Raghuram in a personal conversation, 27 September 2006.

But international wives are absent from statistics on economic migration in Asia – with the result that issues such as “integration,” “settlement” and “citizenship” are largely absent from policy and academic debates (unlike in Europe and North America).

## Diversified landscape of gendered migration

Overall, changes are gradually becoming evident not only with regard to the increased volume of female migrants, but also the diversified patterns of their migration (including source and destination countries) as well as the qualitative nature and experience of their migration (in terms of working conditions, range of entitlements, skill levels etc.). The largest proportion of these women, documented and undocumented, continue to work in job categories characteristically assigned to female migrants such as live-in domestic workers, care givers, entertainers, sex workers and other service employees (see, for example, Asian and Pacific Migration Journal, 2003). A smaller but substantial proportion of women work in the garment sector as well as agricultural and fish farm hands.

The diversification and rising numbers of migrants are also related to changing politico-economic structures. Former socialist countries such as Mongolia and Viet Nam, for example, used to deploy migrants mostly to socialist countries in Eastern Europe. Since the change from centrally-planned to market-driven systems during the 1990s, both countries have begun to actively “export” increasing numbers of migrants by way of signing MoUs with various destination countries in Asia and, to a lesser extent, elsewhere. As a result, Viet Nam has become a source country for male and female factory workers in the Republic of Korea and Taiwan Province of China plus more recently a small number of domestic workers to Taiwan Province of China after years of banning such migration. Mongolian labour migrants are mostly men; however, in the Republic of Korea a large number of entire migrant families can be found, albeit mostly on irregular status, because of the lack of family unification policies for lower-skilled migrants.

From what is known about Cambodian out-migration, it appears to be mainly destined for Thailand, although more recently small numbers have also been reported in Malaysia. A recent study (Sophal and Sovannarith, 1999) showed that their flows were divided into short-term/short-range border crossings (typically seasonal agricultural workers, the majority of whom were women) and longer-term/range movements (mainly as construction workers, porters, factory and food processing workers, most of whom were men). A recent mapping study for the United Nations Development Fund for Women (UNIFEM), however, showed that although the overall total was still small, an increasing number of Cambodia women were migrating not only to Thailand but also to Malaysia as factory and domestic workers (Lee, 2006). Migration of Laotian workers is also mainly directed at Thailand, of whom females account for 59.4 per cent and males, 40.6 per cent (Phetsiriseng, 2007). Women from Cambodia, the Lao People’s Democratic Republic and Myanmar are overtly represented in domestic employment in Thailand.

The policies of destination countries in East Asia also determine the gendered nature of migration flows. Japan and the Republic of Korea do not allow the legal immigration of lower-skilled migrants and have, in turn, established so-called “trainee systems” to allow the legal entry of this group of migrants. Partly due to pressure by civil society organizations backed up by some employers, the Republic of Korea has begun phasing out its industrial training scheme and instead introduced the employment permit system for lower-skilled migrants. These industrial trainees are mostly men (Japan NGO Network on Indonesia, 2001); the number of women is negligible.

Recently, skilled and professional women have migrated in larger numbers in response to expanding employment opportunities in business, health, education and services (Raghuram 2000; Willis and Yeoh 2000; Thang and others, 2002). Except for foreign doctors and nurses, of whom there are substantial numbers in the Middle Eastern countries as well as in Singapore and Hong Kong, China, the overall numbers of skilled women moving within Asia are small. This has partly to do with destination countries’ policies. In Singapore, for example, it was until recently impossible for a female professional migrant to bring her husband as “accompanying spouse” (although this has always been possible for male professionals). Another reason might be that student migration of Asians within Asia is comparatively low (Hugo, 2006) with the exception of Singapore, which is developing into a regional education hub; however, studies have shown that student migration is often the first step towards economic migration for the skilled (Li and others, 1996). Destination countries in the North are in fact easing the shift from a student visa to employment visas more and more in the wake of the global hunt for talent. This has not yet happened much in Asia.

### *Temporary contract migration*

Although there are other types of migration – permanent, student, marriage and irregular migration – temporary contract migration has emerged as one of the predominant types of population movement in Asia as elsewhere (Piper, 2007a). Migration streams that are based on temporary contract work are a characteristic of lesser skilled sectors such as domestic work and labouring jobs in construction and shipyards as well as highly-skilled workers in, for example, the health and education sectors. In this type of migration, destination countries offer legal work permits for specific periods of time (ranging usually from one to three years) by tying migrants to a specific employer or sector. Avoiding long-term settlement allows for a high level of flexibility in the event of labour market changes as well as the disposal of surplus workers during economic downturns.

These contract labour schemes thus come with a package of restrictions, more especially for the lower skilled, such as no permission for family or spousal accompaniment, than for the highly-skilled migrant worker. In general, foreign worker policy in Asia can be broadly summarized as limiting labour migration, limiting the duration of migration and limiting integration (Piper and Iredale, 2003). From the migrant worker perspective, although the strict regulations have prevented their permanent settlement, it has in other ways facilitated the regular employment of fairly large numbers of foreign labour (Bell and Piper, 2005). For women, the most easily accessible legal migration streams are domestic work and care work.

In addition to domestic work, a significant number of South-East Asian (and other) women have also been entering East Asian countries, especially Japan and the Republic of Korea as sex workers. The already existing visa category for artists or entertainers was broadened in the 1980s to include bar hostesses (who constitute potential sex workers). As a result, migrant women, mostly from the Philippines and Thailand (as well as from the Republic of Korea<sup>3</sup>) entered East Asian countries to work in the lucrative sex and entertainment industries via both legal and illegal channels. More recently, however, there has been a narrowing of these visa classes in part due to United States pressure to counter trafficking as, for example, in the case of Japan which withdrew its hostess visas after pressure from the US State Department's Trafficking in Persons Report in 2002. This resulted in tighter control of establishments and subsequently a decrease in the numbers of legal foreign entertainers in Japan. To what extent this might have pushed more women into using illegal channels is unknown.

### *Changes in female migration*

Recent studies over the past few years point to at least two important changes in women's migration that are relevant to the discussion here.

First, the most evident of these is the diversification of migrant women in terms of origin countries. As demands for migrant women's labour have increased in the region, and as the socio-political situation has changed in certain countries, opportunities have opened up for women who originate from countries/areas that had not previously been sources of migrant labour. These new faces include Vietnamese and Thais in Taiwan Province of China, Cambodians in Malaysia, and Mongolians, Russians, Uzbekistanis and Kazakhstanis in the Republic of Korea. Needless to say, this has increased the competition in the regional labour market and has led to undercutting in terms of wages for jobs such as domestic work. As touched upon above, this is also due to the increasing number of MoUs and bilateral agreements being signed.

The search for new sources of migrant labour is not only related to demand in terms of numbers, but also to demand for a different kind of worker – less expensive, more docile (which is also a racialized position) and/or less "rights" conscious. Successful campaigns for, and enforcement of, workers' protective mechanisms and/or rights in some countries have brought about unintended consequences in the nationality composition of their migrant work forces. An example is that of Filipino domestic workers in Hong Kong, China who have been partially replaced by less organized, and thus less vocal and assertive, nationality groups<sup>4</sup> such as Indonesians and Sri Lankans (Ogaya, 2003).

<sup>3</sup> During the 1970s and 1980s female migrants from the Republic of Korea entered Japan to work as entertainers.

<sup>4</sup> The reasons for such variable "national assertiveness" are themselves interesting.

Partly because of the push by an expansive web of migrant associations, the Government of the Philippines has been more proactive in negotiating on behalf of its citizens overseas than any other sending country in Asia (Iredale, Piper and Ancog, 2005). Similarly, in Taiwan Province of China, the proportion of Filipino women in the country's foreign domestic worker population plummeted between 1998 and 2002 as growing numbers of less "expensive" Indonesian and Vietnamese women replaced them (Lan, 2003). As a result, a new stratification is emerging, whereby women are ranked on the scale of demand and wages according to their nationality, ethnicity, class, educational level and available support networks.

Second, despite the absence of official settlement policies in Asia, changes are apparent in the prolonged duration of employment and residence among migrant women in destination countries/areas. For example, since 2002, Taiwan Province of China has allowed migrant workers "with good records" (in the sense of being compliant with employer demands and their migration status) to re-enter the country to work for up to six years (Lan, 2003). There is evidence from Hong Kong, China that the number of Filipino women staying between 5 years and 15 years is increasing as more of them choose to remain there (even if this entails irregular status) rather than returning to the Philippines (Wee and Sim, 2005). There has also been a considerable rise in the numbers and types of migrant women whose legal visa status grants them the right to reside and work indefinitely in the country to which they have migrated. This is evident from the rising numbers of women who arrive as wives of citizens in countries/areas such as Japan (Piper, 1997; Nakamatsu, 2003), the Republic of Korea (Lee, 2003), Taiwan Province of China (UNFPA, 2006), and Singapore. Yet Asia, especially East and South-East Asia, is conspicuous in terms of the total absence of debates on issues such as integration, citizenship and rights to family unification. The predominant family life experienced by international migrants who are married and have children currently is that of transnationally split families. This has serious consequences for social relations and social policy, which remain largely unexplored (Hujo and Piper, forthcoming).

Many of the issues raised so far clearly point to the significance of broader social dimensions for development beyond narrow economic aspects. However, it is the latter that have, to date, dominated the debate on the migration-development nexus.

### *Linking migration and development*

The expansion of global markets and the concomitant socio-economic transformations in recent decades have, since the 1990s, led to a quantitative increase in movements worldwide. With this, a renewed interest in the relationship between migration and development can be observed, triggered by origin governments' rising interest in remittances. The relationship between migration and development was already being hotly debated in the 1970s and 1980s, mostly with a negative undertone in the assessment of the impact of migration on furthering development of origin countries (de Haas, 2007). The recent revival of this debate has experienced a shift in emphasis towards the positive aspects of migration and development, together with a more explicit appreciation of the reciprocity of this relationship (in the sense that a certain level of development triggers migration, and that migration can contribute to development in both origin and destination countries).

What has taken centre stage in the contemporary debate more than ever is the individual migrant in her role as an "agent of development". This shift in attention towards migrants as potential "agents of development" in the South has especially occurred in connection with the formation of diasporas or transnational communities (Levitt and Nyberg-Sørensen, 2004). Thus, the focus has been almost exclusively on transnational or diaspora communities in economically advanced countries in the West. The classic examples on which these findings are based are Indian information technology (IT) workers and Chinese business people (Gesellschaft fuer Technische Zusammenarbeit, 2006; Gomez, 2007). These are heavily male dominated categories comprising highly-skilled migrants derived from the context of South-North migration. Other migrant groups, such as temporary labour migrants are seldom taken into consideration, even though this migratory pattern is on the increase worldwide and the predominant feature of intra-Asian migration, in addition to being heavily feminized (Piper, 2007b). The specific features of this migration stream, such as temporary return or leaving families behind, may have significant and yet different development implications. Moreover, gender as a constituent element of migration has not yet entered mainstream debates on migration and development (Dannecker, 2007).

Furthermore, on the issue of policy, most research has focused on out-migration or in-migration rules and regulations, largely ignoring the significance of other relevant policy areas. This reflects a conventional understanding of development and a narrowly defined economic paradigm, disregarding newer critiques of development thinking and newer concepts such as human development. A gender lens allows attention to be re-directed to the individual and family or household levels to assess the impact of migration on personal development as well as on relational changes, and thus on the social dimensions of the migration-development nexus.

### ***Social dimensions***

Because of the limited time nature of their contracts, many migrants in Asia re-migrate in order to remain in overseas employment. This usually means that they have to pay recruitment fees again, which tend to be excessive in many countries (see Verité, 2005) if they opt for legal channels. In addition, a considerable number of women working as domestic workers manage to obtain extensions of their contracts with the result that some spend many years, if not decades, abroad. In the absence of family reunification policies for this type of migrant, migrant families become what has been termed “transnationally split households”, either with one parent working abroad or both doing so but in different countries. For those women who have left children behind, they experience a phenomenon referred to as “transnational motherhood” (Hondagneu-Sotelo and Avila, 1997; Hondagneu-Sotelo, 2001; Hochschild, 2002).

With temporary migration involving highly-feminized streams, this entails reversed gender roles by which a wife becomes the family’s breadwinner while her husband is supposed to attend to the children and household matters. Marital conflict has frequently resulted from this situation, at least in the initial stages. Such role reversal has often challenged the masculinity of men, especially those who experience long-term unemployment in a stagnant economy (Gamburd, 2001; Parreñas, 2001).

As demonstrated by Carling (2005) in the case of the Philippines, research and policy discourse tend to highlight migration by women as more problematic than by men with regard to the overall impact on families. Studies of the impact on children were, for example, only conducted when mothers migrated in greater numbers (Piper, forthcoming). This in itself reflects a gendered understanding of the “proper” roles of men and women.

On an individual level, it has been noted that “although all migrants can be agents of change, migrant women are more likely (than men) to have their personal development thwarted” (United Nations, 2006). This is an overtly generalized statement that requires qualification. Research has shown that women tend to view out-migration more as part of their personal development (by breaking out of social conventions, and gaining more personal space and freedoms as well as higher economic/social status) than men (Dannecker, 2007). In addition to narrowly defined economic reasons (that are typically the main focus in the debate on the “migration-development nexus”), women also (and in some cases predominantly) use migration as an escape route from unwanted marriages, or to get away from abusive relationships or husbands who do not manage to provide for the family (as found by Gamburd, 2001, in the case of Sri Lankan domestic workers; and by Piper, 1997, in the case of Filipino entertainers; and by Oishi, 2005 in case of various nationalities). This can also be an unintended consequence of the migration experience where the decision to migrate might have been initially driven purely by economic concerns. Sometimes women subsequently begin to appreciate life away from husbands and extended families.

### ***Changing familial and gender relations***

Research on Asian migrants has clearly demonstrated that migrants are socialized to treat out-migration as “for the sake of the family” (Yeoh and others, 2002). In this sense, a focus on the family as unit of analysis for the investigation of the development outcome of migration is valid and important. Asis (2003), for example, maintained that the migration of individuals in the developing world was part and parcel of family strategies for securing livelihoods. A focus on families allows the establishment of a bridge between those who physically migrate and those who are left behind – and the gender dynamics and differences depending on who the migrants and non-migrants are. Studies of earlier waves of intra-Asian migration, which tended to involve predominantly men going to the Middle East, have mostly focused on the impact of male out-migration on women left behind, as in the case of studies on Kerala and the so-called

“Gulf wives” (Zachariah and others, 1999). The findings were of a mixed nature. Women benefited from higher levels of independence and decision-making power; however, the strain of the increased workload and responsibilities were, in some cases, found to have had negative implications.

More recently, waves involving greater levels of feminization have triggered studies on the impact of women’s out-migration on gender relations and families left behind. Research is particularly advanced on this in the case of the Philippines where studies have been conducted on the reconstruction of men’s sense of masculinity in the event of their wives’ taking on the role of the main income earner by way of overseas employment. Pingol (2000) argued that basically there were two types of men – those who tried to adapt and make the best of the situation and those who were unable to cope and burdened other (usually female) members of the family with responsibilities previously taken care of by their now absent wives. The latter type also often ends up engaging in adulterous relationships, and neglecting work and their children. Gamburd (2001) showed that certain male “vices” such as drinking and gambling were, however, often reasons for pushing women into migration rather than the cause.

Interestingly enough, the focus of research on the impact of parental out-migration on children has been on the “absentee” mothers and not on “absentee” fathers. A case in point is the study conducted by Battistella and Conaco (1998) among elementary school children of Filipino migrants. Comparing children from families where one parent was absent to those where both parents were working overseas, they found that most disruptive impacts occurred when the mother was absent. Fathers were found to be unable to take on the mothering role effectively. Thus, the degree of involvement of other women in the extended family is an important determinant of the guidance that children can receive. A more recent study headed by the Scalabrini Migration Centre (2004), however, showed a more complex and balanced picture of the so far purely negatively portrayed impact of absent mothers on their children. That study differentiated the category of “child” into a number of age groups, and showed by a number of indicators that “not all is bad” when mothers migrate for work abroad.

This issue of changing family relations and the impact of migration on the “left-behind” needs to be the subject of more research, especially research that is based on data or surveys from different periods, in order to allow an assessment of change over time. The topic of changes within family structures also represents an area that deserves more policy intervention by origin countries.

## Last but not least – the issue of rights

Recent reports on migration and development have highlighted that this issue works in two ways:

- (a) By enhancing the benefits of migration for all stakeholders (origin and destination societies as well as the individual migrants); and
- (b) By making migration more of a choice than a necessity.

Both points essentially involve rights issues. The former is in the form of transparent, legal migration policies that are aimed at protecting basic rights for migrants (see below). The latter refers to the “right to not have to migrate in the first place”, which would not only require establishing more job opportunities locally, but also broader social policy reforms.

Further, on the individual level, not all migrants’ personal development is enhanced by the migration experience, despite the recognition that migrants are not necessarily victims but are also able to act as “agents of change” (United Nations, 2006, with specific reference to migrant women; p. 15). Respecting migrants’ rights, especially labour rights, as part of economic and social development is seen by some as the best long-term solution for reducing the pressures of out-migration (GCIM, 2005; United Nations, 2006; UNFPA, 2006). Measures to improve the benefits of migration include providing proper legal status, permission to change employer, and, for those accompanying their migrating spouses, permission to work when admitted for family reunification. For women migrants, these measures also include providing labour rights by acknowledging jobs such as domestic work as being equally worthy of protection under labour laws as other sectors of work or, in the meantime, the provision of standard contracts of employment between employer and migrant worker that set out the agreed rights as well as minimum terms and conditions of employment. In this regard, important advances have been

made as the result of UNIFEM's migration programme in Jordan by the adoption of standard contracts for all foreign domestic workers. This could serve as a good practice model for countries of destination elsewhere.

In the case where out-migration is chosen to secure a livelihood and for personal development, it has been argued that one important way to ensure protection is via skills acquisition (Piper and Yamanaka, 2007). The higher the migrants' skills, the better their negotiation power and more likely the chance that they will get "good deals" (level of wages, working hours and days off). In this sense, there is a clear link to human and social capital building. The issue of "skills" has also received some attention in migration scholarship in a different context – the pointing to the limitations on "upward social mobility" for the lower skilled, especially in the case of female migrants (due to their positioning at the bottom end of gender and ethnically segregated job markets or in dead-end jobs such as domestic work). The issue of "de-skilling" has also been raised by scholars pointing to the case of well-educated female migrants taking on low-skilled work, such as a teacher turned into a domestic worker, because of the sheer demand and the relative inability to access other legal channels (Piper, 2007a).

One of the important ways of protecting female migrants and guaranteeing "successful" migration, therefore, is via the acquisition of skills or the recognition of certain jobs as skilled (the category of skilled typically comes with better rights and entitlements than unskilled). This relates to a broader understanding of "rights" in the sense of "right to self-development".<sup>5</sup> This acquisition of new skills not only refers to work-related skills (language and job training), but also to financial skills (budgeting, planning and strategizing for the future) that will assist migrant women in reaping financial rewards from their overseas employment. Too often in the past, women returned to find that their remittances were all spent and no savings made.<sup>6</sup> In this regard, training and skills programmes offered to foreign domestic workers by non-profit organizations in Singapore, Malaysia and Hong Kong, China – partly based on a strategy called "Migrant Savings for Alternative Investment" (MSAI), pioneered by NGOs Asian Migrant Centre in Hong Kong, China and Unlad Kabayan, a migrant association in the Philippines – appear to be important developments in ameliorating this situation (Macabuag and Dimaandal, 2006; Gibson and others, 2002).

The MSAI strategy was developed in order to prepare migrants (mostly domestic workers) for their return. It encourages saving by migrants and, in cooperation with communities and organizations in the home countries, livelihood projects are designed and carried out with the migrants' savings. This strategy is thus an attempt to link the "right to development" with the "right to not have to migrate in the first place".

### ***Rights-based approach***

Still missing from the debate on the migration-development nexus are the broader connections between migration and development from a rights-based approach as well as a more fundamental understanding of the type of "rights" at stake. Social rights (social security benefits, child care provisions etc.), and thus considerations for the various social dimensions, are largely absent from this debate and hardly ever contextualized with migration policies. The broader right to family life has only recently become a topic on the agenda of migrant rights' advocates in Asia. A systematic analysis of the linkages between migration, social development and social policy has not been undertaken; as a result, the long-term effects of migration on issues such as redistribution, social cohesion, equality (gender, caste and ethnic/racial), and rights are under-explored (Hujo and Piper, forthcoming).

As argued here, rights are one of the important ways of getting at the fundamental root causes of migration. This was highlighted by the Committee on Migrant Workers<sup>7</sup> in its statement contributing to the United Nations High-level Dialogue on Migration and Development of the General Assembly in September 2006. In the statement, the Committee recalled "that the human being is the central subject of development and should be the active participant and beneficiary of the right to development, as set forth in the Declaration on the Right to Development". As per Article 1 of the Declaration (from 1986), "the right to development is

<sup>5</sup> This is also broader than the "right to development" as per the 1986 United Nations Declaration on the Right to Development. See also the following subsection.

<sup>6</sup> Personal conversation between the author and staff of the National Committee for UNIFEM Singapore, March 2006.

<sup>7</sup> The Committee on Migrant Workers is the body of independent experts that monitors implementation of the International Convention on the protection of the Rights of All Migrant Workers and Members of their Families.

an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”

What deserves to be highlighted is the emphasis of rights-based approaches on being “people-centred” and people’s “ability to claim rights or entitlements” (Grugel and Piper, 2007). Within the policy-making world at the global level, this is especially recognized by ILO in its activities surrounding the revival of its rights-based approach to economic migration as well as by UNIFEM (in its Empowering Women Migrant Workers in Asia – a Briefing Kit). This has specific relevance to women migrants from the South who tend to face serious constraints on realizing their labour and social rights based on the type of jobs they mostly perform and the rigidity of prescribed gender roles.

A specific (and fairly well researched) example of migrant women demonstrating concrete action with regard to claiming their rights is the collective organizing of foreign domestic workers in Hong Kong, China. The organizing activities in Hong Kong, China occur “trans-ethnically” (as domestic workers of various nationalities are involved) and “trans-institutionally” (in the form of an NGO-trade union alliance) (Piper, 2005b). One of the reasons that explain why Hong Kong, China has emerged as a unique site for migrant rights activism is the political space given to trade unionism (the “freedom of association” is a core labour standard championed by ILO, but its violation is widespread) and other civil society organizations as well as the opportunity for migrants to set up their own organizations (Piper, 2007b).

Apart from the ILO framework for migrants’ rights in their capacity as workers, an alternative human rights framework that can be invoked to address the specific concerns and needs of migrant women is the United Nations Convention for the Elimination of Discrimination against Women (CEDAW) (UNIFEM, 2003). This route could prove more successful, given CEDAW’s wide ratification rate.

## Conclusion

This chapter offers an initial and rudimentary discussion of the linkages between migration and development in reference to the feminization of intraregional migratory flows in Asia. Aiming to improve their livelihoods and that of their families in the face of rising male unemployment or under-employment, increasing numbers of women seek work in different types of occupations in foreign countries. Migration is not necessarily their first choice but at times a reflection of changing labour market structures, at home and abroad, that offer specific job opportunities abroad in highly-gendered job categories. Restrictive migration policies and the prevalence of temporary contract schemes, in combination with many migrant women’s economic and social contributions being undervalued and their work often being legally unrecognized, pose serious limitations to women migrants’ chances for personal socio-economic empowerment.

Notwithstanding the rich contributions that migrants make, several reservations are in order, particularly concerning a general tendency is excessive (or, at least, premature) optimism with regard to the development potential of migration. On the positive side, scholars highlight a number of vehicles through which migrants have an impact on development in their countries of origin via remittances, investment, skills development and other forms of “learning” as well as transnational communities and networks. However, this body of research, which highlights these positive aspects, is largely based on very specific case studies in the context of South-North migration that tend to be male dominated. The specific features of temporary migration by lower skilled workers, many of whom are women, and those who leave families behind may have significant, but very different, development implications about which still too little is known (Hujo and Piper, forthcoming; Dannecker, 2007).

What is clear, however, is that migration poses a new challenge for research and policy makers alike in the subject area of women’s rights, development and citizenship (see also International Development Research Centre, 2006). In particular, conceptual and normative linkages between women’s social and economic rights as they relate to migration need further exploration in specific geographic or cultural settings. On the policy level, a deeper analysis of the linkages between various fields of policy (migration and public/social policy) is needed to inform relevant policy developments that target male and female migrants alike as well as their families that are left behind.

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# CHILDREN AND INTERNATIONAL MIGRATION\*

## Introduction

Most international migrants from East and South-East Asia go to countries that want temporary workers rather than settlers, so most migrants leave their children behind. If children do migrate, they are typically not welcomed by the host society. International migration in East and South-East Asia accordingly has complex effects on children's welfare. Children may benefit from remittances sent by absent parents, but there may be offsetting social and psychological costs. Children who migrate may benefit from continued contact with their parents or from improved economic prospects, but can be expected to face difficulties obtaining legal documentation and accessing social services.

The international literature on children left behind by migrant parents is expanding rapidly. Child migrants are also beginning to receive attention: the 2007 World Development Report, for example, included a chapter on young people and migration. However, for most East and South-East Asian countries, information on children and migration is still limited. This chapter therefore focuses on two countries, supplemented by brief reviews of international findings. The first country, the Philippines, is one of the world's best-known migrant-deployment countries, and the second, Thailand, has recently become a major country of destination. Despite the fact that the study of children and migration is more advanced in these two countries than elsewhere in Asia, there is still little consensus on numbers of children involved.

Using census data for the Philippines and registration data for Thailand, this chapter presents some new estimates. It also reviews evidence from the Philippines on how developmental outcomes for children of migrants differ from those of children of non-migrants. In the case of Thailand, the chapter looks at family structure, migration patterns, education, work and birth registration of child migrants. The chapter concludes by arguing that child migrants are a more urgent policy priority than children left behind. Wherever data permit, the chapter adopts the United Nations Children's Fund (UNICEF) definition of children, whereby a child is someone aged less than 18 years.

## Children left behind

### *The Philippines*

Even in the Philippines, which has some of the best migration data in Asia, existing estimates of the number of children left behind by international labour migrants rely on many questionable assumptions. This chapter presents some new, more direct, estimates based on data in the 10 per cent sample from the 2000 Philippines Census. The data were obtained through the Integrated Public Use Microdata Series-International (IPUMS-International).<sup>1</sup> Filipino censuses are unusual in that people working overseas as contract workers are included in the household rosters filled out by census enumerators. By using the "relationship to household head" question to link children to their parents, it is possible to calculate the number of migrant parents and the number of children that these migrants leave behind.<sup>2</sup>

\* John Bryant, Institute for Population and Social Research, Mahidol University, Thailand.

<sup>1</sup> IPUMS-International collects, harmonizes and makes publicly available large samples from national censuses. The Philippines data were prepared through collaboration between IPUMS-International and the Philippines National Statistical Office. The IPUMS-International website is <http://international.ipums.org>.

<sup>2</sup> At the time of writing (October 2007), IPUMS-International had constructed variables linking individuals to their spouses for all censuses in their collection, and planned to construct variables linking parents to their children. However, they have not yet linked parent and child records in the Philippines. The author has therefore constructed the links, using the database program SQLite. The author validated his SQLite code by applying it to the IPUMS-International version of the 1999 Vietnamese census, which does have variables linking parents and children. His variable agreed with the IPUMS-International variable for more than 98 per cent of children in the sample.

**Table 23. Overseas Filipino workers aged 15-59, according to 2000 Census data**

Overseas Filipino workers				
	At least one child aged 0-4 years	At least one child aged 0-17 years	All Overseas Filipino workers	All Filipinos aged 15-59 years
Males	156,000	326,000	585,000	21,308,000
Females	82,000	201,000	517,000	21,096,000
Total	238,000	527,000	1,101,000	42,404,000

*Source: Calculated from the 10 per cent sample from 2000 Census.*

According to the census estimates presented in table 23, 1.1 million Filipinos were working overseas in 2000. This number cannot be accepted at face value, however, because of the likelihood of errors in the underlying data. Bilsborrow and others (1997), in an authoritative text on migration statistics, were sceptical about the accuracy of data on out-migrants gathered from household rosters. They argued that the definitions of "emigration" and "belonging to the household" are too ambiguous to yield meaningful results. This pessimism may, however, be unwarranted in the particular case of the Philippines census. The term "Overseas Filipino worker" (OFW) is well-defined and widely used in the Philippines. The principal destinations of OFWs, such as the Middle East, do not permit settlement, so there is little doubt that the workers will eventually return. Moreover, an OFW with children in the house of origin is especially likely to retain membership of that household, and to be included in the household roster.

Coverage levels in the census can be assessed by comparing census estimates with those from other sources. A widely-cited report by the Government of the Philippines claims that the number of Filipinos working overseas as contract workers, including seafarers, reached 2.9 million in 2000, with an additional 1.8 million irregular workers.<sup>3</sup> However, the report relies on estimates provided by embassy officials in destination countries. Such estimates are necessarily speculative, and embassy officials arguably have an incentive to submit large numbers to maximize the perceived importance of their posts. These problems are not unique to the Philippines; estimates of Americans overseas contributed by United States embassies probably overstate the true number by a factor of two or three. A more reliable source of numbers on OFWs are POEA data on workers taking up new contracts. Annual deployments in the late 1990s were about 840,000 per year.<sup>4</sup> Since the typical length of a contract is two years, annual deployments of 840,000 imply a total of about 1,680,000 legally registered migrants were working overseas in 2000.

A final alternative source of data is the Survey of Overseas Filipinos, a nationally representative survey used by the Government of the Philippines to estimate remittance flows. According to this source, the total number of overseas workers in 1997, presumably including unregistered workers, was 1.83 million. This figure is about 60 per cent higher than that obtained in the census. Recall errors were presumably smaller in the Survey of Overseas Filipinos because the survey focused specifically on migration, and enumerators were subject to more intensive training.

Judging by the data on deployments and the Survey of Overseas Filipino workers, the true number of overseas workers in 2000 was probably around 2 million. If this is correct, then the 2000 census captured 50-60 per cent of migrants, although possibly a higher proportion of migrants with children. Compared with much of the international data on migrants (even in developed countries), coverage rates of 50-60 per cent are, in fact, quite good. Nevertheless, to be consistent with a figure of 2 million, the estimates of numbers of children in table 23 need to be adjusted upwards by a factor of something less than 2. Thus, although table 23 states that 238,000 OFWs had at least one child aged 0-4 years and 527,000 had at least one child aged 0-17 years, the true numbers were probably closer to 500,000 and 1 million, respectively.

<sup>3</sup> Estimates made by the Commission on Filipinos Overseas, cited in the table "Stock estimates of Filipinos overseas (inter-agency report) as of 2000" at [www.poea.gov.ph/Stats/st\\_stock2000.html](http://www.poea.gov.ph/Stats/st_stock2000.html) (accessed May 2007).

<sup>4</sup> Data on overseas Filipino workers obtained from a table entitled "Deployed Land-based and Sea-based Workers" at [www.poea.gov.ph/html/statistics.html](http://www.poea.gov.ph/html/statistics.html) (accessed August 2004).

Table 24 takes the perspective of children rather than parents, presenting the distribution of Filipino children by the migration status of their parents. Once again, the figures have to be adjusted upwards by a factor of around 2 to allow for under-reporting. A figure of 2 million children of overseas migrants is probably more accurate than the 1.13 million shown in the table. Even the upwardly adjusted number of 2 million is considerably lower than previous estimates of between 3 million and 6 million,<sup>5</sup> 5 million and 8 million<sup>6</sup> or 6 million and 9 million. If correct, a figure of 2 million implies that around 5 per cent of Filipino children had one or two parents overseas in 2000.

**Table 24. Distribution of Filipino children by migration status of parents, according to 2000 Census**

	Neither parent OFW	Father OFW, mother not	Mother OFW, father not	Both parents OFWs	All children	All children of OFWs
<b>Numbers</b>						
Age 0-4 years	9,259,000	188,000	79,000	37,000	9,563,000	304,000
Age 5-17 years	21,857,000	474,000	266,000	94,000	22,691,000	834,000
Total	31,116,000	662,000	345,000	131,000	32,254,000	1,138,000
<b>Percentages</b>						
Age 0-4 years	96.8	2.0	0.8	0.4	100	3.2
Age 5-17 years	96.3	2.1	1.2	0.4	100	3.7
Total	96.5	2.1	1.1	0.4	100	3.5

Source: Calculated from 10 per cent sample from 2000 census.

A recent survey in several areas of the Philippines found that mothers were by far the most common primary caregiver, whether or not the father was working overseas. When the mother was absent and the father present, about half the children in the survey reported that their father was the primary caregiver, while one-third identified a female relative other than the mother. Migration of mothers evidently leads to a greater rearrangement of gender and caring roles than does the migration of fathers. Two-thirds of children with both parents overseas identified female relatives other than the mother as the primary caregiver. Almost one quarter named the absent mother as the primary caregiver, illustrating the capacity of families to sustain emotional bonds over long distances. Modern communications technology such as inexpensive text messaging reduces some of the difficulties, as recognized by mobile phone companies in the Philippines, who feature OFWs prominently in their advertising.

<sup>3</sup> When preparing the estimates in Bryant (2005), the author did not have access to the 2000 census data, and had fewer grounds for adjusting downward the Government of the Philippines' estimates of Filipinos overseas. The author therefore proposed a figure of 3 million Filipinos overseas, as opposed to the figure of 2 million used in this chapter. In the absence of direct measures, data on the age structure of migrant stocks and age-specific fertility for non-migrants were used to estimate the number of children left behind per migrant. However, the author's estimate of 1-2 children per migrant was too high, as the 2000 census data suggested a figure of approximately 1.

<sup>6</sup> Coroner and Unterreiner (2007) stated that in "extracting data from the 2000 Census on Population and Housing, we can say there were roughly 1.45 million Filipino mothers and 1.2 million fathers living and working away from about 2.65 million Filipino families during that census year." They multiplied this number by a figure of three children per household to arrive at an estimate of 8 million children left behind. It is not clear what the figures of 1.45 million and 1.2 million refer to, and why they are so different from the estimates of numbers of OFWs implied by census data available through IPUMS-International. A press release from the Philippines National Statistical Office, based on preliminary analyses of the census data, cites a figure of slightly less than 1 million OFWs ("Philippines: Additional three persons per minute," [www.census.gov.ph/data/pressrelease/2003/pr0323tx.html](http://www.census.gov.ph/data/pressrelease/2003/pr0323tx.html)). As the results in table 23 of this chapter indicate, Coroner's and Unterreiner's assumption of three births per migrant is much too high. In the same report, Coroner and Unterreiner used different estimates of numbers of migrants, to arrive at an estimate of 5.25 million children left behind. However, they did not reconcile this estimate with the one they had presented earlier.

It is not obvious whether children of migrants should be expected to have higher or lower economic status than children of non-migrants. On the one hand, migrants can earn much higher wages outside the Philippines (which is the most common reason why they migrate), and very poor people seldom migrate overseas, since they cannot afford the upfront costs. On the other hand, wealthy parents have less to gain by working as contract labourers. In practice, most studies find that, on average, children of migrants are better off financially than children of non-migrants. The results from the 2000 census on ownership of consumer durables (table 25) are consistent with previous studies. Children of migrants belong, on average, to wealthier households than children of non-migrants. This is true whether the father has migrated, the mother has migrated, or both. However, children with just the father absent are consistently better off than children with just the mother absent. One possible explanation is that male migrants earn higher wages than female migrants. Another explanation is that only households that are initially poor subject their families to the stresses of having the mother overseas.

**Table 25. Percentage of Filipino children whose households own selected consumer durables, by migration status of parents, 2000**

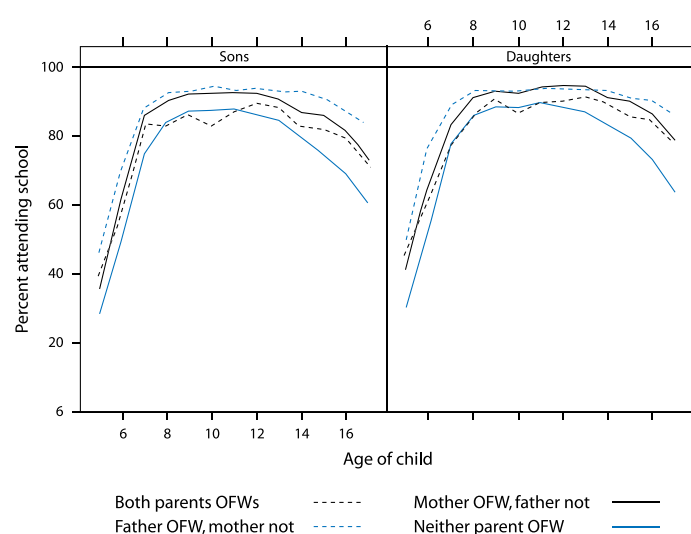
	Neither parent OFW	Father OFW, mother not	Mother OFW, father not	Both parents OFWs
Telephone	10	48	27	25
Refrigerator	28	72	46	43
Television	48	86	70	59

Source: Calculated from 10 per cent sample from 2000 census.

Note: The figure shows the percentage of children whose household owns the indicated asset, not the percentage of households that own the asset. The former is lower than the latter, since poor households have more children.

When families with migrants are asked what they do with remittances, one of the most frequent responses is that the money goes towards school fees. Yang demonstrated that Filipino families put these promises into effect; families that made large windfall gains from the large exchange rate movements in 1997 typically spent all the extra money on education and other income-generating investments, and none on short-term consumption. The higher socio-economic status of children from migrant households could therefore be expected to translate to higher rates of school attendance – provided that the absence of the parents does not in itself disrupt children's schooling. Figure 26 shows that children of migrants are indeed much more likely to attend school than children of non-migrants, regardless of the age or sex of the child. The average participation rate for all ages and both genders is 75 per cent for children with neither parent overseas, 87 per cent for children with a father overseas, 83 per cent for children with a mother overseas, and 80 per cent for children with both parents overseas. Once again, children of migrant fathers do best. Previous studies have shown that children of migrants are more likely to attend expensive private schools than children of non-migrants, so children of migrants receive higher quality education, on top of the higher quantity evident in figure 26.

**Figure 26. Percentage of children attending school, by age, sex and migration status of parents, Philippines, 2000**



Source: Calculated from 10 per cent sample from 2000 census.

Many authors, while acknowledging the positive contribution that migration can make to children's material wellbeing, have presented evidence of children of migrants being lonely, materialist, selfish, anxious and resentful. These concerns cannot be dismissed lightly, and no one would deny that prolonged separation is distressing for most parents and children. However, many children of non-migrants in the Philippines also face difficult lives, and experience social and psychological problems. The only way to identify the effects of migration, or to see whether children of migrants are a particularly disadvantaged group, is to systematically compare the psychological wellbeing of children of migrants to that of children of non-migrants.

Systematic comparisons generally find that children of OFWs suffer no more social or psychological problems, on average, than children of non-migrants. For example, a 1996 study of school children found that children of migrants actually scored slightly better than children of non-migrants on the Social Anxiety Scale for Children Measure and scored the same on the Children's Loneliness Scale. A larger study in 2003 replicated these results, and also found that children of migrants reported the same levels of happiness as children of non-migrants, with the exception that children whose mothers had migrated reported slightly lower scores than other groups. The same study found no difference between children of migrants and non-migrants in reports of verbal, physical, or sexual abuse.

A national study conducted by the University of the Philippines, Tel Aviv University and the non-governmental organization KAIBIGAN found that children of migrants had no greater relationship problems or psychological problems, on average, than children of non-migrants; the same study also found that children of migrants had slightly better physical health than children of non-migrants. An analysis of data from the 1994 Young Adult Fertility and Sexuality Survey suggests that, among 15 to 19-year-olds, there is no relationship between co-residing with both parents and the likelihood of premarital sex, drinking alcohol or smoking, after controlling for confounding factors such as education and religion.<sup>7</sup>

<sup>7</sup> In contrast, Battistella and Gastardo-Conaco (1998) found that school children whose parents were migrants had significantly worse ranks in class than children whose parents were non-migrants. Although this finding is widely cited, there appear to have been problems with underlying data. Ranks were available for only half the sample and the data on grades, which were available for the whole sample, showed no difference between migrants and non-migrants.

The finding that children of migrants have no more social and psychological problems than children of non-migrants has sometimes been questioned on the grounds that children under-report such problems. These criticisms carry less weight than first appears. The focus of comparative studies is not on absolute levels, which certainly are affected by under-reporting, but on the difference in levels, which is only affected by under-reporting if one group under-reports more than the other group. There is no obvious reason why children of migrants would under-report more than children of non-migrants, and the critics provide no evidence that they do.

A more serious limitation of existing research is that, without data on the length of time that parents have been away, it has been impossible to assess whether children whose parents have been away for longer periods are more likely to experience psychosocial problems. Comparisons such as those in figure 26 average across children subject to long separations and children subject to short separations. A further, related, limitation of existing studies is that they miss any delayed effects from migration. Longitudinal studies could address both limitations.

The relatively positive results for children of migrants appear, at first sight, to be inconsistent with the extensive literature on solo parenthood in the United States and Europe, which generally shows that children of solo parents have poorer developmental outcomes than children of two-parent families. Among other things, children of solo parents in the West have been found to have lower educational attainment, more behavioural problems and a greater likelihood of experiencing teenage pregnancy. Why are Filipino children whose parents are absent through migration not subject to the same disadvantages?

Researchers in the United States and Europe generally find that the correlation between family structure and poor outcomes is reduced when statistical controls for household income are used. This implies that some of the difference between children in single-parent families and children in two-parent families can be attributed to the fact that single-parent families tend to be poorer. But in the Philippines, families with parents absent because of migration tend to be richer, not poorer, than other families. In the Philippines, socio-economic factors work in favour of children left behind, not against them.

Some studies in the United States and Europe have found that children whose parents subsequently divorced were experiencing poorer outcomes even before the divorce. This suggests that divorce accompanies, rather than causes, poor outcomes among children. Instead, the real cause of the poor outcomes exhibited by children of single parents in the West may be marital discord before the divorce, or unmeasured traits of people who are prone to divorce. In the Philippines, migration is sometimes used as a way of annulling or escaping a marriage, which is otherwise difficult. Widespread use of migration as a substitute for divorce could potentially lead to the same negative association between solo parenthood and child outcomes as is found in the West. Nevertheless, the standard assumption in the international literature on migration is that migrants tend to be more ambitious, hard-working and talented than their non-migrant peers. To the extent that this is true of Filipino migrants, it should contribute to a positive association between migration and child outcomes.

Some scholars in the United States and Europe argue that children of solo parents experience poor outcomes because solo parents are unable to provide adequate supervision and role models. Whatever the truth of these claims, they are likely to be much less relevant to children of migrants in the Philippines. There is abundant evidence that extended families fill the gap left by the missing parents. Indeed, extended families are often heavily involved in the decision to migrate, and receive remittances and gifts from the migrants. In addition, Filipino parents and children have developed coping strategies such as gift-giving, phone calls or daily text messages that enable them to sustain some form of parent-child relationship despite their physical separation.

#### Other countries

“I do agree with you (about social problems of migration) but I found that when families have got money problems, then family problems occur, and I think working abroad is the best way to earn money” (Thai villager quoted by Jones and Kittisuksathit, 2003).

Many other countries in East and South-East Asia have substantial numbers of workers overseas, as can be seen in table 26. On average, there is one child left behind for each Filipino working overseas. Applying the same ratio to the estimates in table 26 gives a total of around 4 million children left behind. This number is merely a first approximation; the number of children left behind per migrants presumably varies across countries, and the estimates of numbers of migrant workers are themselves subject to considerable uncertainty. Nevertheless, the calculation indicates that it is safe to say that the number of children left behind in East and South-East Asia runs into the millions.

**Table 26. Estimated number of international migrant workers living overseas from selected countries in East and South-East Asia**

Country	Year	Migrant workers ('000)
Cambodia	2005	200
China	2004	530
Indonesia	2007	4,300
Lao PDR	2005	200
Thailand	2005	260
Viet Nam	2006	400
<b>Total</b>		<b>5,990</b>

*Sources: Estimates for China, Indonesia and Viet Nam are taken from the respective chapters in this publication. The estimate for Thailand is based on deployment statistics from the Thailand chapter of this publication. Cambodia and the Lao People's Democratic Republic estimates are based on registration statistics discussed below, and rounded up to allow for under-reporting.*

Countries elsewhere in East and South-East Asia have smaller numbers of international migrants, relative to their populations, than the Philippines. This might suggest that families elsewhere have developed fewer coping strategies, or that the effects of migration on children are otherwise different. However, many countries in East and South-East Asia have experienced significant domestic migration. For example, in 1999, around 0.5 per cent of Vietnamese children under 18 years had a mother absent due to migration, and 3-4 per cent had a migrant father.<sup>8</sup> If research shows children of international migrants in the Philippines to be atypical, it will not be because other societies are unfamiliar with migration.

Migration appears to increase the resources available for education elsewhere in East and South-East Asia. Parents from Indonesia, Thailand and Myanmar, for example, all report spending earnings from migration on the education of their children. Jampaklay (2006) found some evidence that children whose mothers had been absent for more than two years had a reduced chance of attending school (controlling for other influences, including remittances), suggesting that maternal absence might have a disruptive effect. However, the data available to Jampaklay lacked some important information on the mothers, including the current relationship with the child's father, so it is uncertain whether the results reflect the effect of migration per se.

There are hints from elsewhere in Asia that the extended family can mitigate disruption caused by the absence of a parent through migration, as it does in the Philippines. Research from Indonesia and Thailand has shown that extended families participate in the decision to migrate, and provide assistance while the migrant is away. Pong (1996) demonstrated that while children of divorced women in Malaysia had lower

<sup>8</sup> These are the author's estimates based on IPUMS-International data. They were derived by calculating the number of children who have one absent parent, where the remaining parent reports themselves as currently married. This approach can overstate domestic migration because it also includes the small fraction of migrants who are international migrants and because it includes parents who are, in fact, separated or divorced. However, it can also understate domestic migration because it does not include families where both parents are migrants. The estimates are necessarily approximate, but nevertheless useful in the absence of more direct measures.

school attendance rates than children in two-parent families, children of widows had the same rates. She attributed the lack of a negative relationship to the intervention of the extended family.

Presumably the extended family would also assist families where a parent has migrated. Park (2007) found that in Japan, like the West, children of single mothers had lower reading abilities than children of two-parent families, after controlling for socio-economic status, but in the Republic of Korea and Hong Kong, China there was no relationship, while in Indonesia and Thailand there was a positive relationship. Park's dataset does not include information on the reason for solo parenthood in Hong Kong, China, Indonesia and Thailand. He argued that the most likely reason was widowhood; but presumably, another important reason was migration of husbands. Once again, Park attributed the neutral or positive relationship between solo parenthood and reading ability to the influence of the extended family.

Finally, two studies from Bangladesh and one from Pakistan deserve mention, despite falling just outside the geographical scope of this report. This is because the rich datasets and special estimation techniques used by the authors allowed them to obtain measures of the effect of migration that were free of many of the biases caused by unmeasured differences between migrants and non-migrants. In all three cases, the authors found that migration improved children's chances of being in school.

A study of women migrating to Saudi Arabia from East Java in the 1980s found no evidence of adverse social effects on children left behind. Thai villagers participating in focus groups discussing the issue of quality of life agreed that migration of parents was a painful experience, but saw financial problems as an even bigger threat to family happiness. A survey in the same location found no evidence that children of migrants suffered more social problems than children of non-migrants. Co-residing with both parents appeared to have no effect on the likelihood of drinking, smoking or having premarital sex in Indonesia, and discouraged all three behaviours in Thailand. Xiang (2006) argued that family members left behind by rural-urban migrants in China were, if anything, better off than people in the same villages who did not have migrant relatives.

## **Child migrants and children of migrants in destination countries**

### ***Thailand***

Thailand has received roughly 2 million migrants from its poorer neighbours since the early 1990s. Some of those migrants brought children with them, and some children migrated independently in search of work. In addition, there are many children of migrants who, although born in Thailand, are not eligible for Thai citizenship and hence face similar problems to children born outside Thailand. Following Thai usage, children born to migrants in Thailand are also referred to in this chapter as child migrants.

The thousands of children living in camps along the Myanmar-Thai border are not discussed in this chapter. Information on these children is available in Huguet and Punpuing (2005a). The chapter also does not look explicitly at trafficking between Thailand and its neighbours, an issue that is discussed in depth in a recent report by Huguet and Ramangkura (2007). Many children discussed in the chapter would nevertheless count as trafficking victims under the definition adopted by international agencies, which implies that all migrants aged less than 15 years who work are trafficking victims.

Provided that allowance is made for under-reporting, the best source of data on numbers of migrant children in Thailand is administrative statistics. In 2004, the Government of Thailand instructed irregular migrants from Cambodia, the Lao People's Democratic Republic and Myanmar to register for permits that would allow them and their dependants to stay in the country for one year. A total of 93,082 children aged 0-14 years were registered (table 27). Registration statistics for 2005 imply 91,331 children aged 0-14 years and 46,065 aged 15-17 years,<sup>9</sup> giving a total of 137,396 aged less than 18 years. The two registrations presumably missed many children, so these numbers need to be rounded up. A reasonable guess might be around 200,000 children aged 0-17 years from Cambodia, the Lao People's Democratic Republic and Myanmar in 2004.

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<sup>9</sup> Unpublished tabulations from the Thai Ministry of Interior. These tabulations do not give the nationality of the migrants. The total number of migrants of all ages is 1.52 million.

**Table 27. Children aged 0-14 years who completed the first stage of 2004 migrant registration in Thailand**

Nationality	Number	Percentage of all registered migrants
Cambodia	7,849	4.3
Lao PDR	8,205	4.6
Myanmar	77,028	8.4
Total	93,082	7.2

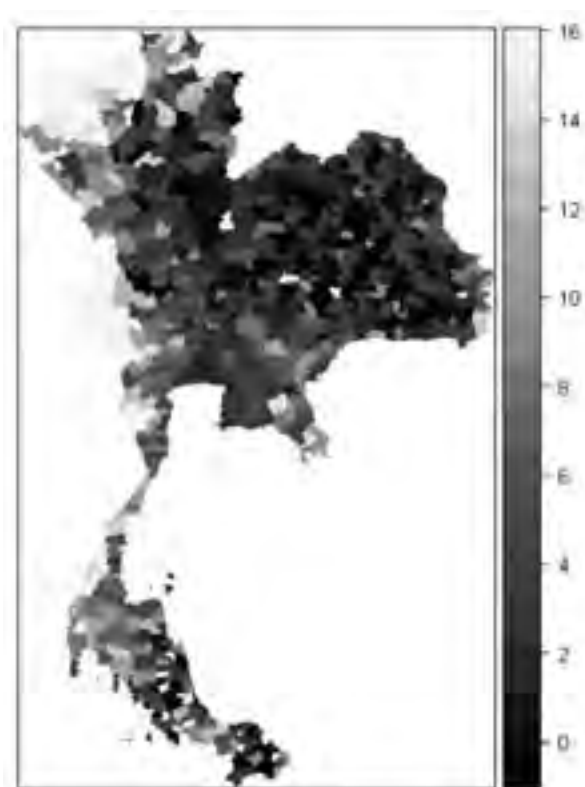
Source: Calculated from J.W. Huguet and S. Punpuing, 2005b.

As shown in table 27, children aged 0-14 years comprise about 7 per cent of the overall migrant population in Thailand. In contrast, they comprise some 30 per cent of the population of the origin countries of Cambodia, the Lao People's Democratic Republic and Myanmar.<sup>10</sup> Evidently, most migrants who enter Thailand do not have children or do not bring their children with them. The low percentage of children provides strong indirect evidence that most migrants to Thailand are temporary labour migrants rather than permanent settlers. It might be thought that indirect evidence would not be needed – that the many studies of migrants in Thailand would have already established how many migrants were permanent or temporary. However, the methods used to obtain samples for existing studies, such as snowball sampling or sampling of particular communities, are virtually guaranteed to lead to skewed data on length of stay in Thailand, so the registration data on children is probably the best available evidence.

As shown in figure 27, however, the proportion of children in the migrant population does reach appreciable levels in western and north-western Thailand, along the Thai-Myanmar border. Children comprise around 15 per cent of the migrant population in those areas, while seldom reaching more than 5 per cent of the population elsewhere. The areas with large concentrations of children are well known in Thailand for having large settled communities of people from Myanmar (Thais sometimes jokingly refer to Mae Sot, the best-known such area, as Mae Sot District, Tak Province, Myanmar).

It is significant that settled communities have not generally formed along the borders with Cambodia and the Lao People's Democratic Republic (figure 27), and that the proportion of children is twice as high among Myanmar migrants as it is among Cambodian and Lao migrants (table 27). The reason for the difference is that migration flows from Myanmar contain many people who cannot safely return home, while those from Cambodia and the Lao People's Democratic Republic do not.

<sup>10</sup> Calculated from the United Nations Population Division online database, World Population Prospects: the 2004 Revision.

**Figure 27. Children aged 0-14 years as a percentage of migrants in Thailand, by district, 2005**

Source: Calculated from unpublished Thai Ministry of Interior data (see text and footnote 9 of this section for details).

The share of girls among child migrants varies by age (table 28). The numbers of boys and girls are roughly balanced at ages 0-11 years, when most children are presumably accompanying parents rather than migrating independently. At ages 12-14 years, the share of girls rises temporarily across all three nationalities, before falling again at older ages. For the Lao People's Democratic Republic, there is direct evidence that girls start embarking on labour migration earlier than boys, which would explain the temporary rise. The same explanation may also explain the small increase in Cambodia, since girls in Cambodia leave school and start work earlier than boys (figure 28).

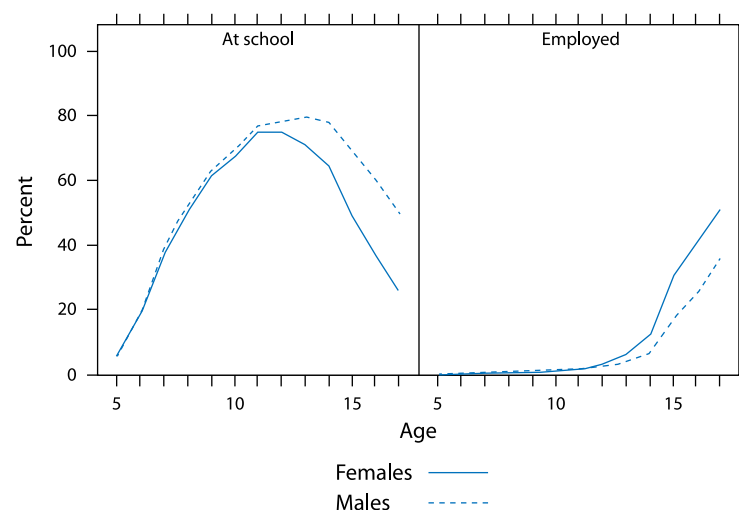
**Table 28. Females as a percentage of registered migrants, by age and nationality, in Thailand, 2004**

Nationality	Age 0-11 years	Age 12-14 years	Age 15+ years
Cambodia	49	51	30
Lao PDR	50	71	55
Myanmar	47	48	45
Total	48	52	45

Source: Calculated from J.W. Huguet and S. Punpuing, 2005b.

The proportion of labour migrants who are accompanied by dependent children varies by occupation. Factory workers, who often live in dormitories, and domestic workers, who usually live in their employers' homes, have few opportunities to co-reside with children. In contrast, migrants working in plantations, sawmills and construction sites often have rudimentary family accommodation.

**Figure 28. Percentage of children at school or employed in Cambodia, 1998**



Source: Calculated from 10 per cent sample from Cambodian Population Census 1998.

Children sometimes travel surprisingly long distances to come to Thailand. A study of children aged 12-18 years working in factories in Mae Sot on the Myanmar-Thai border found respondents from virtually every part of Myanmar. Like all migrants, children who migrate for work typically seek out networks of kin and friends to help them travel and find work. The study of child factory workers in Mae Sot found that 93 per cent had been accompanied to Mae Sot by relatives, and most had at least one relative living in Mae Sot, although this was typically not the mother or father.

When a community develops a network, however, the network is not necessarily open to all members. Researchers in the Lao People's Democratic Republic, for example, described one village where males migrated safely and easily to tobacco farms across the Thai border, while females (78 per cent of whom were under 18) must undertake their own difficult and risky searches for employment. In other villages, the situation was reversed, and males were the ones who lacked networks. Based on findings from 26 Lao villages, the researchers concluded that the availability of migrant networks is the single most important factor determining whether a child migrant escapes trafficking.

Statistics from several years ago suggest that only a small proportion of migrant children in Thailand attended Thai schools. In 2003, for example, only 13,459 people of Cambodian, Lao or Myanmar nationality were reported as attending preschools and primary, secondary or high schools in all of Thailand. Based on experiences in Tak and Surat Thani provinces, the Federation of Trade Unions – Burma (2006) argued that the main reason for migrants not attending school was schools refusing entry. In principle, this barrier should now have been removed. On 5 July 2005, the Government of Thailand issued a Cabinet Resolution stating that all undocumented migrants of school age would be able to attend Thai schools, from preschool to high school level. The Ministry of Interior was instructed to issue 13-digit identification cards to such children, and to permit the children to travel to educational facilities as necessary. Educational institutions were to receive the same budget allocation for each migrant child on its rolls as it received for each Thai child. The new rules do not apply to children "displaced by conflict", the term used by the Government of Thailand to describe people in camps along the border.

Schools' admission policies are not the only barrier to children's attendance, however. Many poor migrants find the costs of uniforms, books, transport and food prohibitively high. Sending a child to school also means forgoing any income that the child might otherwise have earned, which is an important consideration for families living at subsistence level. To enroll their children in school, migrants must deal with Thai officialdom, which, given their insecure legal status, many migrants are reluctant to do. Finally, migrant children themselves often have difficulty coping with instruction in Thai.

In response to these difficulties, migrants in areas with large migrant communities such as Mae Sot have set up their own rudimentary schools, teaching in the migrants' own languages, and funded by donations and migrants' contributions. These institutions often combine wide age ranges in the same classes, and struggle to cope with the diversity of languages among the children. However, where they operate they appear to be popular. In the 2005/06 school year, some 5,000 children in Mae Sot were enrolled in 43 such institutions, which was about 10 times the number of children enrolled in formal Thai schools in the district. In February 2006, the Thai police closed five institutions in Pop Phra district, next to Mae Sot, on the grounds that they had not been authorized by the District Education Department and that teaching was not an occupation that migrants are legally allowed to perform. Eventually, however, the Government permitted the institutions to reopen, provided that they called themselves "learning centres" rather than schools.

NGOs and migrants have set up informal learning centres for migrants in other parts of the country, including Bangkok and Samut Sakhon province. However, it is unlikely that attendance rates at those centres match those in the more established communities. Surveys of migrants aged 11-25 years in central and northern Thailand revealed that only 5 per cent of respondents in agriculture, 13 per cent in a major settlement of migrant seafood workers, 8 per cent in manufacturing and virtually no domestic workers had ever had contact with teachers while in Thailand.

Researchers in the Lao People's Democratic Republic and Myanmar cite families questioning the usefulness of further schooling, on the grounds that education does not lead to better jobs in Thailand. Access to the Thai labour market, which does not reward credentials from the origin country, may reduce the incentive to acquire an education. Whether this negative effect outweighs the positive effect of remittances is an empirical question. McKenzie and Rapoport (2006) found that in Mexico, the negative incentive effect dominated; children in communities with long histories of migration to the United States tended to leave school early. For some ethnic minorities from Myanmar, the limited educational opportunities available in Thailand may, in fact, be better than what is available to them at home.

In general, however, migrants enter Thailand for work, not education. Thailand's legal working age, and the minimum age at which migrants can register for work permits, is 15 years, although workplace surveys generally identify a few workers younger than that minimum limit. A study of a Cambodian community heavily involved in migration to Thailand found that 12 out of 58 children aged 10-14 years had already spent time working in Thailand.

The limited data available suggest that children and adults in the same workplace have different responsibilities, but that there is nevertheless substantial overlap. On crop farms, for example, workers aged 11-17 years are twice as likely as workers aged 18-25 years to be responsible for wrapping fruit, and only half as likely to be responsible for spraying chemicals; however, they have about the same chance of being involved in harvesting, planting, fertilizing and pruning. Children, like adults, sometimes work very long hours. For example, 83 per cent of respondents aged 12-18 years who were interviewed at factories in Mae Sot reported working at least 11 hours per day. Young migrants working on farms in central Thailand, however, sometimes told interviewers that they had more (unpaid) days without work than they would like.<sup>11</sup> Children working in agriculture, domestic service, fisheries and manufacturing typically earn less than adults in the same industries. One reason why children earn lower wages is their shorter work experience; in factories, at least, wages rise with length of service.

Children's work can make an important contribution to the welfare of their families. In some cases, the money that children save or remit allows families to improve houses or buy agricultural implements. Even when children do not have a surplus to save or remit, by providing for themselves they can take pressure off the family budget, which can be important to very poor families.

One problem that is faced by all migrants, but which is particularly acute for children, is legal identity. Children who are too young to qualify for identification documents are unable to apply for travel permits, and sometimes have difficulty establishing their identity on returning home, which can increase the risk of exploitation and abuse. Children born in Thailand to foreign parents do not generally qualify for Thai citizenship. However, under the Convention on the Rights of the Child, to which Thailand is a signatory, all newborns are supposed to receive birth certificates, regardless of the legal status of their parents. In practice this typically does not happen. Huguet and Punpuing (2005) discuss registration in greater detail.

## Other countries

A recent international review of studies on children and migration lamented the paucity of information on child migrants, other than street children or trafficked children. Virtually all studies of children migrating across international borders in East and South-East Asia appear to have been conducted in Thailand.

Nevertheless, some research has been published on migrant children in Malaysia, Thailand's southern neighbour. Malaysia has long-standing Indonesian squatter communities around Kuala Lumpur, large populations of Filipinos and Indonesians in Sabah, and also undocumented migrants from Myanmar. The Indonesian communities have established systems for purchasing identification documents and for getting children admitted to school, to the point where schools and health facilities in areas with concentrations of migrants complain about the financial strain. Reports of abuse against children in those communities are highly reminiscent of reports in Thailand, such as accusations that the police fail to investigate crimes against migrants. Malaysia has made far greater use of mass deportations than Thailand, but for some reason its policies have not attracted the same degree of attention from researchers or international organizations.

For child migrants in China, internal migration poses many of the same issues as international migration. Migrants lacking permanent residence status in Chinese cities are in much the same position as undocumented international migrants because of their reduced access to schools and other social services. A study using the 1995 China One Percent Population Sample Survey found that children of temporary migrants in Guangdong had much lower enrollment rates than local children, especially during the year after arrival. In the late 1990s, 12 per cent of the migrant population in Shanghai consisted of school-age children.

## Conclusion

Around the world, the conventional picture of children left behind by migrant parents is that these children enjoy economic advantages compared to other children, but suffer social and psychological disadvantages. Children left behind are classified as vulnerable and governments are urged to provide them with special programmes or benefits.

In East and South-East Asia, the conventional picture does not fit most of the empirical evidence. Simply cataloguing psychosocial problems faced by children of migrants, as many studies do, cannot establish that children of migrants are specially disadvantaged since children of non-migrants also experience psychosocial problems. The only way to establish that children of migrants are disadvantaged is to conduct comparative studies. Almost all the comparative studies for East and South-East Asia suggest that, on average, children of migrants suffer no greater psychosocial problems than do children of non-migrants.

Painting an overly bleak picture of families' ability to cope with migration is not in the long-term interests of children. If children of migrants are not a genuinely disadvantaged group, then they are not appropriate targets for special benefits or programmes; governments could do more good by devoting scarce resources to groups who really are disadvantaged, such as the poor. If policymakers in origin or destination countries come to believe that migration leads to maladjusted children, they may introduce measures to restrict the migration of parents – or perhaps just of mothers.

<sup>11</sup> Personal communication, Aree Prohmno.

Despite their smaller numbers, child migrants are a greater cause for concern than children left behind. Children who migrate internationally as well as children born to irregular migrants often have great difficulty accessing social services or securing a legal identity. In countries that restrict rural-urban migration, internal migrants face many of the same problems.

By documenting the difficulties faced by child migrants, researchers, journalists and NGOs have helped persuade governments of countries such as Thailand to take action to assist these children. However, even with the best of intentions, policies to assist child migrants are difficult to implement. Providing schooling or health care to children is a challenge, for example, if the children's parents fear that they will be detained or deported. In Thailand, different ministries, or even different schools or clinics under the same ministry, have taken different approaches to dealing with migrants. These informal "policy experiments" could provide many lessons on best and worst practices. Research that exploits these experiments would make an important contribution towards more effective policies related to child migrants.

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# MIGRATION AND HEALTH\*

## Introduction

The relationships between population mobility and health are complex and imperfectly understood. However, the complexity is even greater because the relationship is mediated by environmental conditions as well as the social and economic development level of the people involved.

Nevertheless, the exponential increase that has occurred in population movements within and between the countries of East and South-East Asia in the past three decades has had considerable health implications. Some of these implications are explored in this chapter; however, at the outset, it is important to indicate that this exercise is hampered by the limited availability of comprehensive and accurate information related to population mobility (Hugo, 2006), let alone the details of the relationship between that movement and health.

Patterns and levels of health vary spatially within and between Asian countries for a number of reasons, and migration influences this in a number of ways. Moreover, the impact of population movement on the spread of infectious diseases is also intuitively apparent. Infectious disease can be spread by human contact; hence, if humans who are infected move they are likely to spread the disease. This relationship has been well known for a long time and a number of migration studies have demonstrated the relationship<sup>1</sup>.

There are a number of reasons why the relationship between migration and health is of significance. First, unravelling the complex two-way causal nexus between migration and health is of considerable significance for developing effective health policy. There has been little research on this issue in Asia (Jatrana, Graham and Boyle, 2005). Health is a crucial element in well-being and achieving the goal of improving health will require a better understanding of the causes of poor health, the risk factors associated with particular diseases and the related significance of population mobility. The lack of such research not only constrains policy makers in their efforts to develop effective interventions but also provides scope for scapegoating and stereotyping which blames migrants for health problems without any supporting empirical evidence. The 'othering' of migrants often opens them up to being made scapegoats for all manner of health problems, especially infectious diseases.

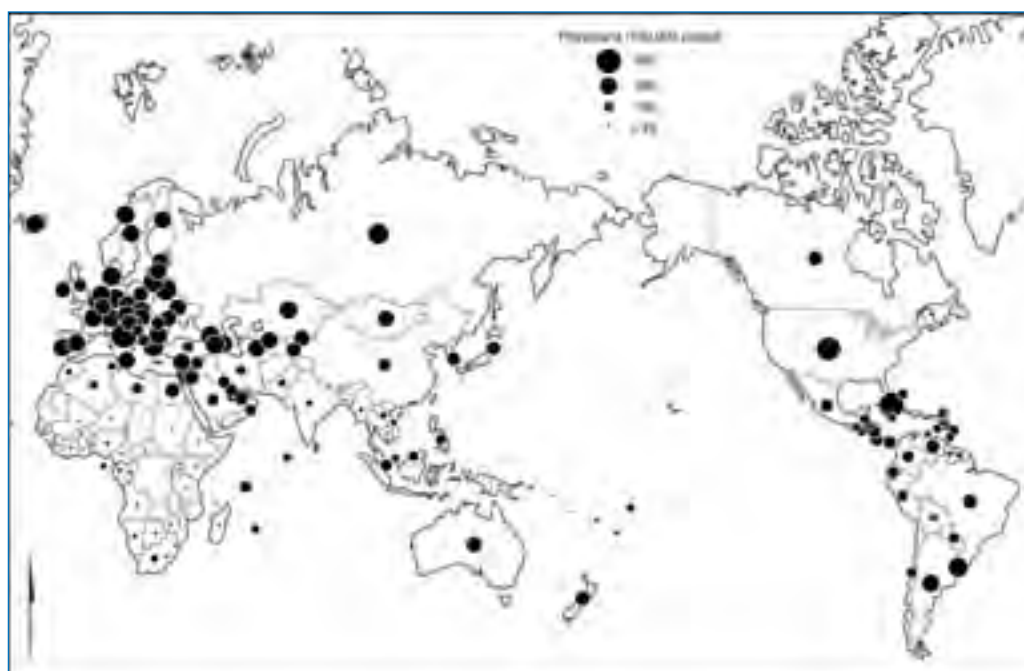
The policy significance of the migration and health relationship extends beyond considerations of migration as a cause of health problems. With the increasing scale of mobility the health needs of migrants and the extent to which they are being met are of importance. Similarly, as figure 29 shows, there are substantial international differences in the provision of doctors and other health personnel and migration is playing a role in exacerbating this differential. This is a cause of considerable international concern.

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\* Graeme Hugo, Professor of Geography and Director of National Centre for Social Applications of GIS, University of Adelaide.

<sup>1</sup> A classic example is Mansell Prothero's (1965) 'Migrants and Malaria'.

**Figure 29. Physicians per 100,000 people, 1990-2004**



Source: UNDP, 2005.

## Migration and the spread of disease, especially HIV

Superficially, population mobility would appear to be potentially a major element in the spread of infectious diseases, since the diffusion of such diseases often requires human contact. However, the relationship between migration and the spread of infectious disease is much more complex and this is well exemplified in the case of HIV. HIV infection rates in Asia<sup>2</sup> are the second largest in the world (with an estimated total of 4.9 million) following the African continent with an estimated 22.5 million people living with HIV. In Asia, as it is shown in table 29, some countries such as Thailand, Myanmar and Cambodia are facing a generalized epidemic although they are showing declines in prevalence; whereas other countries such as Indonesia, Viet Nam, China and Malaysia have a concentrated epidemic among high risk behaviour groups, especially injecting drug users. Moreover, the epidemic is growing at particularly high rates in Viet Nam and Indonesia. All HIV National Strategic Plans in the region have included migrants and mobile populations as a vulnerable group. For example in the Philippines, of the 1,385 Filipino nationals reported as HIV positive in 2005, 33 per cent were overseas workers (Philippines Department of Health, cited from UNFPA 2006); in Lao People's Democratic Republic according to the data from the National Aids Programme, among all registered people living with HIV 30 per cent of them were infected throughout the migration cycle. Also, the data from the National Aids Programme and the Ministry of Health in Bangladesh shows that among the new 120 registered cases in 2004, 57 of them were migrants coming back from abroad.

A crucial point here, however, is made by Skeldon (2000) who correctly stressed that it was not mobility per se that automatically leads to movers having higher levels of HIV infection. Indeed there are many cases where movers have lower levels of infection than those among non-migrants (Hugo, 2001). However, the issue is that migrants frequently find themselves in a situation in which they are at high risk of HIV infection. Migrants are not necessarily at higher risk of being infected with HIV than non-migrants. However, some will be more vulnerable as a group because:

<sup>2</sup> The Asia HIV infection rates presented here are for countries in East, South, South-East, and West Asia.

- (a) Migrants and mobile populations are more likely to be exploited and victimized (e.g. sexual abuse, sex for survival, etc.);
- (b) The living and working conditions in which migrants and mobile populations find themselves, especially at the destination, may predispose them toward high risk behaviour (e.g. unprotected sex and drug use).

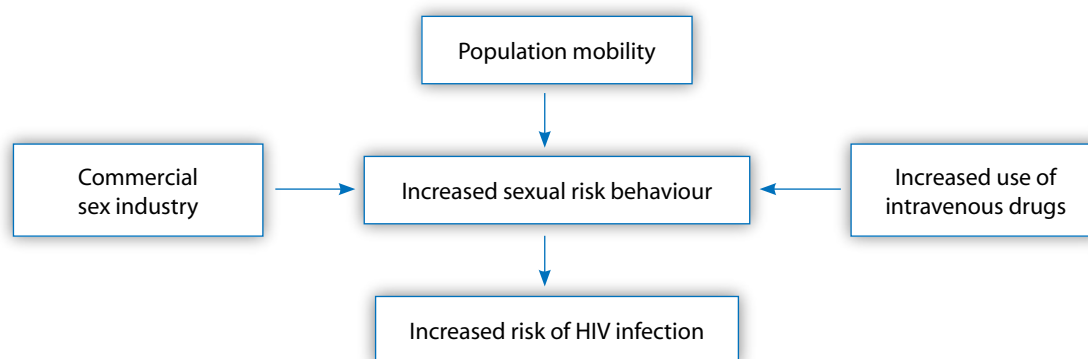
**Table 29. Estimated number of people living with HIV in East, South and South-East Asia, 2005**

Country	Adults and children		Adults (15-49 years), rate (%)	
	Estimate	Low estimate-high estimate	Estimate	Low estimate-high estimate
East Asia	680,000	420,000-1,100,000	0.1	<0.2
China	650,000	390,000-1,100,000	0.1	<0.2
Democratic People's Republic of Korea	-	-	-	<0.2
Japan	17,000	10,000-29,000	<0.1	<0.2
Mongolia	<500	<2,000	<0.1	<0.2
Republic of Korea	13,000	7,900-25,000	<0.1	<0.2
South and South-East	7,600,000	5,100,000-1,700,000	0.6	0.4-1.0
Afghanistan	<1,000	<2,000	<0.1	<0.2
Bangladesh	11,000	6,400-18,000	<0.1	<0.2
Bhutan	<500	<2,000	<0.1	<0.2
Brunei Darussalam	<100	<200	<0.1	<0.2
Cambodia	130,000	74,000-210,000	1.6	0.9-2.6
India	5,700,000	3,400,000-9,400,000	0.9	0.5-1.5
Indonesia	170,000	100,000-290,000	0.1	0.1-0.2
Iran (Islamic Rep. of)	66,000	36,000-160,000	0.2	0.1-0.4
Lao PDR	3,700	1,800-12,000	0.1	0.1-0.4
Malaysia	69,000	3,300-220,000	0.5	0.2-1.5
Maldives	-	-	-	<0.2
Myanmar	360,000	200,000-570,000	1.3	0.7-2.0
Nepal	75,000	41,000-180,000	0.5	0.3-1.3
Pakistan	85,000	46,000-210,000	0.1	0.1-0.2
Philippines	12,000	7,300-20,000	<0.1	<0.2
Singapore	5,500	3,100-14,000	0.3	0.2-0.7
Sri Lanka	5,000	3,000-8,300	<0.1	<0.2
Thailand	580,000	330,000-920,000	1.4	0.7-2.1
Timor-Leste	-	-	-	<0.2
Viet Nam	260,000	150,000-430,000	0.5	0.3-0.9

Source: UNAIDS, 2006.

In the case of HIV/AIDS, figure 30 shows that migrants are often more vulnerable to involvement in unprotected sex, especially in the commercial sex industry, and to being users of drugs by injection than is the case for non-migrants; it is this behaviour that leads to them having an increased risk of HIV infection.

**Figure 30. Link between mobility and increased vulnerability of exposure to infection**



### **Country experiences – China and Thailand**

In China there is concern regarding the spread of Sexually Transmitted Infections (STIs), especially HIV. In 2005, China recorded 650,000 infected adults and children, and connections between migration and HIV/AIDS were in evidence.

Similarly, studies of HIV risk-taking behaviour in China indicate that migrants may be greater drug users by injection than non-migrants (Qiao and others, 2001).

One of the key findings of studies of the linkages between migration and HIV is that infection tends to be concentrated in particular groups of migrants and in particular geographical localities. Yang (2004), for example, noted that in China, STD and HIV infections were higher in coastal, more developed provinces than in the interior. Hugo (2005) showed how prevalence of HIV in Indonesia was concentrated in parts of the nation characterized by high mobility rate. Prevalence is higher in urban than in rural areas; although testing sites are disproportionately located in urban areas, it appears that “urbanization tends to facilitate the spread of HIV” (Dyson, 2003). In the context of China, Smith (2005) argued that a number of interrelated aspects of urbanization involving new behaviour patterns and lifestyles were associated with higher rates of HIV-related risk behaviour.

In Thailand, Chantavanich and others (2000) summarized the nature of the complex relationship between migration and HIV as follows:

‘The risk situations that make mobile people vulnerable to HIV are complex and must be determined through an understanding of particular situations. Being away from their family and community where social and sexual norms are prescribed and followed to varying degrees they must adapt to new situations. In their new setting they may have more freedom, new experiences and opportunities, and increased peer pressure, which influences their thinking and behaviour. On the other hand, their activities may be curtailed by remote living conditions, or otherwise restricted by their employers, local residents and law enforcement authorities. They often live in crowded housing with little privacy and, outside of their community, face language and cultural differences and difficulties in accessing information about health risks and health care. Out of boredom, and with few choices for rest and recreation, many young men, as well as older men, will choose whatever entertainment facilities are available. This will usually mean drinking and, sometimes, drugs as well as commercial sex and, when the opportunity arises, casual sex relationships.

Overseas workers are a special group who will certainly face some of the above difficulties that could make them vulnerable to HIV. Thailand has the largest number followed by Vietnam. For many they may be moving from areas of higher prevalence of HIV than the locations they move to; however, in many countries there is not much information on the particular migrant or local communities of which they become a part. The potential for vulnerability to poor health, or social psychological difficulties, is real but their vulnerability to HIV/AIDS is uncertain’.

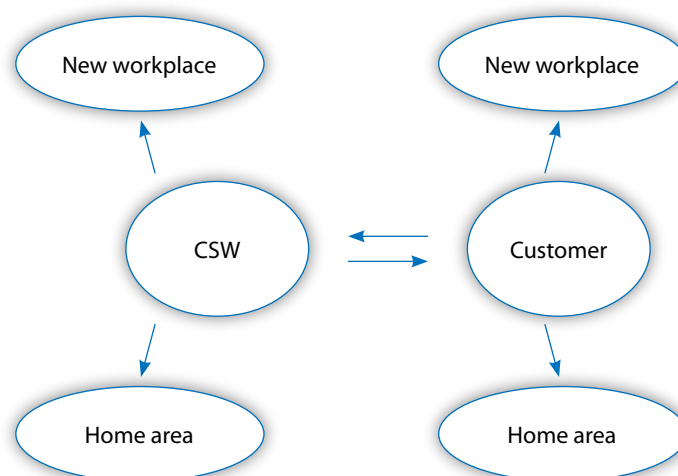
### ***HIV vulnerability and different types of migration***

One of the consistent findings across Asia is the strong influence that the type of migration has on risk of HIV infection. It is apparent that circular migrants, both within and between nations, are especially vulnerable. There are a number of factors associated with temporary migration – separation from family members, availability of cash, living in migrant accommodation, the proximity of the commercial sex industry – which often do not apply to permanent migration. In this context, it is important to observe that this type of movement, often not captured in conventional migration data collections, is increasing in scale and significance in the region. In most countries, the highest rates of infection are recorded among highly mobile groups such as truck drivers, fishermen and itinerant workers (Chantavanich and others, 2000).

Circular migration in Asia usually involves leaving a spouse, children and other family members behind. It often involves spending many months or even years separated from them. Unsurprisingly, the commercial sex industry is concentrated in locations where there are large numbers of such circular migrants – cities, border crossing points, remote clusters of employment such as construction and mining sites and plantations, in tourist destinations, fishing ports and transport corridors and centres. This points to an important nexus between migration, HIV and the commercial sex industry. Commercial sex workers (CSWs) are often placed in powerless situations where they cannot use condoms, and thus often have a higher prevalence of HIV infection than the general population.

The link with mobility is depicted in figure 31 which is based on the Indonesian experience. It shows that not only are customers likely to be circular migrants, but that sex workers are also usually migrants and do not practice their business in their home communities. Hence, both sex worker and customer have the capacity to spread the disease back to their families in their home community, should they contract it at the destination. Moreover, circular migrants frequently move to multiple destinations to work, so the potential to spread the disease is even greater. The crucial point is that throughout Asia expanding mobility can and does spread infectious diseases rapidly.

**Figure 31. Model of potential spread of HIV/AIDS in Indonesia through the commercial sex industry**



Source: Hugo, 2005.

The MAP (2004) Report on Aids in Asia makes three crucial points on this relationship:

- (a) In Asia, more people engage in commercial sex than in any other behaviour that carries a high risk of HIV infection. Indeed, most new infections in the continent are still contracted during paid sex;
- (b) The women at highest risk are those who migrate specifically to sell sex in large cities where demand is high;
- (c) Sex workers also move around, since their earnings tend to be better when they are new to an area and drop as they become familiar and no longer satisfy clients' preference for variety and novelty.

One of the more insidious aspects of the link between migration and the spread of HIV in Asia is human trafficking. While many commercial sex workers move of their own volition and freely choose to be sex workers (Lim [ed.], 1998) there continues to be a significant exploitative and criminal component. For example, a study of Myanmar nationals and highland women and girls in Thailand found:

"Vulnerability to HIV/AIDS ... is associated with the human rights abuses that they experience: discrimination, unsafe migration, trafficking, labour exploitation and gender-based violence" (Physicians for Human Rights, 2004).

Trafficking of women and children into the sex industry remains substantial in Asia (Jones, 2000; Skrobanek and others, 1997), and its linkage with HIV infection is important.

The health issues associated with trafficking were reviewed and summarized by Gushulak and MacPherson (2000). They demonstrated that despite the paucity of data there were high levels of mortality, especially during the process of movement. The impacts on morbidity were considerable and influenced the health of the migrants and their families, not only in the short term but also in the long term. At each stage of the migration process, irregular migrants were at greater risk of incurring negative health than documented migrants.

While the focus here has been on HIV/AIDS, the link between population mobility and the spread of other infectious diseases in Asia needs to be considered. Evidence suggests that migrants carry a disproportional burden of disease because they tend to live under especially poor environmental conditions, and may exhibit low awareness and practice of basic preventive health measures. Tuberculosis (TB) is one of the most important infectious diseases in the context of migration health. TB infections are strongly influenced by social and environmental factors that contribute to the greatly disparate rates of disease between populations of different social backgrounds (IOM 2003). Poverty, overcrowding, poor nutrition, lack of information on transmission, emerging multi-drug resistance TB, poorly organized TB control programs and the rising HIV-TB co-infection make TB a difficult problem to address. Effective prevention measures are limited as TB is an airborne disease.

The outbreak of Severe Acute Respiratory Syndrome (SARS) in 2002, with its suspected origins in Guangdong, China, and its spread to many Asian countries in 2002-2003 was associated with population movements. This caused considerable concern in several countries and restrictions were placed on movement. Surveillance strategies differentiated between migrants and non-migrants, and even different types of migrants, reflecting a social construction of migrants as "health threats". SARS spread rapidly along international air routes through Asia, causing 7,782 cases and 729 deaths (United States General Accounting Office, 2004). The outbreak in 2002-2003 demonstrated how new, high levels of international mobility could facilitate the rapid spread of emerging infectious diseases and how this could have substantial economic impacts (ADB, 2003). Moreover, the SARS outbreak provided valuable lessons in developing effective national and international responses to the rapid spread of infectious diseases through modern air travel (Lam and others, 2003).

The emergence of the new and highly pathogenic H5N1 virus has affected several countries in Asia. As of 28 February 2008, the H5N1 Influenza (AI) laboratory-confirmed infection has claimed the lives of 234 people mostly coming from 7 Asian countries (Cambodia, China, Indonesia, Lao People's Democratic Republic, Pakistan, Thailand and Viet Nam) out of 369 persons since 2003.<sup>3</sup> The predisposition of migrants and mobile

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<sup>3</sup> [http://www.who.int/csr/disease/avian\\_influenza/country/cases\\_table\\_2008\\_02\\_28/en/index.html](http://www.who.int/csr/disease/avian_influenza/country/cases_table_2008_02_28/en/index.html)

populations admixed with traditional practices of allowing domestic flocks to roam freely and in continual close human proximity increase the risks and danger of bird to human transmission exponentially. Migrant friendly and culturally appropriate community-based educational campaigns are crucial information and prevention activities to promote better understanding, slow the spread of the disease, and limit outbreaks. Migrant populations could well be at-risk if plans for their protection have not been put in place during preparatory and prevention stages should a pandemic occur.

The resurgence of malaria in parts of Asia has also been, in part, ascribed to rapid economic growth that has facilitated population movement. Drug-resistant falciparum malaria has increased in some areas. Kidson (1993) and Wernsdorfer and others (1994) suggested that this was due, in part, to increased trade and migration.

## Health of migrants

The health of migrants themselves can be considered at various stages of the migration process. Gushalak and MacPherson (2000) argue that each stage – the pre-departure phase, the journey itself and arrival at destination – is associated with a particular set of health parameters and influences that impinge upon their health. These impacts can be both negative and positive. On the positive side, it may be that some migrants can better access health services at the destination than in the origin country. For example, there are often rural-urban differentials in the availability of health services, so rural urban migrants may be able to access those services more than they could in their origin area. On the other hand, migrants' journeys can be dangerous and expose them to injury or disease. At the destination, they may be exposed to new diseases to which they have no immunity, new behavioural practices and living and work arrangements, which place them at risk.

Gardner and Blackburn (1996) identified three important aspects among migrants, refugees and internally displaced persons that placed them at risk of health problems:

- (a) Disruption. For many migrants their move involves significant disruption of their lives and traditional support systems. This dislocation can lead them to take risks with their health. This is especially the case for forced migrants who have no choice about mobility and have to leave suddenly;
- (b) Differences of migrants. Migrants are often different to non-migrants at the destination in terms of culture and language as well as age, socio-economic situation and financial circumstances;
- (c) Difficulties in accessing services. Migrants may not be eligible for some services at the destination or they may lack knowledge of how to access them. In some cases, they may face discrimination that hampers their access to services.

One of the issues of interest in the relationship between migration and health is the extent to which migrants differ from the populations in their destinations and in their origins. There is often a significant "healthy migrant effect" operating in many international migrations, especially those crossing international boundaries. Migration is invariably selective of young adults and of the healthier persons among them. Indeed, the international migration regulations of most countries exclude less healthy people, and mandatory medical testing is applied to all intending migrants and migrant workers in several nations (Asis, 2005). Accordingly, in countries such as Australia, migrants on average have lower mortality and morbidity rates than non-migrants (Australian Institute of Health and Welfare, 2006). However, migrants often also live in marginal conditions at destinations which can compromise their health status. Hence, while some migrants may be selectively drawn from the more healthy population and are healthier than the destination population at the time of initial movement, their health status deteriorates. Two factors can cause this situation:

- (a) Migrants can adopt less healthy practices, lifestyle and diet after migration. Some migrants, especially poorer groups, may be forced to live in marginal conditions at the destination. Migrants may be at greater risk of poor health because of crowded, unhealthy or exposed living conditions, lower levels of access to health services than the non-migrant population or because they are at greater risk of sustaining work-related injuries.

- (b) Some migrant workers are subject to violence and physical abuse during transit and/or destination. While data on this issue is lacking it is clear that two groups of female migrants are especially at risk of violence – domestic workers and entertainment-related workers. Table 30 shows the types of violence against migrant women. These clearly impinge unfavourably on the health of the women affected.

**Table 30. Suggested list of indicators to measure violence against migrant women**

<b>A. Economic Violence</b>	
In home country	Overcharging for visas and processing Excessive amounts of interest charged by money lenders used for raising money for the move Misuse of remittances by husband or other relatives (contrary to migrant's wishes)
In host country	Nonpayment of wages Violation of the salary agreement contract Delay in wage payment Difficulties in sending remittances
<b>B. Social/Psychological Violence</b>	
In home country	Ill treatment of children left behind Extra-marital affairs, or alcoholism of husband
In host country	Living conditions in terms of space, holidays, free time, working hours, and type of work Access to friends and social network from home country Social isolation and somatic and psycho-somatic illnesses
<b>C. Physical/Sexual Violence</b>	
In home country	Abuse and abandonment by agents
In host country	Verbal abuse and ridicule Beating Sexual abuse including rape Imprisonment and deportation (legality of this, proof required, and ability for defense) Delay in deportation Illegal pregnancy, treatment of mother and child Murder

Source: Shah and Menon, 1997.

## Migrant access to health services

One of the main concerns regarding migration in Asia is related to the neglect of human rights of migrants. Among these basic rights, the access to health services is significant. The barriers to accessing services can be of different types but they are frequently institutional and expose migrants to greater risk of illness and injury as well as exclude them from the formal medical system (UNFPA, 2006). The marginality of migrants means that they are often more likely than non-migrants to need health services but less able to access them.

In Asia an area of particular concern with regard to denial of rights and lack of access to health services is that of temporary international labour migrants whose status in the destination society can both expose them to higher risk of illness than residents and deny them access to the necessary health services<sup>4</sup>. Most newcomers, both documented and un(der)documented, are explicitly excluded from enrolling in public health insurance plans. However this has attracted considerable attention and NGOs and IOs are stepping in to provide support.

There is increasing concern about the reproductive health of migrant women who have less access to reproductive health information and services compared to non-migrants (UNFPA, 2006; Gardner and Blackburn, 1996; Huntington and Guest, 2002). The barriers that they experience (especially refugees and internally displaced persons (IDPs)) in accessing these services are related to a lack of knowledge and information about how the services are organised and delivered. Moreover, in some cases there may be institutional, cultural, language and financial barriers to accessing services<sup>5</sup>.

The barriers to using modern health services by migrants can be institutional, but Isarabhakdi (2004) found low usage of such services among Myanmar migrants in Thailand compared with Thais, even though they were permitted access to government health services. The reasons for not using these services included financial constraints, an inability to speak Thai, the fact that many did not have legal status in Thailand as well as cultural factors such as traditional health beliefs.

### ***“Health tourism”***

One growing form of health-associated migration in Asia is temporary travel to receive medical attention and services. In countries with high-quality medical facilities and staff like Singapore, India, Thailand and Malaysia, there is a thriving industry that attracts people from higher income for various medical procedures. There is a considerable market not only among the elite in other Asian countries without such high-end facilities but also in the OECD nations where there are increasingly lengthy waiting lists for “elective” and cosmetic surgery. With the ageing of OECD populations, this mobility may increase.

## **Migration of health workers**

The health sector workforce is large, diverse and includes several highly-trained groups. They are of crucial importance to global health systems, which are under increasing pressure because:

- (a) In less developed countries, the health systems are weaker and have limited health human resources which are slowing improvements in mortality and morbidity;
- (b) In more developed countries the ageing population is creating an exponential demand for health workers which is not being met from national health training systems.

Although both scenarios exist in Asia, an issue of increasing concern in the region is the burgeoning flow of health workers from less developed countries to more developed countries where they can earn higher salaries. This can be demonstrated by examining recent migration to Australia, which has high-quality data on international migration, both into and out of the country (Hugo and others, 2003).

Table 31 shows some interesting dimensions on the “brain drain” and south-north migration of medical personnel:

<sup>4</sup> Yamanaka (2005), for example, shows how the social welfare and health of foreign workers is neglected by government in Japan

<sup>5</sup> Holroyd, Molassiotis and Taylor-Pilliae (2001) conclude that the lack of access of Filipino domestic workers in Hong Kong to health services is associated with the high costs of the system and their unfamiliarity with it. Moreover there was a fear that they could lose their jobs by taking time off from work to seek medical attention.

- (a) There are large net gains of both doctors and nurses from Asia, and to a lesser extent, Africa;
- (b) While the inflows of doctors from Asia to Australia are large, there are also flows in the opposite direction. This is particularly the case for long-term<sup>6</sup> movement but also, to a lesser extent, permanent<sup>7</sup> migration. Much of the latter is return migration of doctors and nurses to their home country after spending an extended period in Australia;
- (c) It will be noted that there are also very large inflows of doctors and nurses from Europe. However, the reciprocal flows are larger than those going back to Asian and African countries in relation to the inflows, so there is a greater degree of circularity.

**Table 31. Australia: Arrivals and departures of skilled health workers, 1993-2007**

Region	Doctors					
	Permanent arrivals	Permanent departures	Permanent net	Long-term arrivals	Long-term departures	Long-term net
Africa (not incl. North Africa)	356	31	325	2,068	939	1,129
Asia	3,025	1,116	1,909	12,151	7,246	4,905
New Zealand	1,808	876	932	1,832	1,054	778
Other Oceania	111	47	64	612	692	-80
Europe and United Kingdom	1,562	1,235	327	13,086	8,973	4,113
North America	234	484	-250	2,810	2,585	225
South America	76	29	47	244	181	63
	Nurses					
	Permanent arrivals	Permanent departures	Permanent net	Long-term arrivals	Long-term departures	Long-term net
Africa (not incl. North Africa)	916	88	828	3,269	1,255	2,014
Asia	3,947	934	3,013	8,854	6,719	2,135
New Zealand	4,152	3,116	1,036	3,839	2,553	1,286
Other Oceania	393	254	139	720	1,232	512
Europe and United Kingdom	5,976	4,205	1,771	26,710	20,041	6,669
North America	597	1,853	-1,256	4,334	3,266	1,069
South America	52	62	-10	222	272	-50

Source: Department of Immigration and Citizenship, unpublished data.

Destination nations should have a responsibility to meet development costs of human capital paid for in origin nations. Thus, the investment could be “tied aid” in the sense that it is aimed at particular areas of activity in the origin nation. In some ways, this is analogous to the levies at present placed on migrant workers by some immigrant countries. Singapore, for example, imposes such a levy, to be paid by the employers of skilled foreign workers; the funds generated are put into the training/education of Singaporeans so that skill shortages in the long term can be met internally. It is not too large a jump to envisage a similar payment to, and/or investment in the training/education system in origin countries.

<sup>6</sup> Defined as (a) arriving temporary visa holders and residents departing temporarily with the intention to stay in Australia or abroad for 12 months or more, and (b) the departure of temporary visa holders and the return of residents who have stayed in Australia or abroad for 12 months or more

<sup>7</sup> Defined as persons migrating to Australia as well as residents departing permanently.

Lucas (2005) identified the fact that the departure of high-skilled people such as health workers from South countries imposed three elements of cost on those nations:

- (a) Productivity losses. Lucas pointed to the correlation between average years of schooling and the rate of economic growth in nations, but noted that it was debatable whether educational expansion caused growth or expanding incomes permitted educational expansion;
- (b) Loss of key professions not allowing basic needs to be met. The loss of key groups might lower access to health care and quality education for future generations;
- (c) Fiscal losses. This involves two elements – the loss of any net contribution the educated migrants would have made to the fiscal balance had they remained at home and, secondly, stemming from the universal subsidization of education, the view that out-migration also exports the returns on this public investment.

However, despite these potential costs, there is growing evidence that not all South-North migrations result in net losses to the sending countries, although there is a lack of accurate and relevant data and a dearth of systematic research in this area. One econometric study based on Philippines' data indicated that the country would receive a net benefit by training and exporting physicians who would remit significant amounts of money home (Goldfarb and others, 1984). Nevertheless, it is apparent that much depends on context and that undoubtedly many countries experience losses due to migration. There have been increasing reports from the Philippines, one of the main global origins of medical workers (especially nurses), that such out-migration is leading to shortages of health workers.

The training of Filipino nurses expressly to seek jobs in more developed countries has become institutionalized, with special nursing schools and courses being expressly designed to provide qualifications that are accepted in countries such as the United States. Indeed, an increasing phenomenon in the Philippines is the "voluntary downgrading" of qualified physicians retraining as nurses in order to be able to migrate, and still be better paid as a nurse abroad than as a doctor at home. Carballo and Mboup (2005) identified the following factors as contributing to the significant out-migration of doctors and nurses from Asian countries such as India, Pakistan and the Philippines:

- (a) Many developed nations have failed to plan for, and invest sufficiently in, training of their own health personnel;
- (b) Ageing in several of those countries means that demand for health personnel is outpacing the supply;
- (c) Some developing countries are producing well-qualified health professionals who are able to practice in more developed countries;
- (d) Opportunities for well-paid employment in developed countries are becoming better known to professionals in less developed countries;
- (e) Developed countries are actively recruiting in less developed countries.

## Conclusion

The complex relationship between migration and health remains little understood in Asia but this chapter demonstrated several of these relationships in terms of how migrants' health status can be of public concern especially when it comes to the spread of infectious diseases; the health of migrants as they inevitably constitute a part of society in which health is of great significance for its social and economic well-being; access to and utilization of available health and social services can be serious challenges to migrants for legal, social, institutional, economic, and linguistic reasons; and how migration of health personnel can have negative impact on the sending societies.

As mobility continues to increase exponentially in the region, it becomes even more important its impact on health be better understood. Only when based on such knowledge, can policy be developed that can maximize its benefits and minimize its costs.

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# INDIGENOUS PEOPLES AND MIGRATION\*

## Introduction

Indigenous peoples commonly belong to the most marginalized groups in society, often as result of spatial and cultural isolation from the dominant culture of the State. According to the International Fund for Agricultural Development (IFAD), indigenous peoples comprise 5 per cent of the world's population but 15 per cent of the world's poor and approximately 33 per cent of the world's extremely poor people (IFAD, 2007).<sup>1</sup> Although indigenous populations are scattered throughout the world, approximately 70 per cent live in Asia (IFAD, 2007). While the situation of these peoples varies throughout East and South-East Asia, certain commonalities can be seen in their ways of life, the challenges they face and the ways in which they are affected by migration.

While recognizing that a larger number of different indigenous peoples live in East and South-East Asia; this chapter focuses mainly on indigenous peoples whose traditional habitats or ancestral territories are divided by modern national borders, or who are directly affected by or engaged in international migration, whether forced or voluntarily.

Although there is no internationally agreed definition of the term "indigenous" (Yescas, 2008), the most commonly used working definition of "indigenous peoples" is:

"Indigenous communities, peoples and nations are those, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories. They form, at present, non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems" (Cobo, 1972).

The identification of indigenous peoples used in this chapter borrows from the above definition but emphasizes groups that: (a) inhabited an area prior to the establishment of modern states and borders; and (b) maintain cultural and social identities separate or distinct from the dominant culture of the State they inhabit. These defining characteristics may include self-identification as a separate group by individuals and groups, languages, political traditions and economic systems, and an attachment to traditional habitats and ancestral territories.<sup>2</sup> The use of the term does not imply that the populations in question have the intention or desire to secede from the country they are currently living in and to create their own State. It is noteworthy to mention that the Declaration on the Rights of Indigenous Peoples, adopted by the United Nations General Assembly on 13 September 2007 through an overwhelming majority of United Nations Member-States, does not include a definition of the term.

Indigenous peoples and modern migration remains an under-researched area worldwide but particularly in Asia. Despite the estimate that 70 per cent of the world's indigenous peoples live in Asia, most of the existing research has focused on the experiences of indigenous migrants in the context of the Americas. In particular, the focus has been on rural-urban migration within Latin America and the Caribbean, and international migration between Latin America and the United States of America and Canada (see, for example, Teofilo and Hirabayashi, 1997; Cohen, 2004). There has been a tendency in the literature to view indigenous migration as comparable to other forms of rural-urban and international migration, often not differentiating between indigenous peoples and other rural migrants.

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<sup>1</sup> Extreme poverty is defined by the World Bank as living on less than US\$ 1 per day.

<sup>2</sup> This definition excludes recently emerged ethnic groups that are the result of new migratory waves. It also precludes minorities that constitute majorities in their own homelands or in neighbouring countries.

The one exception among the indigenous peoples of East and South-East Asia is the Lao Hmong. Their migration within South-East Asia, their resettlement in third countries as well as their experiences of integration in third countries has been well documented (see, for example, the Hmong Studies Journal).

## Migration of indigenous peoples

Indigenous peoples in East and South-East Asia engage in both internal and international migration, within and outside of ancestral territories. The magnitude of the international migration of these groups is not known. International migration within ancestral territories often takes places irregularly; even when it occurs through regular channels, the information collected by authorities provides little insight into which populations are making the international crossings. This issue is further compounded by the fact that migration statistics are often hard to obtain, while internal migration is monitored either directly or through censuses, the information is not tabulated specifically for indigenous peoples nor is it commonly disaggregated by ethnicity. Little exact data exist as to the full scale of population movements in the region, and the lack of data collection on migration continues to be a problem for assessing the scale of migration as well as the impact on communities and individuals. Another complicating factor is the challenge of distinguishing between voluntary economic migration and forced migration, which is often a consequence of political instability or conflict.

The movement of indigenous peoples in East and South-East Asia remains predominantly internal, usually in the form of rural-rural or rural-urban migration within modern state boundaries. International migration is less common. According to IFAD, the proportion of indigenous populations engaged in international migration is similar to that of people from majority cultures.

## Citizenship and migration

The main issue that differentiates migration of indigenous peoples from that of majority populations is their often-undefined legal status. Many indigenous peoples in East and South-East Asia do not have citizenship in the country they reside in or may lack identity papers. This is the case, for example, for many of the Moken (or Moklen) who live along the Andaman Coast and on islands in the Andaman Sea. In other cases, they possess identity papers that accord them limited but not full citizenship rights, as is the case for some of the Karen and Hmong, for example.

This lack of legal recognition affects the patterns, modes and consequences of migration for indigenous peoples. A lack of travel or even identity documents often forces indigenous peoples to engage in irregular migration both externally, when crossing international borders, and internally as their mobility is often limited to the province where their identity papers were issued, if they hold identity papers at all. Thus, indigenous peoples often have very little choice but to engage in irregular as opposed to regular migration. In addition, lack of citizenship or identity papers can also prevent indigenous peoples from gaining formal employment in their current place of residence, thus pushing them to engage in migration.

Movement within ancestral territories that may result in the crossing of international borders is often not considered migration at all by the group in question, but is often seen as part of a nomadic or semi-nomadic way of life. However, this is not the view taken by most States in the area. In an attempt to stop drug trafficking, terrorism, trafficking in humans and other transnational crimes, many States may discourage movement of indigenous peoples across international borders. This can lead to the limitation or interruption of cultural practices within a group that is split between two or more countries.

Yescas (2008) introduced the concept of transborder indigenous migration to describe this phenomenon. The term refers to “the movement of people from the same indigenous group within its ancestral territory, across [current] international borders [...] These borders separate single, contiguous indigenous communities, dividing them between the administrative rules of different countries. Some of these separated communities still move within their territory, now straddling an international border.”

In South-East Asia, this type of migration is exemplified by the sea nomads. These are populations who spend the majority of their lives at sea, and who depend more or less entirely upon the sea for their livelihoods. There are a number of separate groups/tribes of sea nomads in the region; although these

groups cannot be considered as a unified population, they share similar lifestyles. They consider their ancestral territories (*tempat/tanah saya*) to include the seas from Myanmar in the west, to Indonesia and the Philippines in the east, thus entering the national waters of Brunei Darussalam, Indonesia, Myanmar, Singapore and Thailand on a regular basis. As many sea nomads do not possess citizenship in any State in the region, they are often considered a threat to national security.

## Economic development

The under-representation of indigenous peoples, their interests in political and economic spheres, and their geographical dispersion often create tension between government goals of economic development and the interests of indigenous peoples to preserve their way of life and their habitat.

Large-scale infrastructural projects such as road, bridge and dam construction have had both expected and unforeseen consequences for indigenous peoples. In many instances, groups have been displaced from their ancestral territory, either with or without compensation, in order to flood valleys for dams or make room for roads or bridges. This has been the case in several countries within the region. To minimize the impact of infrastructure development on local communities, the Asian Development Bank and the World Bank have begun carrying out preliminary assessments and consultations to determine the impact of infrastructural projects on indigenous peoples but the effects of these assessments and consultations remain to be seen.

One unintended consequence of infrastructural projects is often a temporary influx of construction workers and an increase in permanent in-migration to otherwise remote areas. This frequently causes increased strain on natural resources, and can lead to tension between newcomers and host communities, especially in the case of indigenous peoples who may have had limited contact with other groups or populations. In a number of instances there has been increased vulnerability to HIV infection and to human trafficking. Improved infrastructure in the form of roads, railroads and bridges can also encourage out-migration by indigenous peoples.

Furthermore, in many countries in East and South-East Asia, land rights of indigenous peoples are not formalized; either the State does not recognize communal ownership or property rights are not institutionalized, as is the case for communist/socialist countries in the region. In other cases, the lack of citizenship prevents members of the group from owning land. The lack of ownership often leads to displacement of indigenous groups through government policies or the influx of outsiders, or through the presence of extractive industries such as logging and mining concessions.

Extractive industries are often granted concessions in remote areas to the detriment of indigenous peoples whose way of life is curtailed by the activities of such companies. Indonesia is one example of this problem. Extractive industries often damage the environment in their areas of operation. Environmental degradation in the form of water pollution, loss of biodiversity as well as air pollution from industry and traffic may lead to further displacement of indigenous peoples, or they may be forced to abandon their traditional livelihoods, as has been the case both in Indonesia and Malaysia. Government policies of encouraging in-migration to “under-populated” areas often have the unintended effect of forcing indigenous peoples away from their traditional or ancestral lands. It may also create competition between groups for scarce resources. Furthermore, extreme poverty, along with displacement, is often a factor in forcing indigenous peoples to migrate, as mentioned by Belinan (2007).

East and South-East Asia do not have an equivalent supranational authority, such as the European Court of Human Rights or the Inter-American Court of Human Rights, where indigenous peoples could seek redress for the problems they encounter. Thus, indigenous peoples in the region are currently unable to challenge their treatment at the national or international level. The Philippines is the only country in the region with a Commission dedicated to protecting the rights of indigenous peoples. Steps towards an ASEAN Human Rights Mechanism have recently been taken, in the future this may provide indigenous peoples with a way to seek redress.

## Environmental factors

The impetus to migrate for environmental reasons is not only the result of environmental degradation caused by extractive industries. Natural disasters such as earthquakes, floods, landslides, forest fires and tsunamis can all be a push factor in forcing indigenous peoples to leave their ancestral territories.

In the aftermath of the Asian Tsunami in December 2004, a number of governments in the region increased their pressure on the sea nomads to become land-based and to give up their traditional way of life. The Moken in Thailand mainly suffered material losses, as they knew from oral history the signs indicating an impending tsunami. However, compensation for the loss of boats and damage to Moken property was not forthcoming as they were not registered with the Government of Thailand, and thus did not qualify for compensation (Scheper and Patel, 2006). Sudden loss of livelihood together with government policies may force the sea nomads to give up their traditional migratory lifestyle.

## Push and pull factors

Extreme poverty and marginalization is often the outcome of the precarious legal position of indigenous populations and their lack of land rights. Often, a combination of factors leads to migration among indigenous peoples; in fact, environmental degradation can lead to the migration and displacement of entire tribes and groups. Indigenous peoples often migrate to urban areas before engaging in international migration. The Cordillera region in the Philippines is an example of urbanization of indigenous peoples, many of whom have subsequently become OFWs. Belinan (2007) estimated that in 2003 the Cordillera region alone had 50,836 people abroad.

The pull factors encouraging indigenous peoples to migrate are similar to those of non-indigenous peoples. Although little is known about specific motivations, it is assumed that socio-economic factors play a major role, such as better living conditions and access to education. On the one hand, international migration is often considered a more significant event for indigenous peoples, as they are culturally tied to their ancestral lands and their identity is often closely linked to the land. On the other hand, in the GMS for example, migration is facilitated by the fact that the same groups are resident on both sides of an international border. Migration does carry the advantage of often enabling indigenous migrants to send money back to their families and communities. Remittances now account for the first or second source of foreign funds in many countries in the region; however, details of the remittances of indigenous peoples are not collected (Yescas, 2008).

As outlined above, indigenous migration can be caused by a number of different factors, many of which are interrelated. The most common push factors are poverty and marginalization, which can be the product of: (a) inter-state or civil conflict; (b) environmental degradation; (c) government policies, such as the lack of citizenship or land rights; (d) infrastructural projects; (e) a nomadic or semi-nomadic life-style; and (f) natural disasters. The main pull factors that encourage indigenous peoples to move are better economic prospects and better educational opportunities in the destination country. The decision to migrate is often a result of several of these factors combined.

## Consequences and risks

Irregular migration, internally and internationally, puts indigenous migrants at risk during migration, at their destination and upon their possible return. Indigenous migrants may be more vulnerable than their majority counterparts are to smuggling and trafficking because of their undefined legal status, or a lack of knowledge of the risks that irregular migration entails. Efforts to make information about trafficking and migration available to indigenous peoples in their own languages have been made in some countries in the region.

Women and children are particularly vulnerable to trafficking, forced labour and sexual exploitation. Internal irregular migrants run the risk of police harassment during migration and at the destination, and international irregular migrants run the risk of being caught at the border or subsequently deported.

Indigenous peoples, who are often low-skilled irregular migrants, face the risk of exploitation in the form of both abusive labour practices and sexual exploitation. Labour exploitation, in the form of non-payment or underpayment of wages, or poor working conditions, is common for many migrants including indigenous migrants. The uncertain legal status of indigenous migrants makes them more vulnerable to exploitation, as they have fewer or no options to seek redress. Discrimination against indigenous migrants is often compounded by language and cultural differences between majority cultures and that of indigenous peoples. It should be noted, however, that while indigenous peoples often possess highly specialized skills and knowledge, such expertise is rarely transferable or marketable in an urban setting.

The challenges facing indigenous peoples who migrate irregularly are similar to those experienced by other irregular migrants; they are often unable to access health care and other basic services at their destination and throughout the migration process. They lack protection from exploitation and abuse, and the poor living and working conditions of indigenous migrants often increase the risk of contracting communicable diseases such as tuberculosis, hepatitis and influenza. Malaria is also a threat to indigenous communities in South-East Asia. While most communities are aware of how to protect themselves in their home areas, migration can make them vulnerable or make access to treatment more difficult. Examples of increased vulnerability to waterborne diseases have also been observed amongst people from the Lao People's Democratic Republic highlands who were resettled to the lowlands where they were exposed to diseases unknown in the colder and less polluted water in the highlands.

In addition, migration is also likely to increase the risk of exposure to HIV/AIDS. Indigenous peoples are often less aware of the risk as information and education are often not available in their languages.<sup>3</sup> Migrants are also more likely to engage in high-risk sexual behaviour when they are away from their community and unconstrained by the social norms and rules that habitually regulate sexual conduct. The use of intravenous drugs, which is more likely among migrants, also increases the risk of HIV infection. Girls and women trafficked into the sex industry face a number of potential health risks, including increased risk of HIV infection and other sexually transmitted infections, mental health problems as well as unwanted pregnancies. This is not only harmful to the individual migrant but also to the community in case of return-migration. HIV infection, if undetected, can lead to its spread in the community and make re-integration of trafficking victims difficult, depending upon the group's attitudes towards STIs (Beyrer and others, 1997).

Migration also carries cultural risks that may be more profound for indigenous peoples, given their unique customs and traditions. In this context, international migration of indigenous peoples as well as in-migration to geographic areas predominantly populated by indigenous peoples may result in the dilution of their customs and cultures. While indigenous cultures should not be viewed as static and unchanging, the loss of identity and cultural heritage is a risk in the context of migration, especially international migration. The outcomes of long-term or permanent migration can be seen as dual; either migration causes indigenous migrants' distinct cultures to weaken as they are integrated into their host countries, or indigenous cultures become more visible through groups maintaining ties with their home communities.

## Conclusion

The migration of indigenous peoples in East and South-East Asia is considered extensive, although the numbers and exact details remain mostly unknown. While economic push factors play a major role in indigenous migration, other push and pull factors (such as environmental degradation, migratory lifestyles, marginalization, government policies and increased opportunities in urban areas or abroad) all encourage indigenous peoples to move. The conditions and experiences of migration among indigenous peoples also remain under-researched. Their precarious legal status in many countries in the region often forces indigenous peoples to become irregular migrants. This, in turn, affects their migration experience during transit and at the destination, making it more likely that they will become victims of trafficking and exploitation at the destination.

<sup>3</sup> Non-governmental organizations working in Thailand and on the Thai-Myanmar border have recently been making a concerted effort to provide information about trafficking and the risk of HIV/AIDS to indigenous and ethnic minorities living in the area (Physicians for Human Rights, 2004). UNESCO, in partnership with ADB, has developed a twelve step methodology for producing culturally and linguistically appropriate prevention programmes for HIV, trafficking/unsafe migration and drug abuse. The project uses radio drama to reach people in remote areas. The dramas are research-based, and authored in minority languages – not translated from English or national languages. The project works in Yunnan Province of China, Thailand, Lao People's Democratic Republic, Cambodia, and reaches into Myanmar.

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# GAPS IN KNOWLEDGE

## Introduction

### *Recent improvements in knowledge and understanding*

Policy makers and researchers are justified in believing that they always lack sufficient knowledge to carry out conclusive analyses and make optimal decisions. That is as much the case when considering international migration as with any other social or economic phenomenon. In the area of international migration, however, many recent developments have greatly increased the knowledge available to researchers, policy makers and others interested in the topic. Several recent initiatives of international organizations have contributed to that knowledge and understanding.

The Global Commission on International Migration (2005b) commissioned numerous background reports and held regional hearings in 2004 before presenting its final report, entitled *Migration in an Interconnected World: New Directions for Action*, to the Secretary-General and Member States of the United Nations in October 2005. The report, background documents and reports of the regional hearings are available on the GCIM website ([www.gcim.org](http://www.gcim.org)).

The United Nations (2006) also prepared a comprehensive 90-page document on international migration in the form of a report by the Secretary-General to the General Assembly. That report reviewed (a) migration trends, (b) the impact of international migration on countries of destination and countries of origin, (c) rights, gender, integration, benefits and the protection of migrants, and (d) the international normative framework and modes of intergovernmental cooperation on international migration. The report of the Secretary-General was the main substantive document for the High-level Dialogue on International Migration and Development conducted by the General Assembly on 14 and 15 September 2006 in New York.

International migration was the theme of the International Labour Conference organized by the International Labour Office in 2004, following which a report entitled *Towards a Fair Deal for Migrant Workers in the Global Economy* was issued. The International Labour Office in Bangkok supports much research on international migration, and has published several reports on human trafficking and labour migration in the Greater Mekong Subregion in the series entitled, *The Mekong Challenge*.

The biannual World Migration Report (WMR) published by IOM makes available a wide range of timely information. The 2008 edition is on 'Managing Labour Mobility in the Evolving Global Economy' and not only provides an exploration of contemporary mobility but it also outlines and discusses broad policy strategies that can contribute to the effective management of contemporary labour mobility in a balanced and integrated way. In addition, the IOM Regional Office in Bangkok and country offices in East and South-East Asia support research and publish detailed reports on migration issues.

The World Bank recently conducted extensive research on issues concerning remittances sent by migrants. With regard to South-East Asia, the World Bank (2006) has published a report on *Labour Migration in the Greater Mekong Sub-region*.

The Migration Policy Institute in Washington, D.C. makes available current reports on the situation of international migration, which include several countries in Asia, on its website ([www.migrationinformation.org](http://www.migrationinformation.org)). The information was valuable in the preparation of the sections of this report concerning individual countries.

The expanding interest in international migration is also reflected in the increasing number of conferences and other meetings on the subject that are being organized by international organizations, universities and other bodies. The reports and background documents for most of those meetings are routinely posted on the Internet. Governments also provide some international migration data via the Internet, particularly administrative data concerning such aspects as the deployment of migrant workers or on work permits issued to foreign workers. The reference list in this report is a partial record of the extensive amount of material available on international migration in East and South-East Asia.

## Standard demographic sources

### *Population censuses*

Much greater use could be made of such standard demographic data collection mechanisms as population censuses, national surveys and registration systems. Population censuses are usually designed to record everyone in a country (with a minimum time requirement for foreigners) but often omit migrants because of language barriers, the difficulty of access to them at their places of work and a poor understanding of census concepts. The failure to include migrants in a population census has a multiplier effect because data from the census are normally used to construct the sampling frame for other national surveys. Thus, if migrants are omitted from the census, they are also likely to be omitted from workforce and socio-economic status surveys, for example.

A good example of a systematic effort to enable population censuses to include migrants is the project being undertaken by the National Statistical Office in Thailand, in cooperation with IOM. This project will develop appropriate survey techniques for capturing the migrant population (especially from Cambodia, the Lao People's Democratic Republic and Myanmar) during the 2010 population census. It will develop and test mechanisms for identifying migrant residence, and will establish a training programme for the census team. Prior to the national census, the National Statistical Office will conduct pilot censuses in two provinces to test the methods developed (World Bank, 2006).

### *Population surveys*

National surveys and small-scale surveys can be effective means of obtaining information about migrant populations. It is important, however, that the sampling frame for national surveys includes migrants, as noted above. National statistical offices routinely conduct workforce surveys. They also usually conduct socio-economic surveys or demographic and health surveys every few years. A few questions designed specifically for migrants can be added to these surveys. Such specific questions could include the number of years in the host country, working conditions and information about remittances, for example. When national migration surveys are conducted, they should also be designed to capture international migrants and over-sample areas with concentrations of such migrants.

National censuses and surveys are important for obtaining information on the number, geographic location and basic demographic characteristics of migrants, but they should be supplemented by small-scale surveys that target migrant communities and can collect information in much greater detail. Specialized surveys can collect detailed information on living and working conditions, family situation, aspects of recruitment and placement, the migration decision-making process and remittance behaviour, for example. Specialized surveys can obtain migration histories from respondents. These are valuable in understanding migration processes. Foreign workers are often perceived to be single, short-term and temporary migrants. Some of them, however, are likely to have their families at the destination and to have stayed or migrated numerous times over several years.

Examples of recent valuable surveys of migrants include those carried out by the Institute for Population and Social Research, Mahidol University, Thailand with support from ILO (Pearson and others, 2006), and those conducted in several locations in East and South-East Asia and published in Hewison and Young (2006).

### *Household registration*

Most countries in East and South-East Asia maintain registers of the population according to household data. Such registration serves many administrative purposes including, for example, the issuing of identification cards, passports and marriage certificates, and for school enrolment. As household registration is designed for citizens or permanent residents, it normally excludes international migrants. In Japan, however, plans are being developed to incorporate local government records of migrants into the national database as part of a recent concept of treating "foreigners as inhabitants" (Iguchi, 2007). This approach could be of use in several other countries in the region.

## Administrative records

Most information concerning international migration comes from administrative records, particularly those on deployment of workers overseas, work permits issued to foreign workers and the issuance of visas. However, these records are not fully exploited when monitoring and analysis of migration trends. The government agencies concerned in most countries of the region post summary statistics from these administrative records on the Internet. These records could be immensely valuable, however, if tabulations were available in greater detail. At a minimum, it should be possible to view tabulations of the annual number of workers deployed or work permits issued by sex, age and occupation. Data on deployed workers should also show country of destination as well as province or region of residence in the country of origin. Data on work permits issued should be tabulated by country of origin and by province within the country of destination.

While such administrative records are often made available to researchers within a country, it would be valuable if the government websites incorporated interactive software that allowed users to create custom-designed tabulations, as can be done with data from demographic and health surveys or from some United Nations databases.

A main source of information for estimating the number of irregular migrants in a country is immigration records, particularly with regard to the number of persons who overstay their visas. These records provide reasonably accurate information if nearly all migrants enter and leave a country formally at ports and airports. However, where a high proportion of migration occurs across land borders – as is the case in mainland South-East Asia – visa records are not a sufficient source of information for estimating irregular migration. Passports and visas are not required for many crossings and some migration is irregular. In these circumstances, the population census or migration surveys could provide useful information for estimating the number of migrants with irregular status.

It is important to note that a census should not inquire about regular migration or work status, because such questions would encourage migrants to avoid being enumerated. If a census could obtain an accurate count of all migrants in a country, that information could be compared with registration data in order to estimate the number with irregular status.

## Knowledge about migration procedures

More research and sources of information are required for effective policy formulation and programme implementation in the area of international migration. Operations research should be conducted on migration procedures in both origin and destination countries. Such research would review all of the requirements for a migrant to be officially deployed to another country, including the time needed, documentation required, fees charged and certification procedures. Research comparing the deployment procedures of countries in South-East Asia would be especially valuable. The purpose of such research would be to make migration procedures more efficient while providing protection to migrants and employers. The use of one-stop recruitment and deployment centres could be evaluated, for example. Research may identify aspects of the procedures that act as disincentives for migrants to choose finding overseas employment through official channels.

More information is also needed about treatment of migrant workers in destination countries. A systematic evaluation of the compliance with procedures and assurance of rights set out in bilateral MoUs would be of value. Research should cover such issues as compliance with employment contracts, working conditions, hours worked and wages paid. More information is required concerning migrants' access to, and use of health facilities, and the educational status of migrant children.

Most migration research focuses on the migrants and their families but rarely covers the perspective of employers. A useful exception is the research carried out by Pearson and others (2006) on the attitudes of Thai employers toward the employment of migrant workers. Such research should be expanded to include employers' views on government regulations and procedures for hiring migrants, for example.

Very little information is currently available concerning unsuccessful migration. This could be defined as a formal complaint being filed by a migrant about the terms or conditions of employment, or the need for a migrant to return before completion of a contract or duration of a work permit owing to illness or other reasons. It would be valuable for monitoring policy implementation if data on complaints and their resolution were available. Information about early return and the reasons for it could also point to areas of concern in programme implementation. Systematic compilation and availability of data on complaints and early returns would promote the development of more effective migration policies and procedures.

Similarly, not enough is known about the reasons for policy failures. A policy failure could be defined, for example, as the finding of work by a migrant in another country without going through the official channels of either country, the failure of a migrant to register during registration campaigns or periods of amnesty, or when a migrant changes employment from that authorized. Such actions are usually perceived as being a result of disincentives in formal migration procedures, including their complexity or cost; however, it is also likely that migrants are encouraged to take such actions by some employers, placement agencies or even government officials.

Considering the importance of private recruitment and placement agencies to international migration within the region, there is a dearth of detailed research about these aspects. In order for Governments to formulate effective policies and regulations regarding their functions, more systematic information is required. In each country, information concerning the number of such agencies, the number of migrant workers that each agency processes, the fees charged and the services offered should be available. In several countries, informal networks of recruiters, acquaintances and relatives arrange for international migration for employment, frequently placing the migrants in an irregular situation regarding their migration and/or employment. Yet, no detailed studies have been carried out specifically on this mode of recruitment.

Countries that formally deploy workers to other countries do so through a government agency and regulate the relationship of private recruiters to that agency while specifying the respective functions of the government and the private companies. IOM (2005) carried out a valuable descriptive study of the labour deployment systems in 12 countries in Asia. However, a comparative and analytical study would also be useful. Deployment systems could be evaluated for their efficiency, their synergy with private agencies, the degree of protection provided to migrant workers and other criteria.

## Gender and migration

Although gender aspects of international migration were formerly a neglected subject of research, this is no longer the case. In 2006, UNFPA highlighted women and international migration as the theme of its annual State of the World Population report to coincide with the General Assembly High-Level Dialogue on International Migration and Development held that year.

Several recent studies have focused on the situation of migrant domestic workers in East and South-East Asia, including those by Hewison (2006), Loveband (2006) and Pearson and others (2006). It is understandable that much research on female migrants has concentrated on domestic workers and sex workers because women in those occupations are the most likely to be vulnerable to exploitation and abuse. There is less research concerning the situation of female migrant workers in other occupations, such as manufacturing workers, sales employees, nurses and teachers.

More research is also needed on the family dynamics of migration. Do families adjust differently to the migration of women and men? Are families and children affected differently if the father or the mother migrates? Is the migration of married couples together the optimal choice for families? Considerable research efforts are beginning to explore these issues, as described in greater depth in the chapters of this report on gender and migration, and on the impact of migration on children.

An emerging subject of concern is the prevalence of migration associated with international marriages. In many cases, marriages are arranged by private agencies between men in China, the Republic of Korea or Taiwan Province of China and women from poor areas of the Philippines or Viet Nam. In 2005, the number of marriages between a Korean man and a foreign wife equalled 9.9 per cent of all marriages in the

Republic of Korea (Kim, 2006). Many such marriages are arranged after only one or two meetings between the principals, the husbands are usually much older than their wives, and the wives migrate to a country where they may not be able to speak the language or are unfamiliar with the culture. Thus, the potential exists for abuse. Research in greater detail into the situation of foreign brides is an essential prerequisite to formulating policies that protect the rights of the women and their husbands. On a more theoretical level, the high proportion of marriages with foreigners is likely to have a longer-term impact on the culture of the host societies. Will they become more multicultural and transnational, or will the host societies attempt to enforce strict assimilation? Will the presence of large numbers of foreign wives, particularly in rural areas, alter gender relations in the host countries?

## Impact of migration on children

Four categories of children are affected directly by migration: (a) those who remain behind when one or both parents migrate; (b) those taken along with a migrating parent; (c) those who migrate on their own; and (d) those born to a migrant in the country of destination. As the chapter on migration and children in this report makes clear, very little information about children in these four categories is available. Perhaps surprisingly, given the importance to the Philippines of international migration, current estimates of the number of Filipinos currently working overseas are not considered reliable. A 10 per cent sample of the census population in 2000 appears to have greatly underestimated the number of overseas Filipino workers while estimates compiled from embassy sources in destination countries apparently overestimate the number. The chapter on migration and children argues that there are probably about 2 million Filipinos aged less than 18 years who have at least one parent working overseas. About 500,000 of those children are aged less than five years. Approximately 5 per cent of Filipino children have a migrant parent, and about twice as many have a migrant father as do those who have a migrant mother.

Even in the Philippines, where a serious effort has been made to enumerate the number of children with at least one parent working overseas, no estimates have been made of the numbers in the other three categories of children directly affected by migration. Even less is known about children and migration in the other main countries of origin in the region. For countries with large numbers of their nationals working abroad – particularly Cambodia, Indonesia, the Lao People's Democratic Republic and Myanmar – it could be recommended that they add a question to their population census or a national survey that would enable a valid estimate to be made of the number of migrants and the number of children who remain behind.

Beyond estimating how many children are in each of the four categories, much more information is needed concerning their socio-economic status. Research to date has yielded mixed results. Some children experience an adverse impact by the migration of a parent while others largely benefit because they are cared for by other family members and because remittances are available for their education and health care. Were more research results available, government agencies and NGOs could more effectively assist families in preparing for the long-term absence of a parent through migration.

## Statistics on trafficking in persons

Many of the factors that lead to irregular migration – a strong demand for labour, push factors in the country of origin and the lack of, or complicated, channels for regular migration – make many of those migrants vulnerable to being trafficked. Because trafficking is illegal and generally clandestine, it cannot be expected that accurate statistics on the phenomenon exist. The basis of estimates offered is usually not explained, and administrative data on victims identified are vastly different from the broad estimates.

It has been estimated that at least 200,000 persons are trafficked annually in the GMS (IOM, 2004). Government mechanisms in the six countries in the subregion formally identify and repatriate only about 600 victims of trafficking per year, however, or about 0.3 per cent of the estimated number of victims (Huguet and Ramangkura, 2007).

There are three possible reasons for the great discrepancy between the estimated number of victims and the number actually identified. First, the broad estimate may not be valid. Normally, because such estimates are not disaggregated by sex, occupation or country of destination, it is not possible to evaluate them or to attempt to replicate or adjust them. A second reason for the discrepancy between estimates and official figures could be that the concepts and definitions employed differ between the two sources. For example, legislation in most countries in Asia does not provide for identifying adult males as victims of trafficking. "Exploitation" is an essential element in deciding if a person has been trafficked, but the concept of exploitation could well differ between a theoretical framework and the operational guidelines actually employed by government labour inspectors. A third possible explanation for the discrepancy between estimates of trafficking and the number of victims identified could be that authorities do not adequately investigate workplaces where victims are likely to be employed.

Given the many conceptual and practical problems in defining trafficking and identifying victims, it is unlikely that very precise statistics can be produced. However, a systematic effort to explain the large discrepancy between general estimates and the number of victims actually identified, according to the three possible reasons above, should give a much clearer picture of the extent and nature of trafficking in East and South-East Asia.

## **Return and reintegration**

Although several million persons from East and South-East Asia have worked outside of their country and returned, relatively little knowledge exists about them and the impact that migration has had on them and their families. The large number of persons willing to undertake the costs and risks of migration, whether in a regular or irregular status, implies that potential migrants generally perceive that migration for employment will yield a net benefit to their families. Yet current research does not permit a precise assessment of which migrants benefit the most or the least. Large-scale surveys of return migrants that could be disaggregated by gender, years worked abroad, occupation and destination, for example, would be valuable in analysing the variables related to particular migration outcomes.

Such surveys would also be useful in assessing the reintegration of return migrants in order to learn whether they gained skills abroad that benefit them upon return, whether they take up the same or different occupations after returning and whether they have been able to make productive investments with their savings from overseas employment. Specialized surveys should evaluate government and non-governmental organization programmes designed for returning migrants, such as entrepreneurship training and micro-credit, to enable the analysis of the factors that contribute to their success or failure (Weekley, 2006).

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## **Part III**

# **Recommended Actions**



# RECOMMENDED ACTIONS

As the level of development and the impact of international migration differ for each of the countries in East and South-East Asia, this report recommends broad approaches to formulation of migration policies rather than specific policies. The policy suggestions may not all be relevant to all the countries included in the report. The recommendations are directed at Governments because of their responsibility for policy formulation but international organizations, civil society, research institutes and other interest groups are partners in the process and should assist in developing and assessing effective migration policies. While the recommendations are divided into different sections some recommendations may overlap or be relevant to more than one section.

## POLICY COHERENCE AND ENHANCED GOVERNANCE

In an increasingly inter-connected world, growing mobility of people crossing borders pose enormous challenges of governance. There are strong needs for Governments to enhance national governance of international migration by formulating coherent migration policies, and ensuring their implementation. There are two main aspects of policy coherence. First, migration policies should be internally coherent based on agreed objectives, taking into account the competing interests of concerned ministries and non-state actors. Second, migration policies should be consistent with the broader social and economic development policies of the country.

- A careful statement of the key objectives of a country's migration policies is essential if the policies are to be effectively formulated and implemented.
- Migration policy should be consistent with national development goals. It should be explicitly incorporated in five-year and longer-term development plans and in sectoral plans in areas such as agriculture, industry and education. When migration flows are significant, they should be incorporated in population and labour force projections.
- Effective migration policy can be formulated through a public dialogue and the inclusion of viewpoints of the main stakeholders. Representatives of employers, trade unions, migrant groups, and academic researchers should contribute to the process of policy development.
- Countries that deploy migrant workers abroad need to balance the wish to promote the employment of their nationals with the ability to provide adequate levels of protection for these workers abroad.
- Countries that receive large numbers of migrant workers need to balance their need for low-skilled and low-paid migrant workers while avoiding the emergence of a migrant underclass. Policies should be developed to ensure that the use of low-wage foreign workers does not impede national development, as reliance on a large pool of migrant workers may discourage employers from investing in more productive plants and processes.
- Countries with large numbers of migrants present should implement inclusive policies to accommodate diversity and promote cooperative relations between the host society and migrant communities. Government, including local government, should implement programmes to assist in their adjustment to the host society, such as training in the local language and culture.
- Host countries should make provision for offering such essential government services as worker registration, insurance or health care available in the language of the migrants. Access to health care is particularly important and benefits both the migrants and the host community.
- Both source and host countries should develop their human resources and capacity to deal with migration management. For effective implementation of migration policies, the coordination mechanisms may be established and maintained not only among concerned ministries, but also with local governments.

## PROTECT THE RIGHTS OF MIGRANTS

As the number of foreign workers in countries of East and South-East Asia has increased, awareness of issues concerning the protection of their labour rights and basic human rights has also grown. While much valuable progress has been achieved recently in establishing mechanisms for promoting and protecting the rights of migrants, the issue remains the most problematic area of migration policy. It is imperative for Governments to intensify efforts to protect the fundamental human rights, promote the welfare and uphold human dignity of migrants.

- Government or independent oversight of the recruitment industry should be strengthened across the region. Because most workers are recruited and employed by private companies, the interaction between the government and those companies is crucial to protecting the rights of migrant workers.
- Some source countries in the region have arranged for labour attaches in different host countries to aid their migrant workers. This practice should be expanded and source countries should ensure that their staff abroad is comprehensively trained and briefed on current labour legislation in the host country.
- Sending countries with a high number of female migrant workers abroad should consider how to provide gender sensitive protection for those workers without limiting their right to migrate.
- Host countries with a large workforce of female migrant workers should consider expanding labour legislation to include domestic work as well as providing sufficient access to shelters and legal aid in the case of abuses, exploitation or trafficking.
- Countries which receive child labour migrants should seek to discourage this practice. Countries should also comply with International Convention on the Rights of the Child, so that the fundamental rights of migrant children such as the right to birth registration and to acquire a nationality (not necessarily immediately or in the country of birth) are better protected.
- Countries should comply with international instruments relevant to migration which they have signed and ratified, when signing and implementing bilateral and multilateral agreements on migration.

## STEMMING IRREGULAR MIGRATION

When the demand for foreign workers is great and government enforcement is inadequate, some migration for employment becomes irregular. In some situations, migrants enter the destination country clandestinely and they may therefore be considered as illegal. In many cases, however, migrants enter the destination legally, but then overstay their visa or entry permit and take up employment. In some situations, the immigration status of the migrants is legal but they work without permission or find employment different from that permitted. Human trafficking is a pernicious form of irregular migration widespread in East and South-East Asia.

- Governments should explore the full scale of irregular migration and identify the conditions which promote irregular migration, especially, in relation to job opportunities available in countries of origin and the demands for labour in destination countries, as well as existing measures to restrict the movements of people.
- In further efforts to prevent irregular migration, the negative consequences of irregular migration, including life risks and abuse, should be addressed and widely publicized through various measures, especially by media. Such programmes may include the guidance in finding regular migration opportunities.
- A wide range of border control policies could be introduced and strengthened in order to stem irregular migration. Such border control policies must be implemented in a sensitive manner, paying respect to the human rights obligations.

- The region requires more effective counter-trafficking policies and programmes. Measures should include the criminalization of trafficking, the effective use of the justice system as well as the extension of assistance to victims, including services for their rehabilitation.
- Governments should establish more systematic and comprehensive approaches to identifying victims of trafficking. In this regard, greater attention should be given to situations in which men are trafficked, as current legislation and practice focus on women and children. Vulnerable groups also include indigenous peoples and ethnic minorities.

## **MIGRATION FOR DEVELOPMENT**

There has been a growing recognition that international migration contributes to the development of both countries of origin and destination. The challenge is to formulate policies and mechanisms which maximize the positive developmental impact of migration, while minimizing its negative consequences. Migrant remittances have been recognized as one of the primary links between migration and development.

- Co-development refers to the cooperation between migration source and host countries in order to enhance the developmental impact of international migration. Governments in the region could adopt such initiative in order to promote the beneficial impact of international migration.
- Improving the financial infrastructure underlying remittances is critical to harness the development impacts of migration. Among the critical issues are enhancing remittances by regularizing informal remittance channels, improving regulatory and institutional frameworks, and reducing the money transaction costs through market competition.
- While remittances are private income, States and NGOs should provide prospective migrants and return migrants with advice on financial matters, including different options for remitting, savings and spending so as to encourage the best use of remittances for long-term development.
- Countries which are encouraging temporary migration should consider ways of utilizing the skills migrants have gained while abroad. Providing re-integration facilities, assisting with job searching upon return or such services as entrepreneurship training and micro-credit are some examples of current initiatives in the region.
- Much of the migration debates centers around economic dimensions in the region. Policy makers should draw their attention on social dimensions of international migration, especially the impacts of migration on family left behind, gender roles, international marriages, as well as the plights of migrant children.

## **DATA AND RESEARCH**

More comprehensive data and usage are required if migration is to be incorporated in national planning or policy. Clearer definition of migration, stronger data collection, increased research into migration and evaluations of current programmes and policies would improve policy formulation and implementation. Understanding of the direction and magnitude of the impacts of migration on countries of origin and destination is still in its infancy.

- Population censuses and national sample surveys should ensure that migrant populations are covered. National census and survey data should be supplemented by smaller sample surveys designed to obtain detailed information about specific aspects of migration, such as the impact on the family, use of remittances or migration patterns of indigenous peoples.
- Results of population censuses and surveys, specialized surveys and administrative records should be compiled and made readily available to researchers in order to build up a body of knowledge and analysis useful for policy formulation. Data, research, expertise and best practices should be also shared between countries.

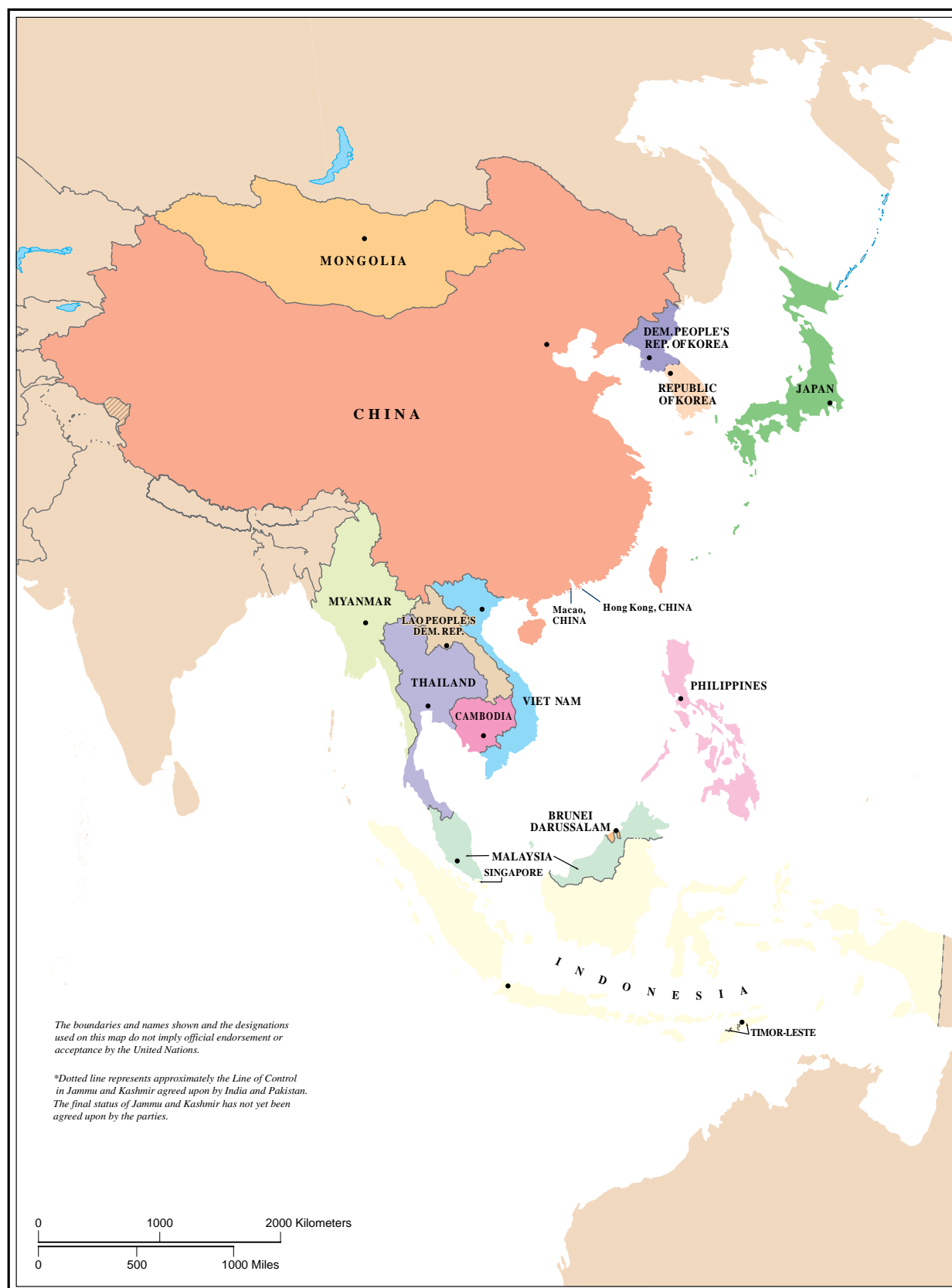
- Both source and host countries should carefully monitor demographic changes as well as long-term labour market trends as these factors are vital to determine desirable levels of in and out-migration over time. Future expansions and contractions of the workforce are most commonly predictable through national censuses and population statistics even if future economic performance is not.
- Return and circular migration have recently emerged as a potential way of countering brain drain in source countries by encouraging brain circulation and exchange of skills and talents. Since such information is generally lacking across East and South-East Asia, efforts should be strengthened to collect data and undertake research on return and circular migration.

## REGIONAL AND INTERNATIONAL COOPERATION

Commonly, migration policies are developed with national interests in mind but a more international perspective can contribute to more effective policies and alleviate many of the problems associated with migration. Migration is an inherently transnational phenomenon, requiring cooperation between countries at the sub-regional, regional and global level. Greater dialogues involving the Governments of source and host countries should be facilitated to address common migration concerns.

- Regional consultative processes on migration have an important role to play in promoting mutual understanding among Governments and fostering cooperation and policy coherence. Such process should be further enhanced in various dimensions of migration, especially in the area of labour migration, to promote common understanding of the issue and forge consensus for collective actions.
- The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers adopted in 2007 is a promising beginning to regional cooperation in addressing the rights of migrant workers. To move beyond the stage of enunciating principles, the ASEAN may wish to develop basic labour standards for migrant workers. It could aid in developing model contracts for migrants in several occupations, and develop standard skills certification which would recognize skills and qualifications across borders.
- ASEAN adopted in 2004 a Declaration against Trafficking in Persons, particularly Women and Children, and six Governments of the GMS signed a MoU on cooperation against trafficking. Countries which are not the members of the groups might seek the opportunity to sign bilateral or multilateral agreements for cooperation to stem trafficking with concerned governments.
- There has been a proliferation of global initiatives which address the issue of international migration. Active participation and engagement of governments in such initiatives, in collaboration with civil society, the private sector as well as academia, should be further encouraged.

**Map 1. Map of East and South-East Asia**



Map No. 4328 UNITED NATIONS  
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Cartographic Section

Table 32. Overview of population and migration data for sixteen East and South-East Asian Countries

Country or area	Total population <sup>1</sup> (thousands)	Population growth rate % <sup>2</sup> 2007	Growth rate; population aged 15-39 years % <sup>3</sup> 2005-2010	Total fertility rate <sup>4</sup> 2007	Percentage urban <sup>5</sup> 2007	Per capita GDP in current prices USD <sup>6</sup> 2006	Migrant stock <sup>7</sup>		Number of refugees <sup>8</sup> 2006	Net migration <sup>9</sup> Rate per 1,000 pop. 2005	Remittances <sup>10</sup>		Immigration policy 11			Emigration policy 12	
							Number (thousands)	Percentage of population (2005)			Total (Millions of US dollars) 2006	Percentage of GDP (2006)	Overall level	Highly skilled workers	Integration of non-citizens	Overall level	Encouraging the return of citizens
	2007	2007	2005-2010	2007	2007	2006	2005	2005	2006	2005	2006	2006	2005			2005	
Brunei Darussalam	390	2.1	1.89	2.3	74	15,208	124	33.2	..	1.9	..	..	Maintain	Raise	No	No intervention	No
Cambodia	14,364	2	2.93	3.4	21	327.67	304	2.2	99	0.1	200	2.8	Maintain	Maintain	No	No intervention	No
China	1,320,509	0.63	-0.95	1.71	40.3	1,554	596 13	0.0 14	301,027	-0.315	22,492	0.8	No intervention	Maintain	No	Maintain	No
Dem.People's Rep.of Korea	23,790	0.46	-0.397	1.88	61.6	...	37	0.2	..	0.0	..	..	Maintain	Maintain	No	Maintain	..
Indonesia	231,627	1.2	0.596	2.2	50	1369.41	160	0.1	301	-0.9	1,883	0.5	Maintain	Maintain	No	Raise	No
Japan	128,191	0.1	-1.34	1.3	79	38,326	2,048	1.6	1,844	0.4	1,380	<0.1	Maintain	Raise	No	No intervention	No
Lao People's Dem. Republic	5,859	1.7	2.97	3.3	21	481.52	25	0.4	..	-3.4	1	<0.1	Maintain	Raise	..	No intervention	Yes
Malaysia	27,124	1.8	1.62	2.6	69	5,239	1,639	6.5	37,170	1.0	1,492	1	Maintain	Maintain	Yes	No intervention	Yes
Mongolia	2,629	1	1.07	1.9	57	584.03	9	0.3	5	-3.2	177	6.6	Maintain	Raise	No	Maintain	Yes
Myanmar	48,798	0.9	0.596	2.1	32	154	117	0.2	..	-0.2	117	..	Lower	Maintain	No	Maintain	Yes
Philippines	88,462	2	1.94	3.2	64	1,123	374	0.5	100	-2.1	14,923	12.8	Maintain	Maintain	Yes	Maintain	Yes
Republic of Korea	48,456	0.5	-0.8	1.2	81	15,962	551	1.2	96	-0.2	918	0.1	Raise	Raise	Yes	No intervention	No
Singapore	4,543	1.3	0.29	1.3	100	28,034	1,843	42.6	1	9.3	..	..	Raise	Raise	Yes	Lower	Yes
Thailand	62,829	0.5	-0.61	1.6	36	2,931	1,050	1.6	133,117	0.6	1,333	0.7	Maintain	Maintain	No	Raise	No
Timor-Leste	1,155	3.7	3.74	6.6	28	364.64	6	0.6	3	11.5	..	..	Maintain	Maintain	..	No intervention	..
Viet Nam	85,590	1.4	1.42	2.1	26	597.98	21	0.0	2,357	-0.5	4,800	7.9	Maintain	Maintain	Yes	Raise	Yes

<sup>1,2,4,5</sup> Source: Population and Development Indicators for Asia and the Pacific, 2007 <sup>3</sup> Source: calculated based on the number of population from the World Population Prospects: The 2006 Revision <sup>6</sup> Source: International Monetary Fund World Economic Outlook and EconStats <sup>7</sup> Migrant stock is the mid-year estimate of the number of people who are born outside the country. For countries lacking data on place of birth, the mid-year estimate of the number of non-citizens. In either case, the migrant stock includes refugees, some of whom may not be foreign-born. Percentage of population is the migrant stock as a percentage of the total population. Source: International Migration 2006 (United Nations Publication, Sales No. E.06.XIII.6), United Nations, Department of Economic and Social Affairs, Population Division. <sup>8</sup> Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, in accordance with the UNHCR Statute, persons granted a complementary form of protection and/or those granted temporary protection. Source: UNHCR Statistical Yearbook 2006 <sup>9,11,12</sup> As these estimates are based on the United Nations World Population Prospects, The 2004 Revision, in some cases there may be a small discrepancy from the estimate of the net migration rate for 2005 presented in each country chapter because the latter is based on the 2006 revision of World Population Prospects <sup>9,11,12</sup> Source: International Migration 2006 (United Nations Publication, Sales No. E.06.XIII.6), United Nations, Department of Economic and Social Affairs, Population Division. <sup>10</sup> Source: World Development Indicators 2007. <sup>13-15</sup> These figures apply to China excluding Hong Kong, China and Macao, China.





## **Situation Report on International Migration in East and South-East Asia**

